**Pierce Joint Unified School District** 

**Board of Trustees Regular Meeting** 

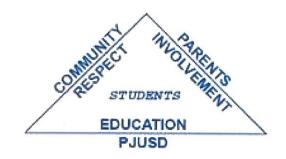
Technology Building 940 Wildwood Rd Arbuckle CA

# **ORIGINAL**

Thursday

January 21, 2016

6:00 p.m.



"Students First"



#### Pierce Joint Unified School District 540A 6<sup>th</sup> Street P.O. Box 239 Arbuckle CA 95912 (530) 476-2892 \* (530) 476-2289 Fax

## BOARD OF TRUSTEES REGULAR MEETING PIERCE JOINT UNIFIED SCHOOL DISTRICT TECHNOLOGY BUILDING 940 WILDWOOD RD, ARBUCKLE CA 95912 THURSDAY JANUARY 21, 2016 6:00 p.m.

## AGENDA

## **Governing Board**

Amy Charter, President Abel Gomez, Vice President Nadine High, Member Debbie Charter, Member

Documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 540A 6<sup>th</sup> Street, Arbuckle CA 95912, during normal business hours.

1. CALL TO ORDER A. Pledge of Allegiance

2.	APPROVAL OF AGENDA	ACTION
3.	HEARING OF THE PUBLIC (Speakers will be given three (3) minutes to speak with a twenty (20) minute limit per topic	
4.	PHS Student Body Representative Report	INFORMATION
5.	<ul><li>PRINCIPAL'S REPORTS</li><li>A. Arbuckle Elementary School/Grand Island Elementary School</li><li>B. Lloyd G. Johnson Junior High School</li><li>C. Pierce High School/Arbuckle Alternative High School</li></ul>	INFORMATION
6.	<ul> <li>REPORTS:</li> <li>A. Facilities / Transportation Report</li> <li>B. P-1 Attendance Report</li> <li>C. Williams Uniform Complaint Quarterly Report – 2<sup>nd</sup> Quarter</li> <li>D. Budget Update</li> <li>E. Discipline Report – 2<sup>nd</sup> Quarter</li> <li>F. Academic Grade Report – PHS</li> <li>G. 2015 Accountability Progress Reports</li> <li>H. Healthy Kids Survey Results</li> <li>I. LCAP Data Update</li> </ul>	INFORMATION/ DISCUSSION
7.	PJUEA (Pierce Joint Unified Educators Association) Report	INFORMATION
8.	CSEA (California School Employees Association) Report	INFORMATION

9.	Consider and approve School Accountability Report Card for:A. Arbuckle Elementary SchoolD. Pierce High SchoolB. Grand Island Elementary SchoolE. Arbuckle Alternative HighC. Lloyd G. Johnson Junior High SchoolSchool	ACTION
10.	Consider and approve 2015/16 Library Plan	ACTION
11.	Consider and approve 2016/2017 Pierce Joint Unified School District Attendance Calendar	ACTION
12.	Consider and approve 2016/17 Pierce Joint Unified School District Student Calendar	ACTION
13.	Consider and approve Agreement between Memorandum of Understanding between the Pierce Joint Unified Educators Association and the Pierce Joint Unified School District for the 2015/16 School Year – 4% Salary Increase; Increase Insurance Cap by \$1,000 Per Year	ACTION
14.	Consider and approve Agreement between Memorandum of Understanding between the Pierce Joint Unified School District Unrepresented Employees and the Pierce Joint Unified School District for the 2015/16 School Year – 4% Salary Increase; Increase Insurance Cap by \$1,000 Per Year	ACTION
15.	Consider and approve Public Disclosure of Proposed Collective Bargaining Agreement and Salary Schedule between the Pierce Joint Unified Educators Association, the Unrepresented Employees, and the Pierce Joint Unified School District for the 2015/16 School Year	ACTION
16.	Consider and approve <b>Board Declaration of Surplus Equipment and Supplies</b> – 1957 Chevrolet Truck	ACTION
17.	Consider and approve <b>Board Declaration of Surplus Equipment and Supplies</b> – 1991 Pontiac Sunbird	ACTION
18.	Consider and approve Appointing Griselda Jauregui as District Representative to SELPA CAC (Community Advisory Committee): Two Year Term (Reminder of 2015/16 School Year and 2016/17 School Year)	ACTION
19.	<ul> <li>Consider and approve Consent Agenda:</li> <li>A. Minutes of December 10, 2015 Regular Board Meeting</li> <li>B. Minutes of December 10, 2015 Special Board Meeting</li> <li>C. Warrant List for December 2015</li> <li>D. Interdistrict Transfers: <ol> <li>Transferring OUT for 2015/16 School Year:</li> <li>One Student to Williams CA</li> </ol> </li> <li>E. Donations: <ol> <li>Fagen, Friedman and Fulfrost, LLP – Shady Creek</li> <li>Pierce Pride Foundation – PHS Football</li> </ol> </li> </ul>	ACTION

