

**ADMINISTRATIVE GUIDE**  
**LOS ANGELES UNIFIED SCHOOL DISTRICT**

**RULES OF THE BOARD OF EDUCATION**

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## **PREFACE**

All Board Rules which are not followed by a date in parenthesis were adopted by Board action on or before June, 1973. Subsequent to this date all revisions and additions will be followed in parenthesis by the date of adoption.

## DEFINITION OF A BOARD RULE

A statement of policy of the Los Angeles Unified School District adopted by formal action of the Governing Board. Board Rules essentially have two purposes; they are the operational rules for the Board, and they are the Board adopted policies used by staff to create Bulletins for internal and public distribution of District policies and regulations.

Board Rules are identified by a number, i.e. 1421 — This is a statement of Board policy referring to the dissemination of information regarding students.

## **DIVISION I**

### **RULES FOR THE OPERATION OF THE BOARD OF EDUCATION**

The purpose of the Board of Education of Los Angeles Unified School District is to act in the best interest of the students and the Districts' stakeholders to ensure the District achieves positive student outcomes for its students in accordance with the District Mission and Vision.

The Members of the Board have been elected by the communities to provide leadership, policy making and citizen oversight of the policies and practices that affect the students, families and schools within the jurisdiction of the Los Angeles Unified School District. The Board shall ensure that the District is fair and equitable in the district's response to the values, beliefs and priorities of each community within the District and in the allocation of all resources available to the District.

The Board shall govern lawfully, observing the principles of good governance, with an emphasis on its goals and while encouraging a diversity of viewpoints.

Board development shall include orientation of new Board members in the Board's Governance Policies. The Board shall continue to discuss process policy improvements as needed.

The Board shall actively encourage and seek the input and opinions of stakeholders on many issues, and on policies under consideration.

Board Role and Responsibilities include:

1. Adopting and communicating a mission and vision, focusing on how most effectively to achieve positive outcomes for students, creating a link between the students and the LAUSD Board;
2. Engaging their respective communities in developing the common vision for the District focused on learning, achievement, and social development ;
3. Representing the needs of all students;
4. Operating openly, with trust and integrity;
5. Providing adequate resources to schools, particularly those serving students from low and very low income neighborhoods;
6. Evaluating the Superintendent on an annual basis based on mutually agreed upon criteria ;
7. Evaluating the performance on an annual basis based on mutually agreed upon criteria of the Executive Officer of the Board, the Inspector General, and the Executive Director of the Independent Analysis Unit.

(Added 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

## Chapter 1 — Meetings

### 1. ANNUAL MEETINGS

The Board shall hold an Annual Meeting at 10:00 am July first of each year, or the first Tuesday thereafter. The Superintendent of Schools shall call the meeting to order. The first order of business shall be the induction of recently elected Board Members followed by the election of one of its number as President whose term of office shall continue for one year, or until their successor is elected (Education Code Section 35143)

Beginning in December 2020, the Board of Education shall hold its annual organizational meeting between the date upon which a governing newly elected board member normally takes office and January 14. At the annual meeting the Board of Education shall organize by electing a president from its members who shall serve in office until the next annual organization meeting or until their successor is elected.

The Superintendent of Schools, when the Board President is being elected at the Annual Meeting of the Board, shall solicit nominations for the position to be filled. Each nomination will require a second to go forward. When there are no more names to be placed in nomination, the Superintendent will ask for a motion to close nominations which will require a second and approval by a majority of the board. The Board will then vote by roll call for each nominee individually, and in the order they were nominated, until a nominee is elected by a majority vote of the Board.

~~Each year, the newly elected President of the Board of Education shall appoint a Vice President of the Board to serve as President Pro Tempore.~~

~~A Board Member shall not be eligible to serve as President if he or she has served in the capacity for the two (2) consecutive terms immediately prior to a Board President election. (Board Action 1-15-2013)~~

After the Board President is elected, the President will hold an election for Chair of the Committee of the Whole, following a similar procedure to the one used to nominate and elect the Board President. (see Board Rule 6)

(Amended 6-25-19 Amended 8-26-14, previously Amended 9-11-07)  
(Added 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

### 2. COMPENSATION OF BOARD MEMBERS

Each Member of the Board of Education may receive either the compensation prescribed in State law or a salary, in the amount determined by the Compensation Review Committee established by the Charter of the City of Los Angeles, providing that the Member does not receive any additional compensation for their services other than that allowed by State Law.

If the compensation is that which is determined by the Education Code, on an annual basis the Board may increase the compensation of individual Board Members in an amount not to exceed five percent. (Education Code Section 35120)



(Amended 8-26-14, previously Amended 9-11-07)

### 3. PROCEDURE FOR THE ELECTION OF OFFICERS OR REPRESENTATIVES

The President of the Board of Education shall solicit nominations for the position to be filled. Each nomination will require a second to go forward. When there are no more names to be placed in nomination, the President will ask for a motion to close nominations that will require a second and approval by a majority of the Board.

The Board will then vote by roll call for each nominee, individually and in the order they were nominated, until a nominee is elected by a majority vote of the Board.

(Reaffirmed 6-25-19 Amended 8-26-14, previously Adopted 2-11-03)

(Election of President moved to Board Rule 1 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

### 5. SELECTION OF OTHER REPRESENTATIVES

Each year at the Annual Meeting of the Board, the newly elected Board President shall select one Board Member as a voting representative to elect members to the Los Angeles County Committee on School District Organization and other organizations, including, but not limited to, Council of Great City Schools, and National School Boards Association.

The Board President will make a good faith effort to match appointments with the interests and expressed willingness of Board Members to serve and no Board Member will be considered for multiple appointments until every Board Member has been offered and accepted at least one appointment.

(Education Code Section 35023)

(Amended 1-16-18 BOE Report 213-17/18, Adopted 8-26-14)

(Reaffirmed 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

### 6. ELECTION OF THE CHAIR OF THE COMMITTEE OF THE WHOLE

At the annual meeting, the Chair of the Committee of the Whole will be elected by a vote of the whole Board. The procedure to be used in the election is describe in Board Rule 3.

**The Chair of the Committee of the Whole will serve the role of Vice President of the Board.**

(Adopted as an amendment to Board Rule 1 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

(New Board Rule 6-25-19 BOE Report 149-18/19)

### 7. STUDENT MEMBER OF THE BOARD

The Board of Education will appoint one or more student members to the Board using a process determined by the Superintendent. Student Members shall be enrolled in a District high school and their term of office will be for one year commencing on July 1. Student members will be able to attend all Board Meetings though will not be able to participate in closed session discussions. Student Members can cast an advisory vote as a formal expression of opinion that will be recorded in the minutes of meetings but their votes will not serve in determining the final numerical outcome of a vote by the Board.

(Education Code Section 35012(d))

(Adopted 1-16-18 BOE Report 213-17/18)

## 11. REGULAR MEETINGS

The Board of Education shall hold its Regular Board Meetings at a time and on dates determined by the Board through action at the Annual Meeting of the Board and subsequent meetings. All meetings of the Board shall be held in the Board Room, Los Angeles City Board of Education Administrative Offices, 333 South Beaudry Avenue, Los Angeles, California 90017, or at such other times or places as may be ordered by the Board or the President of the Board. (Government Code Section 54954.)

(Amended 8-26-14, previously Amended 9-22-09, BOE Report 94-09/10)

## 12. LEGAL HOLIDAY

If a Regular Board Meeting day falls on a legal holiday, the Board of Education shall meet on the following business day, Saturday and Sunday excepted, at the same hour and place unless specifically determined otherwise by the Board.

(Amended 8-26-14, previously Amended 1-7-63)

## 13. GOVERNING BOARD

At each meeting, the Board of Education shall sit and act as the governing board of the Los Angeles Unified School District and the affairs of the District shall be considered. Comprehensive records of all Board actions shall be kept.

(Amended 8-26-14, previously Amended 1-7-63)

## 14. BUDGET

The ~~Board Secretariat's~~ Superintendent's office will provide each Board Member with a budget for an administrative assistant, a chief of staff, and necessary office supplies to perform the duties of the Board of Education office. Each Member will be allocated discretionary funding that may be expended as the Member directs for any lawful school district purpose. ~~Each Member will be allocated an individual budget that may be expended as the Member directs.~~ The President of the Board shall, in his or her budget, receive an additional amount because of the demands made upon the Office of the President and because of the many activities in which the President represents the entire Board.  
(Education Code Section 45112)

(Amended 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E See also Board Rule 250)

(Amended 1-16-18 BOE Report 213-17/18, Amended 8-26-14, Adopted 6-30-77)

## 15. BOARD TRANSPORTATION

In the performance of Board of Education business, Board Members are entitled to use a Los Angeles Unified School District car and may use District credit cards to cover the expenses involved in operating the District car. Members choosing not to use a District car may use their own car and will be reimbursed for the use in accordance with the law. Board Members using a Los Angeles Unified School District car shall track and report all personal use of said vehicle as required by District policy and the use will be considered taxable compensation as prescribed by law.

(Amended 8-26-14, previously Amended 9-11-07)



## 21. SPECIAL MEETINGS

A special meeting may be called at any time by the President of the Board of Education, or by a majority of the Board Members at a duly noticed Board meeting, by delivering personally, by mail, or by fax, written notice to each Member, and to each local newspaper of general circulation, radio, or television station annually requesting notice in writing. Such notice must be delivered personally, by mail, or by fax at least twenty-four hours before the time of such meeting as specified in the notice, if the meeting is not scheduled at a prior Board meeting. Unless another place is designated in such motion, or as provided in Board Rule 11, the meeting shall be held in the Board Room at 333 South Beaudry Avenue, Los Angeles, California. In the absence of the President, a special meeting may be called by the President Pro Tempore, Vice President, or the Superintendent of Schools, in case of emergency. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered by the Board at such meetings. Such written notice may be dispensed with as to any Member who at or prior to the time the meeting convenes files with the Executive Officer of the Board a written waiver of notice. A Member who is actually present at the meeting at the time a meeting is scheduled will be considered to have received the notice. (Government Code Section 54956.)

(Amended 9-11-07)

## 22. SPECIAL MEETINGS OF COMMITTEES

Board Rule 21 shall apply to special meetings of the Committee of the Whole and to Special Committee meetings.

(Amended 8-26-14, Adopted 1-5-87)

## 25. ADJOURNMENT—ADJOURNED MEETINGS

Any Regular, adjourned Regular, Special, or adjourned Special meeting may be adjourned by the Board of Education to a time and place specified in the order of adjournment. Less than a quorum may adjourn a meeting. If all Board Members are absent from any Regular, or adjourned Regular meeting, the Executive Officer of the Board may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Government Code Section 54956 for Special meetings. (See Board Rule 21.)

A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the Regular, adjourned Regular, Special, or adjourned Special meeting was held within twenty-four hours after the time of adjournment.

When a Regular or adjourned Regular meeting is adjourned as provided in this Rule, the resulting adjourned Regular meeting is a Regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the Board approved hour specified for Regular Meetings. (Government Code Section 54955)

(Amended 8-26-14, previously Amended 10-11-89)

## 31. QUORUM

Four Board Members shall constitute a quorum for the transaction of business. If a quorum is not present within fifteen minutes after the regular hour set for any meeting, those present may adjourn the meeting to a specified time.

(Adopted 7-14-49)

41. OPEN AND PUBLIC MEETINGS AND RECORDS

Except as specifically exempted by law, all meetings of the Board of Education, including Committee meetings shall be open and public. Unless otherwise protected by applicable law, all Board of Education records shall be open to public inspection. (Government Code Sections 54950-54963 and 6252-6270.)

(Amended 8-26-14, previously Amended 4-29-85)

51. DUTIES OF PRESIDENT

The President shall preside at all Regular meetings of the Board of Education, shall sign all records of meetings of the Board and other documents to which his or her signature is required, and shall perform such other duties as are prescribed by law and the rules of the Board.

The President may represent the Board to outside parties in announcing Board-stated positions and decisions. Any action by the President is subject to review and modification or reversal by the Board.

No approved Board policy may be changed without the approval of the Board unless required by law.

(Amended 9-22-09, BOE Report 94-09/10)

(Amended 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

52. PRESIDENT PRO TEMPORE

If the President of the Board of Education is absent from a regular or special meeting, the Vice President shall serve as President Pro Tempore. If the President and the Vice President are both absent, the Superintendent of Schools shall call the meeting to order and the Board shall elect a President Pro Tempore. The President Pro Tempore shall possess the powers and perform the duties of the President at that meeting.

(Amended 5-25-99)

53. APPEAL A DECISION OF THE PRESIDENT

Any two Board Members can appeal a decision of the Chair to the Members of the Board of Education. The motion requires a second and four affirmative votes to overrule the decision. The necessary form of the appeal is "Shall the decision of the Chair be overruled?"

(Amended 9-11-07)

55. REGULATIONS FOR EFFICIENCY OF BOARD AND COMMITTEE MEETINGS

The Board of Education has created the following specific regulations to assist in the efficiency of its meetings:

- A. Regular Board meetings shall adjourn by 8:00 p.m., unless two-thirds of the Board Members present vote in favor of extending the meeting.
- B. In the interest of giving an opportunity for the viewpoints of all of the Board Members to be heard, the President, or the Member acting as the Chair, shall recognize each Board Member to address the Board for a maximum of five minutes per item before the Board Member is asked to relinquish the opportunity to speak. This Board Member shall not speak again on the item until the other Board Members have had an opportunity to be heard, if needed, and for a response of a maximum of three

minutes. The Executive Officer of the Board shall oversee the timing of the discussion and inform the Chair when a Board Member's time has expired.

(Amended 1-16-18 BOE Report 213-17/18, Amended 8-26-14, previously Amended 9-22-09, BOE Report 94-09/10)

## 61. ORDER OF BUSINESS

The Order of Business for Regular and Special meetings of the Board of Education and the agendas for Committee meetings shall include a list of items to be presented to the Board at that meeting and shall be posted in the lobby of the Administrative Offices at 333 South Beaudry Avenue at least 72 hours prior to the time of a Regular Board or Committee meetings and at least 24 hours prior to the time of a Special Board meeting (in compliance with Education Code Sections 35144 and 35145 and Government Code Section 54954.2). The business at all Regular Board meetings shall be transacted in the following order, though the President or Chair may deviate from the scheduled order of business with the consent of the Board:

- A. Call to Order
- B. Board President's Report
- C. Superintendent's Report and Special Requests
- D. Initial Negotiating Proposals
- E. Consent Items (Items for action assigned by the Board at the meeting to be adopted by a single vote). Any item may be pulled off of consent for further discussion by any Board Member at any time before action is taken.

Old Business for Action (Items postponed from previous meetings)

New Business (Staff initiated reports for action)

Resolutions

Board Initiated Resolutions for Action  
Board Initiated Resolutions for Initial Announcement  
Resolutions Requested by the Superintendent

Miscellaneous Business

Approval of Minutes  
Correspondence and Petitions  
Board Member Announcements

- F. Public Comment
- G. Adjournment

(Amended 8-26-14, previously Amended 9-22-09, BOE Report 94-09/10)

## 62. ATTENDANCE OF SUPERINTENDENT AND STAFF AT BOARD MEETINGS

The Superintendent of Schools and such staff as the Superintendent may designate shall attend all regular meetings of the Board of Education unless duties or hardship prevent their attendance.  
(Renumbered 8-26-14, previously Rule 121)

## 63. EMERGENCY ITEMS

An item not on a posted agenda may be acted on at a meeting requiring such an agenda only in the manner provided by Government Code Section 54954.2.

(Renumbered 9-11-07)

70. COSPONSORSHIP OF BOARD RESOLUTIONS

Board Member originated resolutions may have more than one sponsor but are limited by the Open Meeting Laws to having less than a quorum discuss a resolution by any means outside of a properly noticed meeting.

Less than a quorum of sponsors of any resolution can be listed as cosponsors when the resolution is first presented to the Board Secretariat or added as cosponsors by notification from the originating Board Member and the verification of the added cosponsor. Cosponsorship can also be listed by the request of a Board Member when the resolution is discussed at a properly noticed meeting.

(Amended 8-26-14, previously Amended 9-11-07)

71. MOTIONS TO BE SECONDED

A second to all motions shall be required before putting the question to a vote unless otherwise specified within these Rules.

(Amended 9-11-07)



## 72. RESOLUTIONS

All Board Members' resolutions shall be submitted to the Board Secretariat by noon on the Wednesday, 13 days prior to the Regular Board meeting where the resolution will be received by the Board of Education for Initial Announcement, for inclusion in the Order of Business. Resolutions for Initial Announcement at a Special Board meeting shall also be submitted at least 13 days prior to the meeting.

**All Resolutions will be referred either to a Standing Committee or to an Ad Hoc committee by the Board President.**

The Board can act on the resolution at the next meeting of the Board or, **by an action of the Board President**, refer the resolution to a Standing or Ad Hoc Committee. The Committee chair shall agendaize the item for consideration at the next Committee meeting and action on the resolution will be included in the Order of Business for the next Regular meeting of the Board of Education following the Committee review. **Celebratory, precatory and recognition resolutions can be accepted for initial announcement and the Board President can choose not to assign the resolution to a committee.**

**Committees will hear the Resolution and send its recommendation to the Board with one of the following recommendations: Do Pass; Do Pass as amended in Committee; Do not Pass. *No Committee may keep a Resolution from coming to the Board at a regular meeting.* A majority vote of the committee will determine the Committee's recommendation. A minority report may also be submitted if the committee has a divided view of its recommendation.**

Notwithstanding the foregoing, in the event that a Board Member wishes to introduce a time sensitive resolution, this Rule may be waived and the resolution may be introduced and acted upon at the meeting at which it is introduced, subject to the Open Meeting Laws and applicable Board Rules. The Board Member should state the reasons for immediate action to the Board prior to action on the waiver.

Amendments and substitute motions for items already on the Board agenda shall not be subject to these provisions.

(Amended by 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E See Board Rule 159)  
(Amended 1-16-18 BOE Report 213-17/18, Amended 8-26-14, previously Amended 9-22-09, BOE Report 94-09/10)

## 73. RESOLUTION SUBSTANTIALLY SIMILAR TO PRIOR RESOLUTION

The Board of Education shall not entertain a motion to adopt a resolution initiated by a Board Member which calls for action substantially similar to action requested in a prior Board Member initiated resolution which on action was approved by the Board or failed to receive four affirmative votes within the prior six months.

At the Board meeting, where the resolution in question appears on the Order of Business for initial announcement, any Board Member may ask for a determination by Board vote on the question of whether the resolution is substantially similar to a previous resolution.

If the Board determines that the resolution is substantially similar and subject to the provisions of this Rule, any Board Member may offer a motion to waive the provisions of this Rule. If the waiver motion is properly seconded and receives four affirmative votes, Rule 73 shall be waived and the resolution will appear on the Order of Business for the next Regular Meeting.

(Amended 8-26-14, previously Amended 9-11-07)

## 74. RESOLUTION SUBSTANTIALLY CONTRADICTORY TO PRIOR RESOLUTION

The Board of Education shall not entertain a motion to adopt a resolution initiated by a Board Member which calls for action substantially contradictory to action requested in a prior Board Member initiated resolution which on action was approved by the Board or failed to receive four affirmative votes within the prior six months.

At the Board meeting, where the resolution in question appears on the Order of Business for initial announcement, any Board Member may ask for a determination by Board vote on the question of whether the resolution is substantially contradictor to a previous resolution.

If the Board determines that the resolution is substantially contradictory and subject to the provisions of this Rule, any Board Member may offer a motion to waive the provisions of this Rule. If the waiver motion is properly seconded and receives four affirmative votes, Rule 73 shall be waived and the resolution will appear on the Order of Business for the next Regular Meeting.

(Amended 8-26-14, previously Amended 9-11-07)

#### 75. RELINQUISHMENT OF THE CHAIR TO OFFER MOTION

The presiding officer should call another Board Member to the chair when offering a motion and should not resume the chair until after the disposition of the pending question.

(Adopted 2-11-03)

#### 76. MOTION TO VOTE IMMEDIATELY

A motion to vote immediately (call for the question) is to prevent or stop all discussion on the motion before the Board of Education. The motion requires a second and a two-thirds majority (five affirmative votes of a seven member board).

(Amended 9-22-09, BOE Report 94-09/10)

#### 78. ORDER OF BOARD DISCUSSION

Preference is given to first hear the maker and seconder of a motion before the Board of Education and then Board Members are heard in the order that they have requested to speak.

(Adopted 2-11-03)

#### 79. DIVISION OF THE QUESTION

Any Board Member present can request that a motion composed of two or more independent parts or ideas be divided to allow the parts to be considered and voted upon separately.

(Adopted 2-11-03)

#### 80. MOTION TO RECESS

If there is no objection, the chair can temporarily recess a meeting by general consent without requiring a second or a vote.

(Adopted 2-11-03)

81. RECORD OF VOTES

Minutes of Board of Education meetings shall record the adoption or approval of items by indicating the results of votes taken by roll call or by general consent.

(Amended 10-7-91)

82. WITHDRAWAL OF A MOTION

The mover may withdraw a motion at any time and without prejudice before it has been seconded and deemed to be in the possession of the Board. After it is in the possession of the Board, it can only be withdrawn with the consent of the majority of the Board Members present at the meeting.

(Amended 8-26-14, previously Amended 9-11-07)

83. MOTION TO RECONSIDER

A motion to reconsider an action taken by the Board of Education can be approved by four or more affirmative votes. The motion can only be made on the day the vote to be reconsidered was taken or, providing the motion to reconsider is included in the Order of Business, at the next Regular meeting or at any Special meeting held in the interval. The motion to reconsider must be made by a Board Member who did not vote with the nonprevailing side in the original vote and whose reconsidered vote could change the original outcome. In the case of a tie vote, any Board Member may initiate a motion to reconsider. Any Member can second the motion.

If the motion to reconsider is approved, the original matter is then before the Board in the last form prior to action. If the original action had been amended, the motion to reconsider may be framed to exclude any amendments allowing the action to be reconsidered in the form originally introduced.

(Amended 8-26-14, previously Amended 9-11-07)

84. MOTION TO RESCIND

Any action taken by the Superintendent of Schools without prior approval by the Board of Education or unexecuted recommendation of the Superintendent of Schools that has been approved by the Board may be rescinded by four or more affirmative votes provided that notice has been given at the previous meeting and appears in the Order of Business of the meeting where the motion to rescind is brought for action.

(Amended 9-11-07)

85. HOLDING THE ROLL OPEN

The roll may be held open for the duration of a meeting, and through any recesses of that same meeting, to allow for the casting of a vote by any Board Member absent at the time the vote is initiated.

(Amended 9-11-07)

86. CHANGING A VOTE DURING A MEETING

During a meeting, excluding any recesses that take the meeting to another day, a Board Member can request to change his or her vote on a previous item without requiring a motion to reconsider, as long as the change does not change the outcome of the original vote and as long as there is no objection from another Member. The request and the change must be duly noted in the minutes of the meeting.

(Adopted 4-8-03)

91. ACTIONS REQUIRING A MAJORITY VOTE

Four affirmative votes of the seven member Board of Education shall be necessary to pass any motions, resolutions, or orders requiring a majority vote. (Education Code 35164)

(Amended 9-22-09, BOE 94-09/10)

92. ACTIONS REQUIRING LESS THAN A MAJORITY VOTE

With the request by any three Board Members, any item of New Business will be held over and scheduled for action at the next Regular Board meeting or any Special Meeting in the interim.

(Adopted 9-11-07)(Suspended 2009)

94. ACTIONS REQUIRING A UNANIMOUS VOTE

A. In compliance with State statutes, approval of the following actions requires an affirmative vote of all Board Members (seven members of a seven member board):

1. Resolution authorizing leasing of school district property under a community lease for the production of gas not associated with oil. (Education Code Sections 17510-17511.)
2. Any other action where a unanimous vote is required by State or Federal rules or regulations.
3. Waiver of the competitive bid process pursuant to Public Contract Code 20111 when the Board of Education determines that an emergency exists. (Public Contract Code 20113)

B. In compliance with State statutes, approval of the following actions requires an affirmative vote of all Board Members present at the meeting:

1. Resolution authorizing the sale or disposal of property where the Board finds, by a unanimous vote of those Members present, that the property is of insufficient value to defray the costs of arranging a sale. In such cases, the property may be donated to a charitable organization deemed appropriate by the Board. (Education Code 17546)

(Renumbered 8-26-14, previously Rule 102)

95. ACTIONS REQUIRING A FOUR-FIFTHS VOTE OF THE BOARD

In compliance with State statutes, approval of the following actions requires an affirmative vote of four-fifths vote of all of the Board Members:

- A. The expenditure and transfer of necessary funds and use of District property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense.  
(Government Code Section 53790-53792)
- B. Adoption of a resolution, between July 15 and August 30, to borrow funds of up to 25 percent of the estimated income and revenue to be received by the District during the fiscal year from apportionments based on average daily attendance for the preceding year.  
(Government Code Section 53822-53824)
- C. Declaration of an emergency in order to authorize the District to include a particular brand name or product in a bid specification.  
(Public Contract Code 3400)

(Adopted 9-11-07)

#### 98. ACTIONS REQUIRING A THREE-FOURTHS VOTE

In compliance with legal statutes, approval of the following actions require an affirmative vote of three-fourth of the Board Members (six members of seven member Board):

- A. Ratification of Facilities Services Division construction change orders greater than fifteen percent but not exceeding twenty-five percent that have been approved by the Division head. (Public Contract Code Section 20118.4)
- B. Any other action requiring a three-fourths vote by state or federal rules or regulations.

(Renumbered 8-26-14, previously Rule 77)

#### 101. ACTIONS REQUIRING A TWO-THIRDS VOTE

- A. In compliance with State statutes, approval of the following actions requires an affirmative vote of two-thirds of all of the Board Members (five members of a seven member board):
  - 1. Declaration of intention to sell or lease real property.  
(Education Code Section 17466.)
  - 2. Declaration of intent to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code Section 17556.  
(Education Code Section 17557.)
  - 3. Lease for up to three months of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable.  
(Education Code Section 17481.)
  - 4. Change in use of land originally sold or leased for playground or other recreational use.  
(Education Code Section 17494)
  - 5. Entry into lease agreements that exceed 45% of total classroom space limitation at any school site  
(Education Code Section 17531)

6. Resolution to execute a deed of dedication or conveyance of property to the state or a political subdivision for street purposes or for an easement for utility access purposes.  
(Education Code Section 17559)
7. Transfer of excess local funds from a deferred maintenance account when state funds are insufficient to match local funds being held in the deferred maintenance fund.  
(Education Code Sections 17582 and 17583)
8. Certification that satisfactory alternative facilities are not available when establishing a Community Day School serving any of kindergarten and grades 1 to 6, inclusive, but no higher grades on the same site as an existing school.  
(Education Code Section 48661)
9. Resolution of intention to terminate a contract, with the California Public Employees Retirement System, in effect for five years or more. (Government Code Section 20570)
10. Resolution of necessity to proceed with an eminent domain action and, if the Board desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use.  
(Code of Civil Procedure Sections 1245.240 and 1245.245.)
11. Temporary borrowing before receipt of fiscal income, if implemented pursuant to Government Code Sections 53820-53833.  
(Government Code Section 53821(c))
12. Upon complying with Government Code Section 65352.2 and Public Resources Code 21151.2 ordering city or county zoning ordinances inapplicable to a proposed use of the property by the District. (Government Code Section 53094)
13. Resolution to issue general obligation bonds with the approval of 55 percent of the voters of the District.  
(Education Code Section 15266)
14. Resolution to place a parcel tax on the ballot.  
(Government Code 53724.)

B. In compliance with State statutes, approval of the following actions requires an affirmative vote of two-thirds of the Board Members present:

1. Determination that there is a need to take immediate action and that the need for action came to the District's attention after the posting of the agenda. If less than two-thirds of the Board Members are present at the meeting, a unanimous vote of all Members present is required. (Government Code Section 54954.2)
2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board Members are present, a unanimous vote of all Members present is required.  
(Government Code Section 54956.5)

(Amended 8-26-14, previously Amended 9-11-07)

104. ABSTENTION FROM VOTING

Board Members shall abstain and state the basis for the abstention, as to any matter that comes before the Board of Education in which the Member might have any financial interest. (Government Code Section 1090)

(Amended 8-26-14, previously Amended 8-31-81)

105. CONFLICT OF INTEREST

In the event that a charge of conflict of interest is brought against a Member of the Board of Education, the President shall establish an Ad Hoc Committee on Conflict of Interest to investigate the charge. After study of the matter, the Committee will recommend appropriate action which may include referral to other agencies. In order for a charge to receive the consideration herein outlined, the charge or complaint must be in writing, signed under penalty of perjury, and filed with the Executive Officer of the Board. Guidelines herein will be utilized by Board Members in compliance with the procedures as required by Government Code Section 81000 et seq.

(Amended 5-25-99)

106. BOARD MEMBERS PROFESSIONAL GOVERNANCE STANDARDS

Board Members shall abide by the following standards of governance:

- A. Members shall develop and communicate a common vision that has as its primary focus learning and achievement for all students.
- B. Members shall operate openly, with trust and integrity.
- C. Members shall govern in a dignified and professional manner, treating everyone with civility and respect, and shall understand the implications of demeanor and behavior.
- D. Members shall understand that authority rests with the Board of Education as a whole and not with individuals, which includes a Board Member's interaction with the Superintendent, with the public, the press and any other entity.
- E. Members shall govern within Board adopted policies and procedures and shall respect the role of the Superintendent of Schools as chief executive of the Los Angeles Unified School District. Nothing in this section limits the rights of the Members to follow-up with the Superintendent to see that their constituents' concerns are addressed.
- F. Members shall abide by the District's Conflict of Interest and Ethics Codes.
- G. Members shall keep confidential matters confidential.
- H. Members shall consider discussion and citizen comment at publicly held meetings when making policy decisions and shall make policy decisions keeping in mind the interests of all the District's students.
- I. Board Members shall communicate to other Board Members and the Superintendent expressions of public reaction to Board policies and school programs.
- J. Members shall use objective judgment in voting on procurement awards and shall not attempt to influence contract awards nor release staff's award recommendations to the public until such recommendations are made public.

K. Board Members shall be properly prepared for Board deliberation.

(Adopted 1-28-03)

(Amended Action 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)



## **Chapter 2 — Organization and Procedure**

### **112. RECEIPT OF LEGAL SERVICE**

The Executive Officer of the Board, in charge of the Board Secretariat, and such other Board Secretariat staff as the Executive Officer may identify and assign in writing, are hereby designated as authorized representatives of the Board of Education and the Los Angeles Unified School District for the purpose of receiving claims, summons, complaints, and other legal service filed pursuant to the provisions of the law. (Government Code Division 3.6)

(Amended 8-26-14, previously Amended 5-25-99)

### **130. REPORTING LEGAL SERVICE AND LEGAL CORRESPONDENCE**

- A. All legal service and legal correspondence, including summons, complaints and claims for damages against the Board, the Los Angeles Unified School District, or District officers or employees, shall be reported to the Board in summary form along with a recommended referral to the Superintendent, the Office of the General Counsel or the Office of Risk Management.
- B. Board Rule 133 shall govern all communications to the Board containing charges or complaints against employees of the Board.

(Amended 8-26-14, previously Amended 5-25-99)

### **131. PRESENTATIONS TO THE BOARD**

Any person as an individual, or as a representative of a group, shall be granted permission to address the Board of Education by oral presentation at a regular meeting of the Board concerning any subject that lies within the jurisdiction of the Board, provided the requirements and procedures herein set forth are observed:

- A. A request to address the Board shall be made prior to the item being before the Board for action on a first come first served basis. Requested information from the presenter will include name, address, and telephone number, name of group represented, if any, and a concise statement describing the exact nature of the subject or subjects to be discussed. Each presenter must make his or her own request to speak.
- B. The number of speakers on any one topic or agenda item shall be limited to seven (7) unless otherwise directed by the Board. There shall be no more than fifteen (15) speakers at a Regular Board meeting on issues not before the Board for action on that day. (Time allocation is governed by Rule 135.)
  - 1. Speakers making a presentation on an item or items on the Board agenda must constrain their remarks specifically to the item or items or may be ruled out of order. Persistence in making remarks causing such a ruling may be grounds for summary termination, by the Chair, of that person's privilege to address the Board at that time.
  - 2. The allotted number of speakers addressing issues not before the Board for action that day shall be filled in the order requests are made.
  - 3. There is nothing in this Rule that precludes the Board from amending these rules when necessary.

4. One designated representative from each of the following advisory groups: LCFF/LCAP Parent Advisory Committee (PAC), District English Learner Advisory Committee (DELAC), Community Advisory Committee (CAC), 10<sup>th</sup> District PTA, 31<sup>st</sup> District PTSA and the Special Education Advisory Committee (CAC) can be added to the Speaker's List in addition to the 15 speakers at any Regular Board meeting on issues not before the Board.
- C. Speakers to Board Committees shall not be required to sign-up to speak in advance of the meeting, unless otherwise directed in advance by the Chairperson of the Committee and noted on the agenda for the meeting. (Board Rule 144)
- D. The President, with the concurrence of the Board, may call a special meeting for the sole purpose of hearing speakers.
- E. At any hearing, called in accordance with Rule 131-D above, there shall be a limit of 40 speakers (unless otherwise directed by the Board in the public notice) listed in the order received, except that an attempt shall be made to alternate points of view "pro" and "con" if at all possible. An opportunity shall be provided, upon request, for an exclusive representative of each of the District's collective bargaining units to address the Board at the hearing as part of the 40 speakers. If there are multiple hearings on the same topic, a speaker may be permitted to address the Board a second time only after everyone who has sought a first opportunity to speak has been accommodated.
- F. Speakers to items required by law and duly noticed to be "Public Hearings" will be limited to 12 speakers and efforts will be made to balance the presenters for their viewpoints. Speakers to these items can sign up on a first come first served basis at the meeting where the Public Hearing is held. Speakers to Public Hearing items can speak in addition to their single appearance delineated in Board Rule 135.
- G. The Board urges that charges and complaints against Los Angeles Unified School District personnel or employees be submitted to the Board in writing. This allows the Board to more carefully examine the complaint and to initiate an investigation when necessary. If a complaint is made orally, the Board may request that the individual making the complaint provide additional information to facilitate an investigation. The Board may also afford the District employee, about whom a complaint is made, the opportunity to respond either orally or in writing at the same time or at a subsequent Board meeting.
- H. Oral presentations to the Board are subject to further provisions contained in Board Rules 132 to 139.
- I. The Board may deviate from the scheduled Order of Business and establish a time certain to hear speakers to nonagenda items and Miscellaneous Business or any other item on the Order of Business.
- J. In order to accommodate the schedules of teachers, staff, students, families and community members, for Board Meetings beginning at 1:00 p.m., public comment shall begin at 4:00 p.m. To the extent possible, the Order of Business will reflect specific times for public comment. For example, when a Board Meeting begins at 1:00 p.m. and may end earlier than 4:00 p.m. the Board will recess at such time and reconvene at 4:00 p.m. to hear public comment.

Notwithstanding the foregoing provisions of this Rule, courtesy will be extended to elected and appointed officials of other jurisdictions. The President may deviate from the scheduled Order of Business and waive the normal three-minute limit as necessary to accommodate officials who wish to address the Board. The President may also, with the consent of the Board, modify the number of speakers and allocated time as necessary to

efficiently conduct the District's business.  
(Education Code Section 35145.5 and Government Code Section 54954.3.)

(Amended 1-16-18 BOE Report 213-17/18, Amended 8-26-14, previously Amended 9-22-09, BOE 94-09/10)

### 132. PLACEMENT OF AN ITEM ON THE BOARD AGENDA BY THE PUBLIC

Any member of the public may place an item before the Board of Education by filing with the Board Secretariat a request that an identified item be placed on the Board agenda. The procedure shall be as follows:

Anyone desiring to have an item placed on the Board agenda shall file with the Board Secretariat the desired agenda item together with any pertinent related information and such descriptive information as will assist the President of the Board in assigning the requested agenda item to the appropriate Committee. The Executive Officer will advise the requesting community person of the Committee to which the item has been assigned and of the date set for Committee consideration. The Executive Officer will also advise the community person of the date of the Board meeting at which the item will be brought out of the Committee and presented to the Board.

In order for this process to be effective, the requesting community person should leave with the Board Secretariat an address, post office box, or telephone number as requested on the speaker card so that the Executive Officer may advise as to the status of the requested item. Should the requesting community person determine not to leave with the Board Secretariat relevant information for communication purposes, it will be the responsibility of the requesting community person to check with the Board Secretariat as to the status of the requested agenda item. (Education Code Section 35145.5)

(Amended 5-25-99)

### 133. CHARGES OR COMPLAINTS AGAINST EMPLOYEES

The Board of Education urges that all charges and complaints against Los Angeles Unified School District employees be made in writing and contain as much specificity concerning the matter as possible. However, no one will be prevented from making a charge or complaint to the Board solely because they decline to do so in writing. Employees seeking resolution of a complaint pertaining to their employment may be required to pursue remedies provided in their employment or collective bargaining agreements.

Charges and complaints against employees should be sent to the Office of School Operations for referral and disposition.

(Amended 8-26-14, previously Amended 9-11-07, and Suspended for 1 year on 9-22-09)

### 134. QUESTIONS AND COMMENTS BY BOARD MEMBERS

It shall be in order for Board Members to interrupt a speaker at any time to ask questions or make comments as frequently as necessary to clarify the discussion.

(Adopted 2-7-49)

### 135. TIME ALLOTTED

Each speaker will be allowed a single appearance at any meeting of the Board of Education and a time allotment of three minutes or for a period designated on the Order of Business or agenda for the meeting with exceptions to fulfill requirements regarding public hearings. (Government Code Section 54954.3[b].)

(Amended 8-26-14, previously Amended 5-20-96)

136. BOARD MEMBERS RESPONDING TO PUBLIC SPEAKERS

No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that Board Members or Los Angeles Unified School District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights.

(Adopted 2-11-03)

137. RULES OF DECORUM

Meetings of the Board of Education shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process of the Board is maintained at all times. The presiding officer shall be responsible for maintaining the order and decorum of meetings. While any meeting of the Board of Education is in session, the following rules of order and decorum shall be observed:

A. Persons Addressing the Board

Each person who addresses the Board shall not make personal, impertinent, slanderous, or profane remarks to any Board Member, staff, or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding officer or majority of the Board, be barred from further audience before the Board during that meeting.

B. Members of the Audience

No person in the audience at a Board meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stomping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Board meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer or a majority of the Board, be advised that his or her conduct violates Board Rules and state law and, that if such conduct persists, he or she may be removed from the meeting. (Previously a separate Board Rule, Board Rule 139 adopted 7-14-49)

C. Enforcement of Rules of Order and Decorum

The presiding officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer shall order him or her to leave the Board meeting. If such a person does not remove himself or herself, the Superintendent of Schools or his or her representative may order any school police or safety officer who is on duty at the meeting as Sergeant-at-Arms to remove the person from the Board room. (Government Code Section 54957.9)

D. Adjournment

If a Board meeting is disturbed or disrupted in such a manner that the restoration of order becomes improbable or infeasible, the meeting may be adjourned as provided in Board Rule 25. (Government Code Section 54955.)

(Amended 8-26-14, previously Amended 2-26-02)

138. ITEMS BEFORE THE BOARD

An attempt by any person, not a Member of the Board of Education or its staff, to discuss any item pending before the Board is out of order unless the Board shall consent to hear such discussion.

(Amended 9-11-07)

#### 139. COMMUNITY HELP DESK

There shall be a community help desk located outside of the board room during regular board meetings to ensure that the concerns of students, parents and community members get addressed in a timely and efficient manner.

(Adopted 1-16-18 BOE Report 213-17/18, there was previous Board Rule 139 on Boisterous Conduct now included in Rule 137)

### Chapter 3 – Committees

#### 141. APPOINTMENT OF COMMITTEES

The Committee of the Whole shall consist of all Members of the Board.

The Chair of the Committee of the Whole shall be elected by the Board as described in Board Rule 6. The Board President shall also appoint Chairs of the Committees based on Members' needs and interests. Board Committees can be established by the Board President annually at the Annual Board Meeting in consultation with the Board. The Board may vote to set up standing committees as they see fit. The Committee Chair will establish the membership of the Committee in conjunction with the Board President.

Board Members assigned to a committee can develop recommendations for the full board on the items before them, including minority recommendations, though no Board action can be taken at a Committee/

The Board President will assign resolutions of substance requiring Board review either to a Standing Committee or to an Ad Hoc committee. Celebratory, precatory and recognition resolutions can be accepted for initial announcement and the Board President can choose not to assign the resolution to a committee.

(Amended by 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E See Board Rule 159)

(Amended 6-25-19 BOE Report 149-18/19 Amended 8-26-14, previously Amended 2-11-03)

#### 142. FUNCTIONS OF STANDING COMMITTEES OF THE BOARD OF EDUCATION

It shall be the primary function of each Standing Committee of the Board of Education:

- A. To undertake and complete such inquiries, investigations and studies as the Board may assign to any such Committee for the purpose of presenting communications, recommendations or reports to the Board.
- B. To initiate and pursue such inquiries, investigations and studies respecting matters within the province of the Committee concerned as may be approved by a majority thereof, for the purpose of eventually directing appropriate communications, recommendations and reports to the Board; provided, however, that no such Committee project shall be initiated without informing the Board respecting the general objective and plan of such proposed inquiry, investigation or study, either by statement made by the Committee Chairperson at an open meeting of the Board and recorded in the minutes.
- C. To review resolutions initiated by Board Members and propose amendments as needed, prior to action by the Board.
- D. To review all budget, legislative and administrative matters related to the functions of said Committee and make recommendations to the Board.
- E. To perform such other duties as may properly be assigned, from time to time to any such Committee by the Board.

(Amended 8-26-14, previously Amended 9-11-07, and Suspended for 1 year on 9-22-09)

(Reaffirmed 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

#### 143. AD HOC AND SPECIAL COMMITTEES

Special and Ad Hoc committees may be created and the Members appointed by the President of the Board of Education, after discussion with the Board, and shall exist for a limited time period to undertake the specific tasks.

The Board may vote to set up ad hoc committees as they see fit.

(Amended by 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)  
(Amended 8-26-14, previously Amended 11-2-72)

#### 144. OPEN AND TRANSPARENT COMMITTEE MEETINGS

Regularly scheduled committee meetings shall comply with the 72-hour posting requirement of Board Rule 61. The agendas for said meetings shall provide an opportunity for speakers to be heard. The provisions of Board Rule 131 regarding speakers shall apply, except that speakers shall not be required to sign-up to speak in advance of the meeting, unless otherwise directed in advance by the chairperson of the Committee and noted on the agenda for the meeting. **Unless otherwise permitted, all Board Committees that fall under the Brown Act must adhere to the requirements of the Act.**

(Amended by 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E See Board Rule 159)  
(Amended 9-11-07)

#### 145. COMMITTEE MEMBERSHIP

Committees of the Board of Education shall consist of one or more Board Members. District staff, parents, students and community representatives may also be invited to regularly participate in committee meetings and proceedings. Board Members who are not appointed members of a committee may observe committee meetings but are prohibited from participating unless notice of their interim appointment is included in the agenda and complies with the 72-hour posting requirement of Board Rule 61.

(Adopted 8-26-14)

#### 147. FUNCTIONS AND SCHEDULING OF STANDING COMMITTEES

The Board of Education shall approve the functions and the time and day of the regular meetings of the Standing Committees for each school year after the President has appointed the members in compliance with Board Rule 141. The Executive Officer of the Board shall annually promulgate this schedule as established by the Board.

(Reaffirmed 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)  
(Amended 10-11-89)

#### 159. RESOLUTIONS REFERRED TO BOARD COMMITTEES

**All Resolutions will be referred either to a Standing Committee or to an Ad Hoc committee by the Board President.**

**The Board can act on the resolution at the next meeting of the Board or, by an action of the Board President, refer the resolution to a Standing or Ad Hoc Committee. The Committee chair shall agendize the item for consideration at the next Committee meeting and action on the resolution will be included in the Order of Business for the next Regular meeting of the Board of Education following the Committee review.**

**Notwithstanding the foregoing, in the event that a Board Member wishes to introduce a time sensitive resolution, this Rule may be waived and the resolution may be introduced and acted**

upon at the meeting at which it is introduced, subject to the Open Meeting Laws and applicable Board Rules. The Board Member should state the reasons for immediate action to the Board prior to action on the waiver.

Committees will hear the Resolution, and send its recommendation to the Board with one of the following recommendations: Do Pass; Do Pass as amended in Committee; Do not Pass. *No Committee may keep a Resolution from coming to the Board at a regular meeting.* A majority vote of the committee will determine the Committee's recommendation. A minority report may also be submitted if the committee has a divided view of its recommendation.

(Action 09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E)

#### 160. COMMITTEE HEARINGS

The Chairperson of any Committee of the Board of Education may, at his or her initiative or upon Committee or Board direction, schedule Committee hearings. Committee hearings are intended to allow community representatives, interested parties, and other entities the opportunity to present facts and positions.

(Amended 8-26-14, previously Amended 9-11-07)



## **Chapter 4 — General Provisions**

### **171. SUSPENSION OF BOARD RULES**

Any section or sections of Board Rules may be suspended by an affirmative vote of at least four Members of the seven member Board of Education.

(Amended 9-22-09, BOE 94-09/10)

### **181. AMENDMENT OR REPEAL OF BOARD RULES**

An affirmative vote of at least four Members of the seven member Board of Education shall be necessary to amend or repeal Board Rules, and such action shall be taken only if notice has been given at a previous regular Board meeting. Notification must include the written proposed language that will be offered for amendment or repeal.

(Amended 1-16-18 BOE Report 213-17/18, Amended 9-22-09, BOE 94-09/10)

### **191. RULES OF ORDER**

Except as otherwise provided by these Board Rules, the proceedings of this Board of Education shall conform to and be governed by Robert's Rules of Order, Revised.

### **201. CERTIFICATION OF BOARD ACTIONS**

The Executive Officer of the Board shall certify actions taken by the Board of Education.

