

**EQUIPMENT**

District equipment shall be used primarily for educational purposes and/or to conduct District business. Any unauthorized removal or misuse may be cause for disciplinary action or loss of user privilege.

School-connected organizations may be granted reasonable use of the equipment for school-related matters as long as it does not interfere with the use by students or employees or otherwise disrupt District operations.

When equipment is unusable or is no longer needed, it may be sold, donated, or disposed of in accordance with Education Code 17540-17555 or 2 CFR 200.313, as applicable.

*Legal Reference:*

EDUCATION CODE

17540-17542 *Sale or lease of personal property by one District to another*

17545-17555 *Sale of personal property*

17605 *Delegation of authority to purchase supplies and equipment*

35160 *Authority of governing boards*

35168 *Inventory of equipment*

64000-64001 *Consolidated application process*

CODE OF REGULATIONS, TITLE 5

3946 *Control, safeguards, disposal of equipment purchased with state and federal consolidated application funds*

4424 *Comparability of services*

16023 *Class 1 - Permanent records*

UNITED STATES CODE, TITLE 20

6321 *Fiscal requirements*

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 *Federal uniform grant guidance*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

WEB SITES

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

**EQUIPMENT**

**OFF-SITE EQUIPMENT USE REQUEST FORM**

I assume the responsibility for the following District equipment:

Description

ID Number

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School-related purpose: (Note: items are not for personal use)

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I will return the above equipment to \_\_\_\_\_  
(administrator or designee)  
no later than \_\_\_\_\_.  
(date)

In borrowing the items listed above, I assume responsibility for any loss of or damage to the equipment or materials. If any items are damaged or lost, I will pay the cost of repairs or replacement.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

**CAMPUS SAFETY**

The Governing Board is committed to providing a safe and orderly environment for students, staff, and others on District property or while engaged in school activities.

**DISRUPTIONS**

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other District facility, threatens the health or safety of anyone on District property, or causes or threatens to cause damage to District property or to any property on school grounds.

Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code 48902 and 20 USC 7151 and in other situations, as appropriate.

The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds or school activity if:

1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property. (Education Code 44810, 44811; Penal Code 626.7)
2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction. (Penal Code 415.5)
3. The person, without lawful business for being present, loiters around a school or reenters a school within 72 hours after he/she was asked to leave. (Penal Code 653b)
4. The person is required to register as a sex offender pursuant to Penal Code 290 and does not have a lawful purpose and written permission from the principal or designee to be on school grounds. (Penal Code 626.81)
5. The person is a specified drug offender, as defined in Penal Code 626.85, and does not have written permission from the principal or designee to be on school grounds. However, such specified drug offender may be on school grounds during any school activity if he/she is a student or the parent/guardian of a student attending the school. (Penal Code 626.85)
6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of students, staff, or others while attending, arriving at, or leaving school. (Penal Code 626.8)

7. The person has otherwise established a continued pattern of unauthorized entry on school grounds. (Penal Code 626.8)

The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code 626.7, 626.85)

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she: (Education Code 32211; Penal Code 626.7, 626.8, 636.85)

1. Fails to leave or remains after being directed to leave
2. Returns to the campus without following the school's posted registration requirements
3. Returns within seven days after being directed to leave

Whenever an individual is causing or threatening to cause a disruption at any District facility other than a school campus, the Superintendent or designee may direct that individual to leave the facility consistent with this regulation and the accompanying Board policy.

### **Appeal Procedure**

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)

In any circumstance where a person has been directed to leave a school building or ground where the Superintendent's or Board's office is situated, he/she may nevertheless enter the school building or ground solely for the purpose of making the appeal. (Education Code 32211)

*Legal Reference: (see next page)*

*Legal Reference:*

EDUCATION CODE

32210 *Willful disturbance of public school or meeting, misdemeanor*  
32211 *Threatened disruption or interference with classes; misdemeanor*  
35160 *Authority of governing boards*  
44810 *Willful interference with classroom conduct*  
44811 *Disruption of classwork or extracurricular activities*  
48902 *Notification of law enforcement authorities*  
51512 *Prohibited use of electronic listening or recording device*

PENAL CODE

243.5 *Assault or battery on school property*  
415.5 *Disturbance of peace of school*  
626-626.11 *Schools, crimes, especially:*  
626.7 *Failure to leave campus or facility; wrongful return; penalties; notice; exceptions*  
626.8 *Disruptive presence at schools*  
626.81 *Misdemeanor for registered sex offender to come onto school grounds*  
626.85 *Misdemeanor for specified drug offender presence on school grounds*  
626.9 *Gun Free School Zone Act*  
627-627.10 *Access to school premises*  
653b *Loitering about schools or public places*  
12556 *Imitation firearms*  
30310 *Prohibition against ammunition on school grounds*

UNITED STATES CODE, TITLE 20

7151 *Gun-Free Schools Act*

COURT DECISIONS

*Reeves v. Rocklin Unified School District*, (2003) 109 Cal.App.4th 652  
*In Re Joseph F.*, (2000) 85 Cal.App.4th 975  
*In Re Jimi A.*, (1989) 209 Cal.App.3d 482  
*In Re Oscar R.*, (1984) 161 Cal.App.3d 770

ATTORNEY GENERAL OPINIONS

79 *Ops.Cal.Atty.Gen.* 58 (1996)

*Management Resources:*

CSBA PUBLICATIONS

*911! A Manual for Schools and the Media During a Campus Crisis*, 2001  
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS  
*Guide for Developing High-Quality School Emergency Operations Plans*, 2013

WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>  
U.S. Department of Education: <http://www.ed.gov>

**RECOVERY FOR PROPERTY LOSS OR DAMAGE**

To discourage acts of vandalism and damage to school property, the District shall seek reimbursement of damages, within the limitations specified in law, from any individual, or from the parent/guardian of any minor, who has committed theft or has willfully damaged District or employee property.