- 3. Pierce Pride Foundation PHS Soccer
- 4. Sierra Pacific Organics PHS Basketball
- F. Contracts:
  - 1. Agreement between SyTech Solutions and Pierce Joint Unified School District for Document Scanning Services
- G. Overnight Field Trip Requests:
  - 1. PHS REACH for the Future Youth Conference: Richardson Springs, Chico CA
  - 2. JJH Girl's Circle REACH for the Future Youth Conference: Richardson Springs, Chico CA

#### 20. BOARD POLICIES

#### A. FIRST READING

- 1. MAJOR CHANGES:
  - a. BP 0200 Goals for the School District
  - b. AR 0420.4 Charter School Authorization
  - c. AR 0460 Local Control and Accountability Plan
  - d. AR 3100 Budget
  - e. BP/AR 3260 Fees and Charges
  - f. BP/AR 3270 Sale and Disposal of Books, Equipment and Supplies
  - g. BP 3280 Sale or Lease of District-Owned Property
  - h. AR 3311 Bids
  - i. AR 3460 Financial Reports and Accountability
  - j. AR 3512 Equipment
  - k. BP 3513.3 Tobacco-Fee Schools
  - 1. E 4112.9/4212.9/4312.9 Employee Notifications
  - m. AR 4117.14/4317.14 Postretirement Employment
  - n. AR 4117.7/4317.7 Employment Status Reports
  - o. AR 4119.11/4219.11/4319.11 Sexual Harassment
  - p. BP/AR 4154/4254/4354 Health and Welfare Benefits
  - q. AR 5112.2 Exclusions from Attendance
  - r. BP 5131.62 Tobacco
  - s. BP/AR 5141.31 Immunizations
  - t. BP/AR 5144 Discipline
  - u. PB/AR 5144.1 Suspension and Expulsion/Due Process
  - v. E 5145.6 Parental Notifications
  - w. BP/AR 6141.5 Advanced Placement
  - x. BP 6142.92 Mathematics Instruction
  - y. BP/AR 6151 Class Size
  - z. BP 6162.5 Student Assessment
  - aa. BP 6162.54 Test Integrity/Test Preparation
  - bb. BP 6163.1 Library Media Centers
  - cc. BP 6170.1 Transitional Kindergarten
  - dd. BP/AR 6184 Continuation Education
  - ee. BP 6190 Evaluation of the Instructional Program
  - ff. BB 9324 Minutes and Recordings
- 2. MINOR CHANGES:
  - a. BP 0500 Accountability
  - b. AR 4161.11/4261.11/4361.11 Industrial Accident/Illness Leave
  - c. AR 6145.2 Athletic Competition
  - d. AR 6158 Independent Study

INFORMATION/ POSSIBLE ACTION

- 21. Items to be agendized for the next regular meeting:
- 22. Superintendent's Report
- 23. Board President Report
- 24. CLOSED SESSION:
  - A. PUBLIC EMPLOYMENT: Pursuant to Government Code sec. 54957, the Board will meet in CLOSED SESSION to discuss employee matters:

Certification	Position	Status
Classified	District Mechanic	Hiring
Classified	Substitute Cafeteria Helper	Hiring
Classified	Boy's Varsity Basketball Coach	Volunteer
Classified	Crossing Guard	Resignation

- B. PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE: Pursuant to Government Code sec. 54957, the Board will meet in CLOSED SESSION to discuss public employee discipline/dismissal/release
- C. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Government Code Section 54957.6, the Board will meet in CLOSED SESSION to give direction to Agency Negotiator, Carol Geyer, regarding negotiations with PJUEA (Pierce Joint Unified Educators Association), CSEA (California School Employees Association), and unrepresented groups.
- 25. OPEN SESSION REPORT ACTION TAKEN IN CLOSED SESSION:
  - A. PUBLIC EMPLOYMENT: Pursuant to Government Code sec. 54957, the Board will meet in CLOSED SESSION to discuss employee matters:

Certification	Position	Status
Classified	District Mechanic	Hiring
Classified	Substitute Cafeteria Helper	Hiring
Classified	Boy's Varsity Basketball Coach	Volunteer
Classified	Crossing Guard	Resignation

- B. PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE: Pursuant to Government Code sec. 54957, the Board will meet in CLOSED SESSION to discuss public employee discipline/dismissal/release
- C. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Government Code Section 54957.6, the Board will meet in CLOSED SESSION to give direction to Agency Negotiator, Carol Geyer, regarding negotiations with PJUEA (Pierce Joint Unified Educators Association), CSEA (California School Employees Association), and unrepresented groups.

#### 26. Adjourn

In compliance with the American with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact our office at (530) 476-2892 x13006. Notification at least 48 hours prior to the meeting will enable the office to make reasonable arrangements to ensure accessibility to the Board meeting. (Government Code § 54954.2)

ACTION

## WILLIAMS UNIFORM COMPLAINT PROCEDURE QUARTERLY REPORT PIERCE JOINT UNIFIED SCHOOL DISTRICT October 1, 2015 - December 31, 2015

Education Code 35186(d) requires that a district report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.