(Amended 8-26-14, previously Amended 10-11-89)

### **210. OPENING AND CLOSING OF CENTRAL ADMINISTRATIVE HEADQUARTERS**

The Superintendent of Schools shall establish and maintain a schedule for opening and closing buildings in the Central Administrative Headquarters, and the public offices and meeting rooms therein. The Superintendent shall also establish procedures for the maintenance of order and security at all times in such buildings.

(Adopted 11-24-69)

### **250. EXECUTIVE OFFICER OF THE BOARD'S ROLE AND RESPONSIBILITIES**

The Executive Officer is the liaison between the Board and public, the District staff and other government agencies and, as such, is expected to provide all public documents and information related to Board actions to those who make a request.

- A. The Executive Officer's job is to ensure that all Board and Board committee documents and filings are accurate, timely and adhere to legal requirements, including privacy and confidentiality; to ensure that all such documents are properly

stored and accessible; and to inform the Board if the documents are not in compliance.

Further, the Executive Officer of the Board shall ensure that:

1. Governance Policies reflect the most current Board decisions;
  2. Requirements for format and accuracy of Board agenda and minutes are met;
  3. Draft Board minutes are prepared in a timely manner for Board review, and approved at a subsequent Board meeting;
  4. Accurate records of all Board actions shall be kept; and
  5. Sufficient funds shall be allocated to the office to achieve these goals.
- B. The Executive Officer shall ensure that all board policies are housed in an organized, open, up-to-date and transparent manner.
- C. The Board shall evaluate the Executive Officer on an annual basis.
- D. The Superintendent shall provide each Board Member with funding for an administrative assistant, a chief of staff, and necessary office supplies to perform the duties of the Board of Education office. Each Member will be allocated discretionary funding that may be expended as the Member directs for any lawful school district purpose. The Executive Officer of the Board will administer these funds at the direction of the Board Members. The President of the Board shall receive an additional amount because of the demands made upon the Office of the President and because of the many activities in which the President represents the entire Board. (Education Code Section 45112)

## 260. SUPERINTENDENT’S ROLE AND RESPONSIBILITIES

### A. Expectations for Superintendent

The Board of Education of LAUSD (Board) desires to establish a productive working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning and achievement and the attainment of the district's vision and goals. The Board also desires to provide a fair basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations. (CSBA)

Superintendents are expected to hold themselves to the highest standards of ethical conduct and professionalism.

To support the Board in the governance of the district, the Superintendent:

1. Promotes the success of all students and supports the efforts of the Board to keep the district focused on learning and achievement;
2. Recognizes diversity, equity, and inclusion, acting in a manner absent bias;
3. Values, advocates and supports public education and all stakeholders;
4. Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents/guardians and the community and ensures that the diverse range of views inform Board decisions;
5. Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior;
6. Serves as a model for the value of lifelong learning and supports the Board's continuous professional development;
7. Works with the Board as a “governance team” and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture;
8. Recognizes that the Board/Superintendent governance relationship is supported by the management team in the District;
9. Understands the distinctions between Board and staff roles, and respects the role of the Board as the representative of the community;

10. Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole;
11. Transparently communicates with trust and integrity, including providing all members of the Board with equal access to information and recognizing the importance of both responsive and anticipatory communications; and
12. Accepts leadership responsibility and accountability for implementing the vision, goals and policies of the District.

**B. Superintendent Roles and Responsibilities**

The Superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is unethical, or unlawful.

**C. Leadership, Organizational Structure, and Culture**

The Superintendent shall provide leadership in developing administrative regulations and organizational structures, decision-making processes, and staff action plans that allow the district to fulfill its vision and goals. The Board also expects the Superintendent to help shape the culture and environment of the district in a manner that focuses district operations on enhancing student achievement, encouraging positive relationships within the community, and instilling confidence in district schools.

Superintendents may delegate to other district staff any duties imposed upon them by the Board. This delegation shall not relieve Superintendents of responsibility for actions taken by their designees.

**D. Treatment of Students and Their Families**

With respect to interactions with current or prospective students and their families, the Superintendent shall ensure confidentiality, privacy, safety, dignity and fairness to students and their families.

Accordingly, the Superintendent shall:

1. Use methods of collecting, reviewing, transmitting, or storing student information that protect against improper access [See District Information Protection Policy];
2. Establish with students and their families, a clear understanding of what is expected and what is not acceptable from students at LAUSD [See the annually issued Parent/Guardian Student Handbook sections Student/School Code of Conduct; Bullying and Hazing Policy; Nondiscrimination Statement; Sexual Harassment Policy];

3. Establish written policies and procedures that are accessible to parents/guardians and students [See Parent/Guardian Student Handbook];
4. Avoid discriminating against current or prospective parents/guardians or students for expressing an ethical dissent (reasoned disagreement as opposed to personal attacks) [See Parent/Guardian Student Handbook: Code of Conduct with Students; Student/School Code of Conduct; Bullying and Hazing Policy; Nondiscrimination Statement; Sexual Harassment Policy];
5. Protect from retaliation any parent/guardian or student who wishes to address the Board;
6. Abide by the Title 1 Parent and Family Engagement Policy [ See Parent/Guardian Student Handbook: Parent and Family Engagement Policy]; and
7. Inform parents/guardians and students of this policy and to provide a grievance process to those who believe they have not been accorded a reasonable interpretation of their rights under this policy.

#### E. Treatment of Employees

With respect to the treatment of employees and volunteers, the Superintendent shall ensure conditions that are fair, safe and dignified and shall maintain confidentiality and privacy.

The Superintendent shall:

1. Operate within written personnel policies that clarify personnel rules for employees; provide for effective handling of grievances, and protect against wrongful conditions;
2. Designate monitoring and responding to discrimination against any employee who expresses an ethical dissent immediately;
3. Allow employees to express concerns to the Board; and
4. Acquaint employees with their rights under this policy.

#### F. Finance and Budget

The Superintendent shall adhere to LAUSD's Budget and Finance Policy and the Board-approved financial plan for the year or the remaining part of any fiscal year. The budget must never put the school in financial jeopardy or deviate materially from

the Board's goals or priorities. The Superintendent shall not expend more funds in the year-to-date than have been received in the year-to-date.

1. The Superintendent shall provide all complete and accurate budget materials to the Board complying with applicable laws.
2. The Superintendent shall provide adequate information, in a reasonable amount of time, to allow the Board to make an educated approval of the budget.
3. The Budget should be based on the following principles:
  - a. The goals of the Board and Superintendent;
  - b. Sound financial principles that will keep the district viable and able to sustain its key programs over time;
  - c. Structurally balanced operating budget;
  - d. Alignment of budget with expected expenditures;
  - e. Maintenance of appropriate and adequate fund balance and reserves;
  - f. Revenue maximization;
  - g. Revenue and expenditure estimation;
  - h. Cost recovery through fees and charges;
  - i. Capital plan;
  - j. Asset management;
  - k. Prudent debt management;
  - l. Program sustainability; and
  - m. Governmental Accounting Standards Board compliance

#### G. Asset Protection

The Superintendent shall strive to ensure LAUSD's assets are protected, maintained, and utilized.

#### H. Compensation and Benefits

The Superintendent shall maintain the fiscal integrity and public image of the District with respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers.

Accordingly, the Superintendent shall:

1. Not alter their own compensation and benefits;
2. Provide the Board with comparable salary and benefits comparisons in a timely manner; and
3. Act responsibly when creating compensation and benefit obligations.

I. Communication and Support to the Board

The Superintendent shall inform and support the Board in its work.

Accordingly, the Superintendent shall:

1. Submit data requested by the Board in a timely, accurate, and understandable fashion, directly addressing provisions of Board policies being monitored;
2. Submit data, meeting materials, and any additional information to the Board at least six days in advance of a Regular Board meeting, when possible, and as soon as practicable for a Special Board meeting;
3. Provide written detailed monitoring data and additional information;
4. Inform the Board of relevant trends, financial or otherwise, anticipated adverse media coverage, or material external or internal changes, particularly changes in the assumptions upon which any Board policy has previously been established;
5. Notify the Board of pending litigation;
6. Advise the Board if, in the Superintendent's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Superintendent Linkage, particularly in the case of Board behavior that is detrimental to the working relationship between the Board and the Superintendent;
7. Marshal for the Board the stakeholder and external points of view, issues, and options necessary for fully informed Board choices;

8. Report as soon as is practicable any actual or anticipated noncompliance with any Board policy;
9. Supply for the agenda all items delegated to the Superintendent and required by law or contract to be approved by the Board, along with the implementation and monitoring necessary.
10. Procedures for Submitting Communications to the Board:

It shall be the duty of the Superintendent of Schools to establish the procedure for submitting communications from the Office of the Superintendent, Divisions, or other offices as designated by the Superintendent to the Board of Education. The Superintendent shall be responsible for the preparation of all written reports for adoption by the Board and shall include therein all necessary references and explanatory statements, including student impact statements, as may be requested and authorized by the Board.

For resolutions initiated by Board Members, the Superintendent should provide similar information as contained in items prepared by the Superintendent for adoption by the Board and such information should be included in the Board meeting materials. Additionally, all legal, funding, and student impact implications of a resolution shall be noted and signed by the appropriate staff, even if there is a finding that there is no implication.

(Former Board Rule 64)

#### J. Hiring

The Superintendent shall recommend persons to be hired by the Board that demonstrate that they possess the appropriate qualifications listed in the job description and after all the background checks have been completed.

#### K. Administration

The Superintendent shall document all critical administrative job functions and deadlines. Accordingly, the Superintendent shall ensure that detailed job descriptions are established for senior administrators, and that a Master Calendar is established for the school year setting forth all major deadlines and listing all major events.

(09-03-19 Reg Bd Bd Rpt 360 Amendment Attachment E See also BR 14 and BR 250 regarding Board Member budget.)



**DIVISION II**

**ADMINISTRATION  
(1000 SERIES)**

## **Chapter 1 — Schools and Classes**

### **1002. ESTABLISHMENT OF BRANCHES, ANNEXES, SPECIAL SCHOOLS AND CLASSES**

The Board of Education may establish branch schools and classes, annexes, and special schools and classes. Requests for locating and housing such schools and classes shall be processed and reported in accordance with procedures established by the Superintendent of Schools.

(Amended 4-16-90)

### **1003. NAMING OF SCHOOLS**

Schools shall be named to honor prominent men and women whose notability has survived their lifetime and whose service extends beyond the Los Angeles Unified School District schools. Criteria for selecting names include, but are not limited to, the following:

1. Presidents of the United States and other nationally as well as internationally famous men and women;
2. Prominent men and women who have made a contribution to humankind generally deemed to be of permanent significance in the field of fine arts, letters, sciences, social sciences, and industry;
3. Where there is a well-established community, the school may bear the name of the community, provided that it does not conflict with any other school named for the same community.
4. After the name of the street on which the school is located;
5. Any other criteria determined by the Board of Education.

(Amended 6-14-11, BOE Report 313-10/11)

### **1004. NAMING OF MULTI-SCHOOL CAMPUSES**

The Board of Education may name a multi-school campus following the same process in Rule 1003. Naming of individual schools located on the campus/complex shall follow the same criteria, and the surname of the main location's campus/complex shall be hyphenated and placed before the individual school name to comprise the official name of the school.

(Amended 6-14-11, BOE Report 313-10/11)

#### 1005. CHANGING THE NAME OF A SCHOOLS

The Board of Education may change the name of an existing school following the same process outlined in Rule 1003. Timing of school name changes shall comply with Rule 1006.

(Amended 6-14-11, BOE Report 313-10/11)

#### 1006. TIME FOR NAMING SCHOOLS

Names for new schools should be chosen at the earliest date possible in order to establish the name on all school business and accounting records. The name for a new school shall be chosen after receiving input from elected officials, region or division staff, and community support groups, if any. The recommended school name shall be presented by the Office of School Operations, in the necessary communication to the Board of Education. Changes in the names of schools shall be processed before the end of the fiscal year in which the school opens, in order that various lists, school business and accounting records be correct for the new fiscal year.

(Amended 6-14-11, BOE Report 313-10/11)

#### 1007. NAMING FIELDS AND BUILDINGS

The Board of Education may establish criteria for naming fields and buildings on school campuses. Fields and buildings may be named after employees of the Los Angeles Unified School District only if an appropriate period of time has elapsed since their relationship with the school has been severed by retirement or death. Fields and buildings of a school may also be named after students of that school who have died during their enrollment, as well as community persons or benefactors of the school.

(Amended 6-14-11, BOE Report 313-10/11)

#### 1008. CHARTER SCHOOLS

The Charter School Authorizing policy dated February 7, 2012 will contain the framework to be applied to the formation of charter schools as well as continuing charter schools of the Los Angeles Unified School District. This policy and future policies will allow Public Hearings required for the approval of charter schools to be heard at Committee of the Whole meetings.

(Amended 2-7-2012)

## **Chapter 2 — Holidays and Hours**

### **1101. CLOSING OF SCHOOLS, CENTERS, AND OFFICES; HOLIDAYS—GENERAL**

The schools, centers, and offices of the Los Angeles Unified School District shall be closed on the following holidays which shall occur on dates designated by the President of the United States or Governor of California, or annually adopted by the Board of Education:

New Year's Day  
Dr. Martin Luther King, Jr., Day  
Lincoln Day  
Washington Day  
Memorial Day  
Independence Day  
Labor Day  
Admission Day  
Veterans Day  
Thanksgiving Day  
Friday following Thanksgiving  
Christmas Day

The Board may declare other days District holidays and close the schools, centers, and offices thereon when good reason exists therefor. The Superintendent of Schools may declare other days excused days, close offices, and provide a paid nonworking day for designated employees as appropriate. The Board may declare Admission Day as a work day and the Superintendent may declare certain excused time as work time for employees located at year-round schools and for other staff required in support of such schools.

(Amended 9-25-89)

### **1102. OBSERVANCE OF CERTAIN EVENTS**

All schools shall observe the events commemorated by the following holidays and special days, when such holidays and days occur during a school term, by holding suitable exercises or by classroom discussion. The holidays and special days are specified under Education Code Sections 37220, 37221, 37221.5, or 45206.5. Other special days shall continue to be observed as directed by the Superintendent of Schools or by action of the Board of Education. In addition, all schools may observe those holidays and special days presented in the Los Angeles Unified School District publication Observance of Special Annual Events.

**OBSERVANCES MANDATED BY STATE EDUCATION CODE SECTIONS 37220, 37220.5, 37220.6, 37220.7, 37221, 37222-37222.17, 37221.5, 44015.1 AND 45206.5.**

January 1

New Year's Day

Third Monday in January  
 or Monday or Friday in the  
 week in which January 15 occurs  
 January 23  
 January 30  
 Constitution  
 February 6  
 Monday or Friday of the week  
 in which February 12 occurs  
 February 15  
 Third Monday in February  
 March 1-7  
 March 5  
 March 7  
 March 30  
 March 31  
 April 6  
 April 21  
 Second Wednesday in May  
 May 22  
 Last Monday in May  
 July 4  
 First Monday of September  
 LAUSD observation determined  
 annually  
 September 17  
 Fourth Friday in September  
 Second Monday in October  
 November 11  
 Fourth Thursday in November  
 December 25

Dr. Martin Luther King, Jr., Day  
  
 Ed Robert's Day  
 Fred Korematsu Day of Civil Liberties and the  
  
 Ronald Reagan Day  
 Lincoln's Day  
  
 Susan B. Anthony Day  
 Washington's Day  
 Week of the School Administrator  
 Black American Day  
 Conservation, Bird and Arbor Day  
 Welcome Home Vietnam Veteran's Day  
 Cesar Chavez Day  
 California Poppy Day  
 John Muir's Birthday  
 Day of the Teacher (El Día del Maestro)  
 Harvey Milk Day  
 Memorial Day  
 Independence Day  
 Labor Day  
 California Admission Day  
  
 Constitution Day  
 Native American Day  
 Columbus Day/Discover's Day  
 Veterans Day  
 Thanksgiving Day  
 Christmas Day.

#### OBSERVANCES REQUIRED BY SUPERINTENDENT AND BOARD OF EDUCATION.

February African American History Month  
 March National Women's History Month  
 April Week of the Young Child  
 May Asian/Pacific American Heritage Month  
 May 5 Cinco de Mayo  
 June Gay and Lesbian Awareness Month  
 September 15-October 15 Hispanic Heritage Month  
 September 16 Mexican Independence Day as  
 "Celebrations of Mexican History and Culture"  
 October Cultural Diversity Month/Disability Awareness Month  
 Second Thursday in October Unity Day  
 Second Week in October American Indian Awareness Week  
 October 12 Columbus Day

(Amended 8-26-14, previously Amended 5-25-99)

### 1103. CLOSING OF SCHOOL BY SUPERINTENDENT

The Superintendent of Schools may direct the closing of any school whenever, in his or her discretion, such closing appears necessary to insure the health or safety of the students. Any such action by the Superintendent shall be submitted to the Board of Education for confirmation at its next regular meeting. The reopening of any school so closed shall be authorized when the Superintendent determines that the conditions which necessitated the closing have ceased to exist.

(Amended 4-16-90)

### 1104. DAILY TIME SCHEDULES

The Superintendent of Schools is authorized to prescribe, within legal limits, the daily time schedules including the starting and ending times and the number and scheduling of lunch periods of schools and centers.

(Amended 6-28-07)

### 1105. LOCAL SCHOOL DAY—REGULAR, SHORTENED AND MINIMUM SCHOOL DAY

The number of instructional minutes in the regular, shortened and minimum school day shall be as follows:

	Instructional Minutes in		
	Regular Day	Shortened Day	Minimum Day
Kindergarten Traditional and Four Track Year-Round	200	200	200
Three Track Year-Round	221	221	221
	(including recess)		
Elementary Schools, Grades 1-6 Traditional and Four Track Year-Round	310	275	240
Three Track Year-Round	343	304	26
	(excluding noon intermission and recess)		

Secondary Schools, Grades 6-12			
Traditional and Four Track Year-Round	370	305	240
Three Track Year-Round	409	337	265
	(excluding lunch and nutrition periods but including passing time between periods)		
Continuation Schools	250	215	180
	(excluding lunch and nutrition periods  but including passing time between periods)		

Secondary students in magnet schools and centers, in special education schools, and in opportunity schools are subject to the same school day requirements as students in regular secondary schools.

Each school may have a maximum of 20 shortened days or a maximum of 10 minimum days or a combination of shortened days and minimum days approved by the appropriate superintendent.

(Amended 6-17-85)

#### 1107. IRREGULAR SCHEDULE — STUDENT HOURS AND LOCAL SCHOOL DAY

Whenever, in his or her opinion, conditions affecting classrooms, transportation, cafeterias, playgrounds, or the needs of the educational program warrant, the Superintendent of Schools shall have the authority to:

- A. Vary, by not more than one hour, the hours of students specified in Board Rule 1104, and
- B. Decrease the number of minutes in the regular school day specified in Board Rule 1105, but in no event below the number of minutes constituting a minimum school day as defined in Board Rule 1105.

Each school may have a maximum of 20 shortened days or a maximum of 10 minimum days or a combination of shortened days and minimum days approved by the appropriate superintendent.

(Amended 4-16-90)

#### 1108. SCHOOLS, ETC., CLOSED ON SATURDAYS

All offices, departments, and schools of the Los Angeles Unified School District shall be regularly closed all day on Saturdays and Sundays, except as provided by law and authorized by action of the Board of Education. The Superintendent of Schools may authorize the temporary opening of offices on Saturday.

(Amended 3-24-75)



## **Chapter 3 — Budget and Finance**

### **1153. BUDGET CALENDAR**

The budget calendar for the next fiscal year, as adopted by the Board of Education, shall be the basis for providing a schedule of work for the preparation of the budget and a schedule of meetings which will comply with the provisions of the State Education Code governing school district budgets.

### **1154. BUDGET FOR CONTINUING PROGRAMS**

The Budget for Continuing Programs shall be submitted to the Special Committee of the Whole-Budget in two parts. The first part shall list and summarize appropriations to support the current educational program. This document shall be reported in state required classifications and shall include allowances for estimated student growth, progressive and salary point increments, and changes in contractual requirements, but with no other changes in services, materials, or supplies, except those controlled by norms or authorized by action of the Board of Education. The second part shall list recommendations for potential changes in the current educational program and services by the districts, divisions, fund and appropriations together with estimated costs. The two parts shall be presented to the Board in sufficient time for consideration by the Board prior to adoption of the Tentative Budget.

(Amended 4-16-90)

### **1155. TENTATIVE BUDGET**

The Tentative Budget (Education Code Section 42127) shall be prepared in accordance with the Board of Education authorization, presented for adoption at a regular meeting of the Board, and filed with the County Superintendent of Schools on or before July 1 (Education Code Sections 42120-42129).

(Amended 4-16-90)

### **1157. FINAL BUDGET**

On or before the 15th day of September, the Board of Education shall adopt the Final Budget and file such Budget with the County Superintendent of Schools on the appropriate State forms.

(Amended 10-31-88)

#### 1160. BUDGET CONTROL POLICY

Before an expenditure for any purpose—salaries, other expenses or capital outlays—is contemplated, the division, branch or section head should ascertain whether or not the expenditure was provided for in the budgeted appropriation which is affected. If the expenditure was not provided for in the budgeted appropriation, the division, branch or section head should give serious consideration to abandoning the contemplated expenditure. However, if the Deputy Superintendent and Division Head are of the opinion that the expenditure is essential to the program of his or her jurisdiction and the need could not have been determined in sufficient time for inclusion in the Budget, he or she may file a written request with the Budget Services and Financial Planning Division for a transfer of funds. This request should include a complete statement of the purpose of the proposed expenditure. If such request for a transfer of funds is determined to be non-routine in accordance with Board of Education policy and recommended by the Superintendent of Schools, a report will be prepared by Budget Services and Financial Planning Division and submitted to the Board. If the report is determined to be routine in nature, it will be processed by the Budget Services and Financial Planning Division, and included in the subsequent monthly summary report of budget transfers. The Deputy Superintendent and Division Head will be notified by the Budget Services and Financial Planning Division if and when the transfer is approved. Under no circumstances should staff work be performed or any commitments be made before funds are allocated and encumbered for the contemplated purpose.

(Amended 10-31-88)

#### 1182. DISTRICT INTERIM FINANCIAL REPORTS

Financial reports showing the current status of the income and expenditures of the Los Angeles Unified School District in relation to the budget shall be prepared by the Accounting and Disbursements Division and submitted to the Board of Education by the Superintendent of Schools as of the last day of each month, October through May, inclusive.

(Amended 10-31-88)

## **Chapter 4 - Law Enforcement, Claims and Litigation**

### **1201. SUBPOENAS AND OTHER PROCESS**

The Superintendent of Schools shall establish the procedures to be followed in connection with the subpoena of employees, students, and school records.

(Amended 4-16-90)

### **1204. INTERVIEWING OF STUDENTS**

Upon presentation of proper identification, duly authorized representatives of law enforcement agencies having jurisdiction over the region in which the school concerned is located shall be allowed to interview students in the presence of the principal or a teacher.

Police Officers of the City of Los Angeles and of other jurisdictions within the Los Angeles Unified School District, Los Angeles County Sheriff's Deputies, Los Angeles County Probation Officers, California State Police, Investigators for the Domestic Relations Court, agents of the California Youth Authority, and the Federal Bureau of Investigation will produce official identification cards. Special and honorary officers, honorary deputy sheriffs, etc., and members of the press, although carrying identification cards issued by law enforcement agencies, shall not be permitted to interview students at school; provided, however, that students may be interviewed by members of the press in connection with school activities, in the presence of and with the approval of the school principal or the Director of Public Information.

Information regarding the identification of persons other than those mentioned above may be secured from the Student Attendance and Adjustment Services Branch.

(See Board Rule 1421)

(Adopted 2-11-57)

### **1205. STUDENT NOT TO BE TAKEN FROM SCHOOLS**

No student shall be taken from a school by any person other than a school employee. Exception to this Rule may be made only (1) by the parent or guardian, when properly identified; (2) upon the written request of the parent or guardian, properly verified; (3) by properly identified peace officers, when an arrest is made; (4) by properly identified peace officers in case of emergency as determined by the principal or his or her designated representative.

The responsibility of notifying parents of students taken from school by peace officers and

the place to which the student is reportedly taken in accordance with items (3) and (4) of this Rule rests with the administrator who releases the minor to a peace officer, except where the minor has been taken into custody as a suspected victim of child abuse or neglect where responsibility for notifying the parent or guardian rests with the peace officer to whom the minor is released.

(Amended 4-16-90)

#### 1206. CLAIMS FOR MONEY OR DAMAGES

Pursuant to Section 935 of the Government Code, and as a prerequisite to bringing suit against the Los Angeles Unified School District, all claims against the District for money or damages, including claims which are otherwise excepted by Section 905 of the Government Code, or for money or damages which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title 1, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910), of the Government Code of California.

(Amended 8-26-14, previously Amended 6-1-83)

#### 1207. LEGAL ACTIONS

The Superintendent of Schools shall establish the procedures to be followed with respect to legal actions which name as a party the Board of Education, the Los Angeles Unified School District, or any employee thereof for any act performed in the course of employment.

Ratification by the Board of the disposition of such actions shall constitute authorization for the incurring of any and all obligations to pay necessary fees and expenses in connection with any such litigation. The payment of such fees and expenses shall be authorized by the Board after the exact amounts are ascertained.

(Amended 4-16-90)

#### 1208. MISCONDUCT AFFECTING THE SCHOOL

The Superintendent of Schools shall establish the procedures to be followed in reporting felonies, misdemeanors, and other misconduct affecting the schools.

(Amended 4-16-90)

## 1210. CONTACTS WITH OTHER PUBLIC AGENCIES

The Superintendent of Schools shall establish the procedures to be followed pertaining to the relationships of the Los Angeles Unified School District with state, county, and city departments, and to inquiries regarding state laws and city and county ordinances.

(Amended 4-16-90)

## **Chapter 5 — Activities on District Premises**

### **1251. SPONSORSHIP AND ADVERTISING ACTIVITIES ON SCHOOL PREMISES**

#### **A. Sponsorship and Advertising**

Except as otherwise provided by Board Rule, the following activities on Los Angeles Unified School District shall be as follows:

1. The advertising, or sale to students or employees of articles shall be prohibited.
2. Permanent advertising shall be permitted only with approval by the Superintendent or his designee.
3. Sponsorship recognition through temporary signage that does not include a “call to action” as described in 1251 (1) shall be allowed when there is clear benefit to the school and or District, has a clear sunset date, has minimal impact on school operations or classroom activities, and is not located within the classroom.
4. Permanent sponsor recognition shall be permitted only with approval by the Superintendent or his/her designee.

#### **B. Approved Activities**

The Board of Education may sanction (See Board Rule 1255, et seq.) any worthy enterprise on District premises, particularly enterprises of an educational nature. Said sanction shall be evidenced by written permission from the Superintendent of Schools, Deputy Superintendent, or other designated representative of the Superintendent.

Additionally, recognized unions and associations have the right to meet with employees before and after hours of service or during duty-free lunch periods and can sell merchandise to their members during regular meetings, with the same rights extended to authorized parent and community groups with respect to their membership at their meetings. Site administrators will coordinate the use of facilities for meetings so that such activities can be arranged in a manner which does not expose non-participants to solicitations or sales activities permitted by this Rule and which does not open school premises generally to other vendors or commercial activities.

(Amended 12-14-10 [Section A])

#### 1252. PHOTOGRAPHS

Photographs may not be taken on Los Angeles Unified School District premises except in compliance with procedures established by the Superintendent of Schools; provided, however, that the Board of Education may sanction any worthy enterprise on District premises, particularly enterprises of an educational nature. Said sanction shall be evidenced by written permission from the Superintendent, Deputy Superintendent, or Associate Superintendent, School Operations. (This Rule is made necessary by litigation and other complications arising from promiscuous photographing of students.)

(Amended 4-16-90)

#### 1253. MOTION PICTURES OF SCHOOL ACTIVITIES

Motion pictures of school activities may not be taken except in compliance with procedures established by the Superintendent of Schools, provided, however, that the Board of Education may sanction any worthy enterprises on Los Angeles Unified School District premises, particularly enterprises of an educational nature. Said sanction shall be evidenced by written permission from the Superintendent, Deputy Superintendent, or the Associate Superintendent, School Operations.

(Amended 4-16-90)

#### 1254. ACCEPTABLE USE POLICY (AUP) FOR THE INTERNET

The Acceptable Use Policy (AUP) for the Internet dated *April 25, 2006*, will contain the internet safety policy under which all students and employees are to comply when using the Los Angeles Unified School District provided internet and network services.

(Amended 8-26-14[Date being verified], previously Adopted 1-8-02)

#### 1255. FUND-RAISING ACTIVITIES FOR CHARITABLE ORGANIZATIONS

Unless otherwise provided, no collections, contributions, or donations of money or materials of any kind shall be made through or in the schools except by specific authorization of the Board of Education. Any collections, contributions, or donations so authorized shall be conducted in accordance with regulations established by the Superintendent of Schools. Board Rule 2525 governs student body fund-raising activities.

(Amended 4-16-90)

#### 1256. ADDITIONAL CHARITABLE FUND-RAISING

Any school may be permitted to hold an additional charitable fund-raising campaign for a project which is initiated by the faculty and students and which is one which can serve an educational objective. Such permissive projects as are sponsored by the American Red Cross could appropriately come under this category. Any school, before entering upon such a money-raising campaign, must secure permission from the Associate Superintendent, School Operations.

(Amended 11-1-82)

#### 1257. COLLECTION AND DISTRIBUTION

Schools, Parent-Teacher Associations (PTA), and other approved parent groups may be permitted to continue their programs of mutual assistance to schools through the collection and distribution of clothing or other necessities.

(Amended 11-1-82)

#### 1258. CHARITABLE FUND-RAISING EVENTS WITH PUBLIC APPEAL

A school or student body participating on a cooperative basis with the PTA, or other approved parent group or youth-serving agency in a fund-raising event for charitable purposes with public appeal shall observe the regulations established by the Superintendent of Schools for all charitable fund-raising campaigns and the appropriate charitable solicitation ordinances of the City and County of Los Angeles.

Revenue activities for charitable purposes with public appeal are school events such as the PTA Action Bowl, PTA membership enrollments, merchandise sales, or other events when the public is asked to contribute, or solicited to purchase tickets or any type of merchandise.

(Amended 4-16-90)

#### 1265. ACTIVITIES OF OUTSIDERS

No person shall visit or audit a classroom or other school activity, nor shall any person remain on Los Angeles Unified School District premises, without the approval of the principal or authorized representative.

(Amended 4-16-90)



## 1266. USE OF DISTRICT EQUIPMENT AND PROPERTY BY EMPLOYEES

Employees of the Los Angeles Unified School District are generally not permitted to use District time, mailboxes, equipment of any kind or supplies thereof (collectively, "District equipment") for personal use. "Personal use" is defined as use for noncommercial purposes other than performance of the employee's assigned duties. District equipment should be used for and dedicated to official business and personal use of such equipment should be kept to a minimum. At no time should District equipment be used for outside, commercial or business purposes. Employees who abuse the privilege to use District equipment for minimal personal use as set forth in this Board Rule shall be subject to discipline up to and including termination, and the District retains the right to restrict or revoke employee's privilege to use District equipment if the employee engages in such abuse.

Personal telephone calls, e-mail messages, and internet communications or use should be brief, kept to a minimum, limited to calls within the local calling area and should be placed, received, or reviewed only during an employee's lunch hour, break time or before or after work hours. If a long-distance telephone call must be made, it should be charged to the employee's home telephone or credit card. If personal calls are received for employees, a message will be taken. The District requests cooperation from its employees in keeping all such personal telephone calls to a minimum by asking others to call employees at work only on urgent matters. All other District equipment is, except in emergencies or other exigent circumstances, available exclusively for official District business.

Employees of the District (as well as other users of the District's computer or communications systems) have no reasonable expectation of privacy relative to the use of the District's equipment or communication systems. All data in the District's computer and communication systems (including documents, other electronic files, e-mail, internet, recorded voice mail messages, etc.) is the exclusive property of the District. While employees (or other users) may be provided passwords for access to various communication systems to maintain the confidentiality of certain records, the providing of such a password does not confer privacy or confidentiality from access by the District, and, in fact, the District retains at all times the right to access, monitor and review the content of the District's computer and communication systems. Accordingly, no individual should have any expectation of privacy for messages or other data recorded in the District's computer or communication systems. This includes documents, messages or files marked "private," and which may be inaccessible to most users but remain available to the District. Likewise, the deletion of a document or message may not prevent the District from accessing the item or completely eliminating the item from the system.

The District's computer and communication systems must not be used to create or transmit material that is derogatory, defamatory, obscene or offensive—including slurs or disparagement based on race, color, national origin, gender, sexual orientation, age, disability, or religious or political beliefs. Similarly, the District's computer and communication systems must not be used to solicit or proselytize others for religious, political or commercial purposes, causes, outside organizations, chain messages or any other

non-job-related purposes, provided that an employee selected as an official union representative at a site shall be permitted:

1. Reasonable use of office telephones for local telephone calls involving representation matters only, and only so long as such use does not interfere with normal office business at the location; and
2. Access to make appropriate brief announcements, via the school bulletin and/or public address system, union-related meetings, special events, in-service/staff development, and the like but only provided that reasonable advance administrative approval is received before making such announcements and such announcements are limited to the time before or after student hours.

No employee or other person is permitted to remove any property owned or controlled by the District from premises owned or occupied by the District for personal use. Any violation of any provisions of this Rule shall be grounds for discipline up to and including termination.

(Amended 5-25-99)

## 1267. POLITICAL ACTIVITIES

Education Code Section 7054 prohibits the use of school district funds, services, supplies or equipment to advocate for or against a ballot measure or candidate. However, public resources may be employed to provide information in a fair and impartial presentation to the public about the possible effects of any ballot measure on the Los Angeles Unified School District. The Education Code imposes a criminal penalty for violation of Education Code Section 7054. Although it is impossible to anticipate all specific applications of these principles, the following guidelines apply:

### A. Prohibited Activities

1. District employees shall not, without prior approval of the District's legal counsel, expend public funds:
  - a. to sponsor any activity relating to a ballot measure or candidate;
  - b. to disseminate any written information relating to a ballot measure or candidate.
2. District employees shall not use District personnel, equipment, stationery, stamps, public funds, or other resources to distribute materials which advocate a particular position relating to a ballot measure or candidate.
3. District employees shall not permit use of District facilities, other than by

lawful leases or permits (See Board Rule 1301, et seq.) for the purpose of advocacy for or against a ballot measure or candidate.

B. Permitted Activities

1. The District may conduct studies through research and investigation as required in connection with the present and future management, conditions, needs and financial support of the schools. (Education Code Section 35172-a)
2. District funds, services or equipment can be used to provide information to the public about the possible effects of a ballot measure if the informational activities are otherwise authorized by the Constitution or laws of this state and the information constitutes a fair and impartial presentation of the relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.  
(Education Code Section 7054-b)
3. A presentation that includes either the good or the bad consequences of a ballot measure should fairly present both the good and the bad. The Education Code imposes a criminal penalty for the violation of Education Code Section 7054-b.
4. A District officer is not prohibited from appearing at any time before a citizens group that requests such a person for the purpose of discussing the reasons why the Board of Education called for an election to submit to District voters a proposition for bond issuance and for the purposes of responding to inquiries from the citizens group.  
(Education Code Section 7054.1)
5. Employee organizations are not prohibited from soliciting or receiving political funds or contributions from employee members to promote the support or defeat of any ballot measure on District property during “non working time.” Nonworking time is defined as time outside an employee’s working hours, whether before or after school or during the employee’s lunch period.  
(Education Code Section 7056-b)
6. A forum under the control of the District can be used to provide information to the public about the possible effects of any ballot measure, if the forum is made available to all sides on an equitable basis.”  
(Education Code Section 7058)
7. District officers and employees may discuss or advocate a position on an issue when such activity is during non working time and is not in any way funded from District sources.  
(Education Code Sections 7056-a, b, and 7054-a.)

An employee is off-duty before and after the assigned workday and during a duty-free lunch period. Distribution of political literature by and to employees during duty-free time at work sites may only occur in areas that are apart from students and classes.

8. Factual information to be disseminated, if in compliance with the above guidelines, may be obtained from documents prepared by non-District sources. However, the District should not act as distributor of leaflets, brochures or other publications prepared by non-District organizations.

#### C. Criminal Penalty

Violation of statutory provisions regarding the subject limitations is a misdemeanor or felony punishable by imprisonment in the county jail or by a fine, or by both, or imprisonment in state prison.  
(Education Code Section 7054-c)

(Amended 5-8-01)

#### 1268. VISITING SPEAKERS

Persons not employed by the Board of Education or who are not currently enrolled in any Los Angeles Unified School District school may speak to groups of students on District premises only before officially organized classes, officially chartered clubs, or officially scheduled assemblies, meetings, or activities. The principal of each school shall establish regulations regarding the appearance of visiting speakers. Such regulations shall include but need not be limited to the following:

- A. A speaker may address a class only if invited to do so by the instructor. The instructor shall notify the principal or his or her designee in advance whenever such a speaker is scheduled to appear. The instructor shall have notified and received consent from the principal or his or her designee in advance of the time a speaker is scheduled to appear. The principal shall be given at least 48-hour prior notice unless it is an emergency situation in which it would be impossible to provide the principal with 48-hour notice.
- B. A speaker may be invited to address the official membership of a recognized club at the regular time and meeting place of the club only if approval has been given by the club membership and the faculty advisor as well as the principal or his or her designee and if regulations established by the principal are followed.
- C. A speaker may address an officially scheduled assembly, meeting, or activity of students only if permission to extend the invitation has been obtained.

D. Permission may be extended by the principal or his or her designated representative with respect to each of the above activities if the following criteria are met:

1. The speaker shall be judged to be competent to speak on his or her specialty by virtue of study, training, or experience.
2. The address or program contemplated shall be judged to have educational value within the context of the time and place at which it is to be delivered.
3. The program contemplated shall not interfere with the normal program and activities of the school.
4. The program contemplated shall conform to requirements established in law and in Board policy.

E. Review and Appeal.

Should the school principal deny an outside speaker an opportunity to speak, on the basis of this Rule, or should the principal deny the request because of Board Rule 1251-A, B, and D, or because the proposed speech will disrupt, the sponsor may, within two days after notification, (which will include the bases for the denial), ask for a hearing which will be convened before the Elementary District Assistant Superintendent. The Board will be the final authority if an appeal is to be carried forward beyond the Elementary District Assistant Superintendent level.

(Adopted 9-6-73)

#### 1271. PRIZES OR GIFTS

No prize or gift of material value shall be awarded or given by any principal or teacher to any student, nor shall any principal or teacher receive any gift of material value from a student or parent. (For provisions relating to gifts to school, see Board Rule 1721, et seq.)

## 1272. PRIVATE INSTRUCTION

No teacher shall give private instruction for compensation on any Los Angeles Unified School District premises. No teacher shall give private instruction for compensation in any place:

- A. During the school year to students who are under the supervision of said teacher;
- B. During the school year to students who attend the school to which such teacher is assigned;
- C. During the vacation period to any student who was a member of said teacher's class during the previous semester.

Notwithstanding the above, teachers may participate for compensation in District-approved child care and/or enrichment programs during intersession, off-track periods, and in after-school programs, whether on or off school District premises, with the approval of the principal and in accordance with District procedures regarding the avoidance of conflict of interest.

(Amended 11-18-96)

## 1273. LOANS

The seeking of loans by an employee in a supervisory or administrative capacity from those employees under his or her supervision is prohibited. The seeking of loans by an employee in a subordinate position from his or her supervisors is discouraged. It is suggested that all employees seeking loans avail themselves of the facilities of established lending agencies.

## 1274. STUDENT EXPRESSION ON CAMPUS

A full opportunity must be provided for students to inquire, question, and exchange ideas. They should not simply be allowed but encouraged to participate in discussions in which many points of view, including those which are controversial, are freely expressed. Students should be provided with avenues for research of ideas and causes which interest them and should be allowed to express their opinions. The Superintendent of Schools shall establish the procedures to be followed in the compilation and dissemination of guidelines concerning student rights and responsibilities.

(Amended 4-16-90)

## 1275. OFFICIAL SCHOOL PUBLICATIONS

School publications are designed to serve as vehicles for instruction and are, in addition, a means of communication. They are operated, substantially financed, and controlled by the Student Body and the Los Angeles Unified School District.

A school newspaper can best function when a full opportunity is provided for students to inquire, question, and exchange ideas. Articles should reflect all areas of student interest, including topics about which there may be dissent and controversy. It is the intent of the Board of Education that students be provided with avenues for the research of ideas and causes of interest to them and should be allowed to express their opinions. Controversial subjects should be presented in depth with a variety of viewpoints published.

### A. Purposes of Official Student Newspapers:

1. To exist as an instructional device for the teaching of writing and other journalistic skills;
2. To provide a forum for opinions of students, school staff, and members of the community;
3. To serve the entire school by reporting school activities.

### B. Rights of Student Journalists:

1. To print factual articles dealing with topics of interest to student writers;
2. To print, on the editorial page, opinions on any topic, whether school-related or not, which they feel is of interest to themselves or to the readers.

### C. Responsibilities of Student Journalists:

1. To submit copy that conforms to good journalistic writing style;
2. To re-write stories, as required by the journalism advisor, to improve journalistic structure, sentence structure, grammar, spelling and punctuation;
3. To check facts and verify quotes;
4. In the case of editorials on controversial issues, to provide space for rebuttals, in the same issue if possible, but otherwise no later than the following issue;
5. Subject to the specific limitations in these guidelines, student editors are responsible for determining the contents of their official student newspapers.

### D. Material Not Permitted in Official School Newspapers:

1. Material which is libelous or which violates the right of privacy;
2. Material which is obscene, according to current standards of our community;
3. Profanity, hereby defined as that language which would not be used in the L.A. Times or the L.A. Herald-Examiner;
4. Material which advocates the breaking of any law;
5. Material which criticizes or demeans any race, religion, sex, or ethnic group;
6. Ads for cigarettes, liquor, or any other product not permitted to teenagers;
7. Any material, the publication of which would cause substantial disruption of the school. Substantial disruption is hereby defined as the threat of physical violence in the school or nearby community and/or the disruption of the school's educational program;
8. Official endorsements of political candidates or ballot measures whether such endorsements are made by editorial, article, letter, photograph or cartoon. A student newspaper may not officially advocate a position. It may, however, present through article, letter, photograph, or cartoon opposing positions and candidates so long as all major issues and candidates are given equal space, content, and strength of argument.

E. Determination of Appropriateness:

1. The newspaper advisor shall have the primary responsibility of supervising the production of the student staff, to maintain professional standards of English and journalism, and to see that the provisions of this Rule are met;
2. The school principal or designated representative other than the newspaper advisor may also review the copy prior to its publication if he or she so requests; however, such copy must be returned to the student editors within 24 hours after it is submitted for review;
3. No copy may be censored except for reasons specifically listed in these guidelines;
4. Nothing in these guidelines is intended to allow censoring of any article merely because it is controversial or because it criticizes a particular school, a school procedure, or the school system itself.

F. Resolution of Differences:



1. In the event of disagreement as to whether an article should be printed, each school shall have a publication board, which shall meet within 24 hours to submit its opinion;
2. The publication board shall consist of the principal or designated representative; the journalism advisor; the editor-in-chief; a representative from student government, from the PTA/PTSA and from the Advisory Council; and other members mutually agreed upon;
3. If the publications board cannot resolve the dispute, then an appeal may be made to the Elementary District Assistant Superintendent, who may seek advice from the Board's legal staff in making a decision;
4. Further appeal may be made in accordance with Guidelines for Instruction: Secondary School Curriculum, Controversial Materials.

(Amended 1-30-78)

#### 1276. CIRCULATION OF PETITIONS

The circulation of petitions on Los Angeles Unified School District premises by persons other than students or employees of the District is prohibited, except that petitions may be circulated by any person during meetings conducted under the Civic Center Act.

- A. Employees may circulate petitions on District premises other than permitted by the Civic Center Act only when the petitions relate to matters of general or public interest or to matters concerning the relationships of employees with the District. Petitions may be circulated only by employees who are off-duty and may be presented only to employees who are also off-duty, including, but not limited to, the duty-free lunch periods. An employee is off-duty before and after the assigned day of the individual employee and during his duty-free lunch period. Petitions may be circulated only in areas of District premises which are apart from assembled students and classes, including, but not limited to, employee lunchrooms or lounges. Petitions must be circulated in such manner as not to interfere materially with the efficient conduct of any school activity.
- B. Students may circulate petitions on District premises other than as permitted by the Civic Center Act only when the petitions relate to matters of general or public interest or to school activities. No petition shall question the character or competency of, or request disciplinary action against, a student or employee. Circulation may take place only before and after regular school hours, during lunch, recess, and regular passing periods between classes. Prior to its circulation, the school principal shall be notified of the intention to circulate the petition and of its contents. Petitions shall be circulated in such a manner as not to interfere with any school activity.

(Amended 3-29-71)

**1277. STUDENT USE OF BULLETIN BOARDS, CIRCULATION OF PRINTED MATERIALS AND PETITIONS, AND WEARING OF INSIGNIAS**

The Board of Education expressly recognizes that the matters herein are not always subject to easy determination or application. Administrators are cautioned to approach their decisions from the viewpoint of neutrality, consistent with maximum freedom of expression for the student and the legitimate educational goals of the school system. Decisions related to the prevention of further distribution of materials or to the discipline of students because of violations must be reasonably made, have a basis in fact, and be the product of sound educational judgment. To assist in the decision-making process, particularly with respect to the legal definitions of libel, obscenity, or disruption, administrators are urged to involve the offices of the Branch County Counsel or the Legal Adviser.

**A. Circulation of Petitions (See Board Rule 1276), Circulars, Newspapers, and Other Printed Matter.**

Students should be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter subject to the following limitations:

**1. Time.**

The time of distribution be limited to the hours before school begins, during the lunch hour, and after school is dismissed.

**2. Place.**

The place of distribution be reasonably restricted to permit the normal flow of traffic within the school corridors and entrance ways.