**Rewards**

When District or law enforcement officials have not been able to identify the person(s) responsible for the theft or vandalism of District property, the Board may authorize a reward for the identification and apprehension of the responsible person(s).

The Board authorizes the Superintendent or designee to offer a reward in any amount he/she deems appropriate, not exceeding \$2,500. A reward in excess of \$2,500 shall be authorized in advance by the Board.

The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure.

*Legal Reference:*

EDUCATION CODE

19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent/guardian for willful misconduct

CIVIL CODE

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury, or property damage

53069.6 Actions to recover damages

54951 Local agency, definition

PENAL CODE

484 Theft defined

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

*Management Resources:*

WEB SITES

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

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

**RECOVERY FOR PROPERTY LOSS OR DAMAGE**

**Reports by Staff**

District employees shall report any damage to or loss of school property to the principal or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate District official.

**Investigation**

The Superintendent or designee shall conduct a complete investigation of any instance of damage to or loss of school property and shall consult law enforcement officials when appropriate. If it is determined that the damage has been committed by any District student, the Superintendent or designee shall initiate appropriate disciplinary procedures against the student.

**Recovery of Damages**

When the individual causing the damage or loss has been identified and the costs of repair, replacement, or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover the District's costs and shall consult with the District's legal counsel and/or insurance administrator, as appropriate.

Such steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person and, if the responsible person is a minor, from his/her parent/guardian in accordance with law. Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs, and all other damages as provided by law.

**Payment of Reward**

When authorized according to Governing Board policy, the Superintendent or designee shall pay the reward to the party who provides information sufficient to identify and apprehend the person(s) subsequently determined to be responsible for the damage or loss. If more than one person provides information, the reward shall be divided among them as appropriate.

**FIREARMS ON SCHOOL GROUNDS**

The Governing Board is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement and other appropriate individuals and agencies to address the security of school campuses.

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under limited circumstances specified in Penal Code 626.9. *School grounds* include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9)

If a District employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the principal or designee and law enforcement.

*Legal Reference:*

EDUCATION CODE

32281 *Comprehensive safety plan*

38001.5 *District security officers; requirements if carry firearm*

PENAL CODE

626.9 *Gun Free School Zone Act*

830.32 *District police department; District decision to authorize carrying of firearm*

16150 *Definition of ammunition*

16520 *Definition of firearm*

26150-26225 *Concealed weapons permit*

30310 *Prohibition against ammunition on school grounds*

UNITED STATES CODE, TITLE 18

921 *Definitions, firearms and ammunition*

922 *Firearms, unlawful acts*

923 *Firearm licensing*

UNITED STATES CODE, TITLE 20

7961 *Gun-Free Schools Act; student expulsions for possession of firearm*

*Management Resources:*

WEB SITES

*Office of the Attorney General: <https://oag.ca.gov/firearms>*

## **DISTRICT RECORDS**

The Governing Board recognizes the importance of securing, retaining, and disposing of official District records in accordance with law.

The District shall maintain a secure document management system that provides for the storage, retrieval, archiving, and destruction of District documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

### **Classification of Records**

*Records* means all records, maps, books, papers, and documents of a school District required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

Before January 1, the Superintendent or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

*Records of continuing nature* (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from District ownership. (5 CCR 16022)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the District. (5 CCR 16022)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (Education Code 35254)

### **Class 1 - Permanent Records**

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

## **DISTRICT RECORDS (continued)**

1. Annual Reports
  - a. Official budget
  - b. Financial reports of all funds, including cafeteria and student body funds
  - c. Audit of all funds
  - d. Average daily attendance, including Period 1 and Period 2 reports
  - e. Other major annual reports, including:
    - (1) Those containing information relating to property, activities, financial condition, or transactions
    - (2) Those declared by Governing Board minutes to be permanent
2. Official Actions
  - a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
  - b. The call for and the result of any elections called, conducted, or canvassed by the Board
  - c. Records transmitted by another agency pertaining to its action with respect to District reorganization
3. Personnel Records

Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

## **DISTRICT RECORDS (continued)**

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

### **4. Student Records**

The records of enrollment and scholarship for each student required by 5 CCR 432 and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has expired.

### **5. Property Records**

Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, the amount paid, and comparable data if the unit is disposed of.

## **Class 2 - Optional Records**

Any record considered temporarily worth keeping, but which is not a Class 1 record, may be classified as a Class 2 (Optional) record and shall be retained until it is reclassified as a Class 3 (Disposable) record. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

## **Class 3 - Disposable Records**

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

## **DISTRICT RECORDS (continued)**

All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

### **Electronically Stored Information**

All District-related electronically stored information generated or received by a District employee shall be saved to an electronic file on the District's computer and retained for one year, or shall be printed by the employee and physically filed in a way that it can be easily retrieved when needed.

However, any District-related electronically stored information that qualifies as a record, as defined above, shall be classified and retained as specified in the section "Classification of Records" above.

District-related electronically stored information includes, but is not limited to, any email, voicemail, text message, word processing document, spreadsheet, or text document related to District business or generated in the course of an employee's official duty.

Employees are required to regularly purge their email accounts and District-issued computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to District business.

The Superintendent or designee may check for appropriate use of any District-owned equipment at any time.