X No complaints have been received this quarter.

The following complaints have been received this quarter.

Education Code 35186(e)(1) requires that districts investigate and resolve complaints when a complainant alleges that (a) students do not have standards-aligned instructional materials to use in class; or (b) for use at home or after school in order to complete reqired homework assignments; or (c) are in poor or unusable condition.

Complaints have been received regarding insufficient instructional materials. District Resolutions:

Education Code 36186(e)(1) requires that districts investigate and resolve complaints when a complainant alleges that (a) students do not have standards-aligned textbooks or state- or district-adopted textbooks required for use in class; or (b) for use at home or after school in order to complete required homework assignments; or (c) are in poor or unusable condition.

Complaints have been received regarding insufficient textbooks. District Resolutions:

Education Code 35186(e)(3) requires that districts investigate and resolve complaints when a complainant alleges that facilities have conditions that pose an emergency or urgent threat to the health or safety of students or staff.

Complaints have been received that facilities have emergency/urgent threat conditions. District Resolutions:

Education Code 35186(e)(2) requires that districts investigate and resolve complaints when a complainant alleges that (a) a qualified certificated teacher has not been assigned to a vacant position to a class for an entire year; (b) a teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner students in the class; or (c) a teacher is assigned to teach a class subject matter competency.

Complaints have been received regarding unqualified teachers. District Resolutions:

The district investigated and remedied any valid complaint within a reasonable time period not exceeding 30 working days from the date the complaint was received. EC 35186 (b)

Superintendent

Date

# PIERCE JOINT UNIFIED SCHOOL DISTRICT SUSPENSION/DISCIPLINE REPORT 2nd Quarter - 2015/16 School Year

	AES	Seco	Second Quarter		AAHS	AFS	<u>ک</u>	Year to Date	Date	AAHS	YTD TOTAL S	Last Yr
Education Code 48900										and the owner of the		
(1) A. (1) Caused or threatened physical injury			2	თ				ი	σ		11	24
(2) A. (2) Willfully used force or violence; assault	-			-		1			_	1	з	8
Ψ	-					2				-	ы	1
<u>,</u>				-					-		1	8
(5) D. Unlawfully sold any controlled substance											0	0
ļù.											0	-
.т.			2					2			2	0
(8) G. Stolen or attempted to steal school property											0	2
Ŧ			2					2			2	4
(10) I. Committed obsence act; habitual profanity				-					<u> </u>		2	თ
(11) J. Possession or sale of drug paraphernalia											0	2
(12) K. Class disruption, willfull defiance of authority			5	ω	ω			5	6	ი	17	22
(13) L. Knowingly received private property											0	0
(14) M. Possessed an imitation firearm											0	-
(15) N. Committed, attempted to commit sexual assault/battery											0	0
(16) O. Harassed, threatened or intimidated a witness		2									0	0
(17) O.2 Sexual Harassment											0	0
(18) O.3 Attempted, threatened, caused hate violence											0	0
(19) O.4 Created intimidating or hostile environment (Grades 4-12)			2					2			2	0
(20) O.5 Possession or use of any electronic signaling device											0	0
(21) O.7 Made a terrorist threat											0	0
(24) P. Offering, arranging or negotiating sale of Soma											0	0
(25) Q. Hazing											0	0
(26) R. Bullying											0	0
(27) T. Aided or abetted physical injury											0	0
Education Code 48915												
(28) (a)(1) Caused physical injury											0	0
(29) (a)(2) Possession of a knife or dangerous object											0	ω
(30) (a)(3) Possession of a controlled substance											0	0
(31) (a)(5) Committed Assault or Battery on a School Employee											0	0
(32) (c)(1) Possession, sale, furnishing a firearm											0	0
(33) (c)(2) Brandishing a knife											0	0
(34) (c)(3) Sale of controlled substance											0	0
(35) (c)(4) Sexual battery											0	0
(36) (c)(5) Possession of an explosive											0	0

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California Department of Education Analysis, Measurement, and Accountability Reporting Division Academic Accountability Unit

# 2015 Accountability Progress Reporting (APR)

2015 AYP School Report

School: Arbuckle Elementary LEA: Pierce Joint Unified County: Colusa CDS Code: 06-61614-6003511 School Type: Elementary School

Charter School: No

Date: 12/15/2015

2015 APR Reports and Supplemental Information:

AYP Determination:

Made AYP: Yes Met: 11 of 11 AYP Criteria <u>PI Status:</u> In PI

#### Participation Rate: Targets and Met Criteria

For details on how the participation rate was calculated, please see the 2015 AYP Participation Rate Web page.