**3. Manner.**

The manner of distribution and expression be such that:

- (a) Coercion is not used to induce students to accept the printed matter or to sign petitions.
- (b) Leaflets and printed material to be distributed shall be submitted to the appropriate school-reviewing authority at least four hours prior to such distribution. The reviewing authority may prohibit the distribution of printed material by students or groups of students in any one day when either the students or student groups involved are so numerous so as to disrupt the traffic, the administration, or the activities of the involved. Students or student groups desiring to circulate materials shall be

treated on a first-come-first-served basis, with the exception that those who have circulated materials will ordinarily be given preference to those who have.

- (c) Materials printed for distribution are not left undistributed or stacked for pickup while unattended at any place in the school or on school grounds.
- (d) Students are expected to use good taste in their manner of expressing ideas. All language, pictures, drawings, or photographs used in any material distributed, displayed or circulated pursuant to this policy must not be vulgar. Vulgar as used herein includes that which is lewd, profane, coarse, crude or offensive and all language and pictorial expression which infringes on the minimum standards of propriety and the accepted norm of public behavior on or near school campuses.

B. Buttons, Badges, and Other Insignia of Symbolic Expression.

Students are to be permitted to wear buttons, badges, armbands, and other insignia as a form of expression, subject to the hereinafter mentioned prohibitions.

C. Bulletin Boards.

- 1. School administrators should provide reasonable bulletin board space for posting student announcements.
- 2. Student announcements should contain the date the announcement is posted. Such announcements should be removed after a prescribed reasonable time to assure fair access to bulletin boards for all students.
- 3. Announcements posted should be subject to the hereinafter mentioned prohibitions.

D. Prohibited Material. (See part “E” below regarding Disciplinary Action)

- 1. Material which is obscene to minors according to current legal definitions.
- 2. Material which is libelous according to current legal definitions.
- 3. Materials which incites students so as to create a clear and present danger of the imminent commission of unlawful acts or of the substantial disruption of the orderly operation of the school.
- 4. Material which expresses or advocates racial, ethnic, or religious prejudice so as to create a clear and present danger of imminent commission of unlawful acts or of the substantial disruption of the orderly operation of the school.

5. Material which is distributed in violation of the time, place, or manner requirements.

E. Disciplinary Action.

Any student who:

1. Distributes any petitions, circulars, newspapers, and other printed matter.
2. Wears any buttons, badges, or other insignia.
3. Posts on a bulletin board any item in violation of the aforementioned prohibitions, or the time, place, or manner restrictions is subject to being suspended, expelled, or otherwise penalized depending on the severity or repetition of the violation, and in accordance with established disciplinary procedures.

Upon noncompliance with this Rule by the student(s) involved, school authorities are authorized to stop the further distribution of the material in question, and to discipline the student(s) as provided above. School authorities are not authorized to prevent the distribution in the first place through administrative censorship or prior restraint of the content of the material.

(Amended 1-30-78)

## 1281. USE OF PREMISES FOR MOVEMENT AND PARKING OF VEHICLES

Use of Board of Education owned or controlled premises for movement and parking of vehicles shall be limited to employees and students of the Los Angeles Unified School District, persons present on school business, persons attending meetings held under Civic Center Permit, and persons attending school sponsored functions. Such use shall be subject to the discretion of the site principal (including adult school principal when applicable) and region/division head in charge in accordance with the provisions set forth herein.

(Amended 6-22-87)

## 1282. EXPANSION OF PARKING FACILITIES

Expansion of parking facilities shall be limited to those premises wherein the need actually exists, based upon a determination as to availability of funds and the seriousness of the need, and for which approval is obtained:

- A. In the case of a school, upon recommendation of the school principal, or in case

where a day and evening school are on the same premises, then upon recommendation of the day school principal, and in either case with approval obtained from the Director of Facilities Section, Facilities Planning and Real Estate Branch.

- B. In the case of other premises owned or controlled by the Board of Education, then upon recommendation of the Elementary District Assistant Superintendent in charge and with approval obtained from the Business Services Division.

#### 1283. AUTHORIZATION TO SET ASIDE SPECIFIC AREAS

The Elementary District Assistant Superintendent in charge, or day school principal may set aside specific parking areas when the situation warrants such action.

#### 1284. AUTHORIZATION TO DESIGNATE AREAS FOR LIMITED OR EXCLUSIVE USE

The Superintendent of Schools, Elementary District Assistant Superintendent, or day school principal may designate certain areas or stalls for limited time parking, or for the exclusive use of vehicles owned by the Los Angeles Unified School District.

#### 1285. BOARD, DISTRICT, NOT RESPONSIBLE FOR DAMAGE, LOSS OF PROPERTY

Neither the Board of Education nor the Los Angeles Unified School District shall be responsible for damage to or loss of vehicles or contents thereof due to theft, fire, collision, explosion, pilferage, the elements, act of God, or from any cause whatever.

#### 1286. BOARD, DISTRICT NOT RESPONSIBLE FOR INJURY, DAMAGE

Neither the Board of Education nor the Los Angeles Unified School District shall be responsible for any injury to persons or damage to property arising out of or in connection with the presence or operation of vehicles on the premises.

#### 1287. GENERAL PROVISIONS

Except as otherwise provided, the following provisions shall govern the movement and parking of vehicles on premises owned or controlled by the Board of Education:

Persons driving vehicles on premises shall park in the area designated

Persons driving vehicles on the premises do so at their own risk.

Parked vehicles shall be locked, and brakes set or gears engaged.

Permission to park vehicles on the premises may be revoked at any time.

The speed limit shall be eight miles per hour, except as otherwise posted.

(Amended 4-16-90)

#### 1288. TEMPORARY USE OF PREMISES PRIMARILY DEVOTED TO PLAY

The use of Los Angeles Unified School District premises, primarily designed and used for physical education and recreation activities, is not approved for vehicle parking during the time school children would normally use the facilities. Exception may be made by the day school principal for temporary parking provided adequate steps are taken to protect children in the vicinity of this area.

#### 1289. APPROVAL OF PERMANENT USE AS PARKING FACILITY

Upon the recommendation of the day school principal and with the approval of the Elementary District Assistant Superintendent, space designed and used as physical education or recreation areas may be used on a permanent basis as a parking facility. Such space shall not be used when it is determined that the number of square feet of play space per child will be curtailed in such a manner as to leave insufficient area for such activities.

#### 1291. SMOKING

Smoking and the use of all tobacco products, alcohol or drugs shall be prohibited on all Los Angeles Unified School District property, including District owned or leased buildings and in District vehicles, at all times by all persons, including employees, students, and visitors at any school or District site or attending any school sponsored events.

(Amended 8-26-14, previously Amended 5-25-99)

## **Chapter 6 — Use of School Facilities for Non-School Purposes**

### **1301. USE OF SCHOOL PROPERTY: STATEMENT OF PURPOSE**

There is a civic center at each and every school facility within the Los Angeles Unified School District where members of the public, parent teachers' associations, girl and/or boy scout troops, etc., farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs and associations formed for recreational, educational, political, economic, artistic, charitable or moral activities of this District may engage in supervised recreational activities and where they may meet and discuss, from time to time, as they desire, any subjects and questions which pertain to the educational, political, economic, artistic, charitable and moral interests of the students and other members of the communities.

The District may grant the use of school facilities or grounds as a civic center upon the terms and conditions, subject to the limitations, requirements, and restrictions set forth herein, for any of the following purposes:

- A. Public, literary, scientific, recreational, educational, charitable, or public agency meetings.
- B. The discussion of matters of general or public interest.
- C. The conduct of religious services for temporary periods, on a one time renewable basis, by any church or religious organization which has no suitable meeting place for the conduct of the services, provided the church or religious organization using the school facilities or grounds be charged a fair rental value fee as established by the Leasing Section of the Real Estate Branch.
- D. Child care or day care programs to provide supervision and activities for children of preschool and elementary school age as established by the Leasing Section of the Real Estate Branch.
- E. The administration of examinations for the selection of personnel or the instruction of precinct Board Members by public agencies.
- F. Supervised recreational activities.
- G. Mass care and welfare shelters during a disaster pursuant to Education Code Section 40041.5.

(Amended 10-1-90)

## 1302. USE OF SCHOOL PROPERTY AS CIVIC CENTERS

The use of Los Angeles Unified School District property may be granted to members of the public and to organizations formed for recreational, educational, political, economic, artistic, charitable, or moral activities of this District. These persons and/or organizations may engage in supervised recreational activities, or may meet and discuss subjects and questions which pertain to the educational, political, economic, artistic, charitable, or moral activities of the members of the communities. Such use shall be:

- A. Without charge, if the group holding the meeting or activity is a non-profit organization, conducts a public meeting, and discusses matters of general or specific interest with the people of the community in which they reside. Such groups shall be granted facility use without charge, when an alternative location is not available, and when such organizations, clubs or associations are organized to promote youth and school activities. Such groups include but are not limited to Girl Scouts, Boy Scouts, Camp Fire Girls, Inc., etc., Parent-Teachers' Associations, and School Community Advisory Councils.
- B. Computed at direct cost, if the group holding a meeting or activity on District property charges admission or collects a contribution or charges any fee for membership or any other charges for other than the groups enumerated Section "A." However, where the net receipts or not less than 75 percent of the gross receipts, whichever is greater, are expended for the welfare of the pupils of the District or for charitable purposes, as determined by the Civic Center Permit Office prior to the scheduled event, then a reduced direct cost fee will be levied for use of school facilities which would include costs for custodial and/or supervising services. Direct costs are defined as those generated from the costs for maintenance, supervision, and utilities, as determined by the Board of Education. These costs will be revised effective July 1, annually by the Civic Center Permit Office, based upon information received pertaining to cost of living, salary and utility cost increases from offices responsible for such information in the Business Services Center, Student Auxiliary Services Branch and Budget Division.
- C. Computed at fair rental value when the use of school facilities or grounds is authorized for the purpose specified in Board Rule 1301-C and D, and/or in case of entertainments, activities or meetings where admission fees are charged, sales completed or contributions solicited, and where the meeting is exclusive and not open to the general public, a charge shall be levied equal to an amount of the direct costs, as referenced in Section "B" of this Rule, plus a charge of fair rental value as determined by the Board. Groups falling into this category shall be referred to the Real Estate Branch for lease determination. These costs will be



revised annually based upon information received pertaining to cost of living, salary and utility cost increases from offices responsible for such information in the Business Services Center, Student Auxiliary Services and Budget Division.

(Amended 10-1-90)

### 1303. MANAGEMENT, DIRECTION AND CONTROL OF SCHOOL FACILITIES

The management, direction and control of school facilities is vested in the Board of Education which shall promulgate all rules and regulations necessary to provide, at a minimum, for the following:

- A. Aid, assistance and encouragement to any of the activities authorized in Education Code Sections 40041 and 40041.5. (Board Rule 1301 A-G)
- B. Preservation of order in school facilities and on school grounds, and protection of school facilities and school grounds.
- C. That the use of school facilities is not inconsistent with the use of school facilities for school purposes or interferes with the regular conduct of schoolwork.

(Amended 10-1-90)

### 1304. REVIEW COMMITTEE

A review committee shall be established by the Superintendent of Schools as a standing committee composed of the Administrator of the Civic Center Permit Office or his or her designee; who will serve as Chairperson, a representative of the Youth Services Section, a representative of the Civic Center Permit Office and when deemed appropriate by the Chairperson, a representative of the school(s) or division(s) concerned. The committee shall make decisions in accordance with the rules established by this or related chapters or the Education Code whenever related problems and questions arise.

(Amended and renumbered 10-1-90)

### 1305. OBTAINING AUTHORIZATION FOR USE OF FACILITY

Organizations that charge admission or solicit contributions, interested in using school facilities must first file a "Statement of Information" with the City of Los Angeles Department of Social Services or a like agency within the city involved. If the school being requested is in an unincorporated area of the County, officers of the organization must file with the County of Los Angeles, Public/Welfare Commission. Evidence of this filed, completed, written statement of information must be submitted to the Los Angeles Unified School District Civic Center Permit Office when applying for use of a District facility.

(Amended 10-1-90)

#### 1305.1. APPLICATION PROCESS

Except as specifically stated in lease provisions, any officer of an organization (or designee as authorized in writing by the officer of an organization) desiring to use a school facility shall file a written Los Angeles Unified School District application not earlier than 30 calendar days nor later than 14 calendar days before the date of requested use; except that an organization or person making such request for the first time must file no later than 20 calendar days before the date of requested use. In case of emergency, the Review Committee may authorize the facilities use on shorter notice. All intended uses of school facilities must not interfere with school activities.

An application must be filed by the requesting organization for each intended use to the:

- A. Civic Center Permit Office, Student Auxiliary Services Branch.
- B. To the Real Estate Section, Facilities Planning and Real Estate Branch, for the lease of any facility as referenced in Board Rule 1302-C.

(Amended 10-1-90)

#### 1305.2 HOURS OF USE

School facilities are available for use under civic center provisions as follows:

- A. One-half hour following the close of the regular school day until 9:30 p.m. at elementary, middle and senior high schools;
- B. From 8:00 a.m. to 9:30 p.m. on Saturdays at elementary, middle and senior high schools;
- C. From 12:00 noon to 5:00 p.m. on Sundays at senior high schools;
- D. All facilities are closed during holiday periods.

Exceptions may be made only upon special permission of the permit issuing office. Any granted exceptions will result in additional fees or charges.

(Amended and renumbered 10-1-90)

#### 1306. THE PRINCIPAL OR SITE ADMINISTRATOR'S RESPONSIBILITIES

The principal or site administrator may process and grant permits in accordance with instructions issued by the Civic Center Permit Office when all of the following conditions are met:

- A. The facility is to be used by an organized and recognized youth group which has previously requested and been granted use of facilities by the Civic Center Permit

Office. A completed application shall be forwarded to the Civic Center Permit Office.

- B. There will be no charge or solicitation of contributions, except for youth groups enumerated in Board Rule 1302-A.
- C. The use is for meeting purposes only.
- D. The use is for other than gymnasiums, stadiums, and play areas.

The day school principal must determine that the regular school schedule will not be adversely affected. If a school plant also houses an adult school, the principal of the day school shall clear the availability of the facility with the adult school principal. If after a permit has been granted, and on unforeseen occasion renders the facility unavailable, or if there is a conflict, the day school principal shall inform the permit issuing office. The permit issuing office shall make alternate arrangements.

The final responsibility for specific school facilities rests upon the principal of the day school. Said principal may request the assistance of the adult school in arranging for and supervising permitted activities.

The day school principal shall:

- A. Have immediate control of each meeting and take such action in accordance with Board Rules as he or she deems appropriate.
- B. Assign each permittee a room of the minimum size necessary for the meeting in order to reduce expenditure for utilities and determine that each room is ready for use.
- C. Determine that where parking is allowed on school premises, vehicles are parked in such a manner to provide access to school buildings and property by fire fighting equipment.
- D. Hold a reservation available at the facility for which a permit has been issued until one-half hour after the beginning designated time.
- E. Make all arrangements for the Parent Teacher Association or Parent/Teacher, Student Association meetings.
- F. In the event of an infraction of any rule, law or regulation, advise the permittee of the infraction and give him or her notice that future permits will not be granted if any further infraction occurs, and subsequently notify the permit issuing office. If the principal prefers, he or she may request the permit issuing office to so notify the permittee. In some instances, the first infraction may be so serious that future requests for use of the premises would be denied. In such instances, the principal shall prepare and forward a written report for the central file in the Civic Center Permit Office regarding the nature of the infraction and the action taken. Any

problems arising from the request for future permits shall be referred to the Review Committee.

- G. If student body equipment is desired, arrangement for its use and the resultant payment shall be made to the school principal.

(Amended 10-1-90)

#### 1307. RESPONSIBILITY FOR LOSS OR DAMAGE DUE TO PERSONAL INJURY

The person or group issued a permit for use of school facilities is responsible for loss or damage to Los Angeles Unified School District property or for personal injury by any person as a result of the meeting.

(Amended 10-1-90)

#### 1308. SUBMISSION OF RECORD OF RECEIPTS

Organizations permitted use of school facilities without charge, pursuant to Board Rule 1302-A, shall submit a record of receipts and expenditures as approved by the appropriate Department of the Social Services to the Civic Center Permit Office, verifying that the submitted records accurately and completely reflect all receipts and expenditures of any kind. Such organizations also may be required to permit a post audit of such receipts and expenditures by a representative of the Los Angeles Unified School District.

Any such record shall become part of the central file retained in the Civic Center Permit Office and shall be taken into consideration by the Review Committee when future applications are filed.

(Amended 10-1-90)

#### 1309. PUBLIC AGENCIES GIVING EXAMINATIONS

Public agencies may use school facilities:

- A. Without charge when conducting a public meeting and/or giving examinations for selection of personnel, and
- B. At direct cost when giving examinations for licensees to practice a vocation.

(Amended 10-1-90)

#### 1310. DISTRICT EMPLOYEE ASSOCIATIONS OR ORGANIZATIONS REQUESTING USE

On arrangement with the principal, regular meetings of recognized employee organizations or associations may be held on school premises at any time other than the employment hours of the involved employees. Whenever possible, all such meetings shall be arranged during regularly assigned custodial hours. However, if time is necessary during other than custodial hours, Youth Services personnel must be assigned to supervise.

(Amended 10-1-90)

#### 1311. REFUND

Except as specifically agreed to in lease provisions (See Board Rule 1319.4), any service costs, fees or deposits may be refunded in the event of cancellation of the request, provided that notification of such cancellation is received by the school facility, and the Civic Center Permit Office at least 36 hours prior to the time of scheduled use or if the permit is granted for a weekend, at least one work day prior to the time of scheduled use. If it can be shown that the cancellation was motivated by an emergency or beyond the control of the applicant, the Civic Center Permit Office shall determine if the refund shall be made.

(Amended 10-1-90)

#### 1312. PLEDGE OF ALLEGIANCE AND SALUTE TO THE FLAG

The person or group to whom a permit is issued shall lead the assembled group, at the beginning of the meeting, in the pledge of allegiance and salute to the flag of the United States of America. If any person or group to whom such permit is issued fails to comply, the permit shall be canceled and said person or group shall be barred from using school facilities for civic center meetings in the future. If when filing for a permit, a request is made in writing for waiver of this requirement on the ground of conscientious objection, the Review Committee may grant such request. Any individual of the assembly may refuse to participate in the pledge and salute if such refusal is based upon his or her conscientious objection thereto, or because he or she is a subject of another nation.

(Amended 10-1-90)

### 1313. MEETINGS NOT SPONSORED BY BOARD

An individual, preferably an officer of the group to whom a permit was issued for use of school premises, shall read at the beginning of such meeting a statement informing those in attendance that; the Board of Education is not sponsoring the meeting, plus name the organization, purpose and nature of the meeting.

(Amended 10-1-90)

### 1314. PROHIBITIONS AND RESTRICTIONS WHILE USING SCHOOL FACILITIES WITH A CIVIC CENTER PERMIT

The following prohibitions and restrictions shall apply to all individuals, groups, clubs, organizations, associations, agencies, etc. permitted to use school facilities:

- A. Meetings shall be inclusive, shall be open to the general public, shall be conducted in the English language; provided, however, that for good cause shown the Review Committee may approve meetings to be conducted in another language, if an interpreter will be present to make any interpretations requested during the course of the meeting.
- B. School premises shall not be used as campaign headquarters for any purpose by any person, group, club or organization.
- C. The use of profane language, possession or use of intoxicating beverages or narcotics, quarreling or fighting, betting or other forms of gambling, card playing, conducting a raffle or lottery, nor conduct of any activity which constitutes a violation of any local, state or federal law.
- D. No structures may be erected or assembled on school premises, nor may any electrical, mechanical, or other equipment be brought thereon unless special approval has been obtained from the office issuing the permit in compliance with Los Angeles Unified School District standards.
- E. Nothing shall be sold, offered or advertised for sale on school premises including, but not limited to items of literature. This restriction shall not apply to the activities for which a direct cost or fair rental charge is made to the users or groups specified in Board Rule 1302-B and C.
- F. There shall be no ballroom dances except those sponsored by the Youth Services Section, Parent-Teachers' Associations or as specifically authorized by the Superintendent of Schools.
- G. No gratuities shall be given to or accepted by District staff.
- H. Issuing of Civic Center permits shall not be contingent upon contributions or

donations to schools, school programs, school events, booster clubs, etc.

- I. School grounds shall be left in the same order, condition and degree of cleanliness as existed at time of entry.
- J. School premises shall not be used later than 11:00 p.m.
- K. There shall be no smoking within any building or in any other place on the school site.

(Amended 10-1-90)

### 1315. CAFETERIA AND OTHER FOOD-SERVING FACILITIES

No permit shall be issued for the use of cafeteria and other food serving facilities except in conjunction with Civic Center meetings.

(Amended 10-1-90)

#### 1315.1. APPROVAL

Permission for the use of cafeteria facilities may be issued only with the consent of the principal of the school and approval by the Food Services Branch. (See Board Rule 1555)

(Amended 10-1-90)

#### 1315.2. FEES

All permittees using cafeteria and other food-serving facilities shall pay the service cost and fee established by the Food Services Branch and shall be liable for loss, breakage, or damage to cafeteria equipment.

(Amended 10-1-90)

#### 1315.3. SERVING FOOD AT MEETINGS

Groups or organizations which use school facilities regularly may serve non-alcoholic beverages and light refreshments in connection with their meetings, provided that left-over food and debris are properly disposed of, and the school facilities restored to the condition of cleanliness at the beginning of use. Failure to abide by the provisions of this section shall result in a charge to the permittee and may result in denial of future use of facilities

(Amended 10-1-90)

## 1316. ANNOUNCEMENTS OF MEETINGS

Any person or group granted a permit to hold a meeting on school premises may post a sign announcing such meeting in the place and manner designated by the principal; provided that such sign shall not be larger than 24 inches by 48 inches in perimeter dimensions. The sign shall not be posted more than two hours prior to the time of the meeting, and shall be removed immediately after the meeting.

(Amended 10-1-90)

## 1317. PARENT-TEACHER ASSOCIATIONS/PARENTS, TEACHERS AND STUDENTS ASSOCIATION (PTA/PTSA)

The Los Angeles 10th and 31st Districts of the California Congress of Parents, Teachers and Students, and the local associations thereof shall be considered as auxiliaries to the public schools. It is the duty of the principal and the teachers of the school to further the work of the association in every way practicable.

(Amended 10-1-90)

### 1317.1. REQUEST FOR USE OF FACILITIES BY PARENT TEACHER ASSOCIATION (PTA) PARENTS, TEACHERS AND STUDENTS ASSOCIATION (PTSA)

All PTA/PTSA meetings in school facilities shall be held pursuant to the Civic Center Act. In addition to matters that pertain to the interests of the PTA/PTSA, said groups may consider any subject which may be of interest to the community and which is authorized by the Civic Center Act. The activities conducted or subjects presented in such meetings are the sole responsibility of the PTA/PTSA and neither the subject of any such meeting nor the activities conducted therein are under the control or supervision of the Board of Education. A Civic Center permit shall not be required for the use of facilities ordinarily or regularly used for such meetings. All arrangements for the meeting shall be made with the principal of the school in which the meeting or other activity will take place. Admission may be charged or contributions or dues may be solicited or collected and no charge will be made for the use of the facilities as long as the proceeds are used for the support of the PTA/PTSA or for its school activities, provided that if supplemental custodial service is required for a meeting at which admissions are charged, the PTA/PTSA shall compensate through the school office, for such service, unless the meeting satisfies the requirements of Board Rule 1302-A.

(Amended 10-1-90)



#### 1317.2. PTA/PTSA MEETINGS OPEN TO THE PUBLIC

All PTA/PTSA meetings shall be open to the public and may be held at any time of the day, as long as there is no interference with school activities, in the judgment of the principal.

(Amended 10-1-90)

#### 1317.3. AWAY PTA/PTSA MEETINGS

In the event a PTA/PTSA requests the use of a school other than the school at which its regular meetings are held, a Civic Center permit shall be obtained.

(Amended 10-1-90)

#### 1317.4. EMPLOYEES AT MEETINGS

Participation by school staff at PTA/PTSA meetings held during hours when staff is required to render service to the Los Angeles Unified School District shall relate only to the educational interests and activities of the schools.

(Amended 10-1-90)

#### 1317.5. STUDENTS AT PTA/PTSA MEETINGS

Participation or attendance by students in PTA/PTSA meetings held during school hours shall be only by permission of the school principal or his or her officially designated representatives.

(Amended 10-1-90)

#### 1317.6. DISTRIBUTION OF WRITTEN MATERIALS

Written materials concerning any subject authorized by the Civic Center Act may be distributed during a PTA/PTSA meeting. Such materials may not be distributed to or made available to students without the permission of the principal.

(Amended 10-1-90)

#### 1317.7. APPLICABLE RULES

All rules, regulations and laws governing the civic center use of school facilities shall apply to PTA/PTSA meetings.

(Amended 10-1-90)

#### 1317.8. PAY ENTERTAINMENT AND ACTIVITIES

If a PTA/PTSA proposes to present a pay entertainment or activity on school premises, the consent of the school principal shall first be obtained, and the program proposed for such entertainment shall be subject to his or her approval. Under special circumstances the principal may request the Review Committee to review the proposal.

(Amended 10-1-90)

#### 1317.9. PTA AND SCHOOL FUNCTION

The Parent-Teacher Association of a school may join such school in presenting pay entertainments and activities. (See Board Rules 2561 and 2562)

(Amended 10-1-90)

#### 1317.10. APPROVAL OF SPEAKERS

The names of speakers invited to address Parent-Teacher Association meetings, and the names of outside performers for pay entertainments, shall be approved by the President of the Los Angeles 10th and 31st District or by the California Congress of Parent Teachers and Students.

(Amended 10-1-90)

#### 1317.11. SPONSORED YOUTH GROUPS

Principals are authorized to announce to eligible students the formation of PTA/PTSA sponsored youth groups, giving details as to time and place of organization meetings, names of persons responsible for the youth activity and other pertinent information.

Parent-Teacher newsettes or circulars may carry appropriate notices of such organization meetings, including a tear-off sheet which can be mailed by the parent to the youth group concerned, or to the Youth Services Group Chairman of the PTA/PTSA or parent group.

(Amended 10-1-90)

#### 1318. COMMUNITY RECREATION

The Board of Education individually or in cooperation with any other school district or public agency may organize, promote, and conduct such programs of community recreation as will contribute to the attainment of general educational and recreational objectives for children and adults of the community.

(Amended 10-1-90)

#### 1318.1. SUPERVISION

Supervision of activities of those using school playgrounds, gymnasiums, and other athletic and recreational facilities shall be by playground directors or by other persons designated by the principal. The director or other persons in charge of the playground or gymnasium shall be the immediate authority on all matters and shall be responsible to the principal.

Arrangements shall be made for the playground director to use necessary auxiliary school facilities.

(Amended 10-1-90)

#### 1318.2. METHOD FOR OBTAINING AUTHORIZATION FOR USE

Same as enumerated under Board Rules 1305 and 1306.

(Amended 10-1-90)

#### 1318.3. VIOLATION OF RULES

Same as enumerated under Board Rule 1306 -F.

(Amended 10-1-90)

#### 1318.4. PROHIBITIONS AND RESTRICTIONS

Same as enumerated under Board Rule 1314.

(Amended 10-1-90)

#### 1318.5. STUDENT BODY EQUIPMENT

If student body equipment is desired, arrangement for its use and the payment therefore shall be made with and to the school principal.

(Amended 10-1-90)

#### 1319. USE OF SCHOOL FACILITIES, FAIR RENTAL VALUE CATEGORY

School buildings, grounds and facilities may be licensed or leased to any person, group or organization so long as such school property is not needed for school purposes during the terms of the license or lease, provided that:

- A. The nature or extent of the proposed use does not interfere with the program of the school involved.

- B. The proposed activity or its effects are not in opposition to or in conflict with any part of the educational program of the Los Angeles Unified School District.

(Amended 10-1-90)

#### 1319.1. RENTAL OR PAYMENT

Rental or payment for property licensed or leased according to the above paragraphs shall be as determined by competitive bidding, by the fee rental schedule adopted by the Board of Education and revised annually pursuant to Board Rule 1302-C, or by negotiations, as the case may be.

(Amended 10-1-90)

#### 1319.2. STATEMENT

Each person or group entering into a license or lease involving school auditoriums or other assembly facilities, and as a material condition thereto, shall sign the following statement which shall be an appendage to the agreement. Full compliance with the terms and conditions of the statement, in addition to the execution thereof, is deemed to be a material consideration to the granting of the agreement.

#### STATEMENT OF INFORMATION

The undersigned states that, to the best of his or her knowledge, the school property for use of which application is hereby made will not be used for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States by force, violence or other unlawful means;

That the organization on whose behalf he or she is making application for use of school property, does not, to the best of his or her knowledge, advocate the overthrow of the government of the United States or of the State of California by force, violence, or other unlawful means, and that to the best of his or her knowledge, it is not a Communist action organization or Communist front organization required by law to be registered with the Attorney General of the United States. This statement is made under the penalties of perjury.

(Amended 10-1-90)

### 1319.3. LEASE LOCATION

Applicants desiring to license or lease school property shall arrange such use through the Real Estate Section, Facilities Planning and Real Estate Branch.

(Amended 10-1-90)

### 1319.4. LEGAL ADVERTISING

If the requested use exceeds five separate or consecutive calendar days or portions thereof in any one year, legal advertising and competitive bidding are required. If use does not exceed five days, then a license or lease may be granted without necessity of the foregoing procedure.

(Amended 10-1-90)

### 1320. COMPLYING WITH STATE AND LOCAL LAWS AND REGULATIONS

Any use of school facilities for non-school purposes shall comply with all State and local fire, health, penal and safety laws. Persons to whom permits, licenses, leases or other authorizations for the use of school property are granted shall insure that all activities carried on, all equipment used or placed upon school property and all food or other items of personal property used or distributed shall comply with applicable State and local fire, health, penal and safety laws and regulations.

(Amended 10-1-90)

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## **Chapter 7 — School Community Advisory Councils**

### **1370. SCHOOL-COMMUNITY ADVISORY COUNCIL**

All elementary and secondary school principals shall cooperate with the school staff, parents, other community representatives, and students (secondary schools) to establish and provide for the operation of a School-Community Council (hereinafter referred to as Councils).

#### **Purpose:**

The School-Community Council is an advisory body and shall participate in decision making by advising the principal in matters pertaining to the local school and its educational program. The Council is a resource to the school and to the principal who remains responsible for decisions that are necessary to the administration and supervision of the school.

#### **Functions:**

The Council shall (1) inquire; (2) inform; (3) suggest; (4) recommend; and (5) evaluate. Council functions shall include but shall not be limited to:

- A. Participating in the decision making process through involvement in the assessment of educational needs, the establishment of priorities, the planning of the educational program and budget resources for it, the definition of goals, and the evaluation of the school and its academic effectiveness.
- B. Facilitating school communication with parents and community.
- C. Informing and advising school staff regarding community conditions, aspirations and goals.
- D. Providing support to parents, teachers, students and community for school programs.

#### **Definitions:**

A school support group is defined as any group identified with an individual school. Its purpose is to assist public education in general and the school with which the Council is affiliated in particular; and to facilitate school-community contact or joint activity.

A community member is defined as an adult who resides or spends the major portion of each work day within the attendance area of the school, and who is neither a regular day-school student, nor a parent, a member of the faculty, administration, nor classified staff of the school with which the Council is affiliated.

A parent shall be defined as any adult who is the natural or adoptive parent, legal guardian or

other person who has the primary responsibility for the maintenance and welfare of the child attending the school and who is not a member of the school staff with which the Council is affiliated.

#### Representation:

To provide for a majority of parent representatives on councils, at least 51% of each Council's membership shall be elected parents of students attending the local school. Within the parent majority group representation shall be provided for parents of students participating in desegregation school programs, i.e., PWT, magnets, mid-sites, pairs, clusters, and triads.

In addition to parents, the membership of the Council shall be composed of representatives of the following: the community served by the school; the local school PTA president or designated representative; at least one representative from school support groups (other than PTA); at least one elected representative from the faculty; at least one elected representative of the classified employees; one elected representative from education aides and/or school-employed community representatives, if applicable; and, for secondary schools, at least one student representative from each grade level nominated and elected by students from the grade level represented. If a Council decides to include more representatives than there are grades in the school, the additional student representatives may be elected at large by the entire student body.

Each representative shall be a member of the group from which he or she is elected, and, for purposes of determining Council composition, shall be considered as a representative of only the group that has elected him or her.

Councils and principals shall take reasonable steps to encourage participation by all groups.

#### Membership:

A Council shall make provision in its bylaws for the appointment by the Council of additional members in order to achieve broad representation and balance. The principal may recommend appointments to the Council for its consideration as long as a majority of elected parent representation is maintained.

Councils shall be composed of no fewer than nine members.

A parent has the right to seek membership on the Council of any school that his or her child attends.

Persons who are candidates and/or voters at an election shall declare their status as a member of, or candidate from, one of the groups described in the representation section. A person holding status in more than one group may vote in the election conducted by each group of which the person is a member, and may be elected as a representative from any such group. However, a person may represent only one group on the council.

Members of the community who are either elected or appointed to the Council shall have no special eligibility requirements other than the requirement that they live or spend the major portion of their workday within the attendance boundaries of the school.

Area Advisory Councils:

Elementary District Assistant Superintendents shall establish Area Advisory Councils and facilitate regular meetings of Council chairpersons or designees.

Multiple Councils:

Schools with more than one council are encouraged to merge and/or develop structures that provide for increased articulation and coordination among such councils as long as there is no legal conflict or waivers can be obtained.

(Amended 4-16-90)



## **Chapter 8 — Public Information**

### **1401. INFORMATION CONCERNING SCHOOL ACTIVITIES**

The Superintendent of Schools shall establish the procedures to be followed in the dissemination of information concerning activities in the schools.

(Amended 4-16-90)

### **1410. EMPLOYEE INFORMATION - OFFICIAL ADDRESS AND TELEPHONE NUMBER**

Each employee is personally responsible for keeping the Personnel Division and the Accounting and Disbursements Division informed of his or her official address and telephone number. The official address and telephone number shall be the mailing address and telephone number on file in the Los Angeles Unified School District records.

Any changes in address or telephone number shall be made on Form 8201 available in all schools and offices. This form shall be signed and submitted by the employee to the Personnel Division. When the records have been changed, a notice will be sent to the employee.

(Adopted 9-28-87)

### **1411. INFORMATION REGARDING EMPLOYEES**

The Superintendent of Schools shall establish the procedures to be followed in the compilation, classification, and dissemination of information regarding current and former employees.

(Amended 9-28-87)

### **1412. RELEASE OF EMPLOYEE INFORMATION - GENERAL**

Employees' official addresses, telephone numbers and work-site locations are considered guarded information and will not be released in response to any telephone or written inquiries except as provided below:

- A. Employees' official addresses, telephone numbers and work-site locations will be released only as the need to disclose such information arises in the course of official Los Angeles Unified School District business.
- B. Under applicable legal requirements, the District is required to release employee names, official addresses and work-site locations to the exclusive bargaining unit representative for unit employees.

- C. In accordance with Board Rule 1413 the names and official addresses of employees will be released to other District-recognized employee organizations unless the employee restricts such release using the form referenced below.
- D. In accordance with Board Rule 1414, the names and official addresses will not be released to individuals or private organizations unless the employee authorizes such release using the form referenced below. The authorization for the release or restriction of employee information shall be made or changed on Form 8923 ("Request for Release/Restriction of Employee Information") and signed and submitted by the employee to the Personnel Division.

(Amended 9-28-87)

#### 1413. RELEASE OF EMPLOYEE INFORMATION TO DISTRICT-RECOGNIZED EMPLOYEE ORGANIZATIONS

The Los Angeles Unified School District through the Office of Labor Relations may sell lists of employee names and official addresses to District-recognized employee organizations under the following conditions:

- A. The purchase price shall cover the cost of time and material needed to produce the lists.
- B. The employee shall be given the opportunity to restrict his or her name and official address from such lists.
- C. Recognized employee organizations shall treat all tapes, data cards, or lists in a confidential manner as defined in the purchase agreement.
- D. A breach of any portion of any agreement between the recognized employee organization and the District may cause the cancellation of the purchaser's access to such data for a period of time determined by the Office of Labor Relations.
- E. The District shall not update or amend any lists purchased.

(Amended 8-26-14, previously Amended 9-28-87)

#### 1415. RELEASE OF ADVISORY COUNCIL MEMBER INFORMATION TO INDIVIDUALS AND PRIVATE ORGANIZATIONS

The official address and telephone number of an advisory council member is considered guarded information except as the need to disclose such information arises in the course of Los Angeles Unified School District business.

Accordingly, the official address and telephone number of an advisory council member will

not be released to any individual(s) or private organization(s) unless the advisory council member authorizes such release.

Each advisory council member is to be given an opportunity in writing to advise the District as to whether or not the advisory council member intends to make his or her telephone number and address a public record. Advisory council members who indicate in writing their wish that their address and telephone number be restricted to District business will be provided the protection of this Rule.

(Amended 9-28-87)

#### 1421. INFORMATION CONCERNING STUDENTS

The Superintendent of Schools shall establish the procedures to be followed in the dissemination of information regarding students.

(Amended 4-16-90)

#### 1422. CHARGES FOR THE ISSUANCE OF TRANSCRIPTS OF RECORD

No charge may be made for partial transcript of record for students while enrolled in middle or senior high school, or community college. (A partial transcript may be defined as that portion of the official record of a student that is forwarded to an institution of higher learning indicating the subjects in which the student is presently enrolled. A partial transcript does not always carry the final grade.)

No charge may be made for transcripts of record requested officially by other public agencies.

A charge of \$ .50 shall be made for each transcript of record requested by a former student in excess of two copies after graduation or withdrawal from enrollment in the school of last attendance.

(Amended 4-16-90)

## **Chapter 9 — Communication Facilities**

### **1451. SCHOOL MAIL DELIVERY SERVICE**

All inter-school and inter-office mail shall be delivered by the Los Angeles Unified School District School Mail Unit. The Superintendent of Schools shall establish the procedures governing the delivery and handling of school mail.

Postage for U. S. mailing of student body materials and publications shall be paid from student body funds.

(Amended 4-16-90)

### **1452. DISPOSITION OF MATERIALS RECEIVED THROUGH U. S. MAIL OR BY OTHER MEANS**

The Superintendent of Schools shall establish the procedures to be followed in the disposition of materials received through the U. S. Mail or by other means.

(Amended 4-16-90)

### **1453. USE OF SCHOOL MAIL SERVICE BY EMPLOYEE ORGANIZATIONS**

Officially recognized employee organizations may be granted the privilege of the use of Los Angeles Unified School District school mail service for the free distribution of material relating to the business or the interests of the District. Such distribution shall be in accordance with procedures and limitations established by the Superintendent of Schools. Material for distribution, in the judgment of the Superintendent, shall not be in conflict with the interests of the District, nor shall it contain anything that tends to degrade or malign persons or organizations.

(Amended 4-16-90)

### **1454. USE OF DISTRICT MAIL SERVICE BY AN EMPLOYEE**

The Los Angeles Unified School District Mail Unit shall not be used for personal communications of any type, either via U.S. Mail or School Mail. In the event a dispute arises regarding the use of the District's Mail Unit services, the dispute shall be reviewed by the Chief Procurement Officer who shall make a determination as to the resolution of the matter.

(Amended 8-26-14, previously Adopted 11-16-81)

#### 461. USE OF BULLETIN BOARDS IN SCHOOLS

Bulletin boards and other display placed in the main office or other designated area shall be reserved for official Los Angeles Unified School District communications and shall be under the control of the principal who shall decide what material shall be displayed on them.

The principal shall not have prior control over the materials placed on bulletin boards located in faculty areas and designated for the use of certificated and classified employee organizations. The principal shall have the discretion later to remove from such bulletin boards materials that might reasonably be deemed to be inimical to the orderly and efficient administration of the school.

(Amended 3-23-70)

#### 1471. SCHOOL TELEPHONE SYSTEM

Except as provided elsewhere herein, telephone facilities owned or rented by the Los Angeles Unified School District shall be used for school business only. The Superintendent of School shall establish the procedures governing the administration of the school telephone system.

(Amended 4-16-90)

## **Chapter 10 — Travel Expenses, Conference, Conventions**

### **1500. CONFERENCES, CONVENTIONS, AND MEETINGS ATTENDANCE**

The Board of Education delegates to the Superintendent of Schools, or his or her designee, the authority to approve attendance at conferences, conventions and meetings by Los Angeles Unified School District employees, District parents, community members working with the District and District-authorized contractors and consultants (as specified in their agreements) within and outside the County of Los Angeles. Delegation granted shall include the authority to assign substitutes, when necessary.

Approved reimbursable expenses incurred during attendance at conferences, conventions, and meetings may be reimbursed not exceeding District limits, with proper documentation of such expenses (as authorized in District bulletins).

Travel advances may be granted only for Board Members, parents, and community members working with the District and District staff involved with legislation and teacher recruitment matters at a rate not to exceed eighty (80) percent of reimbursable expenses (as authorized in District bulletins). Travel advances shall only be granted for overnight travel outside the limits of the Los Angeles County.

(Adopted 5-24-02)

### **1503. INFORMAL LEAVE OF ABSENCE FOR ATTENDANCE AT CONFERENCE OR CONVENTION**

An informal paid leave of absence may be granted to a classified employee for attendance at a conference or convention sponsored by an organization serving the interests of classified employees which has been recognized by the State Board of Education or approved by the appropriate superintendent in accordance with these criteria.

- A. The attendance must benefit the Los Angeles Unified School District through achievement of the following outcomes:
  - 1. Attendance leads directly to the professional or technical growth of the individual and to the improvement of District programs.
  - 2. Attendance is important to the interests and welfare of the District.
  - 3. Attendance leads directly to the improvement of efficiency in the operations of the District.
  - 4. Attendance leads directly to the expansion and improvement of the District resources.

- B. Attendance does not result in unnecessary duplication of participation by District personnel.
- C. Attendance does not necessitate the reimbursement of any expenses by the District to the employee.
- D. The attendance of employees does not seriously impair the capacity of the District to function effectively.
- E. A written or oral report of the conference may be required by the appropriate administrator.

A substitute may be provided only if the employee is an official representative of the organization or is participating as a speaker or workshop leader at the conference or convention.

Approval of the leave is contingent upon the recommendation of the appropriate superintendent, or, in the case of Personnel Commission staff, the recommendation of the Personnel Director.

(Renumbered 5-25-99)

#### 1520. SALARY DIFFERENTIAL - LEGISLATIVE BUSINESS

An employee assigned to serve in a position, the duties of which require his or her regular and continuous attendance at a major portion of the sessions of the State Legislature, when approved by the Superintendent of Schools, shall receive a salary differential at the rate of \$17.00 per day while conducting legislative business for the Los Angeles Unified School District away from the District.

(Adopted 11-5-79)

#### 1532. SCHOOL BUSINESS MILEAGE - DEFINITION - CALCULATION

School business mileage is defined as that mileage which accrues in any one day on school business. Such mileage shall be calculated from the regular work location or headquarters of the employee to his or her various destinations, and return to such regular headquarters.

In the event an employee does not visit his or her regular headquarters prior to his or her first trip on school business in any one day, he or she shall deduct from his or her total mileage (1) the distance from his or her home to such first stop or (2) the distance from his or her home to his or her regular headquarters, whichever is the lesser.

In the event an employee proceeds from his or her last destination on school business in any one day to his or her home, he or she shall deduct from his or her total mileage (1) the distance from such last destination to his or her home, or (2) the distance from his or her

home to his or her regular headquarters, whichever is the lesser.

In the event an employee is assigned to perform work outside his or her regular hours of employment, on an emergency or non-scheduled basis as distinguished from a scheduled overtime basis, the performance of which involves the operation of his or her automobile from his or her home, he or she shall be entitled to receive reimbursement for total mileage traveled in connection with such assignment. A non-scheduled basis as used in this Rule includes the supervision of students at events by an employee outside the normal working hours.

(Amended 3-27-69)

#### 1537. FURNISHING VEHICLES TO EMPLOYEES

Whenever it is determined by the Elementary District Assistant Superintendent or Division Head that an employee's average monthly mileage reimbursement over the period of a school year is likely to reach \$70 or more, the Elementary District Assistant Superintendent or Division Head may recommend to the Superintendent of Schools that the Los Angeles Unified School District furnish a vehicle for the employee's use while performing his or her assigned duties.

#### 1540. MILEAGE OR PUBLIC CARRIER FARE REIMBURSEMENT FOR ATTENDANCE AT AUTHORIZED MEETINGS AND FOR SUPERVISING STUDENTS AT CO-CURRICULAR EVENTS

School personnel shall be eligible to receive reimbursement for mileage or public carrier fare for traveling to and from authorized meetings called or approved by the Superintendent of Schools or an Elementary District Assistant Superintendent or Division Head and for supervising students at co-curricular events.

(Amended 4-16-90)

#### 1541. MILEAGE OR PUBLIC CARRIER FARE REIMBURSEMENT FOR CERTAIN EMERGENCY TRIPS

School personnel shall be eligible to receive reimbursement for mileage or public carrier fare for transporting children who become ill or injured at school to their home, hospitals, clinics or such other places as may be properly designated.

(Amended 4-16-90)



#### 1545. USE OF BOARD CARS OUTSIDE OF SCHOOL DISTRICT

Members of the Board of Education, the Superintendent of Schools, and the Business Manager shall be authorized to use Board cars with the usual expenses for the Sergeants-at-Arms, when performing authorized services for the Los Angeles Unified School District outside of said District but within the State of California.

The Business Manager may authorize the use of Business Services Division pool cars by school personnel when such personnel are performing authorized services for the District outside of said District but within the State of California.

#### 1546. ESTABLISHMENT OF DISTRICT CAR POOLS

Certain Los Angeles Unified School District owned motor vehicles, chiefly passenger cars, shall be assigned to car pools and be available for the use of any employee on official school business upon approval of his or her supervisor. The Superintendent of Schools shall establish procedures governing the use of pool cars.