Content Area	Target	Met
English Language Arts/Literacy (ELA)	95%	Yes
Mathematics	95%	Yes

#### Participation Rate: Schoolwide and Student Groups

Student Groups	<u>ELA</u> Enrollment	ELA Number of Students Tested	ELA Rate	ELA <u>Met</u> 2015 Criteria	ELA Alternative Method	<u>Math</u> Enrollment	<u>Math</u> <u>Number</u> <u>of</u> <u>Students</u> <u>Tested</u>	<u>Math</u> <u>Rate</u>	<u>Math</u> <u>Met</u> 2015 Criteria	<u>Math</u> <u>Alternative</u> <u>Method</u>
Schoolwide	331	330	100	Yes		332	332	100	Yes	
Black or African American	6	6	100			6	6	100		-
American Indian or Alaska Native	0	0				0	0			-
Asian	4	4	100			4	4	100		-
Filipino	0	0				0	0			-
Hispanic or Latino	224	224	100	Yes		225	225	100	Yes	-
Native Hawaiian or Pacific Islander	1	1	100			1	1	100		-
White	92	92	100	Yes	ER	92	92	100	Yes	EF
Two or More Races	3	3	100			3	3	100		-
Socioeconomically Disadvantaged	225	224	100	Yes		226	226	100	Yes	

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English Learners	185	184	99	Yes	 186	186	100	Yes	-
Students with Disabilities	25	25	100		 25	25	100		-

#### Attendance Rate Target: 90 Percent

Average Daily Attendance	School Attendance Enrollment	Met Criteria
	97%	Yes

Attendance Rate Criteria: Schools that met the following criteria were required to meet the attendance rate indicator:

- 1. The school's entire enrollment was 100 or more on Fall Census Day in October 2014, and the Enrollment in Transitional Kindergarten through grade eight (TK-8) was 30 or more.
- The school's entire enrollment was between 30 to 99 on Fall Census Day in October 2014, and the enrollment in TK-8 was 30 or more, or the percent of TK-8 enrollment made up 50% or more of the school's enrollment.

LEAs that met the following criteria were required to meet the attendance rate indicator:

1. The LEAs entire TK-8 enrollment was 30 or more on Fall Census Day in October 2014.

LEAs and direct-funded charter schools were given two options for submitting their attendance data to the California Department of Education:

- 1. Total number of days students attended and were enrolled.
  - or
- 2. Average Daily Attendance (ADA)

The data are as of the second period (P-2), which is from July 1 through the last school month that ends before April 15, 2015. LEAs and direct-funded charter schools submitted data for one option only. The attendance rate will be displayed in the column that reflects the option chosen by the LEA or direct-funded charter school.

"--" means the school submitted attendance data under the other option (i.e., ADA or School Attendance Enrollment).

"DNS" (Did Not Submit) in the ADA and School Attendance Enrollment columns mean an attendance rate could not be calculated because the LEA or direct-funded charter school did not submit data under either option.

"N/A" means not applicable.

#### Graduation Rate Goal: 90 Percent

#### **Current Year: Graduation Rate Results**

Graduation Rate data not available.

<u>Graduation Rate Criteria:</u> (1) met or exceeded the goal of 90%, or (2) met the fixed target graduation rate, or (3) met the variable target graduation rate. Fixed and variable target graduation rates are calculated for LEAs and schools until 2019 when the target for all LEAs, schools and the state is 90%.

Percent Proficient - Annual Measurable Objectives (AMOs) Percent Proficient Statement: Due to the transition to the Smarter Balanced Summative Assessments, the U.S. Department of Education (ED) approved the California Department of Education's waiver request to exclude the percent proficient results from AYP determinations. However, the ED is requiring the percent proficient results be displayed on the AYP reports. For a more thorough view of a school's or district's progress, please view: Local Control Funding Formula State Priorities Snapshot

#### Percent Proficient Rate: Schoolwide and Student Groups

Content Area	Target
English Language Arts/Literacy (ELA)	100.0%
Mathematics	100.0%

#### Percent Proficient: Schoolwide and Student Groups

Student Groups	<u>ELA</u> <u>Valid</u> <u>Scores</u>	ELA Number At or Above Proficient	ELA Percent At or Above Proficient	<u>Math</u> <u>Valid</u> Scores	<u>Math Number</u> <u>At or Above</u> <u>Proficient</u>	<u>Math Percent</u> <u>At or Above</u> <u>Proficient</u>
Schoolwide	310	107	34.5	310	120	38.7
Black or African American	5			5		
American Indian or Alaska Native	0			0		
Asian	4			4		
Filipino	0			0		
Hispanic or Latino	211	53	25.1	211	66	31.3
Native Hawaiian or Pacific Islander	- 1			1		
White	86	49	57.0	86	49	57.0
Two or More Races	3			3		
Socioeconomically Disadvantaged	208	50	24.0	208	65	31.3
English Learners	174	40	23.0	174	50	28.7
Students with Disabilities	20	1	5.0	20	2	10.0

Web Policy

California Department of Education Analysis, Measurement, and Accountability Reporting Division Academic Accountability Unit

# 2015 Accountability Progress Reporting (APR)

2015 AYP School Report

School: Grand Island Elementary LEA: Pierce Joint Unified County: Colusa CDS Code: 06-61614-6003537 School Type: Elementary School

Charter School: No

Date: 12/15/2015

2015 APR Reports and Supplemental Information: --Select a Report--

**AYP Determination:** 

Made AYP: Yes Met: 3 of 3 AYP Criteria <u>PI Status:</u> Not in PI

#### Participation Rate: Targets and Met Criteria

For details on how the participation rate was calculated, please see the 2015 AYP Participation Rate Web page.

Content Area	Target	Met
English Language Arts/Literacy (ELA)	95%	Yes
Mathematics	95%	Yes

#### Participation Rate: Schoolwide and Student Groups

Student Groups	<u>ELA</u> Enrollment	ELA Number of Students Tested	<u>ELA</u> <u>Rate</u>	<u>ELA</u> <u>Met</u> <u>2015</u> <u>Criteria</u>	ELA <u>Alternative</u> <u>Method</u>	<u>Math</u> Enrollment	<u>Math</u> <u>Number</u> <u>of</u> <u>Students</u> <u>Tested</u>	<u>Math</u> <u>Rate</u>	<u>Math</u> <u>Met</u> <u>2015</u> <u>Criteria</u>	<u>Math</u> <u>Alternative</u> <u>Method</u>
Schoolwide	40	40	100	Yes	EN	40	40	100	Yes	Ē
Black or African American	0	0				0	0			-
American Indian or Alaska Native	0	0				0	0			
Asian	2	2	100			2	2	100		-
Filipino	0	0				0	0			-
Hispanic or Latino	34	34	100			34	34	100		-
Native Hawaiian or Pacific Islander	0	0				0	0			-
White	4	4	100			4	4	100		-
Two or More Races	0	0				0	0			-
Socioeconomically Disadvantaged	39	39	100			39	39	100		

English Learners	33	33	100	 	33	33	100	 •
Students with Disabilities	3	3	100	 	3	3	100	 -

#### Attendance Rate Target: 90 Percent

Average Daily Attendance	School Attendance Enrollment	Met Criteria
	98%	Yes

Attendance Rate Criteria: Schools that met the following criteria were required to meet the attendance rate indicator:

- 1. The school's entire enrollment was 100 or more on Fall Census Day in October 2014, and the Enrollment in Transitional Kindergarten through grade eight (TK-8) was 30 or more.
- The school's entire enrollment was between 30 to 99 on Fall Census Day in October 2014, and the enrollment in TK-8 was 30 or more, or the percent of TK-8 enrollment made up 50% or more of the school's enrollment.

LEAs that met the following criteria were required to meet the attendance rate indicator:

1. The LEAs entire TK-8 enrollment was 30 or more on Fall Census Day in October 2014.

LEAs and direct-funded charter schools were given two options for submitting their attendance data to the California Department of Education:

- 1. Total number of days students attended and were enrolled.
  - or
- 2. Average Daily Attendance (ADA)

The data are as of the second period (P-2), which is from July 1 through the last school month that ends before April 15, 2015. LEAs and direct-funded charter schools submitted data for one option only. The attendance rate will be displayed in the column that reflects the option chosen by the LEA or direct-funded charter school.

"--" means the school submitted attendance data under the other option (i.e., ADA or School Attendance Enrollment).

"DNS" (Did Not Submit) in the ADA and School Attendance Enrollment columns mean an attendance rate could not be calculated because the LEA or direct-funded charter school did not submit data under either option.

"N/A" means not applicable.

#### Graduation Rate Goal: 90 Percent

#### **Current Year: Graduation Rate Results**

Graduation Rate data not available.	

<u>Graduation Rate Criteria:</u> (1) met or exceeded the goal of 90%, or (2) met the fixed target graduation rate, or (3) met the variable target graduation rate. Fixed and variable target graduation rates are calculated for LEAs and schools until 2019 when the target for all LEAs, schools and the state is 90%.

Percent Proficient - Annual Measurable Objectives (AMOs) Percent Proficient Statement: Due to the transition to the Smarter Balanced Summative Assessments, the U.S. Department of Education (ED) approved the California Department of Education's waiver request to exclude the percent proficient results from AYP determinations. However, the ED is requiring the percent proficient results be displayed on the AYP reports. For a more thorough view of a school's or district's progress, please view: Local Control Funding Formula State Priorities Snapshot

#### Percent Proficient Rate: Schoolwide and Student Groups

Content Area	Target
English Language Arts/Literacy (ELA)	100.0%
Mathematics	100.0%

http://ayp.cde.ca.gov/reports/Acnt2015/2015APRSchAYPReport.aspx?allcds=066161460... 12/15/2015

#### Percent Proficient: Schoolwide and Student Groups

Student Groups	<u>ELA</u> <u>Valid</u> <u>Scores</u>	ELA Number At or Above Proficient	ELA Percent At or Above Proficient	<u>Math</u> <u>Valid</u> Scores	Math Number At or Above Proficient	Math Percent At or Above Proficient
Schoolwide	38	8	21.1	38	11	28.9
Black or African American	0			0		
American Indian or Alaska Native	0			0		
Asian	2			2		
Filipino	0			0		
Hispanic or Latino	32	7	21.9	32	10	31.3
Native Hawaiian or Pacific Islander	0			0		
White	4			4	-	
Two or More Races	0			0		
Socioeconomically Disadvantaged	37	8	21.6	37	10	27.0
English Learners	31	6	19.4	31	9	29.0
Students with Disabilities	3			3		