(Amended 4-16-90)

## **Chapter 11 — Food Services Program**

### **1551. MEAL PROGRAM ADMINISTRATION**

The Los Angeles Unified School District's food services program shall be operated by the Board of Education, as provided in these rules.

- A. The school meal program in grades K-12 shall be the responsibility of the Food Services Branch of the Business Services Division. The Early Childhood Education Division shall operate the food service program in Early Education Centers.

Adult schools and occupational centers may contract with commercial food vendors and/or vending machine operators authorized by the Student Body Fiscal Section of the Budget Services and Financial Planning Division, for meal service at their locations. The commissions paid shall be placed in the student body fund. Commercial vendors may not sell food on K-12 school grounds, except as follows:

At the request of a school principal, and with the concurrence of the Director of the Food Services Branch, adult meal service may be provided by a privately owned mobile preparation unit, which parks on or near school grounds, provided that:

1. Students will have no access to such food service and no safety problems will be created by the vehicle.
  2. Food Services Branch will discontinue all adult meal service, with the exception of adult beverages. Adults will be allowed to purchase that day's student meals at approved adult meal prices.
  3. A return to Food Services Branch adult meal service will require the approval of the Director of the Food Services Branch.
  4. Any commissions paid by the mobile food preparation unit operators will be paid into the school's student body fund and there will be no personal or familial financial interest between school staff and the selected vendor.
  5. The mobile food preparation unit selected will be properly licensed and inspected.
- B. The Director of the Food Services Branch shall be responsible for adherence to Federal and State meal program regulations, price and portion schedules; and for the assignment, technical supervision, training and disciplining of cafeteria employees.
- C. Regular school meals shall be made available for sale to students, District employees, volunteers, PTSA and Community Advisory Council members, and official school visitors only.

- D. Students may work in the cafeteria for meals, extra food and/or school credit, as appropriate. Assignments shall not exceed one-half hour each day, and in no case shall be required as a condition of receiving free meals, if the student is eligible to receive them based upon USDA family income standards.
- E. Those Food Services Branch employees actually engaged in the preparation or service of food, or the immediate supervision thereof, may receive a daily meal allowance. No other District employee, classified, certificated or unclassified, or any other person shall receive free meals or food, including leftovers. Volunteers engaged in assisting with supervision of students during the meal periods shall also receive a daily meal allowance equal to that provided to paid Food Services Branch employees.
- F. The Food Services Branch may provide food or meals to other agencies and at school-related functions, both on and off campus, provided any necessary Civic Center Permit or leasing arrangements are made by the sponsor; such service does not interfere with regular school meal programs; the sponsors submit advance requests and remit prompt reimbursement to the Cafeteria Fund for the costs of such food or meals, as determined by the Food Services Branch. District and outside organizations using cafeteria equipment and facilities, but not cafeteria labor, will be charged a cafeteria employee stand-by fee, as determined by the Food Services Branch.
- G. The Food Services Branch shall provide requested meal service for civil emergencies and disaster relief and shall provide the General Accounting Branch with adequate documentation to submit reimbursement requests for costs to the appropriate agencies.
- H. The Food Services Branch may sell food and related supplies to District occupational food service and homemaking classes, at a cost determined by the Food Services Branch.
- I. All food services employees, including student cafeteria workers, are subject to an annual health clearance by a school physician, contract physician, or school nurse.

(Amended 6-11-90)

#### 1552. MEAL PROGRAMS OFFERED

- A. The Los Angeles Unified School District shall participate in the National School Lunch Program, School Breakfast Program, Summer Food Service Program for Children and the USDA donated commodity program, as established and regulated by the U. S. Department of Agriculture and the California State Department of Education, and shall abide by applicable Federal and State regulations, including those pertaining to meals for needy students.
- B. The lunch meal shall be offered to students daily at all K-12 school locations that operate under a minimum day schedule or more. Students in attendance at school for less than a minimum day maybe provided with meals at the option of the school administrator and the Food Services Branch.
- C. Breakfast and nutrition meal service shall be optional, to be provided if requested by the school administrator and approved by the Food Services Branch.
- D. School meals shall be consumed on school grounds, except for student field trips, and are not to be taken home.

(Adopted 6-1-87)

#### 1553. COMPETITIVE FOOD SALES

Competitive food sales are restricted, as indicated below:

- A. Food sales to secondary students for Student Body or other fund-raising purposes, which are to be held during the school day, are limited to a total of four (4) days per year. In elementary schools, such sales are limited to four (4) days per year, may only be made after lunch, and may consist only of dessert items. (Title V, CAC, Sections 15500 and 15501)
- B. Student stores in secondary schools may sell only candy, popcorn and nuts during school hours. Except for the four days of fund raising noted above, all other sales of food shall be prohibited until after the end of the lunch period.
- C. Fresh fruit vending machine sales commissions shall be payable to the Cafeteria Fund.
- D. Faculty organizations may make private arrangements for soft drink vending machines in faculty rooms, provided that these machines are inaccessible to students.

- E. Senior high schools may operate carbonated beverage vending machines, provided that such machines are not in operation until after the end of the lunch period.

(Adopted 6-1-87)

## **Chapter 12 — Energy Management Plan**

### 1555. ENERGY MANAGEMENT PLAN

The Energy Management Plan, dated September 2001, will contain the energy management policy goals of the Los Angeles Unified School District.

(Adopted 9-25-01)

## **Chapter 13 — Insurance**

### **1651. MANAGEMENT AND CONTROL OF BOARD INSURANCE**

The management and control of all insurance authorized by the Board of Education shall be a function of the Business Services Division through staff allocation of responsibilities as the Division Administrator, Business Services, shall designate.

(Amended 6-22-87)

### **1652. KINDS OF INSURANCE AUTHORIZED**

The following insurance shall be carried in accordance with applicable Board Rules:

- A. Air travel accident insurance covering accidental injury or death of employees while flying on Los Angeles Unified School District business, as specified by Board of Education action.
- B. Fire and theft insurance covering District vehicles, as specified by Board action.
- C. Fidelity bonds protecting the Board against loss occasioned by fraud or dishonesty of officers and employees of the Board.
- D. Fidelity bonds protecting the various student body organizations against loss occasioned by fraud or dishonesty on the part of officers, agents, trustees, and employees of student body organizations.
- E. Excess catastrophe property insurance covering all buildings owned by the Board, in such amounts as are authorized by the Board.
- F. Boiler and pressure vessel property damage insurance covering steel boilers and such other pressure vessels and property as specified by Board action.
- G. Liability insurance for aircraft having no more than 12 total seats and not exceeding a gross weight of 12,000 pounds, not owned by the District.
- H. Such other insurance as may be authorized by the Board.

(Amended 6-22-87)

#### 1653. SELF-INSURANCE

Risks of the Los Angeles Unified School District other than those authorized to be insured shall be self-insured, subject to the approval of the Board of Education. These risks include the following:

- A. Workers' compensation covering all employees of the Board in accordance with the provisions of the Labor Code.
- B. Workers' compensation covering all employees of student body organizations in accordance with the provisions of the Labor Code.
- C. Comprehensive liability up to an amount specified by the Board, covering members of the Board, the District, officers, and employees, as required by Education Code Section 1017 or as permitted by Section 995, Government Code.
- D. Any other risks to be authorized by the Board.

(Adopted 6-22-87)

#### 1654. PLACING OF INSURANCE

The Division Administrator, Business Services, shall discuss the need for insurance, together with all relevant information including statements of costs obtained from insurance companies, agents, and brokers, and his or her recommendations for the placing of such insurance, with the Operations Committee.

Upon authorization by the Board of Education, the Contract and Insurance Services Branch shall place such insurance. In an emergency, the Contract and Insurance Services Branch shall place insurance and the Division Administrator, Business Services, shall report such placement for ratification by the Board.

(Amended 6-22-87)

#### 1655. DISTRIBUTION OF INSURANCE

Insurance carried by the Board of Education shall be obtained in accordance with applicable provisions of the Education Code and Government Code Section 53060 and shall be awarded to those insurance companies, agents, and brokers who agree to furnish the coverage required at the best price consistent with good service and security.

(Amended 6-22-87)



#### 1656. LIABILITY CLAIMS PROCEDURE

A written notice of rejection shall be sent to the claimant where appropriate, in response to a written claim filed with the Los Angeles Unified School District. Such rejections shall be reported to the Board of Education through the Operations Committee for ratification.

(Amended 6-22-87)

#### 1668. INSURANCE PREMIUMS

Demands for payment of insurance premiums, based on orders duly issued, and approved by the Contract and Insurance Services Branch, shall be received by the Accounting and Disbursements Division, and paid in the same manner as other demands against the funds of the Board of Education.

(Amended 6-22-87)

#### 1671. SETTLEMENT OF LOSSES

When any property covered by insurance is lost, damaged, or destroyed, a notice concerning the loss shall be sent immediately to all affected carriers or their representatives. The Contract and Insurance Services Branch shall act as adjuster for the Board of Education in the settlement of losses and shall execute Proof of Loss as authorized. The amounts shall be collected from the insurance companies concerned, shall be forwarded to the Accounting and Disbursements Division for deposit.

(Amended 6-22-87)

#### 1672. REPLACEMENT OR REPAIR OF EMPLOYEES' PERSONAL PROPERTY

The Board of Education may pay the cost to replace and repair lost, damaged, destroyed, stolen or vandalized personal property of employees as provided below. Payment shall be subject to the availability of funds authorized by the Board for this specific purpose. The maximum limit for reimbursement shall be \$500, unless the employee is covered by a collective bargaining agreement which specifies other limits. Claims which are reported to the employee's personal insurance carrier shall be limited to the insurance deductible, if any, plus, any other noninsured loss which qualifies for payment under this Rule. In no case shall the Los Angeles Unified School District reimbursement exceed \$500 except that the Board may, upon application (see last two paragraphs of this Rule) and in its discretion approve a reimbursement in excess of the normal maximum or a reimbursement which does not otherwise qualify under the provisions below.

The Board shall pay the cost to repair and replace an employee's property necessarily worn or carried (such as eyeglasses, hearing aids, dentures, watches or clothing) damaged or stolen in the course of duty without fault of the employee. Items damaged beyond repair or stolen shall be reimbursed at the actual value of such items (subject to the limitations herein) determined as of the time of the loss including normal allowances for depreciation.

No payment shall be made for any repairs of less than \$10, or any loss having a depreciated value of less than \$10, or for ordinary wear and tear.

A written request for reimbursement, co-signed by the immediate supervisor, for damage to property shall be filed by the employee with the Contract and Insurance Services Branch within 60 calendar days of the date of loss (effective July 1, 1988). The Contract and Insurance Services Branch shall conduct such investigation as may be necessary.

The District shall pay the cost to replace and repair the loss (from theft, damage or destruction by vandalism, burglary or arson) of personal property used in the schools or offices, when approval for such use was given by the site administrator before the property was put into use and the value of the property was agreed upon in advance (complete the Property Registration Form).

The District shall pay the cost to replace and repair the loss from damage to, or theft of, an employee's automobile as the result of the malicious act of another and without fault of the employee, while transporting others on authorized school business, or while the vehicle is parked or driven on or adjacent to school grounds, other District premises or the site of authorized District activities.

The District shall pay the cost to replace and repair the damage to an employee's automobile caused by students being transported by the employee on authorized school business. Where a claim for loss involves a vehicle or theft of property, a report shall be made to the police station in the jurisdiction where the loss occurred and the police department report number included in the claim. If damage is to a vehicle, two estimates of the repair cost shall be provided. In the event the employee receives payment from the District pursuant to this section, the employee shall assign to the District the right to subrogate against those who caused the damage or loss, to the extent of its payment.

Claims shall be approved for payment by the Branch Director, Contract and Insurance Services, except that claims of Branch employees shall require approval by the Division Administrator, Business Services.

Ratifications of paid claims shall be presented to the Board by the Division Administrator, Business Services through the Operations Committee at the first available meeting following approval of payment.

If the Insurance Section denies a claim, an employee seeking review may appeal to the Division Administrator, Business Services Division. If the appeal to the Division Administrator, Business Services Division, is denied, the employee may then choose between

filing a grievance pursuant to the grievance procedure set forth in the applicable collective bargaining agreement, or processing an appeal through the Division Administrator, Business Services Division, for review by the Operations Committee. The Division Administrator, Business Services Division, subject to the limitations of law, may grant such request, including appeals of authorized amounts not to exceed \$2,500 notwithstanding the provisions of this Rule and the Chief Business and Financial Officer is authorized to draw warrants necessary to pay for such resolutions.

The Operations Committee may review and investigate any request for reimbursement and, subject to the limitations of law, grant such request notwithstanding the provisions of this Rule.

(Amended 1-14-91)

#### 1673. CANCELLATION OF INSURANCE POLICIES

Insurance policies shall be canceled with Board of Education approval when deemed advisable, and the unearned premium forwarded to the Accounting and Disbursements Division for deposit.

(Amended 6-22-87)

#### 1675. INSURANCE RECORDS

The following records of insurance policies shall be maintained by the Contract and Insurance Services Branch of the Business Services Division:

- A. Subject of the insurance;
- B. Agents or brokers through whom the policies are written;
- C. Insurance companies carrying the insurance;
- D. Premiums and rates.

(Amended 6-22-87)

#### 1680. DESCRIPTION - HEALTH AND WELFARE PROGRAM

The Los Angeles Unified School District-sponsored employee health and welfare program is established for those employees who make the District their regular place of employment and who receive their primary source of income from such employment and for those employees retired from District service as provided under Board Rule 1681-B.

A. The purposes of the program:

1. To enable the District to attract and retain qualified employees by providing health and welfare benefit plans similar to those provided in private industry and other governmental entities; and
2. To recognize and protect the District's investment in each employee by promoting and preserving good health among District employees.

B. Definitions

1. District

The Los Angeles Unified School District of Los Angeles County, State of California.

2. Program

The program shall be composed of the health plans established by the Board of Education and currently consists of one or more hospital/medical benefit plans, one or more dental plans, and one or more vision care plans for District employees and retirees and their eligible dependents to the extent of the benefits provided by said plans. The program also provides:

- (a) term life insurance benefits in an amount determined by the Board,
- (b) an employee assistance plan offering assessment and referral services to each eligible employee and their dependents who experience personal problems, and
- (c) an IRS125 flexible spending account plan.

3. Plan

Any group hospital medical benefits plan, any group dental plan, any group vision care plan, any group life insurance plan, any employee assistance plan, any IRS125 flexible spending account plan, or other benefit plan approved by the Board.

4. Employee

Any person employed by the District in a certificated or classified service. The term "employee" shall include Members of the Board, except that Rule 1681 does not apply to Members of the Board.

5. Eligible Employee

Any employee who is eligible under Board Rules to enroll in a plan.

6. Enrolled Employee

Any eligible employee who has enrolled in the benefit program or a portion thereof by submitting proper application to the Health Insurance Section of the Contract and Insurance Services Branch. Eligible employees will be automatically enrolled in the District-paid life insurance plan.

7. Enrollment Year

For employees attaining eligibility under Rule 1681-A-1, the enrollment year shall be January 1 through December 31. For those attaining eligibility under Rule 1681-A-2, the enrollment year shall be October 1 through September 30.

8. Coverage Period

Each calendar month shall constitute a "coverage period."

9. Retiree

Any person retired from District employment as provided under Rule 1681-B. The term "retiree" may include those persons receiving disability benefits from State Teachers' Retirement System (STRS) or from the Public Employees' Retirement System (PERS).

10. Eligible Retiree

Any person who is eligible under Board Rules to continue enrollment in the benefit program or a portion thereof after retirement.

11. Enrolled Retiree

Any eligible retiree who elects to continue enrollment in the benefit program or a portion thereof and has submitted proper application to the Health Insurance Section.

12. Medicare

Those hospital benefits (Part A) and/or medical benefits (Part B) available to persons 65 years of age or older as defined under Title XVIII of the Federal Social Security Act. A retiree and dependents shall be considered not eligible for Medicare Part A benefits if they do not have sufficient work credit under Social Security to obtain Part A benefits at no cost.

13. Qualified Beneficiary

Any previously covered employee or dependent who is no longer eligible for membership in the District program by reason of a qualifying event as described in Rule 1683-D.

(Adopted 1-10-94)

1681. ELIGIBILITY FOR HEALTH AND WELFARE PROGRAM

Eligibility for enrollment for employees, retirees and dependents shall be determined as follows:

A. Employees:

1. Every regular employee who is assigned half-time or more of a full-time assignment in one class in a status other than substitute, temporary, provisional, extra, or relief shall be eligible to enroll in a plan. The percentage shall be determined by the assignment order approved by the Board of Education.
2. Employees who do not qualify for eligibility under the preceding paragraph, but who in the previous fiscal year were in paid status for the equivalent of 100 or more full days shall be eligible to enroll in a plan.
3. Except for the Los Angeles Unified School District-paid life insurance plan, once eligible, an employee who becomes eligible under Board Rule 1681-A-1 remains eligible for the entire enrollment year. Individuals whose employment terminates during the enrollment year are eligible for coverage only as set forth in Rule 1683-D.
4. Any employee already enrolled does not lose eligibility while on a position or service leave of absence.

B. Retirees

1. Every retiree is eligible for enrollment in the benefit program provided that:
  - a. The individual is receiving and continues to receive a retirement allowance from the State Teachers' Retirement System (STRS) or from the Public Employees' Retirement System (PERS);
  - b. The individual is enrolled in a plan at the time retirement becomes effective, i.e., at the time the individual receives a retirement allowance from the applicable retirement system;

- c. For employees hired prior to March 11, 1984, five (5) consecutive years of qualifying service immediately prior to retirement shall be required in order to qualify for retiree health benefits for the life of the retiree;
- d. For employees hired on or after March 11, 1984, but prior to July 1, 1987, ten (10) consecutive years of qualifying service immediately prior to retirement shall be required in order to qualify for retiree health benefits for the life of the retiree;
- e. For employees hired on or after July 1, 1987, but prior to June 1, 1992, fifteen (15) consecutive years of qualifying service immediately prior to retirement shall be required, or ten (10) consecutive years immediately prior to retirement plus an additional ten (10) years which are not consecutive;
- f. For employees hired on or after June 1, 1992, but prior to March 1, 2007, years of qualifying service and age must total at least eighty (80) in order to qualify for retiree health benefits. For employees who have a break in service, this must include at least ten (10) consecutive years immediately prior to retirement;
- g. Employees hired on or after March 1, 2007 but prior to April 1, 2009 shall be required to have a minimum of fifteen (15) consecutive years of service with the District immediately prior to retirement, in concert with the "Rule of 80" eligibility requirement (section 4.0 (f) above) to receive employee and dependents' health and welfare benefits (medical, dental and vision) upon retirement as provided for in this agreement;
- h. For employees hired on or after April 1, 2009, years of qualifying service and age must total at least eighty-five (85) in order to qualify for retiree health benefits. This must include a minimum of twenty-five (25) consecutive years of service with the District immediately prior to retirement.

## C. Dependents

### 1. Eligible Dependents

Eligible dependents may be enrolled by the employee in the hospital-medical, dental, and vision care plans at any time provided the eligible employee submits a "dependent add form" and proof of eligible status as described below.

Newborn children of the employee are automatically covered for the first thirty days following birth, provided that an application for dependent coverage is received by the Health Insurance Section before the end of the 30 days period.

<u>Dependents</u>	<u>Documents Required (Copy)</u>
Legal Spouse	State or County Issued Marriage Certificate
Domestic Partners	Notarized "Declaration of Domestic (as defined in "2" below) Partnership" (as defined in "2" below)
	At least two of the documents listed in "2-i" below
Child, to age 19	Birth Certificate (in case of newborn evidence of birth until birth certificate is available)
Stepchild, to age 19	Birth Certificate and income tax return showing dependent status
Adopted Child, to age 19	Adoption papers
Child who is a Legal Ward, to age 19	Court order establishing legal guardianship
Child over 19 to age 25	In addition to the appropriate listed documents above, proof of full-time student status is required at least annually

Note: the children of a domestic partner are not eligible for coverage unless they have been adopted by the employee or the employee is the legal guardian. In such cases, the required documentation for adoption or legal guardianship must be provided.

## 2. Domestic Partnership

A domestic partner of the same or opposite sex of an eligible employee may be covered as a dependent if all of the following criteria are met. The employee and his or her partner

- a. Have shared a regular and permanent residence for the past 12 months immediately preceding the application for coverage with the District;
- b. Are engaged in an exclusive, committed relationship for mutual



support and benefit to the same extent as married persons and intent to stay together indefinitely;

- c. Are jointly responsible to each other for basic living expenses; basic leaving expenses are defined as the expenses supporting daily living, i.e., shelter, food, clothing (contributions need not be equal);
- d. Are not currently married to another person;
- e. Have not signed a declaration of a domestic partnership with another individual in the previous 12 month period;
- f. Are at least 18 years of age;
- g. Are not blood relatives any closer than would prohibit legal marriage in the state of residence;
- h. Are mentally competent to consent to a contract;
- i. Are financially interdependent as proven by providing at least two of the following documents: common ownership of a motor vehicle; joint bank account or joint credit account; designation as a beneficiary for life insurance or retirement benefits.

No other dependents or family members are eligible for coverage. except that disabled children who meet the disability standards of the plan(s) and who have been enrolled prior to age 19 or, who were first enrolled as eligible full-time students prior to the disabling condition, may continue to be covered beyond age 19.

### 3. Employee-Paid Life Insurance Plan

Eligible dependents shall be defined, and change of status and coverage of dependents shall be as provided by the life insurance plan in which the employee is enrolled, provided the eligible employee submits a “dependent add form” and proof of eligible status as described below.

#### Dependents

Legal Spouse

Domestic Partners

#### Documents Required (Copy)

State or County Issued Marriage Certificate

Notarized “Declaration of Domestic (as defined in “2” above) Partnership”(LAUSD Form DP 1.0) and

	At least two of the documents listed In “2-i” above
Child, to age 19	Birth Certificate (in case of newborn, evidence of birth until birth certificate is available)
Stepchild, to age 19	Birth Certificate and income tax return showing dependent status
Adopted Child, to age 19	Adoption papers
Child who is a Legal Ward,	Court order establishing legal guardianship to age 19
Child over 19 to age 25	In addition to the appropriate documents listed above, proof of full-time student status is required at least annually

Note: The children of a domestic partner are not eligible for coverage unless they have been adopted by the employee or the employee is the legal guardian. In such cases, the required documentation for adoption or legal guardianship must be provided.

No other dependents or family members are eligible for coverage, except that disabled children who meet the disability standards of the plan(s) and who have been enrolled prior to age 19 or, who were first enrolled as eligible full-time students prior to the disabling condition, may continue to be covered beyond age 19.

(Amended 6-14-11, BOE 336-10/11)

## 1682. ENROLLMENT IN HEALTH AND WELFARE PROGRAM

Enrollment in the program shall be as follows:

### A. Initial Enrollment

#### 1. Health Plans

##### a. Employees and Retirees

An unenrolled employee or retiree eligible for enrollment may submit application for enrollment in a health plan at any time. However, an

individual who has previously been enrolled in a health plan during the current enrollment year must, upon re-enrollment in that same enrollment year, select the same plan.

The Health Insurance Section shall process health plan applications so as to make coverage effective on the earliest practicable date consistent with the contract provisions, and payroll deduction schedules.

b. Eligible dependents

Eligible dependents may be enrolled by the employee in the hospital medical, dental, and vision care plans at any time provided the eligible employee submits a “Dependent Add Form” and proof of eligible status as described below.

Newborn children of the employee are automatically covered for the first thirty days following birth, provided that an application for dependent coverage is received by the Health Insurance Section before the end of the 30 day period.

Dependents	Documents Required (Copy)
Legal Spouse	State or County Issued Marriage Certificate
Domestic Partners	Notarized “Declaration of Domestic (as defined in Board Partnership” (LAUSD Form Rule 1681) DP 1.0); and At least two of the documents listed in Rule 1681-2-i
Child, to age 19	Birth Certificate (in case of newborn, evidence of birth until birth certificate is available)
Stepchild, to age 19	Birth Certificate and income tax return showing dependent status
Adopted Child, to age 19	Adoption papers
Child who is a Legal Ward,	Court order establishing legal to age 19 guardianship

Child over 19 to age 25

In addition to the appropriate documents listed above, proof of full-time student status is required at least annually

No other dependents or family members are eligible for coverage, except that disable children who meet the disability standards of the plan(s) and who have been enrolled prior to age 19 or, who were first enrolled as eligible full-time students prior to the disabling condition, may continue to be covered beyond age 19.

Note: the children of a domestic partner are not eligible for coverage unless they have been adopted by the employee or the employee is the legal guardian. In such cases, the required documentation for adoption or legal guardianship must be provided.

## 2. Life Insurance Plan

### a. Employees

All eligible Los Angeles Unified School District employees are automatically covered by the District-paid life insurance plan. No application is necessary to obtain this benefit.

Employees eligible for enrollment in the employee-paid life insurance plan may enroll without evidence of insurability provided, however, that completed enrollment cards are received by the Health Insurance Section by the later of (1) sixty days from the date the employee first attains eligibility, or (2) sixty days from the date the employee is notified of his or her right to enroll. Employees who do not submit applications during the period specified above may enroll by providing evidence of good health acceptable to the plan.

Applications for employee-paid life insurance shall be processed to provide coverage at the earliest date consistent with the contract provisions and payroll deduction schedules. However, in the event the employee is disabled prior to the date the coverage is scheduled to become effective, no benefits will be provided until such time as that disability ends.

### b. Dependents

Dependents may be enrolled without evidence of insurability provided that:

- (1) Application for dependent coverage is submitted by the employee during the enrollment period specified for employees; or
- (2) If the employee does not have eligible dependents at the time of initial enrollment, application for newly acquired dependent(s) is received by the Health Insurance Section within sixty days of the acquisition of such dependent.

Dependents not eligible for coverage as provided above may be enrolled providing evidence of good health acceptable to the plan.

B. Multiple Enrollment Prohibited:

If more than one of a particular type of health plan is offered, such as hospital/medical, an employee or retiree shall not be enrolled in more than one such plan at any one time.

C. Change of Enrollment

1. Retired Employees

A retiree enrolled in a closed panel medical/dental plan who makes a permanent residence change outside the service area of the plan may, by making proper application, enroll in another available plan offered by the District which provides benefits in the new area.

2. All other changes of health enrollment for employees and retirees shall be made only during the annual open enrollment period.

(Amended 4-17-01)

1683. CONTINUANCE OF ENROLLMENT

A. Health Plans

The Los Angeles Unified School District does not pay premiums for employees who are in unpaid status except as described in Board Rule 1683-F below. Employees who receive no salary but whose employment has not terminated may continue coverage by making direct payments of the appropriate premiums. Payment must be sent to the Health Insurance Section in the form, amounts, and on the due dates specified by the Health Insurance Section.

Employees who do not elect to make direct payments as provided above will not receive continued coverage and may not re-enroll in a plan until they return to active

service in an eligible assignment.

B. Employee-Paid Life Insurance Plan

Employees enrolled in the employee-paid life insurance plan who receive no salary or who receive insufficient salary to permit deductions of the required premium after all other deductions are made may continue coverage for a period not to exceed twelve consecutive months by making direct payments of the appropriate premiums.

Employees who do not elect to make direct payments may not re-enroll in the plan until they return to active service with the District and must submit evidence of good health acceptable to the plan.

C. District-Paid Life Insurance Plan

Coverage for an employee on an unpaid leave of absence for illness or industrial accident shall continue for twelve consecutive months, after which termination of coverage will be processed and a conversion plan offered.

Coverage for an employee on an unpaid leave of absence other than for illness or industrial accident shall not be provided. Coverage will be effective when such an employee returns to active employment in an eligible assignment.

D. Continuance of Enrollment under Federal Statute (COBRA)

1. Continuation of coverage under certain portions of the Health and Welfare Program with no premium contribution by the District is available to employees or retirees and dependents who would otherwise lose it because of one or more qualifying events stipulated in the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985.
2. COBRA shall be administered pursuant to Federal Law and regulations and all decisions and rules with respect to eligibility, premium costs, qualification for benefits, and level of benefits shall be made by the Health Insurance Section in accordance with Federal guidelines.
3. Employees may receive an extension of the Continuation of Enrollment by qualifying for an Extended Special Medical Leave under the following conditions:
  - a. The employee must have accumulated a minimum of 20 years of qualifying service;
  - b. The employee must suffer from a physical condition of a permanent debilitating, irreversible nature so as to make continuation of employment an extreme hardship (e.g., certain forms and advanced

stages of multiple sclerosis, cancer, sickle cell disease, diabetes, cerebral palsy and muscular dystrophy, etc.);

- c. The Extended Special Medical Leave may be renewed annually and, if continued until retirement under STRS or PERS, will permit the employee to qualify for District-paid insurance plans upon receipt of retirement allowances.

E. Continuation of Coverage Under California Statute (Education Code 7000-7005; AB 528)

1. Coverage under certain portions of the Health and Welfare Program, with no premium contribution by the District, is also available to the following groups of persons, whether or not they were previously enrolled under Rule 1683-D.
  - a. Retired employees not eligible for District-paid plans.
  - b. Surviving spouses of all retirees.
2. Coverage may be continued indefinitely, but shall terminate if:
  - a. The District ceases to provide a group health plan.
  - b. The retired employee or surviving spouse fails to pay the required premium.
3. Plans available for enrollment under AB 528 provisions include those available to District employees, except that the employee assistance program, life insurance, optional life insurance and the flexible spending account plan are not included.
4. Costs of continuation coverage under AB 528 shall be determined annually by the various plan providers. The Health Insurance Section shall notify AB 528 enrollees of all changes in premiums.
5. Each individual whose coverage has been continued under the provisions of AB 528 may change plans during the annual open enrollment period available to active employees and retirees.

F. Continuation of Enrollment under the Federal Family Leave Act.

Effective February 5, 1994, employees may qualify for a maximum of 12 weeks of continued District-paid coverage under provisions of the Family and Medical Leave Act of 1993. Continuation of benefits under the Act shall be administered pursuant to Federal law and guidelines.

(Adopted 1-10-94)

#### 1684. TERMINATION OF ENROLLMENT

The enrollment of an employee or retiree in the regular Los Angeles Unified School District health and welfare program shall terminate:

- A. For failure of the employee to make direct payment as provided under Board Rule 1683-A, in which case coverage shall terminate at the close of the month for which the last premium was paid.
- B. At the request of the employee or retiree, in which case coverage shall terminate at the close of the month in which the request was submitted.
- C. Except in the case of a retiree, health benefits terminate upon termination of employment, at the close of the month during which the termination was effective.
- D. In the event of an employee's loss of eligibility due to change in assignment, in which case health plan and employee-paid life insurance coverage shall terminate at the close of the enrollment year.
- E. For health plan benefits, at the employee's request to enroll in another plan made during an open enrollment period in which case coverage in the previous plan shall terminate at the close of the calendar year.
- F. For hospital/medical benefits, for failure of a retiree or dependent to enroll in those parts of Medicare for which eligible, in which case coverage shall terminate at the close of the month immediately preceding the period during which the retiree or dependent would have been eligible for Medicare benefits had proper application been made.
- G. For hospital/medical benefits, for failure of a retiree or dependent to maintain enrollment in those parts of Medicare for which eligible, in which case coverage shall terminate at the close of the month immediately preceding the period in which Medicare enrollment ceases.
- H. For District-paid life insurance, upon the employee's loss of eligibility, termination of employment or retirement, in which case coverage shall terminate on the date the employee ceases to be eligible or employed.
- I. For employee-paid life insurance, upon termination of employment or retirement, in which case coverage shall terminate at the close of the month during which the termination was effective.
- J. At the request or option of a plan.



When such a termination is effective for other than non-payment of premium, the employee or retiree may not enroll in another plan by making proper application to the Health Insurance Section.

(Adopted 1-10-94)

#### 1685. PAYMENT OF PREMIUMS

Premiums for the program shall be paid as follows:

A. District Contribution

The Los Angeles Unified School District shall contribute the amount determined by the Board of Education for the enrolled employee, retiree, and eligible dependents to the plan(s) in which the employee or retiree chooses to enroll, except that no District contribution shall be made for optional employee-paid life insurance coverage. No contribution shall be made for an employee who is in an unpaid status.

However, an employee in an unpaid status who later receives compensation from the District for the unpaid period shall be entitled to reimbursement of premium payments made under Board Rule 1683-A, which correspond to the period for which such compensation is allowed. To obtain such reimbursement, the employee shall file application therefor with the Health Insurance Section.

B. Refunds

If any premium is refunded, the plan shall make such refund directly to the District, except when the refund is a result of payment made by the employee directly to the plan premiums, in which case, the refund shall be made to the employee.

(Adopted 1-10-94)

#### 1686. COORDINATION OF BENEFITS

For an employee or retiree whose spouse has other insurance coverage, reimbursement will be limited to the maximum percentage allowed by the higher individual policy. An employee or retiree whose spouse is also a Los Angeles Unified School District employee or retiree will not be covered as both an employee and as a dependent within the same plan. Married couples who both are District employees or retirees may include their qualifying children on their individual policies, but such children may not be covered more than once within the same plan.

(Adopted 1-10-94)

## **Chapter 14 — Care and Use of Property**

### **1701. RESPONSIBILITY OF THE BRANCH DIRECTOR OF THE MAINTENANCE AND OPERATIONS BRANCH**

It shall be the responsibility of the Director of the Maintenance and Operations Branch to keep grounds, buildings, furnishings and equipment in a sanitary, neat, clean, and non-hazardous condition; supervise the care of landscaped areas and the operation of heating and ventilating systems; supervise pest control services, window and wall washing, and allotment of custodial hours; and to recommend necessary supplies and equipment. For this purpose, the Director is authorized to make and enforce regulations consistent with the policies and rules of the Board of Education.

(Amended 8-31-87)

### **1703. RESPONSIBILITY OF PRINCIPALS FOR SCHOOL PROPERTY**

Responsibility for all property belonging to, or located at, a particular school rests with the principal thereof, who shall have general charge of the grounds, buildings, furnishings and equipment.

(Also see Board Rule 1306)

### **1704. RESPONSIBILITY OF EMPLOYEES FOR SCHOOL DISTRICT PROPERTY**

Teachers and other employees under direction of the principals are held responsible for the care of school property, particularly such property as is located in the room or rooms to which they are assigned or is directly related to activities of students under their charge.

### **1705. SCHOOL BUILDING KEYS FOR ELEMENTARY, MIDDLE HIGH, SENIOR HIGH AND ADULT SCHOOLS**

Possession of master keys shall be limited to the principal, assistant principal, plant manager and other personnel as designated by the principal. At the beginning of each school year, keys to individual rooms shall be issued by the school site key administrator to each regularly assigned teacher. At the close of each school year, or when a teacher is no longer assigned to the school, whichever occurs first, keys previously issued to him or her shall be returned to the school site key administrator. Each school site key administrator shall keep in the office complete sets of individual room keys to be loaned

to day-to-day substitute teachers when they are assigned to the school. These keys are to be returned to the school site key administrator at the close of each school day.

(Amended 8-31-87)

#### 1706. DEPUTIZATION AND ARMING OF WATCHMEN AND OTHERS

The Superintendent of Schools may authorize the deputization as peace officers and the arming of watchmen, school patrol officers, and other employees of the Los Angeles Unified School District engaged in the protection of school property.

#### 1707. INFORMATION CARD

A card listing the emergency telephone numbers of key school personnel shall be posted at the front entrance of each school or administrative office for use by the Fire Department, Police Department, Sheriff's Office, or security personnel.

(Amended 4-16-90)

#### 1708. POSTING NAMES OF TEACHERS

Principals shall see that on the outside of the door of each elementary classroom is posted the name of the teacher and grade or age of children taught therein. On the outside of the door of each secondary classroom there shall be posted the name of the teacher, subject, and grade level taught each period.

#### 1709. SCHOOL GARDENS

School gardens shall be maintained as an educational activity, under the administrative direction of the Elementary District Assistant Superintendent/Division Head. The planning and laying out of school grounds, insofar as landscaping features are concerned, is the responsibility of the Landscape Architect of the Architecture and Engineering Branch. Trees standing on school property shall not be removed except by permission of the Elementary District Assistant Superintendent/Division Head in charge of the school.

(Amended 8-31-87)

#### 1711. SCRAPBOOKS

Teachers and school administrators shall exercise special precaution to impress the student with the value of preserving books and other library materials before they undertake the

making of illustrated scrapbooks in fulfillment of classroom work assigned by the teacher or in completion of approved department, grade level or total school population projects.

When resort to sterner measures seems to be necessary, the following provisions apply:

Education Code Section 19910 states in part: "Any person who maliciously cuts, tears, defaces, breaks, or injures any book, map, chart, picture is guilty of a misdemeanor. The parent or guardian of a minor who willfully and maliciously commits any act within the scope of this section shall be liable for all damages caused by the minor."

California Administrative Code, Title 5: "305. A pupil who defaces, damages, or destroys any school property or willfully or negligently injures another pupil or school employee is liable to suspension or expulsion, according to the nature of the offense."

(Amended 8-3-87)

#### 1712. LOST OR DAMAGED LIBRARY BOOKS AND MATERIEL, AND OVERDUE LIBRARY BOOKS AND MATERIEL

The principal shall be responsible for the collection and remittance of money for lost or damaged library books and materiel and overdue library books and materiel in the amounts determined by the Library Services. In no case shall the charge be greater than the cost of replacing the lost or damaged article. A school's Instructional Materiel Account will be increased in the fiscal year of remittance by amounts equal to the remittances. The remittance shall be credited to the Library allocation in the Instructional Materiel Account.

(Amended 4-16-90)

#### 1713. FAILURE TO RETURN LIBRARY BOOKS

Upon failure of students to return overdue library books, their attention shall be called to Education Code Section 19911, which provides that:

"Any person who willfully detains any book, newspaper, magazine, pamphlet, manuscript, or other property belonging to any public or incorporated library, reading room, museum, or other educational institution, for thirty days after notice in writing to return the article or property, given after the expiration of the time, for which by the rules of the institution, the article or property may be kept, is guilty of a misdemeanor.

The parents or guardian of a minor who willfully and maliciously commits any act within the scope of this section shall be liable for all damages so caused by the

minor.”

If the books are not then forthcoming, a letter shall be sent to the parents of the offending student, in which letter a copy of Education Code Section 19911 should appear. If the books are still retained after such a letter is sent to the parents, the matter shall be referred to the school administration.

#### 1721. DONATION TO SCHOOLS

The Accounting and Disbursements Division shall be authorized to accept or reject on behalf of the Los Angeles Unified School District, donations, (including gifts, devises, and bequests) of funds, property or services proposed to be made to a school or schools under the jurisdiction of the Board of Education, provided that:

- A. Only those donations for which there is a legitimate use in the school program shall be accepted.
- B. No donation will be accepted (other than for experimentation) if the cost for maintenance and operation of the equipment would be excessive.
- C. The District assumes no obligation to replace any donated item that is worn out, lost or destroyed. If, however, the appropriate Division Administrator decides that the donated item is educationally desirable and should be replaced, the replacements shall be the property of the District.
- D. No gift or donation of funds, property or services may be made directly to an individual school or individual student body.

It is not the intent of the Board to preclude volunteer services in the instructional program at any given school.

It is the intent of the Board that no donation shall provide a substantial advantage in educational benefits to a school if such benefits cannot be balanced in all schools.

It is intended that donations in excess of \$25,000 be submitted to the Board for approval and disposition.

(Amended 8-26-14, previously Amended 4-16-90)

#### 1722. APPROVAL OF DONATIONS

The Superintendent of Schools shall establish the procedures governing the approval of donations to schools.

(Amended 4-16-90)

## **Chapter 15 — Boundaries, Acquisition, and Disposal of Buildings and Real Property**

### **1724. MINOR RELOCATION OF BOUNDARIES OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT**

The Contract and Insurance Services Branch is authorized to investigate the need, evaluate the benefits, negotiate with authorities of adjacent school districts, and initiate requests to the County Superintendent of Schools relative to the minor relocation of portions of the boundaries of the Los Angeles Unified School District.

The Contract and Insurance Services Branch is authorized to notify the appropriate agency in any municipalities whose boundary may be identical at the point or points in question with those of school districts and in the name of the Board of Education to invite the municipalities to consider simultaneous readjustment to the City boundaries so that coincidence with the newly aligned school district boundary is achieved.

### **1725. ANNEXATION OF TERRITORY TO AND WITHDRAWAL OF TERRITORY FROM THE LOS ANGELES UNIFIED SCHOOL DISTRICT**

#### **A. Annexations**

Whenever it is proposed that territory outside the Los Angeles Unified School District be annexed to the City of Los Angeles, the City Council shall be requested to annex this territory to the District by resolution under Government Code procedures, if legally possible. When this procedure is not legally possible, other positive steps shall be taken to effect the annexation of the territory to the District at the earliest possible date.

Whenever it is proposed that territory which is outside the City of Los Angeles and which will remain outside the City be annexed to District any consent which may be given shall include as a condition to annexation, if legally possible, the assumption by the territory desiring annexation of its proportionate share of all the bonded indebtedness of the District to which the territory is to be annexed.

No commitments of any kind shall be made before a proposed annexation. Decisions such as those affecting the location and building of schools and the provision of other services in the annexing territory shall be made after annexation in accordance with regular procedures.

#### **B. Withdrawals**

Whenever it is proposed that territory be withdrawn from the District, no consent shall be given unless the proposed withdrawal is in connection with the detachment of

territory from the City of Los Angeles for annexation to an adjacent chartered city having its own school district governing board in which case an exception may be made if circumstances justify it.

#### 1726. PROCEDURE FOR PURCHASE OF SCHOOL SITES AND ADDITIONS TO EXISTING SITES

The program and recommendations pertaining to school needs as they relate to acquisition of real property and proposed building planning shall be prepared by the Facilities Planning and Real Estate Branch, subject to the approval of the Superintendent of Schools. The Real Estate Section shall make the necessary surveys and investigations as a basis for a recommendation. The recommendation as to the specific property to be acquired shall be made by the Real Estate Section, subject to the approval of the Superintendent, through the Facilities Committee, to the Board of Education.

(Amended 7-6-87)

#### 1727. OPTION AGREEMENTS FOR PURCHASE OF REAL PROPERTY

The Board of Education may obtain and pay for options for real property. Option agreements may provide for extensions or additional successive renewals. Each option shall be secured from the owner, if possible, and not through the owner's agent unless the owner gives the Board written authority to deal with an agent. No agent's fee or broker's commission shall be paid by the Board for such purchase.

(Amended 7-6-87)

#### 1728. CONDEMNATION OF REAL PROPERTY

If any real property needed for school purposes cannot be secured at the fair market value through negotiations, the Facilities Division staff shall prepare a report and resolution to the Board of Education recommending the initiation of Eminent Domain proceedings. The resolution, among other things, shall contain directions to the Office of General Counsel that such proceedings be filed. The resolution should be adopted by a two-thirds vote of the Members of the Board. Facilities staff shall assist legal counsel, if necessary, in preparing and conducting the case.

(Amended 1-17-02)

#### 1729. REPORT OF PLANNING COMMISSION REGARDING PROPOSED ACQUISITION OF REAL PROPERTY



Prior to the acquisition of title or initiation of condemnation proceedings for real property, the Director of Real Estate and Facilities Planning shall advise in writing the Planning Commission having jurisdiction of the proposed acquisition. The Director of Real Estate and Facilities Planning shall request the Planning Commission to investigate the proposed acquisition of the property and to submit a report of its investigation within 30 days together with its recommendation concerning the site. If the report of the Planning Commission does not favor such acquisition, the Board of Education shall not acquire a title to the property until 30 days after the Commission's report is received.

(Amended 7-6-87)

#### 1730. VACATION OF STREETS AND ALLEYS

Petitions from the Board of Education for the vacation of streets and alleys shall be based upon a recommendation from the Director of Real Estate and Facilities Planning, approved by the Deputy Administrator, Business Services Division, regarding the desirability of such vacation. The Director of Real Estate and Facilities Planning shall, on behalf of the Board, petition the City Council, or other appropriate public body, for the vacation of said streets or alleys, and shall later report to the Facilities Committee the status of such petition and the conditions, if any, set forth by the City Council or other proper public body pertaining to the granting of the petition. The Director of Real Estate and Facilities Planning shall investigate these conditions.

Upon agreement between the Board and City Council, or other body, regarding the conditions for granting of the petition, the Design and Construction Branch shall be responsible for the preparation of a suitable tract map for filing and recording, if necessary, and the Director of Real Estate and Facilities Planning shall process the map and vacation proceedings through the city and county and secure from a satisfactory title company a subdivision title report and policy of title insurance covering the land affected.

When the vacation is approved, the President of the Board and the Director of Real Estate and Facilities Planning shall be authorized to sign such affidavits and certificates as are necessary to the filing and recording of said tract map.

(Amended 1-11-88)

#### 1731. COMPLETION OF ACQUISITION OF REAL PROPERTY

When title to real property is acquired, the Director of Real Estate and Facilities Planning shall notify the appropriate Los Angeles Unified School District personnel and the appropriate county and city officials. In the event taxes, assessments, or other liens are outstanding against such real property, the Director of Real Estate and Facilities Planning shall initiate such action and reports which may be necessary to begin proceedings for the removal of said liens. The Director of Real Estate and Facilities Planning shall also endeavor

to eliminate all non-active easements from such real property.

The original authorization for the acquisition of real property shall also be construed as an authorization to incur such obligations and pay such incidental fees and expenses as may be necessary to acquire clear title and complete the original transaction; these fees and expenses, however, shall be listed in Committee of the Whole reports and authorized in exact amounts by the Board after the exact amounts thereof are ascertained.

When a purchase of real property has been approved by the Board of Education, and when Education Code Section 39002 has been complied with, the Director of Real Estate and Facilities Planning is authorized to sign the necessary certificates to accompany the warrant covering the purchase price of the property, which shall be made payable to the company in which the escrow is opened. Upon completion of the transaction, the Director of Real Estate and Facilities Planning is authorized to record the deed, certify as to the specific use of the property after title becomes vested in the school district, and accept the policy of title insurance subject to appropriate conditions.