Web Policy



California Department of Education Analysis, Measurement, and Accountability Reporting Division Academic Accountability Unit

# 2015 Accountability Progress Reporting (APR)

2015 AYP School Report

School: Lloyd G. Johnson Junior High LEA: Pierce Joint Unified County: Colusa CDS Code: 06-61614-6103576 School Type: Middle School

Charter School: No

Date: 12/15/2015

2015 APR Reports and Supplemental Information: --Select a Report--

**AYP Determination:** 

Made AYP: Yes Met: 11 of 11 AYP Criteria PI Status: In PI

#### Participation Rate: Targets and Met Criteria

For details on how the participation rate was calculated, please see the 2015 AYP Participation Rate Web page.

V

Content Area	Target	Met
English Language Arts/Literacy (ELA)	95%	Yes
Mathematics	95%	Yes

#### Participation Rate: Schoolwide and Student Groups

Student Groups	<u>ELA</u> Enrollment	<u>ELA</u> <u>Number</u> <u>of</u> <u>Students</u> <u>Tested</u>	ELA Rate	ELA Met 2015 Criteria	ELA Alternative Method	<u>Math</u> Enrollment	<u>Math</u> <u>Number</u> <u>of</u> <u>Students</u> <u>Tested</u>	<u>Math</u> Rate	<u>Math</u> <u>Met</u> 2015 Criteria	<u>Math</u> <u>Alternative</u> <u>Method</u>
Schoolwide	328	323	98	Yes		328	323	98	Yes	-
Black or African American	11	11	100			11	11	100		-
American Indian or Alaska Native	0	0				0	0			-
Asian	1	1	100			1	1	100		-
Filipino	0	0				0	0			-
Hispanic or Latino	236	233	99	Yes		236	233	99	Yes	-
Native Hawaiian or Pacific Islander	1	1	100			1	1	100		-
White	77	75	98	Yes	ER	77	75	98	Yes	EF
Two or More Races	1	1	100			1	1	100		5-
Socioeconomically Disadvantaged	230	227	99	Yes		230	227	99	Yes	

English Learners	144	142	99	Yes		144	142	99	Yes	
Students with Disabilities	35	34	98		-	35	34	98		-

#### Attendance Rate Target: 90 Percent

Average Daily Attendance	School Attendance Enrollment	Met Criteria
	97%	Yes

Attendance Rate Criteria: Schools that met the following criteria were required to meet the attendance rate indicator:

- 1. The school's entire enrollment was 100 or more on Fall Census Day in October 2014, and the Enrollment in Transitional Kindergarten through grade eight (TK-8) was 30 or more.
- The school's entire enrollment was between 30 to 99 on Fall Census Day in October 2014, and the enrollment in TK-8 was 30 or more, or the percent of TK-8 enrollment made up 50% or more of the school's enrollment.

LEAs that met the following criteria were required to meet the attendance rate indicator:

1. The LEAs entire TK-8 enrollment was 30 or more on Fall Census Day in October 2014.

LEAs and direct-funded charter schools were given two options for submitting their attendance data to the California Department of Education:

1. Total number of days students attended and were enrolled.

or

2. Average Daily Attendance (ADA)

The data are as of the second period (P-2), which is from July 1 through the last school month that ends before April 15, 2015. LEAs and direct-funded charter schools submitted data for one option only. The attendance rate will be displayed in the column that reflects the option chosen by the LEA or direct-funded charter school.

"--" means the school submitted attendance data under the other option (i.e., ADA or School Attendance Enrollment).

"DNS" (Did Not Submit) in the ADA and School Attendance Enrollment columns mean an attendance rate could not be calculated because the LEA or direct-funded charter school did not submit data under either option.

"N/A" means not applicable.

#### Graduation Rate Goal: 90 Percent

#### **Current Year: Graduation Rate Results**

Graduation	Rate	data	not	available.
------------	------	------	-----	------------

<u>Graduation Rate Criteria:</u> (1) met or exceeded the goal of 90%, or (2) met the fixed target graduation rate, or (3) met the variable target graduation rate. Fixed and variable target graduation rates are calculated for LEAs and schools until 2019 when the target for all LEAs, schools and the state is 90%.

<u>Percent Proficient - Annual Measurable Objectives (AMOs)</u> Percent Proficient Statement: Due to the transition to the Smarter Balanced Summative Assessments, the U.S. Department of Education (ED) approved the California Department of Education's waiver request to exclude the percent proficient results from AYP determinations. However, the ED is requiring the percent proficient results be displayed on the AYP reports. For a more thorough view of a school's or district's progress, please view: <u>Local Control Funding Formula State</u> <u>Priorities Snapshot</u>

#### Percent Proficient Rate: Schoolwide and Student Groups

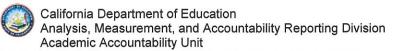
Content Area	Target
English Language Arts/Literacy (ELA)	100.0%
Mathematics	100.0%

http://ayp.cde.ca.gov/reports/Acnt2015/2015APRSchAYPReport.aspx?allcds=066161461... 12/15/2015

#### Percent Proficient: Schoolwide and Student Groups

Student Groups	<u>ELA</u> <u>Valid</u> <u>Scores</u>	ELA Number At or Above Proficient	ELA Percent At or Above Proficient	<u>Math</u> <u>Valid</u> Scores	<u>Math Number</u> <u>At or Above</u> <u>Proficient</u>	<u>Math Percent</u> <u>At or Above</u> <u>Proficient</u>
Schoolwide	304	127	41.8	304	100	32.9
Black or African American	11	1	9.1	11	0	0.0
American Indian or Alaska Native	0			0		
Asian	1			1		-
Filipino	0			0		
Hispanic or Latino	220	84	38.2	220	61	27.7
Native Hawaiian or Pacific Islander	1			1		
White	70	40	57.1	70	38	54.3
Two or More Races	1			1		
Socioeconomically Disadvantaged	213	77	36.2	213	55	25.8
English Learners	131	31	23.7	131	22	16.8
Students with Disabilities	25	1	4.0	25	3	12.0

Web Policy



# 2015 Accountability Progress Reporting (APR)

2015 AYP School Report

School: Pierce High LEA: Pierce Joint Unified County: Colusa CDS Code: 06-61614-0635250 School Type: High School

Charter School: No

Date: 12/15/2015

2015 APR Reports and Supplemental Information:
--Select a Report--

AYP Determination:

Made AYP: No Met: 6 of 7 AYP Criteria <u>PI Status:</u> In PI

#### Participation Rate: Targets and Met Criteria

For details on how the participation rate was calculated, please see the 2015 AYP Participation Rate Web page.

Content Area	Target	Met
English Language Arts/Literacy (ELA)	95%	No
Mathematics	95%	Yes

#### Participation Rate: Schoolwide and Student Groups

Student Groups	<u>ELA</u> Enrollment	ELA Number of Students Tested	<u>ELA</u> <u>Rate</u>	ELA <u>Met</u> 2015 Criteria	ELA Alternative Method	<u>Math</u> Enrollment	<u>Math</u> <u>Number</u> <u>of</u> <u>Students</u> <u>Tested</u>	<u>Math</u> <u>Rate</u>	<u>Math</u> <u>Met</u> 2015 Criteria	<u>Math</u> <u>Alternative</u> <u>Method</u>
Schoolwide	122	106	87	No		122	107	88	Yes	<u>Y:</u>
Black or African American	2	2	100		1015 1016	2	2	100		-
American Indian or Alaska Native	1	0	0			1	0	0		-
Asian	0	0				0	0			-
Filipino	0	0				0	0			-
Hispanic or Latino	93	85	92	Yes	<u>Y2</u>	93	86	93	Yes	Y:
Native Hawaiian or Pacific Islander	1	1	100			1	1	100		
White	25	18	72			25	18	72	· · · · ·	
Two or More Races	0	0				0	0			-
Socioeconomically Disadvantaged	76	69	91	Yes	<u>Y2</u>	76	70	93	Yes	<u>Y:</u>
		03	51	163	12			35		

English Learners	15	14	94	 	15	15	100	 -
Students with Disabilities	13	12	93	 	13	12	93	 -

#### Attendance Rate Target: 90 Percent

Average Daily Attendance	School Attendance Enrollment	Met Criteria	
N/A	N/A	N/A	

Attendance Rate Criteria: Schools that met the following criteria were required to meet the attendance rate indicator:

- 1. The school's entire enrollment was 100 or more on Fall Census Day in October 2014, and the Enrollment in Transitional Kindergarten through grade eight (TK-8) was 30 or more.
- The school's entire enrollment was between 30 to 99 on Fall Census Day in October 2014, and the enrollment in TK-8 was 30 or more, or the percent of TK-8 enrollment made up 50% or more of the school's enrollment.

LEAs that met the following criteria were required to meet the attendance rate indicator:

1. The LEAs entire TK-8 enrollment was 30 or more on Fall Census Day in October 2014.

LEAs and direct-funded charter schools were given two options for submitting their attendance data to the California Department of Education:

- 1. Total number of days students attended and were enrolled.
  - or
- 2. Average Daily Attendance (ADA)

The data are as of the second period (P-2), which is from July 1 through the last school month that ends before April 15, 2015. LEAs and direct-funded charter schools submitted data for one option only. The attendance rate will be displayed in the column that reflects the option chosen by the LEA or direct-funded charter school.

"--" means the school submitted attendance data under the other option (i.e., ADA or School Attendance Enrollment).

"DNS" (Did Not Submit) in the ADA and School Attendance Enrollment columns mean an attendance rate could not be calculated because the LEA or direct-funded charter school did not submit data under either option.

"N/A" means not applicable.