(Amended 1-11-88)

#### 1732. TITLE INSURANCE

Policies of title insurance, covering all land belonging to the Los Angeles Unified School District, shall be secured by the Director of Real Estate and Facilities Planning, who, whenever it is necessary to secure such insurance, shall place an order therefor with an approved title company, and shall submit a report of such action, together with a recommendation for the payment thereof, to the Committee of the Whole.

(Amended 7-6-87)

#### 1733. STREET ASSESSMENTS IN GENERAL

Assessments for such street improvements as sanitary sewers, storm drains, grading, oiling and paving streets, constructing sidewalks, curbs and gutters, and other similar street improvements shall be investigated by the Director of Real Estate and Facilities Planning, and shall be paid, ordinarily; provided that funds are available for such payment, that the proposed improvement abuts school property, that the school property is to be proportionately benefited, and that it is legal to make said payment; and provided, further, that the Board of Education reserves the right, in lieu of paying said street assessments, to secure the performance of the proposed work by awarding a direct contract with the Board, in case the performance of such a contract seems advantageous from the school standpoint. Assessments for opening and widening streets and for installing and maintaining ornamental street lighting systems shall be investigated by the Director of Real Estate and Facilities Planning, and shall be paid only when such payments are made in accordance with existing Board policies or specific Board acts controlling the particular assessments.

#### 1734. WHEN ASSESSMENTS NOT PAYABLE

Assessments shall not be paid from funds derived from the sale of bonds or required by law to be used for teachers' salaries. Because of general legal requirements and because of the desirability of setting aside funds when an obligation is first incurred, no assessment for any street improvement of any kind shall ordinarily be considered as payable from school funds unless the Board of Education has agreed, prior to the work of improvement, to pay the specific assessment; provided, however, such assessment may be paid if levied against private property recently purchased by the Board, and such latter levy is found to be a legal lien, or if levied under some law that does not require the sending of an early notice.

An early notice of any proposed street improvement that will affect school property shall be secured from the proper official or board, if possible, by the Director of Real Estate and Facilities Planning.

#### 1735. SPECIFIC RECOMMENDATIONS REGARDING PROPOSED ASSESSMENTS

The Director of Real Estate and Facilities Planning, upon receiving notice of a proposed street improvement, shall secure from the City Engineer, or other proper source, an estimate of the amount of the proposed assessment and a statement of other relevant facts, and the Director of Real Estate and Facilities Planning shall submit to the Facilities Committee a recommendation for the payment or non-payment of said assessment in accordance with the rules, regulations, and policies of the Board of Education, and with legal requirements.

#### 1736. MAINTENANCE ESTIMATES FOR STREET LIGHTING

When the Board of Education has once agreed to pay for the annual maintenance cost of an ornamental street lighting system, it shall not be necessary for the Board to enter into a similar agreement annually unless a change of conditions occurs causing the estimated cost for the year in question to be substantially different from the preceding year's cost, in which case the procedure for authorization of payment shall be similar to that for the original authorization of payment. In all cases, an invoice approved by the Director of Real Estate and Facilities Planning showing the exact amount of payment shall be submitted to the Chief Business and Financial Officer for each school approximately 30 days prior to the delinquency of date of said invoice.

#### 1737. USE OF REAL PROPERTY NOT OWNED BY BOARD OF EDUCATION

Real property, the ownership of which is not vested in the Board of Education, shall not be used for school or administrative purposes except by lease, rental agreement, or permit. Requests by principals or administrative officers for the lease, rental, or use of real property

other than through the acquisition of title shall be made through the Real Estate Section.

In the event such facilities are to be used by lease, rental agreement, or permit, the structural safety of such facilities shall be investigated by the Design and Construction Branch, which shall report the results of such investigation together with any recommendations to the Real Estate Section. The terms and conditions of such proposed use of any land, or facilities for school or administrative purposes shall be negotiated by the Real Estate Section.

Procedural requirements concerning the renewal, extension, or renegotiation of leases, rental agreements or permits for the use of land, improvements, or facilities previously used by lease, rental agreement or permit, shall be identical to those set forth for the original use.

(Amended 7-6-87)

#### 1742. REALTY VALUATIONS

All appraisals and valuations for real property or improvements to be removed from real property shall be made by the Real Estate Section.

#### 1743. SALE OR LEASE OF SCHOOL PROPERTY TO OTHER PUBLIC AGENCIES

The Board of Education may sell or lease to the federal government or its agencies, the state, any county, city and county, city or special district, or to any school district not under the jurisdiction of the Board, any real property belonging to the Los Angeles Unified School District which is not or will not, at the time of delivery of title or possession, be needed for school classroom buildings, upon such terms as are agreeable to both parties. Any such sale or lease, however, shall be made by resolution and public notice as required by law.

Any lease made under this Rule may provide for an option by the District lessee to purchase the property at an agreed price with a provision that the rental payment may be applied in whole or part against such purchase price. The District lessee may cancel the lease at the end of any budgetary year and in such case shall not be obligated to complete the lease, and shall be released from all obligation thereunder.

#### 1744. SALE OR LEASE OF REAL PROPERTY TO INDIVIDUALS

Whenever real property owned by the Board of Education is not, or will not at the time of delivery of title or possession be needed for school classroom buildings, the Board may sell or lease such property.

If a sale appears feasible, the Director of Real Estate and Facilities Planning shall prepare a report and recommendation to the Facilities Committee. In the event the Board concurs with the recommendation for sale, it shall adopt a resolution of intent to sell.

For the sale of property, the Director of Real Estate and Facilities Planning shall perform the duties required to be performed by the Board under Education Code Sections 39371 and 39372. The resolution of intent to sell shall set forth the terms and conditions of the sale, including requirements of assurance of performance and cash guarantees; a provision that the Board may reject any and all bids; and the date, not less than three weeks thereafter, and the place at which sealed proposals will be received and opened and oral bids will be called for. Publication of such resolution shall be made in a newspaper of general circulation and by public posting and publishing as set forth in Education Code Section 39369. At the time and place specified in the resolution, the Real Estate Section shall open and declare all sealed bids and shall also call for oral bids as provided by law. Final acceptance shall be acted upon by the Board at public meeting within the next ten days. The Board may reject all bids and withdraw the property from sale if it deems such action to be for the best public interest.

Upon final acceptance by the Board and performance and compliance by the purchaser with the terms of the sale, the President of the Board and the Director of Real Estate and Facilities Planning shall be authorized to execute the deed. The Director of Real Estate and Facilities Planning shall deposit the proceeds of the transaction with the Chief Business and Financial Officer.

For the licensing or leasing of property, the Director of Real Estate and Financial Planning shall perform the duties required to be performed by the Board under Education Code Sections 39371 and 39372. The notice of intent to license or lease shall set forth the terms and conditions of the license or lease, the date, not less than 15 days thereafter, and the place at which sealed proposals to license or lease will be received and opened and oral bids will be called for. Publication of such notice shall be made in a newspaper of general circulation as set forth in Education Code Section 39367. At the time and place specified in the notice, the Director of Real Estate and Financial Planning shall open and declare all sealed bids and shall also call for oral bids as provided by law.

Upon compliance by the licensee or lessee with the terms of the lease, the Director of Real Estate and Facilities Planning shall be authorized to execute the license or lease. The Director of Real Estate and Facilities Planning shall deposit the proceeds of the transaction with the Chief Business and Financial Officer.

In case of noncompliance, the Director of Real Estate and Facilities Planning shall so report to the Facilities Committee and upon recommendation by the Facilities Committee and adoption by the Board, any bond or guarantee of performance may be declared forfeited and be deposited by the Director of Real Estate and Facilities Planning with the Chief Business and Financial Officer.

Upon final acceptance by the Board, and performance and compliance by the purchaser or lessee with the terms of the sale or lease, the President of the Board and the Director of Real Estate and Facilities Planning shall be authorized to execute the deed or lease. The Director of Real Estate and Facilities Planning shall deposit the proceeds of the transaction with the Chief Business and Financial Officer.

(Amended 7-6-87)

#### 1745. SALE OF BUILDINGS OR STRUCTURES TO INDIVIDUALS FOR SEVERANCE AND REMOVAL

The Board of Education may sell school buildings or structures to individuals for severance and removal when such property is not needed for school purposes. The Board may authorize a private sale without advertising when, by unanimous vote of those members of the Board present, it is determined that the value of the building or structure does not exceed \$2,500 in value. All sales, when valuation of the property is in excess of \$2,500 or no evaluation has been made, shall be by resolution, publication, and procedure as followed in the sale of real property except that:

Publication may be for not less than two weeks as provided in Education Code Section 39520; bids may be declared, opened, and oral bids taken at public meeting by the Real Estate Section instead of by regular meeting of the Board; a list of the properties being offered shall be prepared and distributed to prospective purchasers together with the relevant details pertaining thereto; upon acceptance of a bid, the purchaser shall deposit a surety bond or cash guarantee with the Real Estate Section as security that the terms of the sale will be complied with by the purchaser, which bond or cash guarantee may be declared forfeited by the Board in case of noncompliance by the purchaser with the terms of the sale; a report embodying the relevant details of the sale shall be presented promptly to the Board by the Real Estate Section through the Facilities Committee; and upon approval, the Director of Real Estate and Facilities Planning shall be authorized to convey the property by Bill of Sale on behalf of the Board and shall deposit the proceeds of the sale with the Chief Business and Financial Officer.

(Amended 7-6-87)

#### 1746. Mello-Roos Policy

The Mello-Roos policy adopted March 23, 1999 for the creation of a Mello-Roos Community Facilities Act of 1982 district describes the process to establish a special facilities district in which taxes are assessed to pay for designated community facilities within the jurisdiction of the Board of Education. (Government Code Section 53311 et Seq.)

(Amended 8-26-14, previously Amended 7-6-87)

#### 1747. INSTALLATION OF CONDUITS AND OTHER APPLIANCES

Requests for the installation on school premises of utilities and appurtenances shall be investigated by the Real Estate Section. Based on the results of such investigation, the Director of Real Estate and Facilities Planning may consent to said installation, provided that such installation is performed in accordance with the customary terms and conditions prescribed therefor by the Los Angeles Unified School District.

(Amended 1-11-88)

## **Chapter 16 — Construction, Alteration and Repair of Plants**

### **1751. ERECTION OF STRUCTURES ON SCHOOL DISTRICT PREMISES**

No building or other structure shall be erected on any Los Angeles Unified School District premises without the prior approval of the Board of Education.

(Amended 11-23-70)

### **1752. PLANNING AND ALTERATIONS OF FACILITIES**

The Project Management and Construction Branch shall be responsible for the planning and programming of new facilities, additions to existing facilities, and alterations and improvements of buildings and grounds; and in cooperation with the regions and operating divisions, shall determine priority based on need and availability funds.

(Amended 5-25-99)

### **1753. DRAWINGS AND SPECIFICATIONS**

The Design and Inspection Branch shall be responsible for the preparation of drawings and specifications for new buildings, alterations and improvement of buildings and grounds; for obtaining approval by the State Department of General Services (Education Code Sections 39113 et seq.); and for compliance with other applicable laws.

(Amended 5-25-99)

### **1754. ARCHITECTS AND ENGINEERS**

Agreement Forms including Schedules of Fees for Outside Architects and Engineers appointed by the Board of Education shall be prepared by the Business Services Division. A file of these forms shall be maintained by the Contract and Insurance Services Branch. All applicable statutory provisions and Board Rules shall be observed in preparation of forms, which are as follows:

Form No.

For Architectural Services Including Supervision  
of Construction

82.53

Full Service

SAB 533 with attachment

The California Form of agreement between  
projects Client and Architect for new school with



LAUSD attachment thereto.

SAB 733 with attachment

The California Form of agreement between Client and Architect for school reconstruction projects with LAUSD attachment thereto.

(Amended 7-6-87)

#### 1755. REPAIR AND MAINTENANCE OF PLANTS

The Maintenance and Operations Branch shall be responsible for the maintenance and repair of Los Angeles Unified School District grounds, buildings and equipment; minor alterations and improvements of buildings and grounds; restoration of equipment and construction of special equipment items and similar work.

(Amended 5-25-99)

#### 1756. MINOR REPAIRS TO SCHOOL DISTRICT PROPERTY

Repairs not within the work schedule and duties of the engineer, custodian, or gardener assigned to the site shall be referred to the Area Maintenance and Operations Director. No repairs shall be made without a license or permit if required by law.

(Amended 9-85)

#### 1757. PERFORMANCE OF WORK BY FORCE ACCOUNT

Alterations or additions to Los Angeles Unified School District buildings and ground improvements may be made, apparatus or equipment built, or new buildings erected, by day labor or by force account, whenever the total number of hours on the job does not exceed 350 hours. Repairs to school buildings, grounds, apparatus, or equipment may be made by day labor or by force account whenever the total number of hours on the job does not exceed 750 hours, or when the cost of material does not exceed \$21,000. (Public Contract Code 20114)

In an emergency, when any repairs, alterations, work or improvements are necessary to permit the continuance of existing school classes, or to avoid danger to life or property, the Board of Education may by unanimous vote with the approval of the County Superintendent of Schools, notwithstanding Public Contract Code Section 20114, authorize the use of day labor or force account for this purpose. (Public Contract Code 20113)

(Amended 5-25-99)

#### 1758. AWARD OF CONTRACTS

- A. If a project for work to be done involves an expenditure less than the amounts specified in the Public Contract Code, one or more offers may be secured without advertising, and if the bid or lowest bid appears to be fair and reasonable and the bidder responsible, a contract may be awarded thereon. (Public Contract Code 20111)
- B. In an emergency when repairs, alterations, work or improvements are necessary for the continuation of existing school classes or to avoid danger to life or property, the Board of Education may, by unanimous vote of those present and with the approval of the County Superintendent of Schools, make a contract without advertising or inviting bids. (Public Contract Code 20113)
- C. In all other cases, contracts shall be awarded in accordance with the regular competitive bidding procedures prescribed by law and Board Rules. (Public Contract Code 20111)
- D. If two or more identical lowest bids from responsible bidders are received, the acceptance of one of the bids for award of contract shall be determined by lot. (Public Contract Code 20117)

(Amended 5-25-99)

#### 1759. BID AND CONTRACT FORMS

Bid and contract forms shall be prepared by the Business Services Division. All applicable statutory provisions and Board Rules shall be observed in preparation of the forms.

A file of the basic forms shall be maintained by the Contract and Insurance Services Branch.

- A. If the estimated cost of the work is less than the amounts specified Public Contract Code Section 20111, and in the judgment of the Facilities Services Division the interests of the Los Angeles Unified School District will be protected, Simplified Bid and Letter Contract Forms without contract bonds, may be used.
- B. In all other cases Regular Bid and Contract Forms with contract bonds shall be used.

(Amended 5-25-99)

#### 1760. BID GUARANTEES

Except when Simplified Bid Forms are used, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. The Design and

Inspection Branch shall return to the bidders their checks when no longer required for the protection of the Los Angeles Unified District.  
(Public Contract Code 20110)

(Amended 5-25-99)

#### 1761. ADVERTISEMENT FOR BIDS

When advertising is required, the Design and Inspection Branch shall place the legal advertisement for bids in a newspaper of general circulation published in the Los Angeles Unified School District, at least once a week for two weeks, stating the work to be done and the time and place where bids will be opened. Whenever possible, the Design and Inspection Branch shall also place a publicity advertisement (the legal advertisement or summary) in a newspaper of general circulation in the area where the work is to be performed.  
(Public Contract Code 20112)

(Amended 5-25-99)

#### 1762. PREQUALIFICATION OF BIDDERS

- A. The Los Angeles Unified School District may require from prospective bidders answers to questions contained in a standard form questionnaire and financial statement including a statement of prospective bidder's financial ability and experience in performing public works. When completed, the questionnaire and financial statement shall be certified under oath by the bidder in the manner in which pleadings in civil actions are verified. (Public Contract Code Section 20111.5)
- B. The District shall adopt and apply a uniform system of rating bidders, on the basis of the Standard Questionnaires and Financial Statements, in respect to the size of the contracts upon which each bidder is qualified to bid.
- C. A report identifying the pre-qualified bidders by type and size of contract shall be submitted to the Board of Education for approval.
- D. The Questionnaires and Financial Statements are not public records and not open to public inspection.
- E. The District may from time to time, require prequalification of all bidders for a specific type of project, but in any event not less frequently than once every twelve months.

(Adopted 6-29-87)

#### 1763. DISTRIBUTION OF BID DOCUMENTS AND RECEIPT OF BIDS

- A. The Facilities Services Division shall make available to prospective bidders Bid Forms with sets of specifications and drawings, and shall provide a convenient place where bidders, subcontractors, and materiel suppliers may examine the specifications and drawings.
- B. When it has been determined that the prequalification of bidders is required, bids will only be accepted from pre-qualified bidders.
- C. The Design and Inspection Branch shall receive the bids, open and read them aloud in public at the time and place specified in the bid, check them for regularity and compliance with legal requirements and tabulate them.

(Amended 5-25-99)

#### 1764. EXECUTION OF CONTRACT AND BONDS

- A. If a contract involves an expenditure of more than the amounts specified for a public project in Section 20111 of the Public Contract Code, the contractor shall execute the contract proper and furnish a Material and Payment Bond executed by a surety satisfactory to the Los Angeles Unified School District, in an amount not less than 100 percent of the contract price, and a Faithful Performance Bond of the same surety or sureties, in an amount not less than 100 percent of the contract price.  
(Civil Code Section 3247)
- B. The bid and contract documents and bonds shall be on District forms approved by the General Counsel.

(Amended 5-25-99)

#### 1765. CHANGES IN CONTRACT

Change orders, including payment of related architectural fees, involving deviations from the drawings and specifications on which a contract is based when approved by the Construction Inspector, the Architect, the Construction Manager (if any) and the General Manager, Facilities Services Division, shall be paid by the Chief Financial Officer as long as the limits of Public Contract Code Section 20111 or 20118.4 (10% of original contract price for new construction or 15% of the original contract price for reconstruction or rehabilitation) are not exceeded. All such actions shall be subsequently ratified by the Board of Education. No change order in excess of these limits shall be made except when specifically authorized by the Board. Limits in the amount of the change order shall be as provided in the law, but it should be noted that contracts for reconstruction or rehabilitation work exceeding 15% of the original contract price must be approved by an affirmative vote of 75% of the Members of the Board.

Time only, no cost, and credit change orders may be approved by the General Manager and shall subsequently be ratified by the Board.

Retentions may be reduced from 10% to 5% at any time upon a determination by the General Manager that work has been progressing or completed satisfactorily, pursuant to Public Contract Code Section 20103.

(Amended 5-25-99)

#### 1766. ACCEPTANCE OF COMPLETION FOR REGULAR CONTRACT (Long Form 82.39)

When the entire work shall have been completed as provided in the original contract and any applicable amendments thereto, the General Manager, Facilities Services Division, shall be authorized to accept completion including contracts where liquidated damages or change orders are pending, on behalf of the Los Angeles Unified School District. After acceptance, the Contract and Insurance Services Branch shall file a Notice of Completion of the contract with the County Recorder in the manner prescribed by law. For purposes of final payment, stop notices, and other related matters, the date of acceptance of completion shall be the date the Notice of Completion is recorded in the Office of the County Recorder. The Board of Education shall ratify all such notices on a periodic basis.

(Amended 5-25-99)

#### 1767. SUBCONTRACTOR SUBSTITUTION

The General Manager, Facilities Services Division is designated as the duly authorized officer of the Board of Education to consent to the substitution of subcontractors in place of subcontractors listed in the bids of prime contractors to whom public work contracts have been awarded, in accordance with Public Contract Code Section 4107 when the listed subcontractors have not filed the prescribed written objections.

(Amended 5-25-99)

#### 1768. CONTRACT ARBITRATION

The General Manager, Facilities Services Division, is authorized to submit written requests for hearings before the Board of Arbitration, provided that the amount does not exceed \$25,000 per disputed amount.

The General Manager shall also be authorized to agree to the question(s) to be submitted and select the District's representative to the Board of Arbitration. Such requests shall be certified

by District legal counsel. The question must be within the scope of matters subject to arbitration under the contract in question. The Chief Financial Officer shall pay arbitration awards not to exceed \$25,000 per disputed amount upon the recommendation of the General Manager, Facilities Services Division, and District legal counsel that the award be accepted without appeal. The result of such arbitration shall be kept on file by project in the Facilities Services Division and the Board of Education will be informed of the results of significant adverse decisions.

(Amended 5-25-99)

#### 1786. INSTALLATION, REPAIR OF POWER-DRIVEN OR ELECTRICAL EQUIPMENT AND DEVICES

The Superintendent of Schools shall establish the procedure to be followed in the installation, repair, disassembly, adjustment, extension or modification of power-driven equipment or any device which has been or is to be connected to the electrical system of a school or other building under the jurisdiction of the Board of Education.

(Amended 4-16-90)

## **Chapter 17 — Instructional Materials**

### **1808. SCHOOL LETTERHEADS**

All external communications from the faculty, departments, or the school shall be on the standard letterhead. Letterheads used in schools and offices must be obtained from approved vendors, and may be ordered with a Requisition for Supplies, a School Purchase Order, or with Imprest Funds.

These restrictions shall not affect the printing or use of a letterhead by the student body organization. The name of the school principal shall appear on that letterhead.

(Amended 10-7-91)

### **1809. THE INSTRUCTIONAL MATERIEL ACCOUNT (IMA)**

The Instructional Materiel Account comprises those funds provided to schools to buy books, supplies, and equipment. The administrator in charge of the school shall determine the expenditures to be made.

(Amended 5-22-78)

### **1810. BASIC RATES FOR THE INSTRUCTIONAL MATERIEL ACCOUNT (IMA)**

The Accounting and Disbursements Division shall make an annual materiel price study to determine the overall percentage costs increase or decrease of all instructional materiel in the District warehouse. The Business Services Division and the Budget Services and Financial Planning Division shall review the results of the annual materiel price study and jointly determine the adjusted IMA unit rates for apportionment purposes to be included in the budget for the subsequent fiscal year.

(Amended 2-4-85)

### **1811. APPORTIONMENTS FOR INSTRUCTIONAL MATERIEL ACCOUNT (IMA)**

The Budget Services and Financial Planning Division shall calculate apportionments for materiel based on the apportionment rates. Administrators may ascertain account balances from the monthly financial statement sent to their school by the Accounting and Disbursements Division.

(Amended 2-4-85)

## 1812. REPLACEMENT COVERED BY COLLECTIONS

Monies collected from students or others for equipment lost or damaged shall be transmitted to the Accounting and Disbursements Division. These funds will be credited to the school's IMA. Requisitions for the replacement of such items shall be submitted on "Replacement of Equipment" requisitions.

(Amended 2-4-85)

## 1813. DIRECT PURCHASE OR CERTAIN MATERIALS (IMPREST FUNDS)

Administrators with Imprest Funds may make direct purchases of supplies, books, equipment, and other items such as admission tickets, plants, short-term rental of equipment, and services such as printing, laundry and dry cleaning, freight charges, film developing, drinking water, minor repairs to equipment, conference or registration fees (Los Angeles Educational Alliance for Restructuring Now (LEARN) schools only), and other items as determined by the Accounting and Disbursements Division. Unit price of items (excluding sales tax, delivery, and installation) purchased shall not exceed the amount established pursuant to Board Rule 1845. All equipment purchases must meet established safety and security standards. Procedures for using an Imprest Fund are outlined in the latest revision of Accounting and Disbursements Division Bulletin No. 9. Foods and perishable materials required for the Home Economics and Science classes may be acquired by Imprest Funds.

(Amended 5-16-94)

## 1815. INVESTMENT IN STORES INVENTORY

The District Inventory Committee, consisting of the Division Administrator, Business Services Division, Division Administrator, Accounting and Disbursements, and an elementary and secondary principal shall periodically review the amount invested in stores inventory to determine that the level and content of the inventory is consistent with good management and fiscal practices.

(Amended 2-4-85)

## 1822. LEASES

Leases or lease-purchase contracts for equipment or service systems may be entered into with a responsible supplier for a term not to exceed 10 years or the useful life of the item whichever is less. Leases, but not lease-purchase contracts, may be renewed upon mutual agreement, at the end of each term at a rate not more than 12 percent annually above the rate of the existing agreement. The combined period of the original lease and renewal periods shall not exceed 10 years.



(Amended 12-14-81)

## 1826. ISSUANCE OF PURCHASE ORDERS AND RELATED PAYMENTS

- A. The Chief Procurement Officer and/or designees are authorized to issue, subject to ratification by the Board of Education at the earliest possible date after issuance within available funds, purchase orders for materiel and services for amounts equal to or less than the amounts specified in Section 20111 of the Public Contracts Code. An appropriate board report shall be prepared for ratification by the Board showing the numbers and total dollar amount of these purchase orders. It shall be submitted by the Superintendent of Schools and signed by the Division Administrator, Business Services, and the Chief Procurement Officer and/or designees. The Accounting and Disbursements Division is authorized to issue warrants in payment for materiel and services received in response to orders authorized by this Rule prior to ratification of the orders by the Board. The Controller is further authorized to make advance payments for postage, subscriptions, maintenance of equipment, and other items at the request of the originating location's Division Administrator.
- B. The Chief Procurement Officer and/or designees shall be authorized to issue purchase orders for materials and services for amounts exceeding the amounts specified in Section 20111 of the Public Contracts Code after authorization by the Board. An appropriate board report shall show, for each purchase order, the number, the basis of award, the quantity, a brief description of the item, the vendor's name and the dollar amount. The report shall be submitted by the Superintendent and signed by the Division Administrator, Business Services, and the Chief Procurement Officer and/or designees.
- C. When an emergency exists, the Chief Procurement Officer and/or designees, with the approval of the Division Administrator, Business Services, is authorized to issue a purchase order, subject to ratification by the Board at the earliest possible date after issuance. This purchase order shall be reported to the Board showing the number of the purchase order, the basis for award, the quantity, a brief description of the item purchased, the vendor's name, the total dollar amount and the reason for the purchase. The report shall be submitted by the Superintendent and signed by the Division Administrator, Business Services, and the Chief Procurement Officer and/or designees.
- D. A copy of each purchase order listed in the appropriate Board report shall be filed in the Procurement Services Group's Purchasing Branch and retained for six years and a copy shall be filed with the Accounting and Disbursements Division.
- E. The Chief Procurement Officer and/or designees, upon approval of the Division Administrator, Business Services, are authorized to issue purchase orders during the current year for delivery during the subsequent fiscal year. The Budget Services and Financial Planning Division shall provide funding authority up to the amount allocated

in the Budget for the subsequent year as a basis for fund approval.

(Amended 2-8-05)

1827. CHANGES IN PURCHASE ORDERS OTHER THAN SCHOOL PURCHASE ORDERS

- A. The Director of Purchasing shall issue purchase order change orders to amend or cancel purchase orders. Copies of these change orders shall be distributed in the same manner as purchase orders.
- B. An increase in the total cost of a purchase order by \$200 or less does not require issuance of a purchase order change order or authorization or ratification by the Board of Education. An increase in the unit cost of items or purchase orders for textbooks and prepared instructional material does not require issuance of a purchase order change order or ratification by the Board.
- C. The Director of Purchasing is authorized to issue change orders to purchase orders subject to ratification by the Board as follows:
  - 1. Amendments to increase, decrease, cancel or correct purchase orders when the issuance of the purchase order was ratified by the Board.
  - 2. Amendments to increase the total cost by 10% or less, or to decrease or correct purchase orders when the issuance of the purchase order was authorized by the Board.
- D. Change orders to purchase orders not provided for in Board Rule 1827-C shall be authorized by the Board prior to issuance by the Director of Purchasing.
- E. The Director of Purchasing shall report change orders to purchase orders to the Board in the following manner:
  - 1. Purchase order change orders requiring ratification by the Board shall be promptly reported in the Operations Committee Report by purchase order change order number.
  - 2. Purchase order change orders requiring authorization by the Board shall be reported in the Operations Committee Report in sufficient detail to identify the nature and scope of the change.

(Amended 4-15-85)

#### 1829. NEGOTIATED PURCHASE OF FOOD SERVICES PROGRAM SUPPLIES

When perishable foodstuffs or seasonal commodities are needed in the operation of the Food Services program and when, in the opinion of the Director of Purchasing and the Division Administrator, Business Services, it is not practical to follow the procedures set forth in other sections of the Board Rules, then the Director of Purchasing, in accordance with Education Code Section 39873, is authorized to negotiate with vendors for the furnishing of such merchandise at the lowest possible cost consistent with the needs of the Food Services program with respect to service, delivery, and quality.  
(Education Code Section 39873)

(Amended 4-16-90)

#### 1834. STORAGE AND REPLACEMENT OF MATERIEL AT SCHOOLS

Materiel stored at a school shall be kept in a secure place in order to guard against loss. Lost or stolen supplies will not be replaced without charge.

(Amended 2-4-85)

#### 1835. RETURN OF STOCK MATERIEL TO WAREHOUSE

Credit for materiel returned to the warehouse will be given on items charged during the current fiscal year and on items returned within 30 calendar days.

(Amended 2-4-85)

#### 1836. MILITARY STORES

The assistant to the Military Property Custodian shall receive and handle all requisitions for United States military materiel stored at the warehouse for use in the Reserve Officers Training Corps units and shall supervise the receiving, storing, distributing, and accounting of such materiel.

(Adopted 5-22-78)

#### 1838. ACCOUNTING FOR STOCK

The Accounting and Disbursements Division shall maintain a system of accounting for all stock received, stored and disbursed from the warehouses, including all changes in the form, kind, or quantity (such as the conversion of stock of any kind into another kind) and the loss

and breakage of stock. This system shall include the maintenance of perpetual inventory records by which the quantities and kinds of stock in the warehouses may be ascertained. Test checks of the actual quantities of selected stock shall be made as needed against said records. A physical inventory of all stock shall be taken at least once each year.

(Amended 2-4-85)

#### 1839. FORMS AND COPIES OF DOCUMENTS USED IN STOCK ACCOUNTING

Suitable documents to meet the requirements of the stock accounting procedure shall be developed by the Accounting and Disbursements Division and shall be used for all stock accounting. A copy of every document used in each transaction involving warehouse stock shall be furnished by the Purchasing Branch to the Accounting and Disbursements Division in order that an accurate accounting control may be maintained.

(Amended 2-4-85)

#### 1840. PURCHASE OF PASSENGER VEHICLES

All passenger vehicles purchased shall be used vehicles except for vehicles acquired for driver education or security use or where staff evaluation indicates that the purchase of new vehicles is warranted.

(Adopted 12-12-83)

#### 1841. DONATION OF SURPLUS OBSOLETE INSTRUCTION MATERIALS

A donation of textbooks may be authorized by the school site administrator to students and/or to those agencies, organizations or persons specified in Education Code Section 60510. Any proposed donation must be reviewed by the school site administrator to determine if the textbooks are needed to supplement the textbooks in the school.

(Amended 4-16-90)

#### 1842. REPLACEMENT OR REPAIR OF LOANED PERSONAL PROPERTY

The Board of Education may pay the cost up to \$10,000 per occurrence to replace or repair personal property of private individuals or non-Los Angeles Unified School District organizations loaned for use by the District when such property is stolen, lost, damaged, or destroyed, or vandalized while in custody of the District. If the items are damaged beyond repair or stolen, the replacement value of such items shall be paid. The replacement value of such items shall be determined at the time of the damage thereto or the robbery or theft thereof,

and shall include a normal allowance for depreciation.

(Amended 4-16-90)

#### 1843. ISSUANCE OF A AND B LETTERS AND RELATED PAYMENTS

The Directors of Design and Construction, Maintenance and Operations, and Data Processing Operations are authorized to issue, subject to ratification by the Board of Education at the earliest possible date after issuance, repair orders (A and B letters) for necessary maintenance services for amounts equal to or less than the amount specified in Public Contract Code Section 20111 for services. A Facilities Committee report shall be prepared for ratification by the Board showing the numbers and total dollar amount of these repair orders (A and B letters). It shall be submitted by the Superintendent of Schools and signed by the Deputy Administrator, Business Services. The Accounting and Disbursements Division is authorized to issue warrants in payment for services received in response to orders authorized by this Rule prior to ratification of the orders by the Board.

(Adopted 5-8-89)

#### 1844. ISSUANCE OF LOW VALUE PURCHASE ORDERS

The Branch Directors of the Business Services Division and Information Technology Division are authorized to issue, subject to ratification by the Board of Education at the earliest possible date after issuance, low value purchase orders limited to the amount established by Board Rule 1845. A Business Operations Committee Report shall be prepared for ratification by the Board showing the numbers and total dollar amount of these low value orders. It shall be submitted by the Superintendent of Schools and signed by the Division Administrator, Business Services and the Branch Director of Purchasing. The Accounting and Disbursements Division is authorized to issue warrants in payment for materiel received in response to low value purchase orders authorized by this Rule prior to ratification of the orders by the Board.

(Adopted 5-8-89)

#### 1845. ADJUSTMENTS IN AUTHORIZED MAXIMUMS FOR ORDERS AND PAYMENT OF MISCELLANEOUS BILLS

The Chief Business and Financial Officer shall establish and annually review the maximum amounts for orders authorized in Board Rules 1813, 1814, and 1844 and adjust the maximum amounts if appropriate to reflect inflation and other economic factors. The continuing authority granted to the Chief Business and Financial Officer to pay miscellaneous bills shall also be adjusted in accordance with this Rule.

(Amended 10-7-91)



## **Chapter 18 — General Provisions**

### **1900. ETHICS POLICY STATEMENT AND CODE OF ETHICS**

The Code of Ethics policy adopted by the Board of Education on February 20, 2003, and the Contractor and Consultant's Code of Conduct and the Lobbyist Registration Code and Conflict of Interest Code adopted on November 12, 2002 contain the Los Angeles Unified School District's core principles and guidelines for making ethical decisions and are the current policies of the District.

(Amended 2-20-03)

### **1901. OATH OF ALLEGIANCE - NEW EMPLOYEES**

All new employees, including professional experts and forum lecturers, shall be required to take and subscribe to and properly file the oath of affirmation required by Section 3, Article XX, of the Constitution of the State of California, within nine months before they enter upon the duties of their employment. In the case of intermittent, temporary, emergency, or successive employments, such oath shall be effective for all successive periods of employment which commence within one calendar year from the date of such subscription.

(Amended 9-10-53)

### **1903. FILING OF OATH**

The administrative head of the division or branch responsible for the employment of new and former employees shall certify to the Chief Financial Officer that an oath or affirmation is on file for each such employee.

(Amended 1-25-99)

### **1904. COMPENSATION - REIMBURSEMENT - CERTIFICATION OF CONTROLLER**

No compensation for services nor reimbursement for expenses incurred shall be paid to any employee unless such employee has taken and subscribed to the oath or affirmation. It shall be the duty of the Controller to certify that each employee whose name appears on the payroll has taken such oath or affirmation. This certification shall be made on the basis of the certification as provided for in Board Rule 1903.

(Amended 1-25-99)

#### 1905. Employee Attendance Policy

The Employee Attendance Policy approved by the Board of Education at the July 13, 2004 Regular Board Meeting will be the employee attendance policy to assist site administrators and supervisors in effectively managing employee absenteeism.

(Adopted 8-26-14)

#### 1906. DRESS STANDARDS FOR EMPLOYEES

An employee is deemed appropriately dressed when the clothing worn is neat and clean and is in reasonable conformity with the mode of dress generally acceptable as representative of the occupation or profession within the community or required by the nature of the duties assigned where the employee renders services.

Dress is inappropriate when it is unsafe, or detracts from the learning situation or task being performed, or would reasonably tend to cause disciplinary problems with students or other employees or would reasonably tend to cause disrepute to the employee, the Los Angeles Unified School District, or the profession.

(Adopted 6-14-76)

#### 1907. WHISTLEBLOWER PROTECT

The Los Angeles Unified School District will encourage its employees and applicants for District employment to disclose improper governmental activities, based in part on Education Code Section 44112(c) of the State of California, and to address written complaints that allege acts or attempted acts of interference, reprisal, retaliation, threats, coercion or intimidation against employees or applicants who disclose improper governmental activities. District management has the responsibility to seek out and correct any and all abuses resulting from improper governmental activities and to protect those who come forward to report improper governmental activities. To assure the reporting of any activity that threatens the efficient administration of the District, reports that disclose improper governmental activities shall be kept confidential. Reports shall be submitted to the Superintendent of Schools or the Office of the Inspector General for investigation.

An employee whose conduct may be the subject of the complaint of retaliation, reprisal, interference, threats, coercion or intimidation shall be given all due process rights in any disciplinary action that may result, pursuant to existing and applicable District personnel policies and collective bargaining agreements and procedures established by the Personnel Commission.

This Board Rule is adopted pursuant to Education Code Section 44110 et seq. of the State of California, and shall be known as the "Los Angeles Unified School District's Whistleblower



## Protection Policy.”

### A. Definitions

#### 1. Definitions used in this Whistleblower Rule

To assist in the understanding of this Rule, the following terms shall be defined as follows:

- a. “Any person” includes classified, certificated and unclassified employees, and applicants for District employment.
- b. “Board” means the Board of Education of the City of Los Angeles.
- c. “Complaint” means the written complaint alleging actual or attempted acts of reprisal, retaliation, threats, coercion, intimidation, interference, or similar improper acts that is submitted under penalty of perjury.
- d. “Disciplinary action” means any direct form of discipline as defined in personnel rules and regulations adopted by the District.  
“Disciplinary action” shall include the firing of an employee.
- e. “Superintendent of Schools” is defined as the Superintendent of the Los Angeles Unified School District.
- f. “Improper governmental activity” is defined as any activity by a District department or by an employee that is undertaken in the performance of the employee’s official duties, whether or not such action is within the scope of his or her employment or by an individual or company conducting or performing work for the District and which is:
  - 1) in violation of any State or Federal law or regulation including, but not limited to, corruption, malfeasance, bribery, theft of District property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, discrimination, misuse of District property and facilities, or willful omission to perform duty, or
  - 2) in violation of any District policy, procedure, rule, or regulation established by the Board; or
  - 3) is economically wasteful, or involves gross misconduct, incompetence, or inefficiency; or
  - 4) is a substantial and specific danger to public health or safety.
- g. “Office of Inspector General” means the Los Angeles Unified

School District's Office of the Inspector General."

- h. "Personnel Commission" means the Los Angeles Unified School District Personnel Commission.
- i. "Protected disclosure" means a good faith communication that discloses or demonstrates an intention to disclose information that may evidence either of the following:
  - 1) An improper governmental activity.
  - 2) Any condition that may significantly threaten the health or safety of employees or the public if the disclosure or intention to disclose was made for the purpose of remedying that condition. A disclosure made in connection with an employee's assigned normal duties is not protected.
- j. "Report" means an oral or written protected disclosure of information as defined above.
- k. "Use of official authority or influence" includes promising to confer or conferring, any benefit; effecting, or threatening to effect, or taking, or directing others to take, or recommending, processing, or approving, any personnel action, including, but not limited to, appointment, promotion, transfer, performance, evaluation, suspension, or other disciplinary action.

2. Relation to Education Code Section 44110 et seq of the State of California.

If there is any conflict between the provisions of this Rule, including definitions, or those used in Education Code Section 44110 et seq., the statutory provisions shall control.

B. Reporting Improper Governmental Activities

1. Reporting Improper Governmental Activities

Any person may report information alleging improper governmental activity under procedures established by the Board.

2. Where to Report Improper Governmental Activities

Reports that disclose information concerning improper governmental activities shall be submitted as follows:

- a. Classified, certificated and unclassified employees shall provide information to their immediate supervisor or the information shall be provided directly to the Office of Inspector General.
- b. Applicants for District employment shall submit information directly to the Office of Inspector General.
- c. If the Office of Inspector General or the Superintendent of Schools is the subject of the information, the supervisor receiving the information shall submit it directly to the President of the Board.

3. Procedure for Investigating Reports of Improper Governmental Activities

Reports alleging improper governmental activity will be investigated, if warranted, and reported according to procedures established by the Office of Inspector General, the Superintendent of Schools, and the Board.

C. Protection from Actual or Attempted Acts of Interference, Intimidation, Reprisal, Retaliation, Threats and Coercion for Reporting Improper Governmental Activities

1. Reprisal, Retaliation, Threats, Coercion, Intimidation or Interference with the Right to Report Information of Improper Governmental Activities Prohibited

A District employee may not directly or indirectly use or attempt to use the official authority or influence of his or her position or office to interfere with the right of a person to provide information as described in Section B-1, or intentionally engage in acts of reprisal, retaliation, threats, coercion or similar acts against a person as a result of his or her providing, or attempting to provide, such information or refusing to obey an illegal order.

2. Filing a Written Complaint

- a. When information, as described in Section B-1 has been provided under the procedures of Section B-2 and the complainant becomes the subject of acts of actual or attempted reprisal, retaliation, interference, intimidation, coercion or threats, a complaint shall be filed directly with an immediate supervisor, except as provided in “b-2” below. The supervisor shall be responsible for submitting the complaint to the Office of Inspector General with a memorandum from the supervisor.
- b. When information, as described in Section B-1 has been provided under the procedures of Section B-2 and the complainant becomes the subject of actual or attempted interference or retaliation, reprisal, intimidation, coercion or threats, a complaint shall be filed directly with the Office of Inspector General under the following conditions:

- 1) The person is an applicant for employment; or
    - 2) The employee does not wish to file the complaint with an immediate supervisor because the disclosure of improper governmental activity or complaint of reprisal action involves allegations against the supervisor.
  - c. Any complaint filed with the Office of Inspector General must be filed within twelve months of the alleged act or threat of interference or retaliation.
  - d. In order for a complaint of actual or attempted acts of interference, intimidation, reprisal, retaliation, threats or coercion to be accepted by the Office of Inspector General, the complainant must have previously provided information, as described in Section B-1, pursuant to the procedures in Section B-2, with the immediate supervisor, the Office of Inspector General, the Superintendent of Schools, or the President of the Board.
  - e. An exception shall be made where the complainant presents a preponderance of evidence that the complainant was prevented from providing information by intimidation or interference. A preponderance of evidence means that it is more likely than not that the intimidation or interference has occurred. The Office of Inspector General will determine if the evidence is sufficient in his or her sole discretion.
  - f. A complaint of actual or attempted acts of interference, reprisal, retaliation, intimidation, coercion, threats, or similar improper acts may also be filed with a local law enforcement agency pursuant to Education Code Section 44114(a) of the State of California.
3. Investigation of Complaint by the Office of Inspector General
- a. The Office of Inspector General shall determine issues of timeliness and where warranted, investigate complaints from any person alleging actual or attempted acts of reprisal, interference, intimidation, retaliation, threats, coercion or similar acts.
  - b. When a complaint is filed with the Office of Inspector General, the Office of Inspector General's investigation and findings shall be limited to the interference, reprisal, or retaliation aspect of the complaint only.
  - c. Before final findings are made, the Office of Inspector General will provide a copy of the complaint and any documents upon which the Office of Inspector General intends to rely in reaching findings to the person accused of interference, intimidation, reprisal, retaliation, threats,

or coercion. That person will be provided the opportunity to respond to the complaint and to file a written statement, which will become part of the record submitted to the Superintendent of Schools.

- d. The Office of Inspector General will present findings to the Superintendent of Schools within a reasonable time, or within such specific time limits as may be agreed to by the Superintendent of Schools and Office of Inspector General, or as established by the Board.
- e. If, for any reason, the Office of Inspector General's activities with respect to a complaint are terminated before findings are sent to the Superintendent of Schools, the complaint will be sealed and will be released only to the Office of Inspector General, the Superintendent Schools or Board, and as required by law.
- f. If the report alleges that the Office of Inspector General or the Superintendent of Schools interfered or took the retaliatory action, the Office of Inspector General shall not investigate the report. The file shall be directly provided to the President of the Board who shall investigate the matter or designate someone to investigate the retaliation.

4. Superintendent's of Schools Decision

- a. The Office of Inspector General shall present findings of the investigation to the Superintendent of Schools, who shall reach a decision regarding the complaint and shall communicate that decision to the complainant and to the person or persons accused of violating Section C-1 of this Rule. The Superintendent 's of Schools decision will include any appropriate relief for the complainant but will not describe any disciplinary action that may be taken against the accused party or parties. The provisions of Education Code Section 44114(e) of the State of California shall govern the Superintendent's of Schools decision.
- b. If the complaint alleges that the Office of Inspector General or the Superintendent of Schools interfered or took the retaliatory action, the complaint of retaliation shall be presented to the President of the Board, who will take the administrative actions described for the Superintendent of Schools.

5. Discipline of a District Employee

Subject to existing and applicable District personnel policies and collective bargaining agreements and procedures established by the Personnel Commission, the Superintendent of Schools will determine the appropriate disciplinary action, if any, to be initiated against a District employee found to have taken reprisal actions, interfered or retaliated, as defined in Section C-1.

6. Appeal of the Decision

Decisions of the Superintendent of Schools based on findings of the Office of Inspector General may be appealed to the Board pursuant to existing applicable District personnel policies and collective bargaining agreements and procedures established by the Personnel Commission.

7. Annual Report

The Superintendent of Schools shall submit an annual report of actions taken under this Rule through the most appropriate Committee to the Board. The report should include complaints received and acted on during the fiscal year (July 1 through June 30).

(Education Code Section 44110 et seq)

(Adopted 2-12-02)

1908. FINGERPRINTS OF APPLICANTS FOR POSITIONS

Each applicant approved for employment, except for secondary Los Angeles Unified School District students (through grade 12) who are applying for temporary part-time positions, shall have a background check based on submission of fingerprints. A fingerprint response must be received by the District and reviewed for employment eligibility. An applicant cannot report to work prior to clearance by Employee Relations.

(Amended 5-25-99)

1909. GIFTS OF TICKETS AND PASSES

The Superintendent of Schools shall ensure that any gifts of tickets and passes provided to or secured by LAUSD for, or at the behest of any LAUSD officials (elected officials, employees and consultants), are distributed in furtherance of a governmental or public purpose, and disclosed in satisfaction of the necessary requirements specified in the California Political Reform Act.

The public purpose shall be furthering any goal or work that an LAUSD department, school or committee is required or authorized by law to pursue.

Officials are prohibited from transferring the use of any ticket or pass, distributed pursuant to this rule, to any other person, except to members of the official's immediate family solely for their personal use.

(Adopted 3-9-10)

#### 1910. MULTIPLE ASSIGNMENT

Employees assigned full-time may be employed in additional assignments within the limits provided in the Superintendent of Schools regulations concerning multiple assignments.

(Amended 4-16-90)

#### 1911. NEPOTISM

All administrators responsible for assignment of employees shall endeavor to avoid the assignment of close relatives or cohabitants to work in situations where conflicts of interest could arise. No assignment will be allowed that will establish a supervisor or subordinate relationship at the first or second level of supervision between two employees who are close relatives or cohabitants. For purposes of this Rule, close relatives shall be defined as including spouse, sibling, parent, child, or grandchild; cohabitants shall be defined as persons living together. Exceptions to this Rule can only be made by the Superintendent of Schools for the good of the Los Angeles Unified School District.

(Amended 5-25-99)

#### 1912. METHOD OF SUBMITTING PERSONNEL ASSIGNMENTS FOR BOARD ACTION

Assignment actions, including elections, terminations, resignations, dismissals, transfers, leaves of absence, and other similar personnel transactions for employees shall be reported for routine Board of Education action in summary form by assignment reference number except for selected assignment actions affecting certificated management positions paid above the level of the highest paid principal (equivalent to Master Salary Schedule 45) and senior management employees. All regular elections and separations with the exception of voluntary retirements or resignations, for employees in classes designated as certificated management, that are paid above the level of the highest paid principal, and elections and separations with the exception of voluntary retirements or resignations of senior management personnel employed under Education Code Sections 45108.5 and 45256.5, shall be reported to the Board as non-routine items. Any item listed within a series of assignment reference numbers reported

for routine Board action may be voted on individually by a Board Member. Such an individual vote on an item shall supersede a vote on a series of assignment reference numbers that includes the single item.

All certificated and unclassified assignments shall be on file and available in the Personnel Division; all classified assignments shall be on file and available in the Personnel Commission.

(Amended 1-13-97)

#### 1914. EMPLOYMENT RECORDS AND CHANGES IN NAMES OF EMPLOYEES

Employment records of all employees shall be established and maintained by the Personnel, Information Services, and/or Accounting and Disbursements Divisions as determined by the Superintendent of Schools.

After initial employment, a change in name shall be made on Form 8040 and other related forms, in accordance with procedures published by the Personnel Division.

(Amended 9-28-87)

#### 1916. CREDENTIAL VERIFICATION

The Personnel Division shall be responsible for verifying that proper certification, in full force and effect, is held by each employee for initial assignment. Immediately preceding the dates on which employees are to receive salary payments, the principal or appropriate administrator shall certify that such employees hold proper valid credential(s) by submitting the time report certification required of the payroll time-reporting system, the Personnel Division shall make certification for day-to-day substitute teachers.

(Amended 12-19-88)

#### 1918. AUTHORIZATION TO TEACH ENGLISH LEARNERS

All teachers and instructional coaches assigned to K-12 schools shall be prepared to meet the needs of English Learners. Effective September 1, 2009, all newly hired K-12 teachers and instructional coaches shall be required to hold an authorization to teach English Learners (EL Authorization) to be eligible to receive an offer of probationary employment. By March 1, 2010, all teachers and instructional coaches assigned to K-12 schools shall hold an EL Authorization. An authorization to teach English Learners shall be required of all teachers and instructional coaches assigned to K-12 schools to be eligible for continued employment after June 30, 2010.

(Adopted 9-22-09)



## 1920. PROFESSIONAL EXPERT SALARY RATES

Salary rates for Professional Expert classes shall be as follows:

<u>Class</u>	<u>Rate</u>
Professional Expert A* Persons assigned as speakers at various rates of more than \$50 per session.	Various rates of more than \$50 per session
Professional Expert B * Persons assigned as speakers at various rates of \$50 or less per session.	Various rates of \$50 or less per session
Professional Expert C * Persons assigned as specialized resource personnel at various rates of more than \$16 per assigned hour.	Various rates of more than \$16 per assigned hour
Professional Expert D Persons assigned as specialized resource personnel at various rates of less than \$16 per assigned hour.	Various rates of less than \$16 per assigned hour
Professional Expert E Persons who are assigned to direct and conduct a special project or activity under general direction which requires a substantial amount of outside preparation.	\$16 per assigned hour
Professional Expert F Persons who are assigned to conduct a special project or activity under general supervision without extensive outside preparation.	\$12.80 per assigned hour

\*All authorizations for the election of Professional Expert A, B, and C which exceed the average hourly rate for teachers or exceed the average annual salary for teachers per school year shall be reported to the Board of Education as non-routine items. All other Professional Expert assignments shall continue to be authorized by the appointing authority and reported as routine items.

(Amended 1-31-06)

## 1921. DISTRICT SPONSORED TRAINING RATES

Employees who participate on a voluntary basis as paid trainees, without salary point credit, in

District-sponsored training projects, shall be paid as described below. Certificated management employees may be paid only when authorized by the appropriate branch/cluster/division head:

Rate 1 -- \$25.00 per hour.

Limited to certificated employees for staff development activities designed to improve job competency. The outcome of the training must be specific, identifiable, and the skill acquired shall relate directly to the instructional program. Requires outside preparation by the participants.

Rate 2 -- \$20.00 per hour.

Limited to certificated employees for training activities designed to improve the general educational program, e.g., community or human relations. May require limited outside preparation by the participants.

Rate 3 -- \$10.00 per hour.

Limited to classified employees for participation in training activities.

(Amended 7-27-99)

## 1922. RECORD OF SALARY PAYMENTS OF EMPLOYEES

A record of salary payments of all employees shall be maintained by the Accounting and Disbursements Division. This Division shall compute and determine the salary step advancements and illness leave accumulation for service to which employees are entitled in accordance with the policies of the Los Angeles Unified School District, collective bargaining agreements, and the Education Code.

(Amended 2-15-73)

## 1931. EXCUSED ABSENCE FOR VOTING AT CERTAIN LOCAL ELECTIONS

The Superintendent of Schools shall establish such regulations as are necessary to permit any employee to be absent in order to vote at local elections provided that the time off shall in no case exceed two consecutive hours and shall be between the time of opening and the time of closing of the polls.

(Amended 4-16-90)

#### 1940. HEALTH APPROVAL FOR EMPLOYMENT

The employment and assignment of all persons shall, in each instance, be dependent upon an individual evaluation of such persons and applicable rules. No provisions of Board Rules 1940 through 1950 shall prohibit the employment of any applicants who are able to perform the core duties of the position for which they are applying in a manner which shall not endanger their health or safety or the health and safety of other persons.

(Amended 7-1-85)

#### 1941. CONSIDERATIONS FOR HEALTH APPROVAL

Factors to be considered when making health approvals are:

- A. Each applicant shall be evaluated on an individual basis in relation to the duties of the class for which application is made. The Los Angeles Unified School District may employ the service of medical specialists where appropriate. The applicant may submit the written opinion of a medical specialist which shall be considered in the evaluation by the District medical adviser. If denied health approval, the applicant may request a review through the Personnel Division.
- B. The applicant shall have:
  - 1. The physical, mental, and emotional health needed to perform the duties of the class to which assigned; and
  - 2. The absence of any health condition which could result in chronic illness or behavior disorder that endangers the health or safety of the applicant or other persons.
- C. If specific physical requirements are needed for certain positions, the District medical adviser shall consult with the department concerned to determine if the applicant can perform the duties of the position.
- D. Acute or terminal conditions may disqualify. All such conditions shall be evaluated on a work-related basis. Medical information and reports on significant health conditions may be requested to determine the applicant's health status. It is the applicant's responsibility to provide this information to the District's medical adviser.
- E. An applicant who is pregnant may be approved for employment if:
  - 1. Health standards are met; and
  - 2. The pregnancy does not prevent the applicant from performing the duties of the

position for which applying in a manner which shall not endanger her health or safety or the health or safety of other persons; and

3. A written statement is submitted from the applicant's obstetrician giving the expected date of confinement and the estimated date up to which she may safely work.
- F. Applicants having had a malignancy may be evaluated individually as to their medical qualifications for employment in relation to the duties of the class for which application is made.
- G. Communicable diseases shall disqualify. Reevaluation for employment may be considered after adequate treatment and the attending physician's certification has been provided to the District's medical adviser.

(Amended 7-1-85)

#### 1942. HEALTH STANDARDS

Each applicant and employee shall be evaluated on an individual basis in relation to the duties of the class for which applying or in which serving. Limits may be imposed only when work-related.

- A. Each applicant and employee shall be required to meet and maintain the following health standards:

<u>Body Systems or Conditions</u>	<u>Standards</u>
General Health	Absence of any medical condition which, after consideration of reasonable accommodation, prevents performance of core duties.
Substance abuse/dependency	Ability to successfully perform core including alcoholism duties without endangering the health or safety of self or other person.
Nervous system	Providing other health standards are met, certain non-progressive satisfactory medical control, such as epilepsy, cerebral palsy, and recovering post-stroke patient, may be evaluated individually for certain specific positions.
Psychiatric	Evidence of mental and emotional

performance of the core duties without endangering the health or safety of self or other persons.

Communicable disease

Applicants and employees with any acute or chronic (e.g., tuberculosis AIDS/HIV infection) communicable diseases which may endanger health or safety of self and/or others, shall be evaluated on an individual basis in relation to the successful performance of the core duties of the class for which applying or in which serving.

B. Additional Health Standards for Vehicle Operators and Peace Officers.

In addition to meeting the health standards for other personnel, special requirements shall be met and maintained by vehicle operators. Employees whose primary duty is to operate Los Angeles Unified School District vehicle(s), employees whose duties require them to transport students or employees in District vehicles on a regular basis, and persons who transport District students in vehicles under a contract with private companies, shall be subject to medical standards and examination in compliance with Federal regulations for drivers of commercial motor vehicles and State regulations and licensing for the class of vehicle to be driven. Employees who conduct behind-the-wheel driver training instruction and employees who serve as peace officers shall be examined and subject to the Federal regulations for drivers of commercial motor vehicles except that waivers for color blindness may be granted by the District medical adviser.

(Amended 5-7-90)

1944. HEALTH REQUIREMENTS FOR RETENTION IN SERVICE

The health requirements for employees returning from illness leave or otherwise undergoing medical evaluation for retention in service, shall be based on the individual's physical, mental, and emotional capacity which would enable the employee to do assigned work satisfactorily without hazard to self, or other persons.

After consultation with appropriate staff members and, when indicated, consultation with an independently retained consultant(s), the Superintendent of Schools or his or her designee may authorize the continuance in service of an employee who is judged capable of satisfactorily performing his or her duties without endangering either the employee or other persons.

(Amended 7-1-85)

#### 1946. REVIEW EXAMINATIONS

When in the judgment of the immediate administrator it appears that an employee is unable to satisfactorily perform assigned duties because of a possible medical condition, the administrator may, in consultation with the Los Angeles Unified School District medical adviser, require the employee to appear for health review examination by a medical specialist or the District medical adviser.

Any physical, emotional, or mental condition which affects an employee's ability to perform assigned duties in a safe or satisfactory manner may be cause for dismissal from the District.

(Amended 7-1-85)

#### 1950. TUBERCULOSIS EXAMINATION

Pursuant to Education Code Section 49406, each classified and certificated applicant approved for employment shall submit from a licensed physician and surgeon evidence of freedom from active tuberculosis as verified by a Mantoux skin test completed within a sixty day period prior to initial employment. If a Mantoux skin test proves positive, it shall be followed by an X-ray of the lungs.

Subsequent to initial employment, all employees, except those exempt from this requirement, shall be required to undergo an examination for tuberculosis clearance at least once each four year period following initial employment. Employees with a negative skin test result shall have a Mantoux skin test every four years as long as they remain skin test negative. Those employees with a positive skin test result shall have a follow-up X-ray every four years showing freedom from active tuberculosis.

A pregnant employee may be exempt from the requirement that a positive Mantoux skin test be followed by an X-ray of the lungs for a period not to exceed 60 days following pregnancy.

Temporary, unclassified employees who do not come into frequent and prolonged contact with students are exempt from the requirements of this Rule.

(Amended 9-28-87)

#### 1951. DEFINITION OF HANDICAPPED

A handicapped person is an applicant or employee who has a physical or mental impairment which substantially limits one or more major life activities.

(Adopted 6-30-80)

#### 1953. EMPLOYMENT OF THE HANDICAPPED

Handicapped persons shall not be subjected to discrimination in employment solely by reason of a handicap. Reasonable accommodations may be granted when, with such accommodation, the applicant or employee is able to perform satisfactorily the core duties of the position for which applying or to which assigned and provided the person's disability does not present a hazard to students, other employees, or himself or herself. An accommodation is reasonable when it does not impose an undue hardship on the programs or activities of the Los Angeles Unified School District.

(Adopted 6-30-80)

#### 1955. REASONABLE ACCOMMODATION FOR THE HANDICAPPED

Accommodations for handicapped applicants or employees may include facilities, equipment, assignments, job restructuring, and aides. Accommodation requests of classified and certificated Los Angeles Unified School District handicapped applicants and employees shall first be considered by the site administrator on an informal basis. If the requested accommodation cannot be made at the local site because it would impose an undue hardship or because of a lack of local funds, the site administrator shall inform the person of the formal reasonable accommodation process. A formal reasonable accommodation request shall be considered by a District committee which shall be under the direction of the Personnel Division.

(Amended 4-2-90)

#### 1970. OPTIONAL RETIREMENT AT AGE 50 WITH 30 YEARS OF SERVICE

Any employee who has reached age 50 and is a member of the State Teachers' Retirement System with 30 years of credited service, may retire pursuant to Education Code Section 24000(b), provided such retirement does not incur any added cost to the Los Angeles Unified School District.

(Education Code Section 24000)

(Amended 2-22-88)

#### 1971. ACCEPTANCE OF RESIGNATIONS

The chief administrator of the Personnel Division or his or her designee is authorized by the Board of Education to officially accept the resignation of an employee. The resignation shall be effective upon such acceptance unless otherwise designated within the resignation by the affected employee, but under no circumstances shall the resignation be effective later than the end of the school year in which it is submitted.

(Adopted 11-16-81)

### 1973. UNSOLICITED WRITTEN DEROGATORY COMMUNICATIONS

The Superintendent of Schools shall establish and maintain policies directing the manner in which a principal of a school, or any member of the administrative staff shall deal with unsolicited written communications in which employees are criticized for or charged with inadequate or improper performance of duties, unlawful act, or act of moral turpitude. Any communications, which are considered to be critical of an employee's performance of duties or character, shall be evaluated and processed in a manner to safeguard the rights of the employee, the welfare of the students, and the interests of the Los Angeles Unified School District. Such regulations shall include directions regarding the circumstances under which such communications shall be brought to the attention of the employee and the circumstances under which the communications shall be retained or destroyed.

(Amended 4-16-90)

### 1975. PROBATIONARY CERTIFICATED DISMISSAL PROCEDURE

Probationary certificated employees subject to dismissal under the provisions of Education Code Section 44948.3 shall be accorded the following due process procedures:

- A. If a request for hearing is submitted within 15 days pursuant to Education Code Section 44948.3, the Personnel Division shall retain the services of a hearing officer not otherwise employed by the Los Angeles Unified School District to conduct a hearing on the causes and charges for dismissal.
- B. The Personnel Division shall schedule the hearing which shall commence within 30 calendar days after submission of the request for hearing. Written notice of the hearing date, time, and location shall be given to the employee at least 15 calendar days in advance of the hearing either by personal service or deposit in the United States certified or registered mail, postage prepaid, addressed to the employee at his or her most recent address of record.
- C. The hearing shall be conducted by the hearing officer. Formal rules of evidence shall not apply; any relevant evidence may be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious matters.
- D. Upon the conclusion of the hearing, the hearing officer shall prepare a proposed decision containing findings of fact and a recommendation as to disposition. Copies of the proposed decision shall be transmitted by the hearing officer to the Board of Education and the employee within 30 days after the close of the hearing.



- E. The Board shall make the final determination regarding findings of fact and disposition. None of the findings, recommendations or determinations contained in the proposed decision shall be binding on the Board; however, any final Board determination that is at variance with the proposed decision shall be based upon a review of administrative hearing record. Notice of the Board's final action, including the effective date of any dismissal, shall be delivered to the employee, either by personal service or deposit in the United States certified or registered mail, postage prepaid, addressed to the employee at his or her most recent address of record.

(Education Code Section 44948.3)

(Adopted 2-27-84)

## 1982. REPORTING OF ELIGIBLES TO THE BOARD OF EDUCATION

The Personnel Division will report to the Board of Education the names of all persons placed on eligible lists for school administrative positions.

The Personnel Commission will report to the Board of Education the names of all persons placed on eligible lists for classified positions for which an assignment is reported by name to the Board.

(Amended 2-22-88)

## 1990. ASSIGNMENT BASES

The various bases of assignment for employees shall be as follows:

<u>Basis</u>	<u>Definition of Assignment Period</u>
A	From July 1 to June 30, inclusive.
B	221 days, excluding Saturdays and Sundays but including legal holidays, and including school holidays except as provided below, occurring during the period of assigned time as designated by the Superintendent of Schools or his or her authorized representative. Such assignment shall include the period from the first day of the fall semester to the last day of the spring semester, inclusive. As an exception, and to be known as "Flexible B Basis", the 221 days of assignment for employees in year-round schools may occur at any time from July 1 to June 30, inclusive,

provided that, notwithstanding any other provision to the contrary, the annual hours of paid holidays and related benefits are commensurate with those for the regular B Basis.

C

204 days, excluding Saturdays and Sundays but including legal holidays, and including school holidays except as provided below from the first day of the fall semester to the last day of the spring semester, inclusive. As an exception, and to be known as "Flexible C Basis," the 204 days of assignment for employees in year-round schools may occur at any time from July 1 to June 30, inclusive, provided that, notwithstanding any other provision to the contrary, the annual hours of paid holidays and related benefits are commensurate with those for the regular C Basis.

D

226 days excluding Saturdays and Sundays but including legal holidays and including school holidays, except as provided below, occurring during the period of assigned time as designated by the Superintendent of Schools or his or her authorized representative. Such assignment shall include the period from the first day of the fall semester to the last day of the spring semester, inclusive (Effective 7-1-07)

E

234 days, excluding Saturdays and Sundays but including legal holidays, and including school holidays except as provided below, occurring during the period of assigned time as designated by the Superintendent or his or her authorized representative. Such assignment shall include the period from the first day of the fall semester to the last day of the spring semester, inclusive.

K

214 days, excluding Saturdays and Sundays, but including legal holidays, and including school holidays except as provided below, occurring during the period of assigned time as designated by the Superintendent or his or her authorized representative. Such assignment shall include the period from the first day of the fall semester to the last day of the spring semester, inclusive.

X

Periods of assignment, as needed, not otherwise defined in this Rule (including assignments in substitute, temporary, and relief status and the unclassified service).

For use when an employee is not performing regular duties or when the employee is performing regular duties and the assignment is 10 working days or less.

Z

(1) The period between the ending date of an employee's assignment basis in one school year and the beginning date of the regular basis for the following school year, or

(2) the periods of unassigned time, or

(3) the intersession periods for year-round school employees. Restricted to certificated and classified employees having regular status in other than A basis positions. For use when an employee is performing regular duties and the assignment is more than 10 working days.

School holidays may be declared unassigned days for classified employees by appropriate administrators. School holidays not assigned as working days for classified employees shall be unpaid days except that earned vacations shall be taken during school holiday periods.

Employees assigned on any of the above bases may be placed by the Board of Education on unpaid leaves of absence from service not to exceed five days during a school year.

(Amended 8-26-14, previously Amended 6-12-07)

## 1996. HUMAN RELATIONS EDUCATION COMMISSION

The Human Relations Education Commission is established to promote positive human relation and ensure equity and access for all students. The Commission will work to support the Board of Education's belief that every student is valued equally.

### A. Mission

The mission of the Commission will be to assist the Board to ensure that all people feel safe, that their voices are heard, and that they have equal access to educational resources and opportunities. Through communication, collaboration, and education, the Commission will assist the Board to foster an environment wherein each individual and

group in the Los Angeles Unified School District is valued and respected, the understanding and appreciation of diversity and cooperation among all groups is advanced, and the value of diversity is promoted and preserved. The focus of the Commission must be to assist the Board to serve the stakeholders of the District by identifying their needs and addressing their problems.

B. Human Relations Education Commission Executive Director

The Commission will be overseen by an Executive Director who will occupy a classified management position. A class description for the position will be created, maintained, and promulgated by the Personnel Commission. An eligibility list will be established by the Personnel Commission and utilized by the Board in its selection of a Director.

The Director will be supervised by the Board. The Superintendent of Schools will establish a designee who will meet with the Director as needed.

C. Human Relations Education Commission Members

The Commission will consist of 25-50 Commissioners. Each Board Member will appoint four Commissioners. The first appointments will be for staggered terms with two appointments for one year, one for two years, and one for three years.

Representatives will also be appointed from various organizations related to the mission of the District. The first appointments will include the selection of two Commissioners from each of the former Education Commissions and the Islamic Task Force. Appointments can also be made from the 31st District PTA, the 10th District PTA, the District Advisory Council, the District Bilingual Bicultural Advisory Council, the Integration Advisory Council, the Parent Collaborative, the District Multicultural Education Committee, and the School Safety Committee.

There will be seven student body representatives selected by the Student Body President's Organization representing the seven geographic areas of the District who will each serve a one year term.

Advisory, ex-officio, nonvoting Commissioners will be appointed by the Directors of the Los Angeles City Human Relations Commission and the Los Angeles County Human Relations Commission as well as other appropriate agencies.

There will be no limit on the number of terms a Commissioner may serve.

D. Evaluation of Human Relations Education Commission Performance

An evaluation of the performance and effectiveness of the Commission will be conducted at the end of every three year period.

(Adopted 5-25-99)

## **Chapter 20 – Delegation of Authority**

### **1997. DELEGATION OF AUTHORITY**

As of December 31, 2007, no previously existing delegations of authority from the Board of Education, or previously existing amendments to delegations shall be valid.

To receive new valid delegations after this date, delegations shall be submitted by the Superintendent and shall be approved by Board action. Delegations included in Board informatives or other communications to the Board, Superintendent, or staff shall not be valid. The Board's approval of any document not submitted on an official District Delegation Form to the Office of the Board Secretariat shall not be deemed an enforceable delegation.

Staff will semiannually report to the Board in January and July, via a Board Committee receive and file report or other means, a summary of their usage of approved or ratified fiscal delegations in the previous six-month period.

(Adopted 6-12-07)

# **DIVISION III**

## **STUDENTS**

**(2000 Series)**

## Chapter 1 — Admissions

### 2000. AGE OF ADMISSION TO SCHOOLS

Every child between the ages of 6 and 18 years residing within the established boundaries of the Los Angeles Unified School District, and not specifically exempted by the Education Code, shall be admitted to the schools of the District in accordance with the Rules set forth in this chapter.

Children under 6 years of age, and adults beyond the age of 18 may be admitted in accordance with the applicable Rules of the Administrative Guide based on the Education Code and the Code of Regulations, Title 5.

(Amended 1-1-88)

### 2001. VERIFICATION OF AGE

Prior to the admission of a child to kindergarten or first grade in the Los Angeles Unified School District, one of the following forms of documentary evidence that the child is of the minimum age fixed by law for admission thereto shall be presented:

- A. Certificate of birth.
- B. Baptism certificate duly attested.
- C. Passport.
- D. Health office or vital statistics record of birth date.
- E. Affidavit of the parent, legal guardian, or custodian of the minor. In addition to a certification of the birth date, the affidavit must also state that a certificate of birth is not obtainable.
- F. A letter from the Bureau of Public Services may be accepted in lieu of one of the above types of proof if such letter verifies the birth date of the child according to Department of Public Services Records and includes a statement of how the birth date was verified.

Verification of age may be required for children in other grades upon their application for admission to a District school. Verification of age shall be required at any time to clarify official records. Documentary evidence for verification of age shall be one of the six listed above.

(Amended 6-26-78)



## 2002. VISITORS

No children shall visit or audit a classroom or other school activity, nor shall any children remain on school premises, without the approval of the principal or an authorized representative.

(Amended 6-26-78)

## 2003. MINIMUM AGE FOR ADMISSION TO KINDERGARTEN

For admission to kindergarten, during the first school month of the school year, the fifth birthday of the child must be on or before December 1 of that calendar year. (Education Code, Section 48000)

Verification of age shall be required as provided in Board Rule 2001. This Rule also applies to students transferring to the Los Angeles Unified School District from any private school and/or parochial school.

(Since the courts have ruled that the next age is attained the day prior to the birth date, this birth date extends to children born on December 2, as well as December 1.)

For good cause, a child of proper age may be admitted to a class after the first school month.

(Amended 6-26-78)

## 2004. ADMISSION TO KINDERGARTEN

Children accompanied by parents, legal guardian or other responsible adults may pre-register. Refer to current registration procedures on file in the Elementary District Assistant Superintendent's office. Pre-registration shall become ineffective for placement purposes if students do not present themselves for admission on the first day of the first school month.

(Amended 6-26-78)

## 2005. ACCELERATION FROM KINDERGARTEN TO FIRST GRADE

A student who is at least five years of age and who has been lawfully admitted to a kindergarten class in the Los Angeles Unified School District may be placed in the first grade, in accordance with regulations established by the Superintendent of Schools, when the administration determines the child is ready for first grade work.

(Amended 4-16-90)

#### 2006. ADMISSION TO FIRST GRADE. MINIMUM AGE (See also Board Rule 2007)

For admission to first grade during the first school month of the school year, the sixth birthday of the student must be on or before December 1 of that calendar year. Verification of age shall be required as provided in Board Rule 2001. (Education Code, Section 48010)

(Since the courts have ruled that the next age is attained the day prior to the birth date, the date extends to students born on December 2 as well as December 1.)

For good cause, a student of proper age may be admitted to a class after the first school month.

(Amended 6-26-78)

#### 2007. ADMISSION TO FIRST GRADE FROM OTHER SCHOOLS

In accordance with Education Code Section 48011, "A child who has been lawfully admitted to the public school kindergarten as defined by the State of California, in California or any other state, and who has completed one year therein shall be admitted to the first grade of an elementary school regardless of age." Documentary evidence of enrollment and attendance in the former school shall be presented to the principal before provisions of Education Code Section 48011 shall be applied.

Students transferring to a Los Angeles Unified School District school from a private or parochial school must conform to the requirements of Board Rules 2003 or 2006.

(Amended 6-26-78)

#### 2008. ADMISSION TO GRADES ONE TO SIX

Where a student has been legally enrolled in the public schools of another district within or out of the State, the student may be admitted to school and placed in the grade of enrollment in the district of former attendance, at the discretion of the principal. Documentary evidence of enrollment and attendance in the former school shall be presented to the principal before these provisions shall be applied.

(Amended 6-26-78)

#### 2009. AGE OF ADMISSION INTO MIDDLE HIGH SCHOOL

Minimum Age.

The minimum age for students entering middle high school who have been accelerated because

of superior mental ability is 10-9 years of age on September 1 of the school year.

Maximum Age.

Students will be sent from elementary school to middle high school if they become 13-8 years of age on or before September 1 of the subsequent school year.

Grade 6 Experience.

Students transferring from regular Los Angeles Unified School District elementary classes to middle high school must have been enrolled in grade 6 for a minimum of one semester.

Students Enrolling in the Los Angeles Unified School District.

Students who enter the District at any time during the school year from other school districts or private or parochial schools are to be enrolled as follows:

- A. Students are enrolled in the elementary school if they have not completed the sixth grade and will be younger than 13-3 years of age as of the following September 1.
- B. Students are enrolled in the middle high school if they have completed the sixth grade, or if they will be 13-3 years of age or older as of the following September 1.
- C. An exception should be made to these policies when a student transferring from grade 6 in another school district during the school year might complete their sixth grade by enrolling in an elementary school. Placement in the elementary school for such cases is to be made by mutual agreement between the principals of the elementary and the secondary school.

If exceptions to this policy become necessary for the overage student, the elementary and the middle high school principals involved must confer prior to the transfer of the student. It is understood that the final decision relative to exceptions shall rest with the elementary school principal.

(Amended 6-26-78)

## 2010. AGE OF ADMISSION TO SENIOR HIGH SCHOOL

Minimum Age.

The minimum age for students entering senior high school who have been accelerated because of superior mental ability is 13-9 years of age on September 1 of the school year.

Maximum Age.

Students will be sent from middle high school to senior high school if they become 16-8 years of age on or before September 1 of the subsequent school year.

Enrollment of students who are 18 years of age or older, in the regular high school program, may be accepted upon the decision of the principal. In making the decision, the principal will explore educational alternatives with the student—e.g. enrollment in Adult Education programs or in a community college.

Grade 9 Experience.

Students transferring from regular Los Angeles Unified School District middle high schools to senior high schools must have been enrolled in grade 9 for a minimum of one semester.

Students Enrolling in the Los Angeles Unified School District.

Students who enter District schools at any time during the school year from other school districts or private or parochial schools are to be enrolled as follows:

- A. Students are enrolled in a middle high school if they have not completed the ninth grade and will be younger than 16-3 years of age as of the following September 1.
- B. Students are enrolled in a senior high school if they have completed the ninth grade or if they will be 16-3 years of age or older as of the following September 1.
- C. An exception should be made to these policies when students transferring from grade 9 in another school district, during the school year, might complete their ninth grade by enrolling in a middle high school. Placement in a middle high school for such cases is to be made by mutual agreement between the principals of the junior and the senior high schools.

If exceptions to this policy become necessary, the middle and senior high school principals involved must confer prior to the transfer of the student. It is understood that the final decision relative to exceptions shall rest with the middle high school principal.

(Amended 6-26-78)

## 2012. ADVANCED EDUCATION PROGRAM

The Superintendent of Schools is authorized to determine procedures for advanced scholastic work that will afford very able senior students an additional opportunity to enrich their educational program by enrolling in courses offered in a community college. (Education Code, Section 48800)

A student participating in the program will continue in attendance at the high school for the minimum school day and attend either morning or afternoon classes at the college, according to

the time the student has available from the regular high school program.

(Amended 4-16-90)

### 2013. COLLEGE CREDIT FOR ADVANCED PLACEMENT COURSES

High school graduates who enroll in colleges and universities may be granted college level credit for high school Advanced Placement courses providing they have attained a satisfactory score on the appropriate examination furnished by the College Entrance Examination Board.

(Amended 6-26-78)

### 2015. ADMISSION TO ADULT SCHOOL CLASSES

Any person 18 years of age or over may attend adult school classes.

Persons under 18 who find it necessary to attend adult school classes in order to complete credit requirements for high school graduation must comply with provisions specified in Board Rule 2102.

### 2018. ENROLLMENT IN ELEMENTARY, MIDDLE, AND SENIOR HIGH SCHOOL CLASSES

Enrollment in classes in the regular full-time elementary, middle and senior high schools of the Los Angeles Unified School District shall be limited to those students enrolled for at least a minimum day of regular attendance. Exceptions to this Rule may be made only upon recommendation of the Student Health Services Division.

(Amended 6-26-78)

### 2019. ENROLLMENT IN SUMMER SCHOOL CLASSES

Students who are full-time residents of the Los Angeles Unified School District, regardless of where they attended school the preceding semester, may apply for admission to summer school. (See Board Rule 2131 et seq.)

Students who are full-time residents of outside school districts may apply for admission to summer school only if they were legally enrolled in the District at the close of the immediately preceding semester.

(Amended 6-26-78)

2021. PLACEMENT OF INDIVIDUALS WITH EXCEPTIONAL NEEDS IN SPECIAL EDUCATION CLASSES IN SCHOOLS

Identification, assessment, transfer, services and placement or change of placement of students for special education shall be in accordance with procedures in the Education Code and Code of Regulations, Title 5.

(Amended 6-26-78)

2026. SPECIAL CLASSES FOR INDIVIDUALS WITH EXCEPTIONAL NEEDS IN APPROVED REGULAR ELEMENTARY AND SECONDARY SCHOOLS

The procedures concerning the operation of special day classes for individuals with exceptional needs in regular schools shall be established by the Superintendent of Schools.

(Amended 4-16-90)

2027. ADMISSION OF NON-CITIZENS

Admission of immigrants, non-immigrants, and other non-citizens shall be in accordance with the provisions set forth in Board Rules 2028-2033.

(Amended 4-26-71)

2028. ADMISSION OF IMMIGRANTS

Immigrants shall be admitted to school under the policies governing admission of residents of the Los Angeles Unified School District as stated in Board Rules 2000-2026. Immigrants are defined as aliens who have been admitted by the government of the United States of America to become permanent residents of this country.

(Amended 6-26-78)

2029. ADMISSION OF NONIMMIGRANTS OTHER THAN "F-1" VISA AND "J-1" VISA NONIMMIGRANT STUDENTS

Non-immigrants other than "F-1" and "J-1" visa students shall be admitted under the policies governing admission of residents of the Los Angeles Unified School District as stated in Board Rules 2000-2026. Non-immigrants are defined as aliens who have been admitted by the government of the United States of America for temporary stay in this country.

(Amended 6-26-78)

## 2030. ADMISSION OF "F-1" VISA NONIMMIGRANT STUDENTS AND "J-1" VISA NONIMMIGRANT EXCHANGE VISITOR STUDENTS

"F-1" and "J-1" visa nonimmigrant students shall be admitted under policies as stated under this Rule. "F-1" and "J-1" visa nonimmigrant students are defined as aliens admitted to the United States for temporary stay for purposes of study.

### A. Admission to school in grades 9-12 for one school year only.

1. Students residing in foreign countries who wish to attend school as nonimmigrant students in the Los Angeles Unified School District must apply for admission through the Foreign Students Admission Office, Pupil Services and Attendance.
2. A nonimmigrant student, holding the "F-1" or "J-1" visa, who has been granted admission to a non-public school or to a public school not in the District and who wishes to attend a secondary school in the District must request admission for such attendance at the Foreign Students Admission Office.
3. The Foreign Students Admission Office admits non-immigrant students to the school of local residence, or when indicated, to the school designated in the area of local residence to offer special classes for students whose first language is not English.

### B. Conditions for admission of nonimmigrant "F-1" or "J-1" visa students to secondary schools (9-12).

#### 1. Availability of Educational Facilities and Instructional Services.

The admission of nonimmigrant "F-1" students and nonimmigrant exchange visitor "J-1" students is dependent upon the availability of educational facilities and the instructional services in a regular secondary school. Students with "F-1" or "J-1" status must continue to attend the regular secondary school during the period they hold "F-1" or "J-1" status.

#### 2. Educational Eligibility.

Prospective nonimmigrant "F-1" students must submit transcripts, translated and authenticated, of their academic achievement. Good attendance and satisfactory citizenship are required. Students who have graduated from secondary schools in their country are not eligible for admission to senior high schools. Individuals with exceptional needs who require special education instruction and/or related services are not eligible for admission.

3. Sponsorship.

The nonimmigrant applying for admission as a student with “F-1” status must be sponsored by an adult citizen or adult permanent resident of the United States who resides in the District, and who can assume responsibility for the student. The non-immigrant applying for admission as an exchange visitor student with “J-1” status must be sponsored by an organization approved by the U.S. Department of State as an Exchange-Visitor Sponsor.

4. Documentary Evidence of Date of Birth.

Nonimmigrant students must present documentary evidence of date of birth; such evidence must establish that they are under 18 years of age at the time of application for admission.

5. Status of Health.

Nonimmigrant students, through the “Report of Health Examination For Admission Application of Nonimmigrant Alien Students” (Form 21.93), must submit verification that the state of their health enables them to participate in the regular instructional program of the District. The health report, as completed on Form 21.93, is subject to review by the District Nursing Services.

6. Parental Consent.

Nonimmigrant students must submit a statement from their parents, acknowledged before the American Consul or notarized by a notary in their home country, to the effect that their parents approve of the application for admission to school in this District and give their consent to arrangements made for guidance and supervision of the students by the sponsor during the period that the student is attending school in this District.

7. The Certificate of Eligibility, Immigration Form 1-20AB, will be issued by the Foreign Student Admissions Office to nonimmigrant students accepted for admission on “F-1” visa status after notarized receipt of tuition. Admission is for one school year (12 months).

8. The Exchange-Visitor Sponsor and the U. S. Department of State are notified by the Coordinator, Foreign Student Admissions Office of exchange visitor students accepted for admission to schools in this District. Exchange students and other visa categories are not required to pay tuition.

C. Nonimmigrant students may no longer enroll in adult schools (Section 625 of Public Law 104-208)

(Amended 5-19-97)



#### 2031. ADMISSION OF NONIMMIGRANT VISITORS TO ADULT SCHOOLS

Nonimmigrant visitors may no longer apply for admission to adult schools.

(Amended 5-19-97)

#### 2032. ADMISSION OF PAROLEES, CONDITIONAL ENTRANTS, OR REFUGEES

Parolees, conditional entrants, or refugees shall be admitted directly to school under policies governing admission of residents of Los Angeles Unified School District as stated in Board Rules 2000-2026. Parolees, conditional entrants, or refugees are aliens who have been admitted by the government of the United States of America, because of humanitarian reasons, for an indefinite stay in this country. These aliens are neither immigrants nor non-immigrants.

(Amended 11-1-76)

#### 2033. ADMISSION OF NONCITIZEN STUDENTS WITHOUT LAWFUL IMMIGRATION STATUS

Non-citizen students without lawful immigration status shall be admitted under the policies governing admission of residents of the Los Angeles Unified School District as stated in Board Rules 2000- 2026.

(Amended 6-26-78)

#### 2041. ELIGIBILITY (EARLY EDUCATION CENTERS)

Eligibility for participation in the Early Education Center Program shall be based upon the following rules:

A. Full compliance with pertinent provisions of Chapter 2, of Part 6 of Division 1, of Title 1 of the Education Code and of Division 19, Chapter 1, Title 5 of the Code of Regulations.

B. Physical Condition of Child.

The child must be (1) ambulatory to the extent that no undue risk to or hazard to others is involved in his daily activities; (2) trained in toilet habits so that the child has control over the body functions to the extent that it is feasible to stay in the Center.

C. Mental, Emotional, and Social Development of Child.

The child must be (1) able to communicate to the extent that the child can make wants known and be able to understand simple directions; (2) developed socially to the extent that behavior does not endanger self and the physical well being of other members of the group; (3) emotionally stable to the extent that group participation will not stimulate the child unduly, that the child can react to learning situations, and that the child's presence is not inimical to the welfare of the other children.

(Amended 1-1-88)

#### 2042. EXCLUSION (EARLY EDUCATION CENTERS)

A child may be excluded from the Early Education Center Program for any of the following causes:

- A. The making of a false material statement by a parent or guardian on any document filed in connection with the admission or retention of a child in the Early Education Center.
- B. Failure of the parent or guardian to notify the Center of any pertinent change in material, family, financial, or employment status.
- C. Failure of the parent or guardian to cooperate with Los Angeles Unified School District personnel where such failure materially disrupts the smooth and efficient operation of the program.
- D. Failure of parent or guardian to respond promptly when requested to remove child from Center because of the child's illness.
- E. Failure or refusal of parent or guardian to pay the fees required to be paid for the care of the child, or to enter into an agreement to pay fees for past services where there was a failure to report an increase in income or to pay the fees required by such agreement.
- F. Failure of family to meet or maintain the standards of eligibility set forth in Board Rule 2041.
- G. Conduct of child tending to seriously disrupt the smooth and efficient operation of the program and which cannot be reasonably controlled by District personnel in the usual performance of their duties.

(Amended 6-26-78)

#### 2043. CLOSING OF EARLY EDUCATION CENTERS

When it becomes necessary to close any Early Education Center, such actual closing shall occur not less than sixty (60) days after the official Board of Education action on such closing.

- A. In the event of serious emergencies wherein such facilities might become uninhabitable or hazardous by reason of storm, earthquake, fire, etc., the sixty (60) day limitation shall not apply.
- B. The sixty (60) day limitation also shall not apply to situations in which there is a consolidation of Centers, or a transfer of children from one Center to another.

(Amended 9-27-65)

#### 2044. ADMINISTRATION OF WAITING LISTS (EARLY EDUCATION CENTERS)

The waiting list of families desiring participation in the Early Education Center Program will be subdivided into two groups:

- A. Those families having at least one child of preschool age requiring service, and
- B. Those families having only children of school age requiring service.

Priority for the enrollment of new families will be given to families having at least one child of preschool age at any Center that has less than a fifty percent (50%) enrollment of children of preschool age. Priority of families within this group will be based on guidelines established by the State Department of Education.

Priority for the enrollment of new families at Centers serving only school age children or at Centers having fifty percent (50%) or more enrolled children of preschool age will be based on guidelines established by the State Department of Education from among all families on the waiting list.

(Adopted 6-26-78)

## **Chapter 2 — Transfers**

### **2051. TRANSFER OF ELEMENTARY, MIDDLE, AND SENIOR HIGH SCHOOL STUDENTS WITHIN THE LOS ANGELES UNIFIED SCHOOL DISTRICT**

A student, not involved in an integration program, shall normally attend schools within the designated boundaries of the attendance area in which the student lives. A student who moves from one attendance area to another within the Los Angeles Unified School District shall be transferred to the school serving the attendance area of the student's new residence.

Consistent with the overriding policy of the District to provide a quality education for each student, it is the policy of the District that interests of the District, the students and the schools are served by granting permits which tend to create and maintain ethnic integration in each school. It shall be the general intent of the District's permit policy to encourage the development and maintenance of ethnically integrated student bodies in as many schools as reasonably feasible.

No school shall be allowed to become segregated (according to District guidelines) through the issuance of permits.

Transfers on the basis of permits may be approved if they tend to establish or maintain an ethnic balance in the sending and receiving schools so that neither the combined ethnic Hispanic, Black, Asian and other non-Anglo (HBAO) groups nor the Caucasian/white non-Hispanic group exceeds 60 percent of the total school population (70% Combined HBAO or "other white" (OW) for schools studied and changed through the McKinny process). Permit applications by HBAO students to attend a school that is greater than 70% HBAO shall be carefully reviewed for their impact on the ethnic composition of the school. Except as modified through the appeal process, no child of "other white" ethnicity shall be issued a permit to attend a school that is greater than 70% OW.

The Superintendent of Schools and his or her staff shall determine annually the maximum number of permits that may be granted by each school to students of various ethnic group(s) and the schools from which representatives of each group may apply for transfer. Requests for permits in accordance with this Rule shall be granted to the extent that space is available in the receiving school and to the extent that such permits will enhance the ethnicity of both sending and receiving schools.

Within the combined minority HBAO groups, priority for any permits available shall go to those applicants whose ethnic groups are the smaller percentage within the school.

Provision of transportation as a part of the permit privilege shall at all times be at the discretion of the District.

Permits may be extended to the next higher level of schooling only to the extent such transfers will contribute to ethnic balance at both the school of residence and the receiving school.

This Rule shall not be construed to affect the enrollment of children in Early Education Centers. Elementary school age children are assigned in this program based on guidelines established by Board Rules 2041, 2042, and Title XX of the Social Security Act. However, Early Education Center eligibility does not carry automatic eligibility to attend a neighboring school. Child Care permits, subject to available space, must be separately obtained.

All permits shall be reviewed annually and each school shall be required to make an annual report on the number of permits issued, and these data shall be reported to the Board of Education.

The Superintendent of Schools will indicate to the Board those schools affected by this policy with the time line and procedures to be followed for implementing this policy for each affected school.

In order to accommodate the extraordinary needs of working parents requiring child care outside of the area of their school of residence, the child care permit, once granted, will be renewed annually until the student finishes the highest grade level at the school of attendance, unless the family situation requiring child care changes.

Parents will be required to verify annually to the principal of the school of attendance that no changes have occurred in their eligibility for the permit. Substantiation will be by documentation from the employer and the child care provider. Parents shall also acknowledge their responsibility to inform the school of such changes.

Guidelines for the administration of this Rule are detailed in Bulletin No. 45 (Rev.), Permits and Student Transfers in Elementary and Secondary Schools, Office of Associate Superintendent, School Operations.

(Amended 4-16-90)

## 2053. TRANSFER OF RECORDS WITHIN THE LOS ANGELES UNIFIED SCHOOL DISTRICT

Student's transfer records shall precede, follow or attend the student as specifically indicated under Board Rules 2051 et seq.

Official student records shall be mailed or transmitted by an authorized employee and shall not be entrusted to a student or parent.

2054. TRANSFER OF STUDENTS TO AND FROM SCHOOLS OTHER THAN LOS ANGELES UNIFIED SCHOOLS

The Los Angeles Unified School District shall cooperate with other school districts, local educational institutions and municipal, county, or state institutions so that students leaving or returning to this school system shall be assured of complete school records and consistent procedures.

(Amended 4-16-90)

## Chapter 3 — Attendance

### 2101. COMPULSORY EDUCATION

Minors between the ages of 6 and 16 are required to attend public school full time during the designated school year unless exempted for the reasons listed below. It is the responsibility of parents, guardians, or other persons having charge of such minors to send them to the full-time school provided for them. (Education Code Section 48200).

Enrollment in correspondence school courses does not exempt minors from the compulsory education laws. Except, if approved by the governing board, such courses may become a part of the program of study approved for such students. (Education Code Section 51740)

Persons Exempt - Students under the following classifications may be exempted from attending public school full time:

- A. Students whose physical or mental condition is such as to prevent or render inadvisable attendance at school or application to study. (Education Code Section 48221)
- B. Students who are being instructed in private full-time day school by persons capable of teaching. Such schools must be taught in the English language and must offer instruction in the several branches of study required to be taught in the public schools of the State. (Education Code Section 48222)
- C. Students not attending a private, full-time day school who are being instructed in study and recitation for at least three hours a day for 175 days each calendar year by a private tutor or other person in the several branches of study required to be taught in the public schools of this State and in the English language. The tutor or other person must hold a valid State credential for the grade taught. The instruction must be offered between the hours of 8:00 a.m. and 4:00 p.m. (Education Code Section 48224)
- D. Minors over 14 and under 18 years of age may work outside of school hours a maximum of four hours per day, provided such minors hold a valid work permit and have completed the equivalent of the seventh grade. Minors 16 years of age or older may work full-time outside of school hours on any day which is prior to a non-school day. Minors over 14 and under 16 years of age who have graduated from elementary school may work full time provided a sworn statement is presented to designated staff that the minor's family is in need of the earnings of the minor and that sufficient aid cannot be secured in any other manner. (Education Code Sections 49110, 49112 and 49130)
- E. Students who are 15 years of age that satisfy the conditions and requirements of the leave of absence provisions of Education Code Section 48232. Such leaves of absence may be taken for a maximum of two semesters. (Education Code Section 49116)

(Amended 4-16-90)

## 2102. MINORS (UNDER EIGHTEEN) ATTENDING ADULT SCHOOL CLASSES

In exceptional cases, minors under eighteen may be permitted to attend adult school classes provided a letter is filed by the day school principal authorizing such attendance and the attendance is approved by the adult school principal. It is understood that:

- A. Such a letter has been preceded by an individual guidance conference with the student in both the adult school and the high school.
- B. There is reasonable assurance as to the success of the proposed program.
- C. Terms of the agreement are clearly understood by students, parents, and principals involved.

(Amended 6-26-78)

## 2106. ATTENDANCE OF STUDENTS ON EDUCATIONAL TRIPS.

Students may be taken on trips for educational purposes during school hours by certificated employees provided that:

- A. The consent of a parent or guardian shall be obtained on Form 34-EH-17 "Parent's Consent for Field Trip and Medical Authorization Form" prior to each trip.
- B. Any field trip or excursion must be authorized by the school principal and District/Division Assistant Superintendent or the appropriate Division Head. If the trip is not listed in the current bulletin on student trips and excursions issued by the Assistant Superintendent, Office of Instruction, the District/Division Assistant Superintendent or appropriate Division Head must have approval from the Board of Education.
- C. A first aid kit is carried on the trip or is immediately available.
- D. No student may be charged a fee nor shall any student be required to pay an admission fee in connection with a field trip or excursion for which Average Daily Attendance credit is to be taken.
- E. Any trip which falls into one of the following categories must have Board of Education approval: Trips involving expenses other than transportation, such as admission fees, overnight trips; and trips to locations outside Los Angeles County.

(See Board Rules 2379 and 2380)



(Amended 8-3-87)

## 2122. LEAVING SCHOOL GROUNDS

Students shall not leave the grounds during the school day except under the conditions set forth in this Rule:

- A. For noon lunch period with special permission of the principal and a signed authorization from a parent or guardian.
- B. In case of illness, no student may be transported home unless there is a parent, guardian or responsible adult in the home. A student may be left with an adult in another home only when designated by the parent or guardian. In an illness situation of emergency nature, the student may be taken to an appropriate medical facility.
- C. For medical, dental, chiropractic, or optometrical treatment upon previous written request of the parent or guardian. (See Board Rule 2311)
- D. Students may leave with authorized representatives of released-time classes for religious instruction.
- E. Students may be released to a properly identified peace officer only in accordance with Board Rules 1204 and 1205-F. Students may be released to parents or guardians who have legal custody when positively identified as such. (See Board Rule 1205)

(Amended 6-26-78)

## 2125. RELEASED-TIME CLASSES IN RELIGIOUS OR MORAL INSTRUCTION

Based on Education Code Section 46014, students in specified elementary grades may be excused to receive religious or moral instruction away from school property on condition that:

- A. The school is participating in the Religious Released-Time Program, and
- B. The parents file with the school a written request for students to receive such instruction.

Each student so excused shall attend school for not less than the minimum school day for his or her grade.

Principals of elementary schools may release students in grades 3, 4, 5 (K-5 configuration) or grades 4, 5, 6 (K-6 configuration) to participate in religious or moral instruction once during the school week, for no more than 40 minutes. To avoid repeated classroom interruptions, the

same period of time in the school day each week shall be used for released-time instruction for any one classroom. The time of the school day when students are released is at the discretion of the principal of the school.

(Amended 4-16-90)

#### 2126. ABSENCE FOR RELIGIOUS INSTRUCTION (OTHER THAN RELEASED-TIME)

Upon the previously written request of his/her parent or guardian, a student may be excused from school, not in excess of one day per year, to participate in religious instruction. For further information refer to the Office of Student Attendance and Adjustment Services.

(Amended 6-29-87)

#### 2127. ABSENCE BECAUSE OF RELIGIOUS HOLY DAYS

Upon the request of the parent or guardian, students may be excused from school on the holy days of their faith. (See Calendar of Special Days, Weeks, and Events published at the beginning of each school year by the Office of Instruction). For further information refer to the Office of Student Attendance and Adjustment Services.

(Amended 6-29-87)

#### 2128. ABSENCE BECAUSE OF TRAFFIC CITATION

Students under the age of eighteen years who receive a traffic citation issued from a law enforcement agency within Los Angeles County or from the California Highway Patrol must appear before the Traffic Division, Juvenile Court, between the hours of 8:00 a.m. and 4:30 p.m. At the time the citation is issued, the appointment time and date are written on the ticket. Students shall be excused to meet these appointments upon presentation of the citation to the principal.

(Amended 6-26-78)

#### 2130. DEFINITIONS OF "INTERDISTRICT ATTENDANCE", AND "NONRESIDENT STUDENT"

The term "Interdistrict Attendance" as used herein shall relate (a) to the attendance in the Los Angeles Unified School District of students who are not residents of the District, and (b) to the attendance in outside school districts of student residents of the District. The term "Interdistrict Attendance" shall include attendance of students in regular and special schools

and classes maintained by a school district during the school year.

The term “Nonresident Student” as used herein shall relate to any student who is not a resident of the District.

(Amended 6-26-78)

## 2131. INTERDISTRICT ATTENDANCE IN GENERAL

The attendance of students in school districts other than in their own school districts of residence is governed by various provisions of the Education Code, Title 5 of the Administrative Code, and interpretations of these provisions by County Counsel and Attorney General opinions.

In general, except for the specific instances enumerated below, the attendance of students in school districts other than in their own districts of residence is illegal for attendance and apportionment purposes unless permitted under a contractual arrangement between the school district of residence and the school district of attendance. Those instances in which a contract and permit are not required to cover the attendance of students in school districts other than their own districts of residence, are as follows:

- A. The attendance of students in the California Schools for the Blind, Deaf and the Neurologically Handicapped.
- B. The attendance of tubercular or poliomyelitis students in schools or classes maintained by a school district at a tuberculosis or polio ward, hospital, or sanatorium established or maintained by a county or group of counties.
- C. The attendance of cerebral palsied students in special schools or classes maintained by a school district for students with cerebral palsy.
- D. An elementary kindergarten through eighth grade (Education Code Section 41600) school student, one or both of whose parents, or whose legal guardian, is employed within the boundaries of that school district.

(Amended 6-15-87)

## 2132. RESIDENCE FOR SCHOOL PURPOSES

Students shall be deemed to be residents of the Los Angeles Unified School District under the following circumstances:

- A. All pre-school and K-12 grade regular students when such students live within the District on a full-time, seven-day per week basis, with relatives, or other persons having

full charge or control of such students. Residence with non-relatives must be approved by the foster home licensing section of the County Department of Public Social Services.

- B. Pre-school and K-12 grade mentally retarded and physically handicapped students when such students actually live within the District five or more days per week.
- C. An elementary kindergarten through eighth grade (Education Code Section 41600) school student, one or both of whose parents, or whose legal guardian, is employed within the boundaries of the District.

(Amended 11-2-87)

#### 2133. GROUNDS FOR APPROVAL OR DENIAL OF INTERDISTRICT PERMITS AND PARENT EMPLOYMENT RESIDENCY TRANSFERS

All requests for interdistrict permit or transfer shall be approved, except under the following conditions:

- A. Nothing in these Rules requires the Los Angeles Unified School District to admit a nonresident student or a student claiming residence based on parental employment to its schools. The District may not, however, refuse to admit students on the basis (except as provided in Education Code Section 48204) of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration.
- B. The District may prohibit the acceptance or transfer of a student if the Board of Education determines that the acceptance or transfer would negatively impact the District's court-ordered or voluntary desegregation plan.
- C. The school district to which a student is to be transferred may prohibit the transfer of the student if the district determines that the additional cost of educating the student would exceed the amount of additional State aid received as a result of the transfer.
- D. The Board, when denying a request for parent employment residency transfer, shall identify, and communicate in writing to the student's parent or guardian, the specific reasons for that determination and shall ensure that the determination, and the specific reasons therefor, are accurately recorded in the minutes of the Board meeting at which the determination was made.

(Amended and renumbered 11-2-87)

#### 2134. ATTENDANCE OF STUDENT RESIDENTS OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT IN OUTSIDE SCHOOL DISTRICTS

Except for those students indicated in Board Rule 2131, for whom interdistrict contracts and permits are not required, students resident of the Los Angeles Unified School District who desire to attend California public schools outside the District shall not be eligible to attend such schools unless authorized to do so under a permit granted by the Permits and Attendance Office of Student Support Services.

Denials of permits may be appealed to the Interdistrict Permit Appeal Committee whose decision will be the District's final decision. This Committee shall include a representative of the Superintendent, a representative of the School Operations Division and a representative of Budget Services and Financial Planning Division. Under State law, parents or legal guardians may appeal the decision of the District to the Los Angeles County Board of Education. The District will be represented at the appeal hearings before the Los Angeles County Board of Education.

(Amended 7-1-90)

#### 2135. ATTENDANCE OF NONRESIDENT STUDENTS IN THE LOS ANGELES UNIFIED SCHOOL DISTRICT

Except for those students indicated in Board Rule 2131, for whom interdistrict contracts and permits are not required, nonresident students who attend or propose to attend public schools in the Los Angeles Unified School District shall be required to make application to their respective school districts of residence for permits authorizing such attendance and no nonresident student shall be admitted to a school under the jurisdiction of the District unless such student:

- A. Is qualified and eligible to attend the public schools of the student's district of residence; and
- B. Is authorized to attend a District school under a permit issued pursuant to an existing contractual arrangement between the school district of residence and the District.

(Amended 11-2-87)

#### 2136. REFUSAL OF ADMISSION TO NONRESIDENT STUDENTS

The issuance of an interdistrict permit does not grant an unrestricted right or privilege to the student to attend the school of another school district. Acceptance of the student is discretionary with the Los Angeles Unified School District.

(Amended and renumbered 11-2-87)

## 2137. REPORTING NONRESIDENT STUDENTS

Schools within the Los Angeles Unified School District which have nonresident students apply to attend school are to send the application for an interdistrict permit to the Permits and Attendance Office of Student Support Services.

(Amended 7-1-90)

## **Chapter 4 — Guidance**

### **2201. GUIDANCE PROGRAM**

The Superintendent of Schools shall maintain a guidance program through which students may be helped to determine their educational goals and channel their activities in order to realize the maximum development of their potentialities.

(Amended 6-26-78)

### **2202. GUIDANCE PROGRAM STRUCTURE**

The guidance program at each educational level shall provide for an organizational structure that will insure consistency, continuity and long-term goals in the program for all students. The program incorporates specialized services and shall be maintained to help in the identification and correction of academic deficiencies, assist with personal and social adjustment problems, encourage educational and career planning, and make recommendations regarding the special needs of students.

(Amended 4-16-90)

### **2205. COORDINATION OF GUIDANCE**

The Superintendent of Schools shall make provision for the coordination, evaluation and improvement of the guidance program and related services at all educational levels.

(Amended 4-16-90)

### **2206. REFERRAL OF INDIVIDUAL STUDENTS TO RESOURCES WITHIN THE SCHOOL SYSTEM AND THE COMMUNITY**

The Superintendent of Schools shall be responsible for establishing procedures to be followed by school personnel in utilizing school system and community resources that are available for the guidance of students.

(Amended 4-16-90)

### **2210. IDENTIFICATION AND PLACEMENT OF EXCEPTIONAL STUDENTS**

The Superintendent of Schools shall maintain services designed to identify and meet the educational needs of exceptional students. Exceptional students are:

- (1) Individuals with exceptional needs and handicapped students who are mentally retarded, hard-of-hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, and/or persons with specific learning disabilities who by reason thereof require special educational programs and related services; and
- (2) Mentally gifted minors.

(Amended 4-16-90)

## 2229. STATE-REQUIRED AND DISTRICT-APPROVED EVALUATION PROGRAMS

The Superintendent of Schools shall be responsible for the conduct of all State-required or Los Angeles Unified School District-approved programs of evaluation. The Superintendent of Schools may delegate this authority to the Program Evaluation and Assessment Branch.

Test Evaluation and Standardization Programs:

Provisions shall be made for the administration of tests for the purpose of test evaluation or standardization.

Additional District Evaluation Programs:

Local schools may administer tests and other evaluation instruments, including tests of special abilities, inventories, scales, and questionnaires designed to obtain further information needed to improve classroom instruction and to provide guidance to individual students.

(Amended 4-16-90)

## 2231. RESEARCH STUDIES

The Superintendent of Schools shall establish procedures for conducting research studies. It is anticipated that research projects may originate with Federal, State, and private agencies, as well as individuals seeking advanced degrees or professional improvement. The Los Angeles Unified School District encourages any research that may improve educational practices, where the conduct of such research is feasible and does not conflict with the instructional programs of schools.

(Amended 4-16-90)



#### 2235. SERVICES TO SCHOOL PERSONNEL

Services shall be made available to teachers and other school personnel to facilitate the classroom instruction of students through improved methods of classroom guidance.

(Amended 4-16-90)

#### 2240. RECORDS

The Superintendent of Schools shall establish a system of cumulative and supplementary records so that information of value to the guidance of the student shall be continuously, permanently and readily accessible for legal use.

(For physical safeguarding of records see Board Rule 1703)

(For release of personal information see Board Rule 1421)

(Amended 4-16-90)

#### 2244. SCHOOL PROGRAM

In accordance with the curriculum policies adopted by the Board of Education, the school administrator shall maintain a school organization program including, at the secondary level, a master program of subjects being offered.

(Amended 4-16-90)

#### 2248. HOME-SCHOOL RELATIONSHIPS

Regular and continuing channels of communication appropriate to the educational level shall be maintained between home and school.

(Amended 4-16-90)

## **Chapter 6 — Discipline — Elementary, Middle, and Senior High Schools**

### **2250. DEFINITION**

Discipline is controlled behavior calculated to develop within an individual responsibility for his or her own actions in accordance with socially accepted conduct. The initial stages of discipline are maintained by external control or adult direction. The degree to which the individual progresses in self-control determines the need for external controls. The ultimate goal is a mature individual capable of self-control.

### **2251. STANDARDS OF BEHAVIOR - ELEMENTARY, MIDDLE AND SENIOR HIGH SCHOOLS**

#### **A. Duties of Students.**

Students shall be required to comply with regulations, pursue the required course of study, and submit to the authority of the teachers of the school. (Education Code Section 48908)

#### **B. Conduct of Students throughout the Day.**

Students shall be held to a strict account for their conduct throughout the day from the time they leave home until they return (Education Code Section 44807). Principals are expected to encourage and solicit the cooperation of the home in regulating the conduct of students.

#### **C. Parked Cars.**

Students shall be prohibited from sitting or otherwise remaining in their own or other cars while parked near the school.

#### **D. Standards of Appearance.**

Students shall be required to show proper attention to personal cleanliness, health, neatness, safety, and suitability of clothing and appearance for school activities. In every case the dress and grooming of the student shall be clean and shall not:

1. Cause actual distraction from or disturbance in any school activity or actually interfere with the participation of a student in any school activity;
2. Create a hazard to the safety of himself, herself or others;
3. Create a health hazard.

Consistent with the above guidelines, hair, sideburns, mustaches and beards may be worn at any length or style, and clothing may be of any fashion, style or design, as determined by the student and his or her parents.

E. Fireworks.

Students while under the jurisdiction of the school shall be prohibited from selling, buying, firing, or possessing any fireworks of any kind. (Municipal Code, Sec. 57.55.01)

(Amended 7-28-83)

## 2255. CONDUCT OF STUDENTS ON SCHOOL BUSES

Students riding school buses of the Los Angeles Unified School District shall observe the following rules:

- A. They shall remain seated.
- B. There shall be no loud conversation, singing, boisterous conduct, unnecessary noise, or profanity.
- C. They shall keep all parts of the body inside the bus.
- D. There shall be no eating on the bus.
- E. Students shall not be permitted on buses wearing athletic footwear equipped with cleats or spikes.

These rules shall be displayed prominently in each bus operated by or for the District.

(Amended and renumbered 6-22-87)

## 2256. AUTHORITY OF DRIVER AND REVIEW OF DISCIPLINARY ACTION

For continued disorderly conduct or persistent refusal to submit to authority, as provided in Section 14103, Title 5, of the California Administrative Code, a school bus driver may deny transportation to students not to exceed three days. Each case of student discipline by the driver shall be subject to review and modification by the Area Bus Supervisor and Principal, who shall have authority to affirm, increase or decrease the length of time transportation may be denied.

(Amended and renumbered 6-22-87)



## 2257. STUDENT MISCONDUCT WARRANTING DISCIPLINE

Students on school buses may be disciplined for:

- A. Continued refusal to comply with the rules set forth in Board Rule 2255.
- B. Any action endangering the safety of the other students.
- C. Refusal to comply with the authority of the driver.
- D. Persistent minor offenses which tend to distract the driver's attention while driving.

(Amended and renumbered 6-22-87)

## 2261. HAZING

Any initiation that interferes in any way with the proper functioning of the school program is considered hazing. Hazing is prohibited by Education Code Section 32051:

“No student, or other person in attendance at any public, private, parochial, or military school, community college, college, or other educational institution shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution.”

“The violation of this section is a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail for not more than one year, or both.”

(Amended 7-28-83)

## 2262. SCHOOL-SPONSORED CLUBS IN MIDDLE AND SENIOR HIGH SCHOOLS

The Superintendent of Schools shall establish regulations for the operation of school-sponsored clubs that shall operate for the welfare and the best interests of the students and the school. School-sponsored clubs are those directly under the control of school authorities. Such clubs shall not be associated with or sponsored by any political or religious organization, or by any organization that denies membership on the basis of race, color, creed, or political belief.

(Amended 4-16-90)

## 2263. NON-SCHOOL CLUBS IN MIDDLE AND SENIOR HIGH SCHOOLS

Clubs which are not school-sponsored clubs are considered to be non-school clubs and normally beyond the jurisdiction of school authorities. Any club or organization not directly under the control of school authorities shall be deemed to be a non-school club. Non-school clubs may not conduct their activities on campus without express authority of the Board of Education, nor may they use the name of the school. However, any student requesting permission to hold meetings at schools having limited open forums may not be denied permission to hold such meetings during school-designated non-instructional time as prescribed by the Equal Access Act, 20 U.S.C.A. #4071.

See also Bulletin No. 15, Office of the Deputy Superintendent, School Operations.

(Amended 2-88)

## 2264. DUTY OF PRINCIPAL

The principal of each middle and senior high school shall keep informed concerning all club activities carried on within or related to his or her school. He or she may set up additional regulations for governing club activities on the school campus. Such additional regulations must be approved by the Superintendent of Schools.

(Amended 4-16-90)

## 2265. ESTABLISHING CONTROLS - ELEMENTARY, MIDDLE AND SENIOR HIGH SCHOOLS

The Superintendent of Schools shall establish methods of control of student behavior.

(Amended 4-16-90)

## 2280. SUSPENSION AND EXPULSION - STUDENTS

The Board of Education herewith adopts Education Code Sections 35291, 48900, 48900.5, 48901, 48902, 48903, 48904, 48904.3, 48908, 48909, 48910, 48911, 48912, 48912.5, 48913, 48914, 48915, 48915.1, 48915.5, and 48918 as part of Rule 2280.

In matters of the suspension or expulsion of students the District/Division Assistant Superintendent, or designee, is authorized to act in behalf of or in place of the Superintendent of School.

(Amended 7-28-83)

## 2281. SUSPENSION FROM SCHOOL

- A. The principal of the school, the principal's designee, or the Superintendent of Schools may suspend a student from the school for any of the reasons enumerated in Education Code Section 48900 for no more than five consecutive school days.
- B. Days of suspension from school for any student shall be limited to 20 school days in one school year, provided that, if a student, for adjustment purposes, is transferred to or enrolled in another regular school, an opportunity class in his or her school of residence, an opportunity school or class, or a continuation education school or class, additional days of suspension from school following such reassignment are limited to 10 in one school year, for a total of no more than 30 days of suspension in one school year.
- C. Suspension by the principal or his or her designee shall be preceded by an informal conference between the student, a certificated school employee, and, whenever practicable, the teacher or supervisor who referred the student to the principal or his or her designee. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. When the principal is absent from school, the principal's designee implementing the suspension shall conduct the informal conference required above.
- D. A principal or his or her designee may suspend a student without affording the student an opportunity for a conference only if the principal or designee determines that an emergency situation exists. The term "emergency situation" means a situation determined by the principal or designee to constitute a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without a conference prior to the suspension, a conference pursuant to "C" above shall be held as soon as practicable, but not later than two school days from the time the suspension is ordered.

(Amended 1-1-88)

## 2282. SUSPENSION - NOTICE TO PARENT OR GUARDIAN

At the time of suspension, a school employee shall make a reasonable effort to contact the student's parent or guardian in person or by telephone. Whenever a student is suspended from school, the parent or guardian shall be notified in writing of the suspension.

(Amended 1-1-88)

#### 2283. SUSPENSION - BY TEACHER

- A. A teacher may suspend any student from his or her class, for any of the acts enumerated in Education Code Section 48900 for the day of the suspension and the day following. The teacher shall immediately report the suspension to the principal of the school and send the student to the principal for appropriate action. As soon as possible, the teacher shall ask the parent or guardian of the student to attend a parent-teacher conference regarding the suspension. Whenever practicable, a school counselor or a school psychologist shall attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests. The student shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal. A teacher may also refer a student for any of the acts enumerated in Education Code Section 48900 to the principal for consideration of a suspension from the school.
- B. If the teacher suspends a student from class under Education Code Section 48900(i) or (k), upon determining that the student has:
- (1) committed an obscene act or engaged in habitual profanity or vulgarity; or
  - (2) disrupted school activities or otherwise willfully defied the valid authority of school personnel;

the teacher may require that the parent of the student attend a portion of the school day in the student's classroom. This attendance in the classroom is in addition to, and not instead of, the teacher-parent conference regarding the suspension of the student. Following the classroom visitation, the parent is required to meet with the school administrator before leaving the school site.

(Amended 8-21-89)

#### 2284. SUSPENSION - APPEAL

- A. If a suspension is ordered by a principal, the student or student's parent or guardian shall have the right to request a meeting with the District/Division Assistant Superintendent or designee.
- B. The District/Division Assistant Superintendent or designee shall determine if there was sufficient evidence to find that the alleged violation occurred and whether the penalty imposed was appropriate for the violation.
- C. The student may designate a representative to be present with him or her at the meeting. Such representative shall not act as legal counsel for the student, unless legal counsel is present to represent the Los Angeles Unified School District. At the meeting:



- (1) The District/Division Assistant Superintendent or designee shall review all written documents in the case;
  - (2) The student and the student's parent, guardian and representative may address the District/Division Assistant Superintendent or designee on the evidence and the appropriateness of the penalty.
- D. The District/Division Assistant Superintendent or designee shall render a decision within five school days. If the District/Division Assistant Superintendent or designee determines that no violation occurred, all records and documentation regarding the disciplinary proceeding and suspension shall be immediately destroyed, and no information regarding the meeting shall be placed in the student's permanent record or file or communicated to any person not directly involved in the disciplinary proceedings. If the District/Division Assistant Superintendent or designee determines that the penalty imposed was inappropriate for the violation, all records and documentation concerning the suspension shall be revised to indicate only the facts leading to the penalty imposed by the District/Division Assistant Superintendent or designee.

(Amended 1-1-88)

#### 2285. PARENT COOPERATION

- A. Parents or guardians of any student shall respond without delay to any request from school officials to attend a conference regarding their child's behavior while on school grounds or during an activity off school grounds related to school attendance.
- B. No penalties may be imposed on a student for failure of the student's parents or guardian to attend a conference with school officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent or guardian at such conference.

(Amended 10-30-78)

#### 2286. EXPULSION - STUDENTS

The Board of Education herewith adopts Education Code Sections 48903, 48912, and 48914 as part of Board Rule 2286. Rules and regulations governing procedures for the expulsion of students shall include, but are not necessarily limited to, the following:

- A. The student and the student's parent or guardian shall be entitled to a hearing to determine whether the student should be expelled. An expulsion hearing shall be held within 30 school days of the date expulsion is recommended by the principal or the date the Superintendent of Schools determines that the student has committed any of the acts

enumerated in Section 48900, unless the student requests, in writing, that the hearing be postponed. The adopted rules and regulations shall require that the student shall be entitled to at least one postponement, for a period of not more than 30 calendar days, of an expulsion hearing. Thereafter, any additional postponement may be granted at the discretion of the Board of Education.

The hearing shall then be rescheduled for a date convenient to both the student and the student's parent or guardian and the Los Angeles Unified School District. In the event that compliance with the above time requirements is impracticable, the expulsion hearing may be delayed, for good cause, up to five additional school days.

- B. Written notice of the hearing shall be forwarded to the student and the student's parent or guardian at least 10 days prior to the date of the hearing. Such notice shall include: the date and place of the hearing, a statement of the specific facts and charges upon which the proposed expulsion is based, a copy of all the Rules of the District which pertain to discipline, and the opportunity of the student or the student's parent or guardian to appear in person or to employ and be represented by counsel, inspect and obtain copies of all documents to be used at the hearing, confront and question all witnesses who testify at the hearing, question all other evidence presented, and present oral and documentary evidence on the student's behalf, including witnesses.
- C. Notwithstanding the provisions of Government Code Section 54953 and Education Code Section 35145, the Board shall conduct a hearing to consider the expulsion of a student in a session closed to the public unless the student or the student's parent or guardian requests in writing, at least five days prior to the date of the hearing, that the hearing be a public meeting. If such request is made of the Board, the meeting shall be public.
- D. If the Board or the hearing officer or administrative panel appointed under Education Code Section 48918, subdivision (d), to conduct the hearing admits any other person to a closed deliberation session, the parent or guardian of the student, the student, and the counsel of the student shall be allowed to attend the closed deliberations.
- E. The Superintendent of Schools or principal of the school in which the student is enrolled may recommend a student's expulsion, which means removal of a student from the immediate supervision and control, or the general supervision, of school personnel, as those terms are used in Education Code Section 46300.
- F. Upon recommendation by the principal, Superintendent of Schools, or a hearing officer or administrative panel appointed pursuant to Education Code Section 48918, subdivision (d), the Board may order a student expelled upon finding that the student violated Education Code Section 48900, subdivision (a), (b), (c), (d), or (e).

Upon recommendation by the principal, Superintendent of Schools, or by a hearing officer or administrative panel appointed pursuant to Education Code Section 48918, subdivision (d), the Board may order a student expelled upon finding that the student

violated Education Code Section 48900, subdivision (f), (g), (h), (i), (j), (k), or (l) and either of the following: that other means of correction are not feasible or have repeatedly failed to bring about proper conduct; or, 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.

(Amended 1-1-88)

## 2287. EXPULSION HEARING

In lieu of conducting an expulsion hearing itself, the Board of Education hereby appoints an impartial Expulsion Review Committee of three or more certificated persons, no one of whom shall be on the staff of the school in which the student is enrolled, to conduct such hearing. Such hearing shall not be conducted in conflict with any procedures established in Board Rule 2286. Such hearing shall be conducted with reasonable diligence and concluded without any unnecessary delay. Within three school days following such hearings, the Expulsion Review Committee shall determine whether to recommend expulsion to the Board.

If the decision is for a rejection of the expulsion, the expulsion proceedings shall be terminated and the student shall be immediately reinstated and allowed to return to a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs. Placement in one or more of these programs shall be made by the Superintendent of Schools or the Superintendent's designee after consultation with Los Angeles Unified School District personnel, including the student's teachers, and the student's parent or guardian. The decision not to recommend expulsion shall be final.

If the Expulsion Review Committee recommends expulsion, findings of fact in support of such recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence adduced at the hearing. If the Board accepts the recommendation calling for expulsion, such acceptance shall be based upon either a review of the findings of fact and recommendations of the Expulsion Review Committee or upon results of such supplementary hearing as the Board may order.

- A. A record of the hearing shall be made. Such record may be maintained by any means, including electronic recording, so long as a reasonably accurate written transcription of the proceedings can be made.
- B. Technical rules of evidence shall not apply to such hearing, but evidence may be admitted and given probative effect only if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. A decision of the Board to expel must be supported by substantial evidence showing that the student committed any of the acts enumerated in Education Code Section 48900.
- C. Final action to expel shall be taken by the Board at a public meeting. Written notice of any decision to expel shall be sent to the student or parent or guardian and shall be

accompanied by notice of the right to appeal such expulsion to the County Board of Education. A decision of the Board whether to expel a student shall be made within 10 school days following the conclusion of the hearing, unless the student requests in writing that the decision be postponed.

If the hearing is held by a hearing officer or an administrative panel, or if the Board does not meet on a weekly basis, the Board shall make its decision about a student's expulsion within 40 school days after the date of the student's removal from his or her school of attendance for the incident for which the recommendation for expulsion is made by the principal or the Superintendent of Schools, unless the student requests in writing that the decision be postponed. If the student or the student's parent or guardian has requested that the expulsion hearing by the Expulsion Review Committee be postponed, the time requirements above may be likewise extended. In the event that compliance with the above time requirements is impracticable, the meeting by the Board may be delayed, for good cause, up to five additional school days.

The Board shall maintain a record of each expulsion, including the case therefor. Records of expulsions shall be a non-privileged, disclosable public record. The expulsion order and the causes therefor shall be recorded in the student's mandatory interim record and shall be forwarded to any school in which the student subsequently enrolls, upon receipt of a request from the admitting school for the student's school records.

(Amended 1-1-88)

## 2288. EXPULSION - SUSPENSION OF ENFORCEMENT

The Board of Education, upon voting to expel a student, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the student to a school, class, or program which is deemed appropriate for the rehabilitation of the student. During the period of the suspension of the expulsion order, the student shall be deemed to be on probationary status. The suspension of an expulsion order under this section may be revoked by the Board upon the student's commission of any of the acts enumerated in the Education Code Section 48900 or for any violation of the Los Angeles Unified School District's rules and policies governing student conduct. Upon revocation of the suspension of an expulsion order, a student may be expelled under the terms of the original expulsion order.

At the conclusion of the designated period during which the expulsion action is suspended, the Board shall:

1. Reinstate a student who has satisfactorily participated in the school, class, or program to which such student has been assigned as a condition of the suspended action and permit the student to return to the school of former attendance unless the school administrator has good cause to deny the student's enrollment, or may permit the

- student to voluntarily attend another program of the District; or
2. if a student's conduct has been unsatisfactory, enforce the expulsion action previously voted by the Board.

(Amended 11-28-00)

## 2289. PARENT RESPONSIBILITY FOR DAMAGE TO PROPERTY

The parent or guardian of any minor whose willful misconduct results in injury or death to any student or any person employed by or performing volunteer services for the Los Angeles Unified School District or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to the District shall be liable for all such damages so caused by the minor. The liability of the parent or guardian shall not exceed ten thousand dollars (\$10,000). The parent or guardian shall also be liable for the amount of any reward not exceeding ten thousand dollars (\$10,000) paid pursuant to Government Code Section 53069.5. The parent or guardian of a minor shall be liable to the District for all property belonging to the District loaned to the minor and not returned upon demand of an employee of the District authorized to make the demand.

(Amended 9-21-99)

## **Chapter 7 — Health**

### **2301. SCHOOL HEALTH PROGRAM**

In accordance with the Education Code, the Board of Education shall give diligent care to the health and physical development of students, and provide for proper health supervision of students enrolled in the public schools under its jurisdiction.

(Amended 6-13-88)

### **2302. SUPERINTENDENT TO ESTABLISH HEALTH REGULATIONS**

The Superintendent of Schools shall establish such regulations as shall be necessary for the administration of the school health program.

(Adopted 6-13-88)

### **2303. SUPERVISION AND IMPLEMENTATION OF THE SCHOOL HEALTH PROGRAM**

The Student Health Services Division shall be responsible for the supervision of the school health program in accordance with the rules and policies relating thereto.

(Amended 4-16-90)

### **2304. SCHOOL VENTILATION, LIGHTING, AND SANITATION**

Adequate care shall be given to insure proper ventilation, lighting, and sanitation in schools.

(Amended 4-16-90)

### **2305. HEALTH INSPECTIONS OF STUDENTS**

Health inspections of students which involve no handling, undressing, or instrumentation may be made by administrators, teachers, school nurses, or school physicians.

(Amended 4-16-90)

#### 2306. PHYSICAL EXAMINATION OF STUDENTS BY SCHOOL PHYSICIANS

Student Medical Services and District Nursing Services shall be responsible for scheduling and conducting physical examinations of students. Arrangements for such examinations shall be made in the elementary schools through the administrator and school nurse and in the middle and senior high schools through the school nurse. Such examinations shall be conducted according to procedures insuring adequate privacy and physical comfort of the students and proper confidentiality in connection with any defect or ailment noted.

(Amended 4-16-90)

#### 2307. REPORT OF POSSIBLE HEALTH PROBLEMS TO PARENT OR GUARDIAN

If a possible health problem is found through the physical examination of a student, a "Report of School Physical Examination" shall be made to the parent or guardian. Except as herein otherwise provided, such report shall be on an appropriate Los Angeles Unified School District form, submitted to the administrator for authorization and then sent by U.S. mail to the parent or guardian. No recommendation, suggestion, or direction shall be contained in such report indicating a designated individual or class of practitioner for the purpose of curing or correcting any defect referred to in the report.

Education Code Section 49442 provides that nothing shall prevent health personnel from "recommending in a written report that the student be taken to a public clinic or to a diagnostic and treatment center operated by a public hospital or by a state, county, or city department of public health."

(Renumbered and amended 6-13-88)

#### 2308. EXEMPTION FROM PHYSICAL EXAMINATION

Education Code Section 49451 requires the exemption from physical examination (including vision and scoliosis screening) of any student upon the annual filing by the parent or guardian of a signed statement that the student is not to be examined at school. The student may, however, be excluded from school attendance whenever there is a good reason to believe that he or she has a recognized contagious or infectious disease. If excluded, the student will not be permitted to return to school until such disease has ceased to exist.

(Amended 4-16-90)

#### 2309. HEALTH RECORD CARD AND HISTORY

A "Health Record" card and health history must be maintained for each student. Mandated health information such as immunization status, child health and disability prevention

screening, visual acuity, color vision testing, audiometric test results, scoliosis screening results, and tuberculosis test results must be recorded. Reports of school physicians and school nurses are also recorded.

(Amended 4-16-90)

#### 2310. MENTAL HEALTH SERVICES FOR STUDENTS

When in the opinion of the school administrator and/or support staff a student shows evidence of impaired mental health and mental health services in the community cannot be arranged by the family, a referral may be made to School Mental Health Services after obtaining the written consent of the parent or guardian.

The School Mental Health Services shall be responsible for insuring the proper care and confidentiality regarding any mental health conditions.

(Amended 4-16-90)

#### 2311. EXCUSE FROM SCHOOL FOR HEALTH CARE

Students shall be excused from school for health care (i.e., medical, dental, optometric, or chiropractic services) upon the written request of the parent or guardian. In accordance with Education Code Section 46010.1 students may be excused for "confidential medical services" without parent or guardian consent.

Time away from school for such services is not deemed an absence provided students upon their return to school present reasonable proof that such services were received.

(A form available from Student Health Services Division may be used for this purpose.)

(Amended 6-13-88)

#### 2312. EXEMPTION OR EXCLUSION, REPORTING AND READMISSION FOR COMMUNICABLE DISEASES AND OTHER HEALTH RELATED CONDITIONS

Students showing signs and symptoms of communicable or infectious diseases shall be excluded from attending school. The Student Health Services Division, in cooperation with the County of Los Angeles, Department of Health Services, shall prescribe such measures as shall be necessary for the control of communicable diseases, including the exclusion and readmission of students. (For provisions relating to employees, see Board Rule 1942)

Students whose continued presence would constitute a clear and present danger to the life, safety, or health of other students or school personnel shall be exempted or excluded.



(Amended 4-16-90)

### 2313. IMMUNIZATION AND MANTOUX TUBERCULIN TESTS ON SCHOOL GROUNDS

Physicians of the County of Los Angeles, Department of Health Services, or school physicians or any school nurse under the supervision of a school physician, may immunize students on school premises. The school nurse will notify the school of the date set for giving immunizations and will assist with the program.

A parent or guardian consent slip, provided by the County of Los Angeles, Department of Health Services, shall be completely filled out and be on file at the school before an immunization may be given.

A parent or guardian consent slip, provided by the District, shall be completely filled out and be on file at the school before a Mantoux Tuberculin Skin Test may be given. If the test is positive, it shall be followed by an X-ray of the chest. The skin test must be administered and read within 48 to 72 hours by a member of the staff of District Tuberculosis Prevention Services. (For tuberculin testing of employees, see Board Rule 1950.)

(Amended 6-13-88)

### 2314. OUTDOOR ACTIVITIES

- A. During the noon period, students shall remain out of doors, except in case of inclement weather; if there is evidence that by being out of doors the health of a student would be endangered, the administrator may permit such student to remain inside. During hot weather, care must be taken to prevent heat exhaustion and or other heat syndromes; physical activities may need to be curtailed.
- B. During air pollution episodes, directives from the South Coast Air Quality Management District's Air Pollution Control Officer will be transmitted to affected schools; these shall be followed as they relate to physical activities by students and staff.

(Renumbered and amended 6-13-88)

### 2315. PHYSICAL ACTIVITY PROGRAM AFTER ILLNESS

Students returning to school after a protracted illness shall be afforded adequate health protection. Such protections shall consist of one or both of the following program changes:

- A. Curtailment of school and/or extra-curricular activities;

- B. Temporary substitution of modified physical activity or exemption from the active physical program.

(Renumbered and amended 6-13-88)

#### 2316. EXEMPTIONS FROM PHYSICAL EDUCATION FOR MEDICAL REASONS

A physical education excuse (less than 10 weeks) may be given to students enrolled in a physical education class who are temporarily unable to participate in the regular physical education curriculum. Medical verification by the attending physician is required for requests exceeding five (5) consecutive school days.

A physical education exemption (10 weeks to one year) may be given to students who are enrolled in a physical education class and are capable of attending school, but who are unable, because of a temporary medical disability, to participate in a regular or modified physical education program and are not eligible for placement in Adapted Physical Education. These students will be removed from enrollment in the physical education class.

(Amended 6-13-88)

#### 2317. PROHIBITION REGARDING STUDENT SERVICES DETRIMENTAL TO HEALTH

Teachers shall not require students to perform work or services detrimental to health.

(Amended 6-13-88)

#### 2318. HOME CONTACT BY SCHOOL NURSE REGARDING HEALTH RELATED ABSENCE

The school nurse may be requested by the administrator to make telephone calls to the parent or guardian for health information regarding a student's absence.

(Amended 6-13-88)

#### 2319. MANDATED HEARING, VISION, AND SCOLIOSIS SCREENING

The Student Health Services Division shall supervise the screening of vision, hearing and scoliosis according to state mandates. The parent or guardian shall be given written notification of defects.

(Amended 4-16-90)

## 2320. HEALTH REQUIREMENTS CONCERNING FOOD PREPARED OUTSIDE OF SCHOOL

Food prepared outside of school premises shall not be served on school premises except as provided by Board Rules, the National School Lunch Program, or requirements of the Student Health Services Division.

(Amended 4-16-90)

## 2321. FOOD HANDLER'S HEALTH CERTIFICATES

Food Handler's Health Certificates are required for all persons who handle foods in schools and cafeterias.

(Amended 4-16-90)

## 2322. PARENT-TEACHER ASSOCIATION SCHOOL HEALTH CENTERS

Health Centers are established in District locations and maintained by the Los Angeles Tenth and Thirty-First Districts, California Congress of Parents, Teachers, and Students Inc. in cooperation with the Board of Education. The Centers provide vision care, diagnostic and referral services, and limited treatment for selected health problems. Appointments with the Health Centers are made by the school nurse and/or the school physician.

### A. Financial Eligibility.

All students are eligible for diagnostic services, however, a registration fee is required. The determination of a student's financial eligibility for treatment is the responsibility of the school nurse. Eligibility depends on the social service or admission rating which is based on the family income, size of family, and other factors in the social history.

Parent-Teacher Association policy requires that child welfare services involving financial aid shall be given only to needy students under 21 years of age. Students receiving this aid must be residents of the Los Angeles Unified School District and be currently enrolled in a public school in the District.

Injury sustained by a student on school grounds does not constitute eligibility. The injured student shall be given first aid in accordance with rules and policies relating to accidents in schools (See Accident Instruction Card, from the Insurance Section of the Business Services Division, and Board Rule 2326), after which the student may be referred to the family's attending physician or to an emergency hospital.

B. Appointments.

All appointments to a Health Center shall be made by the school nurse and/or the school physician with the written approval of the parent or guardian.

If possible, the student should be accompanied to the Health Center by the parent, legal guardian, or responsible adult with whom the student lives. A completed consent form, signed by the parent or legal guardian is required before treatment involving medication or invasive procedures is administered. The signature of the responsible adult is acceptable for non-invasive procedures.

C. Fees.

Each student registering at a Health Center is charged a registration fee for each visit. Glasses, X-ray, laboratory, and electrocardiogram fees will be determined by the social service rating.

D. Report of Findings.

A written report of the diagnosis and recommendations of Health Center physicians will be sent by school mail to the school nurse at the student's school of attendance. This information shall be recorded on the "Health Record" card.

(Renumbered and amended 6-13-88)

2323. STRAY ANIMALS ON SCHOOL PREMISES

Every effort shall be made by the school administrator to prevent access of stray animals to school grounds.

(Renumbered 6-13-88)

2324. MEDICATION AT SCHOOL

The administrator, administrator's designee, or school nurse may assist students in taking prescribed medication during school hours provided the Los Angeles Unified School District receives (1) a written statement from the prescribing physician detailing the method, amount and time schedule such medication is to be taken and (2) a written statement from the parent or guardian of the student indicating the desire that school personnel assist the student to take the medication.

(Amended 4-16-90)

## 2325. SICK OR INJURED STUDENTS

### A. Sending Sick or Injured Students Home.

A student shall be excluded who is, in the judgment of the administrator, physically or mentally unfit to be in school because of illness or injury. The administrator shall contact the parent or guardian or the designated representative and request that person to come for the student. If the parent or guardian is unable to come for the student, the administrator shall, if practicable, arrange for an appropriate Board of Education employee(s) to take the student home. No student may be excluded and sent home unless an authorized adult will be at home to receive the student.

### B. Emergency Illness and Accident.

Every school shall set aside cots in a designated area which can be supervised for the use of acutely ill or injured students. These cots shall be covered with plastic sheets, which are to be washed off at the end of the day. Pillowcases are to be placed on pillows and both head and foot areas are to be covered with paper. A blanket may be used to cover the student. Blankets and pillowcases are to be laundered as needed and paper disposed of immediately after use by a student.

### C. Emergency Information.

For the protection of a student's health and welfare, the parent or guardian shall keep current at the student's school of attendance, emergency information including the home address and telephone number, business address and telephone number of the parent or guardian, and the name, address, and telephone number of a relative or friend who is authorized to care for the student in any emergency situation if the parent or guardian cannot be reached.

(Amended 4-16-90)

## 2326. FIRST AID

Provisions for first-aid and emergency care shall be made for sicknesses and accidents occurring on school premises or while students and employees are engaged in school activities.

(Amended 4-16-90)

## 2327. SCHOOL-BASED HEALTH CLINICS

School-Based Health Clinics are established by the Board of Education with funds provided by private foundations and other private and public sources in order to make available free, primary health care to students who have signed parental consent or who are emancipated

minors.

Services include physical examinations (general health evaluations, specific health complaints, genital examinations, sports, employment); diagnosis and treatment of acute, common, and simple illnesses and injuries; testing of and treatment for sexually transmitted diseases; immunizations; counseling and health education; pregnancy counseling, birth control services; nutritional information; crisis intervention and short-term individual and family mental health therapy; and appropriate community health agency referrals.

Clinics may be operated under agreements with designated non-Los Angeles Unified School District medical providers in cooperation with and/or by the direct participation of District student health services staff including school physicians; school nurses, school dentists, school mental health providers, and school audiometrists. All services are provided by qualified medical, mental health, and/or educational professionals who are appropriately licensed by the State of California.

(Adopted 6-13-88)

## **CHAPTER 8**

### **SAFETY**

Refer to previous editions of the Administrative Guide  
or the “Handbook of Safety Rules and Regulations” for the  
safety rules and regulations pertaining to:

EMERGENCY DRILLS AND DISASTER PREPAREDNESS

BUILDING AND GROUNDS

TRAFFIC

PLANT AND EMPLOYEE

INSTRUCTIONAL AND SPECIAL ACTIVITIES AREAS

## **Chapter 8 — Safety**

### **2351. SAFETY**

It shall be the duty of the Superintendent of Schools to instigate and promote a Safety Education and Accident Prevention program for the purpose of providing a high degree of safety for students and employees of the Los Angeles Unified School District. Such a program shall be in compliance with the requirements of the Education Code, State Safety Orders, industrial accident prevention rules and regulations, and other local and state rules and regulations concerning safety and fire prevention.

(Amended 4-16-90)

### **2352. RESPONSIBILITY FOR SAFETY POLICIES**

It shall be the responsibility of every Los Angeles Unified School District administrative head to carry out all safety policies set forth in the Safety Handbook. This will include the delegation of duties to appropriate staff personnel.

(Amended 4-16-90)

### **2354. EMERGENCY PROCEDURES**

Fire, Earthquake, Emergency, and Take Cover Procedures in schools within the Los Angeles Unified School District shall be in conformance with state, county, city, and local requirements and in accordance with the rules and policies prescribed by the Board of Education and instructions issued by the Superintendent of Schools.

(Amended 4-16-90)

### **2355. DISASTER PREPAREDNESS**

The Los Angeles Unified School District shall cooperate with the Civil Defense authorities and other civic agencies in the event of a declared emergency situation.

(Amended 4-16-90)

### **2360. BUILDINGS AND GROUNDS**

All buildings and grounds subject to the rules, policies, and various code sections contained in the Safety Handbook shall be maintained in good repair and in a clean and orderly manner.



(California Administrative Code, Title 19, Public Safety, and Title 5, Education)

2365. TRAFFIC INSTRUCTION

Instruction shall be given in every elementary and secondary school in the subjects of public safety and accident prevention. Special emphasis shall be devoted to the avoidance of hazards upon streets and highways.

2367. SAFETY ORDERS

All activities and operations upon or in all Board of Education controlled sites shall be conducted in conformance with State Safety Orders.

2370. INSTRUCTIONAL AND SPECIAL ACTIVITIES AREAS

A safe environment in the instructional and special activities programs shall be provided.

## **Chapter 9 — Transportation**

### **2375. LAWS AND RULES GOVERNING TRANSPORTATION OF STUDENTS**

The furnishing of student transportation under the provisions of this chapter shall be at all times in accordance with the relevant provisions of the Education Code, the California Administrative Code, Title 13, the State Vehicle Code and the regulations of Student Transportation of the State Board of Education insofar as such provisions are, or may become, applicable.

(Amended 6-22-87)

### **2376. STUDENTS ELIGIBLE FOR TRANSPORTATION**

In general, students residing within the attendance boundaries of the school they attend are not eligible for District-provided transportation. Students eligible for transportation are:

- A. Students whose condition of health as certified by a school physician makes transportation advisable, providing such students reside near a school bus route or a public carrier line serving their particular school.
- B. Students attending schools or classes for the physically handicapped, or physically handicapped students enrolled in regular schools.
- C. Physically or mentally handicapped students, three years of age or older, attending special schools or classes established for such types of students.
- D. Students assigned by the Division of Special Education or by the Student Support Services Division to special training schools or classes, social adjustment classes, or other schools or classes for exceptional children.
- E. Students assigned by the Office of School Utilization to enhance the ethnic balance at a receiving school.
- F. Students assigned by the Office of School Utilization to relieve overcrowding.
- G. Students subject to special circumstances deemed by the Superintendent of Schools to require transportation services.

(Amended 4-16-90)

#### 2377. TRANSPORTATION OF NONRESIDENT STUDENTS

Students who are not residents of the Los Angeles Unified School District shall not be transported unless there is a contract with the district of residence specifically providing for the furnishing of transportation by the District.

(Amended and renumbered 6-22-87)

#### 2378. PAYMENTS TO PARENTS IN LIEU OF TRANSPORTATION

In cases where it is not economical for the Board of Education to furnish transportation, the Board may, in lieu thereof, pay to the parent or guardian of the student, a sum of money not to exceed the cost of actual and necessary travel for each day of actual attendance; payment shall be made only after certification of attendance by the school principal and approval of the claim by the Director of Transportation.

(Amended and renumbered 6-22-87)

#### 2379. USE OF SCHOOL BUSES FOR SCHOOL JOURNEYS

- A. School buses may be used to transport students in connection with activities that are a part of the school curriculum, or have educational significance, and are consistent with the provisions of the Education Code.
- B. The Superintendent or School or designee will be responsible for reviewing and approving all educational field trips to museums, art galleries, public buildings or installations, state or national historical monuments, parks or recreational areas, institutions of higher education or other locations of educational value, including any field trip or school journey which extends overnight, except for those locations and trips for which express Board of Education approval has been established (including trips to other cities or states where state or national interscholastic athletic or academic competitions are held, in which the participants are representing the Los Angeles Unified School District, as determined and approved by the Assistant Superintendent of Instruction).
- C. Individuals to whom responsibilities have been delegated by the Board for reviewing and approving routine field trips to locations listed in the appropriate bulletin shall use the following criteria in determining appropriateness. To be approved, a field trip
  - 1. must have a connection with courses of instruction or with school related social, educational, cultural, athletic, or school band activities;
  - 2. must be for students enrolled in early education centers or in elementary, secondary or adult schools of the District;

3. must be paid for out of currently budgeted, appropriate funds;
4. must not deny participation of any students because of race, color, national origin, sex, or handicap;
5. must be free of cost to students if ADA credit is to be granted, except for trips conducted by the Youth Services Section and some conducted under policies governing student body activities;
6. must be educationally worthwhile and must lead directly to the educational growth of the students;
7. must have adequate supervision provided by certificated personnel.

(Amended 2-24-97)

#### 2380. USE OF SCHOOL BUSES FOR SCHOOL ACTIVITIES

School buses may be used on other than school days, or on school days at times other than during the assigned time of the drivers for the purpose of transporting students of the Los Angeles Unified School District to and from school athletic contests or other school activities or to and from fairs or expositions in which such students participate.

(Amended 4-16-90)

#### 2381. SUPERVISION AND ADMINISTRATION OF THE STUDENT TRANSPORTATION SERVICE

The function of student transportation shall be assigned to the Transportation Branch and shall be under the administration and supervision of the Director of Transportation who shall have the authority to perform all acts and duties necessary in the proper conduct of this function.

Student transportation needs shall be determined by the Director of Transportation in accordance with approved policies. The Director of Transportation shall also determine the most economical method, as well as the type of transportation to be used, and shall be responsible for the determination of routes over which buses shall travel in furnishing such transportation.

Equipment owned by, or under contract with, the Board of Education and used in the transportation of students shall be under the direct supervision of the Director of Transportation, who shall require that equipment used in this service shall at all times meet the requirements of the California Education Code, California Administrative Code, Title 13, and the California Vehicle Code as enforced by the California Highway Patrol, and that satisfactory

service is rendered by all drivers and contractors.

(Amended 4-16-90)

#### 2382. PUBLIC CARRIER TRANSPORTATION

Public carrier service shall be obtained only after proper agreements have been entered into by the carrier and the Los Angeles Unified School District. Students who are to be transported by such public carriers shall be furnished with public carrier ticket books, punch cards or monthly bus pass stamps. Purchase of such public carrier ticket books, punch cards and/or monthly bus pass stamps shall be in accordance with the terms of the agreement.

(Amended 4-16-90)

#### 2383. PAYMENT OF TRANSPORTATION INVOICES

The payment of invoices for transportation by contractors or public carriers shall be made after such invoices have been checked and approved by the Director of Transportation.

(Amended and renumbered 6-22-87)

## **Chapter 10 — Interscholastic Athletic Activities**

### **2401. ELEMENTARY SCHOOLS**

Elementary schools are not permitted to participate in interschool athletic activities. Interplayground competition is permitted on Saturdays and during vacation periods, as a phase of the Youth Services Program, with the approval of the Elementary District Assistant Superintendent.

### **2402. MIDDLE HIGH SCHOOLS**

Middle high schools are not permitted to participate in interschool athletic activities. Interplayground competition is permissible on Saturdays and during vacation periods under the Youth Services Program, provided the teams are designated and recognized as representing only the playground of the schools, and with the approval of the Assistant Superintendent in charge of the junior high/middle schools.

### **2403. SENIOR HIGH SCHOOLS**

- A. The Interscholastic Athletic Committee of the Los Angeles City Senior High Schools (consisting of one member from each Los Angeles City High School Athletic League appointed by the Senior High School Principals' Association, three assistant principals appointed by the Senior High School Assistant Principals' Association, one representative from the High School Physical Education Chairmen's Association, and, as ex-officio members, the Assistant Superintendent, Senior High Schools Division and the Athletic Supervisor for the senior high schools) is authorized to prescribe the procedures and requirements pertaining to senior high school interscholastic athletic activities consistent with the Board Rules and policies as shall be necessary for:
  - 1. The promotion of uniformity of direction and control regarding such activities;
  - 2. The encouragement and stimulation of wholesome, worthwhile competition; and
  - 3. The development of a spirit of friendly relationship and cooperation between schools and leagues.
- B. The Committee shall operate within the framework of the California Interscholastic Federation of which the Los Angeles Unified School District schools are a part and of which the senior high schools constitute a section and shall be responsible to said Federation, the Senior High School Principals' Association, the Superintendent of Schools, and to the Board of Education for the direction and supervision of senior high

schools interscholastic athletic activities.

C. The Committee shall be responsible for:

1. The formulation, supervision and enforcement of rules and regulations consistent with the Board Rules and policies on all matters of policy governing senior high schools interscholastic athletic activities.

Matters included within the Committee's province, but not limited to the following are: establishment and determination of eligibility requirements and status; regulation of time, manner, and method of participation; school and student responsibilities; requirements for officials; student and spectator conduct; releguing; awards, equipment and apparatus; health and physical requirements; travel and transportation; contest rules and specifications.

2. Acting as a committee of appeals on all matters brought to its attention by the leagues.
3. Constituting a final authority in all matters of eligibility.
4. Making rules and decisions in any and all matters which may be brought to its attention by the individual schools, the several leagues, the Senior High School Principals' Association, the Physical Education Advisors or Specialists and by the Superintendent of Schools.

D. The Physical Education Advisors or Specialists shall act as liaison between the Committee and the various leagues and schools for the purpose of coordinating, unifying and correlating city-wide policies.

#### 2404. APPROVED ATHLETIC ACTIVITIES

The following interscholastic athletic activities are approved for senior high schools subject to the particular procedures and requirements established by the Interscholastic Athletic Committee:

- A. Football
- B. Basketball
- C. Track and Field Activities
- D. Cross Country Run
- E. Baseball and Softball

F. Gymnastics

G. Tennis

H. Aquatic Activities

I. Golf

J. Such other athletic activities as may be approved by the Interscholastic Athletic Committee.

#### 2405. CONSENT CARDS AND RELEASE OF LIABILITY - SENIOR HIGH SCHOOLS

Each student engaging in senior high school interscholastic athletic activities shall, prior to participation, submit to the office of school attendance for its file a "Consent Card" (Form 13.6) signed by the parent or guardian authorizing the student to engage in athletic activities releasing and saving harmless the school personnel, the Los Angeles Unified School District, and the Board of Education from all liability for any injuries received by such student while participating in such athletic activities, or while enroute to or from contests held in other schools or locations.

#### 2406. CALIFORNIA INTERSCHOLASTIC FEDERATION ATHLETIC PROTECTION FUND (SENIOR HIGH SCHOOLS)

Students participating in senior high school interscholastic athletics may become members of the California Interscholastic Federation Athletic Protection Fund and pay the prescribed fees thereof. The advantages of the Fund should be explained to such students but membership shall be on a purely voluntary basis with the exception of football. Students participating in American Football (11 man) must take out coverage in such a fund.

#### 2409. CLEANING AND REPAIR OF ATHLETIC EQUIPMENT

The provisions of the Education Code Sections 39614 through 39616 shall be complied with whereby all football equipment actually worn by students shall be cleaned and sterilized at least once a year, or before use in the fall term if worn in the preceding semester. Any contract with a dealer or craftsman for the repair of football equipment shall specifically state or describe the materials to be used by the dealer or craftsman in repairing such equipment. The interchange of equipment among students is prohibited unless such equipment has again been cleaned.



## **Chapter 11 — Student Body Activities**

### **2501. DEFINITION**

Reference to “student body,” “student body activities,” “student body organizations,” and “students” shall be applicable to students and programs in elementary schools, secondary schools, community adult schools, regional occupational centers and adult skills centers.

### **2502. AUTHORIZATION FOR STUDENT BODY ORGANIZATIONS**

Student body organizations may be established within the public schools of the Los Angeles Unified School District, subject to approval, control, and regulation by the Board of Education. Any such organization shall have as its purpose the conduct of activities on behalf of the students. Such activities, however, shall not conflict with the authority or responsibility of the Board or its officials and shall be subject to Board approval, or approval of the Student Body Finance Section of the Budget Services and Financial Planning Division as provided in these Rules.

(Amended 2-23-81)

### **2503. USE OF SCHOOL PREMISES AND EQUIPMENT**

Any student body organization may be granted the use of school premises and properties without charge, subject to the Los Angeles Unified School District Rules and policies.

### **2504. ADMINISTRATION OF STUDENT BODY ACTIVITIES**

The Board of Education provides for the supervision and auditing of student body activities and all funds raised by any student organization using the name of the school.

### **2505. RESPONSIBILITY OF THE STUDENT BODY FINANCE SECTION OF THE BUDGET SERVICES AND FINANCIAL PLANNING DIVISION**

The Student Body Finance Section of the Budget Services and Financial Planning Division shall be responsible for the administrative supervision and management of student body financial activities and is authorized to implement the Los Angeles Unified School District Rules and policies for the proper conduct of such activities.

#### 2506. RESPONSIBILITY FOR AUDITING FUNDS

The Office of Inspector General shall be responsible for the auditing of funds and shall prescribe the accounting procedures relating to student body financial activities.

(Amended 2-8-00)

#### 2507. RESPONSIBILITY OF DISTRICT/DIVISION ASSISTANT SUPERINTENDENTS

The district/division assistant superintendents shall be responsible for implementing established Rules and policies relating to the supervision and administration of student body activities in the schools under their jurisdiction.

#### 2508. FUNCTION OF ADVISORY COMMITTEES

The district/division assistant superintendent may appoint a representative to each Advisory Committee on student body financial activities for each level. The function of such committees shall be to aid the Student Body Finance Section of the Budget Services and Financial Planning Division in the formulation and interpretation of policies, Rules, and procedures concerning student body financial activities.

#### 2509. PRINCIPALS AS TRUSTEES OF STUDENT BODY FUNDS

The principal in the elementary schools, middle high schools, senior high schools, community adult schools, regional occupational centers and adult skills centers is trustee for the benefit of the student body and is responsible for the proper administration of student body funds according to the Rules and other requirements of the Los Angeles Unified School District.

#### 2515. STUDENT BODY FINANCE SECTION OF THE BUDGET SERVICES AND FINANCIAL PLANNING DIVISION PUBLICATIONS

The Student Body Finance Section of the Budget Services and Financial Planning Division is authorized to issue publications and bulletins for each educational level implementing the Los Angeles Unified School District Rules, policies and procedures relating to student body financial activities. Five publications are presently available.

“Policies Governing Elementary School Student Body Finance”

“Policies Governing Secondary School Student Body Finance”

“Financial Policies and Accounting Procedures - Community Adult Schools”

“Financial Policies and Accounting Procedures - Regional Occupational Centers”

“Financial Policies and Accounting Procedures - Skills Centers”

These publications carry in detail instructions and policies for the administration of student body financial activities at the school level under the direction of the administrator in charge.

(Amended 2-23-81)

**2519. APPROVED SPECIFIC SOURCES OF FUNDS**

Projects for the raising of funds shall contribute to the educational experience of students and shall not conflict with the instructional program. The specific sources from which funds may be derived by student body organizations shall be subject to the approval of the Student Body Finance Section of the Budget Services and Financial Planning Division and the advisory committee of each level. Here the policies and procedures are established.

**2520. STUDENT BODY STORES**

The sale of merchandise from student body stores is permitted in middle and senior high schools, community adult schools, and adult skills centers provided that such merchandise is desired by students for use in connection with classroom and school activities. Sales from such stores shall offer a minimum of competition to local merchants. The types of merchandise which may be sold from student body stores shall be subject to Student Body Finance Section of the Budget Services and Financial Planning Division approval.

**2521. STUDENT BODY BOOKSTORES**

The sale of textbooks, workbooks, supplementary textbooks and workbooks, school supplies, stationery supplies, confectionery items, and related auxiliary school supplies and services is permitted in regional occupational centers, as provided by law, provided that such items are desired by students for use in connection with classroom and school activities. Sales from such bookstores shall offer a minimum of competition to local merchants. The types of merchandise which may be sold from student body bookstores shall be subject to Student Body Finance Section of the Budget Services and Financial Planning Division approval.

**2525. STUDENT BODY FUND-RAISING ACTIVITIES**

Student body organizations, or student body organizations in conjunction with parent-teacher associations, or other approved parent groups may conduct fund-raising activities. Student body fund-raising activities shall be subject to the regulations established by the Superintendent of Schools.

Contributions and participation in student body fund-raising activities by students and employees shall be entirely voluntary. Parental permission, in writing, must be obtained in order for the students to participate. In no case shall elementary school students be permitted to solicit on the street, or door-to-door. Secondary school students under 16 may not solicit on the street, or door-to-door unless supervised by an adult.

(Amended 4-16-90)

#### 2528. PROFITS FROM GENERAL STUDENT BODY ACTIVITIES

Profits derived from student body activities which are supported by the general student body organization are general funds of such organization with the exception that up to 50 percent of all profits from club or class on-campus activities may be credited to the trust account of that school or class.

(Amended 8-28-89)

#### 2530. LIMITATIONS ON SURPLUS AND RESERVES

The Student Body Finance Section of the Budget Services and Financial Planning Division and the advisory committee of each level shall prescribe the limitations on surplus and project reserves that may be held by student body organizations.

#### 2531. EXPENDITURE OF STUDENT BODY FUNDS

Expenditure of student body funds shall in general be governed by the following principles:

Funds accumulated should be spent during the school life of the students earning them.

The basic purpose of such funds is to promote the general welfare and morale of the students and to benefit them as a whole.

Funds derived from the study body as a whole shall be so expended as to be of benefit to the entire student body.

In elementary schools, funds may also be spent for equipment, supplies, and services that augment and enrich the ongoing instructional programs of the school.

In middle and senior high schools, student representation shall be required in the management of such funds.

Such funds shall be managed in accordance with the best business practices, including

sound budgetary and accounting procedures.

The purposes for which student body funds may be expended shall be established by the Student Body Finance Section of the Budget Services and Financial Planning Division and the advisory committee of each level, including establishment of policies and procedures.

#### 2532. RESPONSIBILITY FOR EXPENDITURES BY STUDENTS AND LOS ANGELES UNIFIED SCHOOL DISTRICT EMPLOYEES

The student body of any school shall not be responsible or obligated for the payment of any expenditure or commitment made by a student or teacher, or by any other employee of the Los Angeles Unified School District, who has not first received proper written authority.

#### 2537. FOUNDATION FUNDS

All foundation funds require Board of Education approval before acceptance.

#### 2538. YOUTH SERVICES FUNDS

Youth Services funds shall be recorded on the student body books in the respective schools, and handled through the student body bank account. In general these funds shall be subject to the same policies and procedures as student body funds to the extent applicable.

(Refer also to Bulletins for the collection and expenditures of Youth Services funds.)

#### 2541. DEPOSIT OF MONEY COLLECTIONS

All moneys collected from students on school premises, all receipts for the student body, and all drive collections shall be deposited through the school Student Body Finance Office. Collections of faculty and PTA/PTSA funds may be deposited through this office.

#### 2542. ESTABLISHMENT OF BANK ACCOUNTS AND INVESTMENTS

The principal of each elementary school, secondary school, community adult school, regional occupational center or adult skills center is empowered to invest in, establish, and/or continue a bank account or accounts in the name of the student body of the school in any national or state bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation; any state-chartered or federal savings and loan associations provided such associations are doing business in the state, and have their accounts insured by the Federal Savings and Loan Insurance Corporation; United States of America obligations such as bonds, notes, bills,

certificates, debentures, etc.; or any credit union in this state and insured by the administrator of the National Credit Union Administration or a comparable agency as provided by a state government.

Withdrawals may be made only upon signatures of two or more persons designated by the principal, in accordance with regulations set forth in the applicable student body policy publication.

(Amended 10-5-81)

#### 2544. STUDENT BODY CONTRACTS

The Student Body Finance Section of the Budget Services and Financial Planning Division may prescribe the requirements relating to contracts which may be entered into by student body organizations.

#### 2545. LOAN OR DONATION OF STUDENT BODY FUNDS

The loan or donation of student body funds shall be governed by the following requirements:

Student body funds shall not be used for any purpose which represents an accommodation, loan, or credit to Los Angeles Unified School District employees or persons other than students. Emergency loans or credits for lunches, and like items may be made to students at the discretion of the principal. District employees or others may not make purchases through a student body for the purpose of deriving advantage of the student body purchasing privilege.

#### 2551. AUDIT OF STUDENT BODY FUNDS

Student body books and financial procedures are subject to periodic audits by the Office of the Inspector General. Audit reports concerning deviations from policies will be referred to the principal, the district/division assistant superintendent, and the Student Body Finance Section of the Budget Services and Financial Planning Division for follow up and resolution. Audits may also be made by contract auditors employed by the Los Angeles Unified School District, the Grand Jury, and agencies of the City, County, State and Federal Government.

(Amended 2-8-00)

#### 2554. TRANSACTIONS WITH LOS ANGELES UNIFIED SCHOOL DISTRICT EMPLOYEES

To minimize conflict of interest, transactions involving the purchase, sale, or exchange of

equipment or supplies from or to Los Angeles Unified School District employees are discouraged and shall not be entered into except after thorough and documented investigation and appraisal by acknowledged neutral persons. Purchases from a District employee require authorization from the Student Body Finance Section of the Budget Services and Financial Planning Division.

(Amended 3-20-78)

## **Chapter 12 — Safety**

### **2561. PAY ENTERTAINMENTS**

Pay entertainments held on school premises, where students are involved as entertainers, as ticket sellers, or any other active way, are considered school functions. School functions are sponsored by the student body, a class, a school club, or the faculty. They may also be cooperative activities jointly sponsored by the student body and the PTA/PTSA.

(Amended 4-16-90)

### **2562. SCHOOL FUNCTIONS**

For the following school functions (which are not considered pay entertainments) the Los Angeles Unified School District shall furnish custodial and engineering services without charge when the event, held on school property, has been approved by the appropriate Assistant Superintendent and necessary overtime funds are available (written authorization must be obtained in advance from the Maintenance and Operations Branch before overtime is used):

- A. Commencement services
- B. Parents' Night (open house)
- C. Public Schools' Night
- D. Free concerts and musicals
- E. Alumni events
- F. Student body, class, or faculty-sponsored school activities where no admission charge is made or where the admission charge covers the expense of a dinner or refreshments only, or where all the net proceeds are to be used for charity or welfare purposes.

No Civic Center permits are required for the above activities.

### **2563. CONTESTS OTHER THAN ATHLETIC COMPETITIONS**

The following policies shall govern non-athletic contests held in schools but sponsored by outside agencies. All requests by outside agencies to hold contests shall be submitted to the Office of the Associate Superintendent, Instruction for evaluation and subsequent approval or disapproval. Approval will be given on an annual basis. Contests at the elementary school level are not approved unless by direction of the Superintendent of Schools or Board of Education.



Participation in approved contests shall be entirely optional with schools, except those school contests that may be recommended by the Superintendent of Schools and approved by the Board.

Student participation shall be optional in all school contests.

All contests must be related to or contribute to the educational program of the school and must not interfere with the established program of instruction. Contests must conform to the policy on controversial issues adopted by the Board. Contest materials or kits to be sent to students shall be submitted to the instructional specialist for evaluation prior to school distribution.

#### 2564. SCHOLARSHIPS

The Superintendent of Schools shall maintain a continuing scholarship program based upon the underlying educational philosophy of the Los Angeles Unified School District.

(Amended 4-16-90)

## **Chapter 13 — Employment**

### **2600. WORK PERMITS**

No minor under eighteen years of age, unless excepted by provisions of the Education Code, shall be allowed to work without a work permit. (Education Code Section 49100, et seq.)

Many students will be able to continue in regular school and still be employed for a part of the day if proper program adjustments can be made. Principals of middle and senior high schools are encouraged to make such adjustments as will enable students to remain in regular schools as long as they can profitably do so.

(Amended 4-16-90)

## **Chapter 16 — Curriculum and Instruction**

### **2700. SCHOOL AUTHORITY**

Within the requirements of the Education Code, the provisions of Board policy, and applicable collective bargaining agreements and budget constraints, schools shall have the authority to:

- A. Determine course offerings and offer curriculum options that meet the educational needs of their students.
- B. Plan and initiate experimental courses and innovative approaches to instruction.
- C. Organize their program of education in order to make the best use of available personnel, facilities, and material resources.
- D. Vary their schedules and offer an extended school day, and an extended summer school session.
- E. Develop, within the total number of certificated positions assigned to the school, staffing patterns and appropriate staff titles.

(Amended 4-16-90)

### **2701. EDUCATIONAL PROGRAM — FINAL DECISION**

Principals shall seek advice and counsel from the school staff, existing school advisory councils, and community in matters pertaining to the educational program of the school. Final responsibility for decisions and the educational program will rest with the principal.

(Adopted 6-24-71)

### **2713. PARTICIPATION OF INSTRUCTIONAL TELEVISION PROGRAMS**

Procedures for participation of any school, any school group or organization, or any teacher or student representing a school, on an instructional television program shall be established by the Superintendent of School.

(Amended 4-16-90)

## 2752. THE FLAG

The Superintendent of School shall establish procedures with regard to flag activities to the end that all students will acquire respect and understanding of the flag and a knowledge of correct and dignified flag etiquette.

(Amended 4-16-90)

## 2753. PLEDGE OF ALLEGIANCE

There shall be a daily pledge of allegiance to the Flag of the United States in each Los Angeles Unified School District school. (Education Code Section 52720)

Amended 4-26-90)

**DIVISION IV**  
**CERTIFICATED PERSONNEL**  
**(3000 Series)**

**REPLACED BY UTLA/DISTRICT NEGOTIATING CONTRACT**

**DIVISION V**  
**CERTIFICATED MANAGEMENT, CONFIDENTIAL AND SUPERVISORY**  
**EMPLOYEES**

**(4000 Series)**

**REPLACED BY AALA/DISTRICT NEGOTIATING CONTRACT FOR SOME**  
**CERTIFICATED MANAGEMENT**

#### 4000. CERTIFICATED MANAGEMENT

The Superintendent is delegated the authority to create and promulgate Administrative Regulations for those matters concerning certificated management individuals not subject to collective bargaining or contained within a collectively bargained agreement and all matters for those certificated management positions that are not represented by a collective bargaining agency.

(Adopted 5-25-04)

**DIVISION VII**

**ANNUITY RESERVE FUND**

**(6000 Series)**



## 6000. DEFINITIONS

Except where the context plainly requires a different meaning, the following words and phrases shall have the following meanings:

- A. “Board of Education” shall mean the Board of Education of the City of Los Angeles.
- B. “District” shall mean the Los Angeles Unified School District.
- C. “Participant” shall mean any person included in the membership of the Annuity Reserve Fund as set forth under Board Rule 6002. For purposes of Rule 6009, “participant” shall not include any existing person who has separated from active service with the District and who has received a benefit payment pursuant to Rule 6006-B or C as of the date of a dissolution election to distribute the assets of the Fund.
- D. “Annuity Reserve Fund Share” shall mean the amounts credited to a participant and held in the participant’s account in the Annuity Reserve Fund, together with earnings credited thereon less benefit payments and losses charged thereto.
- E. “Beneficiary” shall mean any person, estate, or entity, in receipt of, or designated by, a participant to receive a death benefit payable by the Annuity Reserve Fund Office, as provided in Education Code Section 24807 and in these Rules.
- F. The masculine shall include the feminine, and the singular number shall include the plural, and the plural the singular.
- G. “Month” shall mean a period commencing on any day of a calendar month extending through the day preceding the corresponding day of the succeeding calendar month, if there is such corresponding day, and if not, through the last day of the succeeding calendar month.
- H. “Annuity Reserve Fund” or “Fund” shall mean the funds distributed to the Annuity Reserve Fund in accordance with Education Code Section 24807(c).
- I. “Annuity Reserve Fund Board” or “Board” shall mean the body provided by Board Rule 6003 of these Rules.
- J. “Administrative Expenses” shall mean the cost of the operation and administration of the Annuity Reserve Fund.
- K. “Administrative Officer” or “Officer” shall mean the person designated by the Board of Education who supervises the Annuity Reserve Fund Office and acts as Chief Executive Officer to the Annuity Reserve Fund Board.
- L. “Local District Retirement System” or “Local System” shall mean the discontinued Los Angeles Unified School District Retirement System.

- M. "Active Service" or "Service" shall mean time for which the participant is in an employment relationship with the District.
- N. "Deferred Retirement" shall mean the status of a person who has separated from the service of the District on or prior to June 30, 1977; has left participant's retirement annuity contributions for future retirement benefits; and does not subsequently make further contributions (except those based upon District service) to the retirement system in which the participant has left the funds on deposit prior to receiving participant's first retirement benefit or June 30, 1977, whichever occurs first.
- O. "Date of Discontinuance" shall mean June 30, 1972.
- P. "The Annuity Reserve Fund Office" shall mean the Administrative Officer and such staff necessary to perform effectively the duties requisite to the operation of the Annuity Reserve Fund Office. Such Administrative Officer and such staff shall be employees of the District and responsible to the Board of Education.

(Amended 10-28-03)

#### 6001. NAME AND DATE OF ESTABLISHMENT

The Annuity Reserve Fund of the Los Angeles Unified School District was established on July 1, 1972, in accordance with Education Code Section 24807.

(Amended 7-11-77)

#### 6002. PARTICIPATION

- A. The following persons shall be participants in the Annuity Reserve Fund:
  - 1. Persons who were members on the active and retired rolls, including deferred retirees of the Los Angeles Unified School District Retirement System as of June 30, 1972.
  - 2. Persons who were probationary or permanent certificated employees of the District, holding membership in the State Teachers' Retirement System or Public Employees' Retirement System, on June 30, 1972, and who on this date were making contributions to either of these systems.

B. Forfeiture of Participant's Share in the Fund:

1. No participant in the Fund shall have any vested rights to the Annuity Reserve Fund share unless the participant has continued in active service for a period of five years from the date of discontinuance of the local District retirement system, except participants who have separated from service by reason of retirement, including deferred retirement as defined in these Board Rules, or death. Any participant separating from service for any other reason prior to July 1, 1977, shall have no interest in the Fund and shall be removed forthwith from participation in the Fund, except that a participant who has deposited excess contributions in his or her account shall receive a refund of his or her excess contributions as modified by any amounts charged or credited to the participant's account by reason of the participant's excess contribution.
2. Separation from active service with the District after June 30, 1977, for any cause other than retirement shall result in a benefit payment in accordance with Board Rule 6006-C-2 and removal from participation in the Fund.

C. Prohibition on Reinstatement.

A participant in the Fund who separates from service with the District for any reason shall not be reinstated in the Fund.

(Adopted 10-9-01)

6003. ADMINISTRATION

A. An Annuity Reserve Fund Board shall be established in accordance with Education Code Section 24807. The Annuity Reserve Fund Board shall be comprised of the following:

1. Two members appointed by the Board of Education, one a public member, for a four-year term of office, who has had experience at an executive level in a bank, insurance company, or a public retirement system, or other experience involving investment management; the other to be the President of the Board of Education or his or her designee. The public member shall be appointed for a four-year term of office expiring on January 31, except that, for the initial appointment, the public member shall serve from date of appointment through January 31, 1978.
2. The Treasurer of the County of Los Angeles, ex-officio, who may be elected the Chairperson of the Annuity Reserve Fund Board.
3. Four members who shall be certificated employees who are participants in the Annuity Reserve Fund. These four members shall be elected by participants to

serve four-year terms except that in the first election the two candidates receiving the highest number of votes shall serve from the date of election through January 31, 1978, and the two candidates receiving the next highest number of votes shall serve from the date of election through January 31, 1976. Thereafter, candidates shall be elected for four-year terms. Offices shall be filled by candidates receiving the highest number of votes cast. Any ties shall be determined by the drawing of lots.

4. Any vacancies shall be filled for the unexpired term in the same manner in which the office was originally filled, except that, if a vacancy occurs in one of the offices filled by a certificated employee who is a participant in the Fund, the Annuity Reserve Fund Board shall fill the office by appointment. The appointee shall serve until the next regular election at which time a member shall be elected for either a two-year or four year term. The Annuity Reserve Fund Board may cancel a scheduled election if the candidacy of an incumbent member is unopposed.
  5. The Annuity Reserve Fund Board may extend a member's term of office for up to one (1) year if a dissolution election to distribute the assets of the Fund is held between August 1 and December 31 of the year immediately preceding the expiration date of the member's term of office. Prior to the expiration of the member's extended term, the Annuity Reserve Fund Board shall hold an election for the balance of the four-year term.
- B. Each member of the Annuity Reserve Fund Board shall have taken, before attending his or her first meeting after his or her election or appointment, the oath of office required by the California Constitution.
  - C. The Annuity Reserve Fund Board shall elect a Chairperson and a Vice Chairperson whose term of office shall extend from the first meeting held after February 1 to the day before the first meeting held after February 1 the following year, unless the term of office as a member shall expire first.
  - D. Regularly scheduled meetings shall be held once each month unless it is not possible to have a quorum. The date and time of the meeting shall be posted on the public bulletin board at the Administrative Offices, 333 South Beaudry Avenue, at least 72 hours prior to the time of the meetings. The meeting will normally be held in Conference Room 26-207, Administrative Offices. If the meeting is moved to another location, a notice to that effect shall be posted at the time of the meeting on the public bulletin board. Special meetings may be called as needed by the Chairperson or, in the absence of the Chairperson, by the Vice Chairperson; and, the Chairperson or Vice Chairperson shall do so whenever requested by a majority of the members of the Annuity Reserve Fund Board. Four members shall constitute a quorum. Except as provided in applicable law, all meetings of the Annuity Reserve Fund Board shall be open and public, and its records shall be open to public inspection.

The order of business for a meeting of the Annuity Reserve Fund Board shall include a list of items to be presented to the Annuity Reserve Fund Board at that meeting and shall be posted on the public bulletin board at the Administrative Offices, 333 South Beaudry Avenue, at least 72 hours prior to the time of a meeting (in compliance with Education Code Sections 35144 and 35145 and Government Code Section 54954.2)

An item not on a posted agenda may be acted on at a meeting requiring such an agenda only in the manner provided by Government Code Section 54954.2.

- E. Members of the Annuity Reserve Fund Board, with the exception of the County Treasurer, shall be paid one hundred dollars for each meeting attended, not to exceed one meeting each month, when they are not being paid by the Governing Board of the Los Angeles Unified School District for any other assignment at the time of the Annuity Reserve Fund Board meeting. The compensation shall be charged to the Fund.
- F. Each member of the Annuity Reserve Fund Board shall be entitled to one vote. Four concurring votes shall be necessary for a decision at any meeting. No Annuity Reserve Fund Board Member may state the Annuity Reserve Fund Board's position on a matter, either orally or in writing, unless the Annuity Reserve Fund Board's position has been approved by a majority vote of the Annuity Reserve Fund Board. Nothing in this Rule shall be construed as prohibiting an Annuity Reserve Fund Board member from expressing an opinion as an individual.
- G. No one shall serve on the Annuity Reserve Fund Board who has a conflict of interest as defined in the Government and Education Codes. In those instances wherein a member of the Annuity Reserve Fund Board may have an interest which is not prohibited, he or she should advise the Annuity Reserve Fund Board as to his or her interest and abstain.
- H. The Annuity Reserve Fund Board shall arrange for an audit of the accounts of the Fund as of the end of each fiscal year and shall transmit a copy of the audit report to the Board of Education.
- I. The Annuity Reserve Fund Board shall keep a record of the minutes of all meetings.
- J. After the close of each fiscal year, there shall be published a report of fiscal transactions for the preceding year, including a statement showing the portfolio and related transactions.
- K. Each participant shall receive annually a statement showing his or her Fund share as of the preceding June 30.
- L. An Annuity Reserve Fund share account shall be opened in the name of each person eligible to participate in the benefits of the Fund. The individual participant's share of the Fund as of June 30, 1972, shall bear the same ratio to the total of this Fund (exclusive of any excess deposited subsequently) as the participant's annuity savings contributions to the retirement system, including interest earned, to which the

participant was making annuity contributions as of June 30, 1972, or if a retired participant, the date of retirement prior to June 30, 1972, bears the total of all such annuity savings contributions, including interest earned, of all such participants in the retirement system to which they were making contributions at the date of discontinuance, including total contributions to the local District Retirement System previously made by living members on the retirement roll. The share so determined shall be increased by any excess contributions deposited in the Fund to the credit of individual accounts.

- M. A listing of all participants active in the Fund shall be kept. This listing shall show pertinent information for the identification of the participant and his or her participation in the Fund.
- N. The Fund shall include principal and earnings in the account of any participant forfeited pursuant to Board Rule 6002-B-1. Any such forfeitures shall be treated as earnings of the Fund.
- O. There shall be charged to each participant's Fund account all benefit payments to the participant as such payments are made.
- Q. If the balance of the Fund determined pursuant to Rule 6003-P exceeds the sum of the Fund share accounts of all participants as of that date, such excess (representing the net earnings of the Fund for the year) shall be allocated and credited to the Fund share accounts of participants as of that date so that the amount allocated and credited to the account of each such participant bears the same ratio to the total to be allocated and credited as such participant's Fund share balance bears to the Fund share balances for all participants. If the balance of the Fund determined pursuant to Rule 6003-P is less than the sum of the Fund share accounts of all participants as of that date, such deficit (representing the net loss of the Fund for the year) shall be allocated and charged to the Fund share accounts of participants as of that date, so that the amount allocated and charged to the account of each such participant bears the same ratio to the total to be allocated and charged as such participant's Fund share balance bears to the Fund share balances of all such participants.
- R. Any person, as an individual or as a representative of a group, shall be granted permission to address the Annuity Reserve Fund Board by oral presentation at a meeting concerning any subject that lies within the jurisdiction of the Annuity Reserve Fund Board, provided the requirements and procedures herein set forth are observed:
  - 1. Three minutes may be allotted to each speaker and a maximum of twenty-one minutes to each subject matter.
  - 2. There shall be no more than fifteen (15) speakers at any meeting of the Annuity Reserve Fund Board on non-agenda items. Three minutes shall be allotted to each speaker, and a maximum of twenty-one minutes to each subject matter. The number of speakers on any one topic shall be limited to seven (7), except as

provided below.

- (a) Representatives of groups wishing to speak to any one topic shall be limited to three minutes per speaker provided the time does not exceed a total of twenty-one minutes.
  - (b) When there are speakers in opposition to each other on a topic, they shall be limited to three for each side.
  - (c) There is nothing which precludes the Annuity Reserve Fund Board from amending these Rules when necessary.
- 3. It shall be in order for Annuity Reserve Fund Board members to interrupt a speaker at any time to ask questions or make comments as frequently as necessary to clarify the discussion.
  - 4. Remarks by any person addressing the Annuity Reserve Fund Board which reflect adversely upon the political, religious, or economic views, character, or motives of any person are out of order. Persistence in such remarks shall be grounds for summary termination, by the Chair, of that person's privilege of address.

(Amended 10-28-03)

#### 6004. RECEIPT AND DISBURSEMENT OF FUNDS

- A. Each year the Annuity Reserve Fund Board shall prepare a budget and submit it to the Board of Education for approval. This budget shall be prepared in accordance with the budget calendar established for the Los Angeles Unified School District, and expenditures under this budget shall be charged to the Annuity Reserve Fund.
- B. All funds received by the Annuity Reserve Fund Board shall be deposited in the County Treasury for credit to the account of the Fund, in the manner prescribed below.
- C. All cash and investment transactions shall be posted to the Los Angeles Unified School District Annuity Reserve Fund trust account.
- D. Any uncollected balance of \$1.00 or more remaining in the trust account shall be swept into a taxable money market portfolio account overnight through the Dreyfus Treasury Cash Management Sweep. Interest earnings from this fund shall be calculated and accrued daily on the balance of the account based on the yield of the money market portfolio and will be credited to the account on the first business day of the following month.
- E. All payments from the Fund shall be made in the same manner as other payments from

the District's funds.

- F. The Annuity Reserve Fund Board shall authorize reimbursement to the District from the Fund for the expenditures made from other District funds on behalf of the Fund.
- G. Annuity Reserve Fund Board members shall be reimbursed for meal expense incurred when attending conferences.
  - 1. Meals shall be reimbursed at actual cost, and shall not exceed \$55 per day if held within any place in California except San Francisco.
  - 2. Meals shall be reimbursed at actual cost, and shall not exceed \$65 per day if held in San Francisco or outside of California.
- H. Annuity Reserve Fund Board members shall be reimbursed for business mileage for attending the regular scheduled meetings or special meetings called as needed by the Chairperson or, in the absence of the Chairperson, by the Vice-Chairperson, or whenever requested by the majority of the members of the Annuity Reserve Fund Board. The mileage rate for use of personal automobiles must be equal to the Internal Revenue Standard mileage reimbursement. Reimbursement for car rental must be approved by the Chief Executive Officer of the Annuity Reserve Fund Board. Reimbursement for bus or train fare will depend on the existing bus or train fare from the regular work location or headquarters.

(Amended 10-9-01)

#### 6005. INVESTMENTS

- A. This Board Rule is structured to allow the Annuity Reserve Fund Board to give the investment advisor or manager either limited discretion (Board Rule 6005 A-I) or full discretion (Rule 6005-J).

Except as otherwise restricted by the California Constitution or by law, the Annuity Reserve Fund Board may, in its discretion, invest or reinvest the assets of the Fund through the purchase, holding, or sale thereof of any investment, financial instrument, or financial transaction when the investment, financial instrument, or financial transaction is prudent in the informed opinion of the Annuity Reserve Fund Board.
- B. Investments held in registered form are to be inscribed as follows: "Annuity Reserve Fund Board, Los Angeles Unified School District Annuity Reserve Fund."
- C. All securities held in the portfolio of the Fund shall be delivered to the Treasurer of the Los Angeles County for safekeeping.
- D. All principal and interest payments and dividends derived from investments shall be



delivered to the Treasurer of Los Angeles County for deposit to the credit of the Fund.

- E. The Annuity Reserve Fund Board may recommend an investment advisor or manager (hereinafter referred to as advisor or manager) to the Board of Education. The duties of such advisor or manager shall include advising the Annuity Reserve Fund Board regarding appropriate investments. Such advice must be consistent with the legal requirements governing such investments.
- F. The investment advisor shall have full investment authority and discretion to purchase, sell, or exchange the Assets Under Management, except as limited by the "Statement of Objectives and Investment Policy" as adopted by the Fund. The investment advisor understands that the Fund may from time to time revise the Statement of Objectives and Investment Policy. Such revisions shall be made in writing and shall become effective upon receipt by the investment advisor unless otherwise specified in writing. The Fund represents and warrants that the Statement of Objectives and Investment Policy shall at all times set forth the restrictions and other requirements applicable to the investments of a school district pension fund under applicable state and local laws and regulations.

All such executed transactions shall be reported to the Annuity Reserve Fund Board at their next regular meeting by the advisor or manager.

- G. Investment in cash equivalents with a maturity of 180 days or less may be made upon the recommendation of the advisor or manager and the concurrence of the County Treasurer.

At each Annuity Reserve Fund Board meeting, a report of all investment transactions consummated since the previous Annuity Reserve Fund Board meeting shall be presented to the Annuity Reserve Fund Board by the advisor or manager.

(Amended 10-9-01)

#### 6006. BENEFITS

- A. All accounts shall be paid in a lump sum.
- B. A participant may elect to receive share(s) as one of the following:
  - 1. Paid directly to participant.
  - 2. Paid in a "Direct Rollover."
  - 3. Paid partial payment directly to participant; remainder paid in a "Direct Rollover."
- C. Separation other than Retirement:

1. Death on or after June 30, 1972

Upon separation from service because of death occurring on or after June 30, 1972, there shall be paid in a lump sum to the beneficiary designated by the participant on a form provided by the Annuity Reserve Fund office, or to the participant's estate if the participant has no designated beneficiary, or if the designated beneficiary predeceased the participant, the balance in the Fund to the participant's credit determined pursuant to Board Rule 6003-Q. The participant shall receive no share of the earnings (or losses) of the Fund for the fiscal period since the last Fund valuation date determined pursuant to Rule 6003-P.

2. Separation for reasons other than retirement or death after June 30, 1977

Upon separation from service for any cause other than retirement or death after June 30, 1977, the participant shall receive a lump sum refund of the Fund share standing to the participant's account determined pursuant to Rule 6003-Q. The participant shall receive no share of the earnings (or losses) of the Fund for the fiscal period since the last Fund valuation date determined pursuant to Rule 6003-P.

- D. Payment of any benefit shall be made not later than 45 days after mailing of the Payment Election Form. No additional share of the earnings shall be allowed because of such delayed payment.
- E. In the event additional funds become available to the Fund and become available for distribution to the active participants in accordance with this Rule, no benefits from such additional funds, regardless of source, shall accrue to or on behalf of any former participant, the former participant's heirs, or assigns.

(Amended 10-9-01)

6007. LEGAL ADVISER

The General Counsel for the Los Angeles Unified School District shall be the legal adviser to the Annuity Reserve Fund Board, however, the Annuity Reserve Fund Board may recommend the employment of special counsel.

(Adopted 10-9-01)

6008. CHANGE OR ERROR IN RECORDS

Should any change or error in the records result in any participant or beneficiary receiving

from the Annuity Reserve Fund more or less than the participant would have been entitled to had the records been correct, the Annuity Reserve Fund Board shall correct such error by causing the amount of the discrepancy to be either collected, paid, or offset against amounts otherwise payable.

(Amended 9-21-92)

#### 6009. DISSOLUTION OF THE ANNUITY RESERVE FUND

The Annuity Reserve Fund Board may, at its discretion, request the Governing Board of the Los Angeles Unified School District to hold an election among Annuity Reserve Fund participants as to whether assets of the Fund should be distributed. The Annuity Reserve Fund Board may prescribe all rules and regulations regarding such an election, and is authorized to distribute funds of the Fund if a majority of the participants so elect.

(Adopted 12-9-74)

#### 6010. ADOPTION AND AMENDMENT OF RULES

These Board Rules shall be effective upon approval of the Board of Education. Amendments to these Rules may be proposed, discussed, and recommended by the Annuity Reserve Fund Board and shall be put into effect upon approval by the Board of Education.

(Renumbered 12-9-74)