#### Graduation Rate Goal: 90 Percent

Met Schoolwide Graduation	Met Student Group Graduation Rates	Met Overall Graduation Rate Criteria			
Yes	Yes	Yes			

#### **Current Year: Graduation Rate Results**

Groups	2014 Cohort Graduation Rate (class of 2012-13)	2015 Cohort Graduation Rate (class of 2013-14)	2015 Target Graduation Rate	<u>2015</u> <u>Graduation</u> <u>Rate</u> <u>Criteria Met</u>	2016 Target Graduation Rate Class of 2014-15)	<u>Exclusion/</u> <u>Alternative</u> <u>Method</u>
Schoolwide	96.39	94.87	88.88	Yes	89.16	
Black or African American			N/A	N/A	N/A	<u>U50</u>
American Indian or Alaska Native			N/A	N/A	N/A	<u>U50</u>
Asian			N/A	N/A	N/A	<u>U50</u>
Filipino			N/A	N/A	N/A	<u>U50</u>
Hispanic or Latino	98.15	93.10	90.00	Yes	90.00	
Native Hawaiian or Pacific Islander			N/A	N/A	N/A	<u>U50</u>
White			N/A	N/A	N/A	<u>U50</u>

Two or More Races			N/A	N/A	N/A	<u>U50</u>
Socioeconomically Disadvantaged	98.18	93.55	90.00	Yes	90.00	
English Learners			N/A	N/A	N/A	<u>U50</u>
Students with Disabilities			N/A	N/A	N/A	<u>U50</u>

<u>Graduation Rate Criteria:</u> (1) met or exceeded the goal of 90%, or (2) met the fixed target graduation rate, or (3) met the variable target graduation rate. Fixed and variable target graduation rates are calculated for LEAs and schools until 2019 when the target for all LEAs, schools and the state is 90%.

Percent Proficient - Annual Measurable Objectives (AMOs) Percent Proficient Statement: Due to the transition to the Smarter Balanced Summative Assessments, the U.S. Department of Education (ED) approved the California Department of Education's waiver request to exclude the percent proficient results from AYP determinations. However, the ED is requiring the percent proficient results be displayed on the AYP reports. For a more thorough view of a school's or district's progress, please view: Local Control Funding Formula State Priorities Snapshot

#### Percent Proficient Rate: Schoolwide and Student Groups

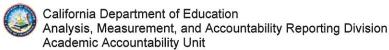
Content Area	Target
English Language Arts/Literacy (ELA)	100.0%
Mathematics	100.0%

#### Percent Proficient: Schoolwide and Student Groups

Student Groups	<u>ELA</u> <u>Valid</u> <u>Scores</u>	ELA Number At or Above Proficient	ELA Percent At or Above Proficient	<u>Math</u> <u>Valid</u> Scores	<u>Math Number</u> <u>At or Above</u> <u>Proficient</u>	Math Percent At or Above Proficient
Schoolwide	105	49	46.7	106	24	22.6
Black or African American	2			2		
American Indian or Alaska Native	0			0		
Asian	0			0		
Filipino	0			0		
Hispanic or Latino	85	38	44.7	86	20	23.3
Native Hawaiian or Pacific Islander	1			1		
White	17	10	58.8	17	4	23.5
Two or More Races	0			0		
Socioeconomically Disadvantaged	69	31	44.9	70	16	22.9
English Learners	14	4	28.6	15	2	13.3
Students with Disabilities	11	1	9.1	11	0	0.0

Web Policy

http://ayp.cde.ca.gov/reports/Acnt2015/2015APRSchAYPReport.aspx?allcds=066161406... 12/15/2015



# 2015 Accountability Progress Reporting (APR)

2015 AYP School Report

School: Arbuckle Alternative High (Continuation) LEA: Pierce Joint Unified County: Colusa CDS Code: 06-61614-0630087 School Type: ASAM High School

Charter School: No

Date: 12/15/2015

2015 APR Reports and Supplemental Information:

AYP Determination:

Made AYP: Yes Met: 2 of 2 AYP Criteria Pl Status: Not in Pl

#### Participation Rate: Targets and Met Criteria

For details on how the participation rate was calculated, please see the 2015 AYP Participation Rate Web page.

Content Area	Target	Met
English Language Arts/Literacy (ELA)	95%	Yes
Mathematics	95%	Yes

#### Participation Rate: Schoolwide and Student Groups

Student Groups	<u>ELA</u> Enrollment	ELA Number of Students Tested	ELA Rate	<u>ELA</u> <u>Met</u> 2015 Criteria	ELA Alternative Method	<u>Math</u> Enrollment	<u>Math</u> <u>Number</u> <u>of</u> <u>Students</u> <u>Tested</u>	<u>Math</u> <u>Rate</u>	<u>Math</u> <u>Met</u> 2015 Criteria	<u>Math</u> <u>Alternative</u> <u>Method</u>
Schoolwide	4	4	100	Yes	EN	4	4	100	Yes	<u>13</u>
Black or African American	0	0				0	0			
American Indian or Alaska Native	0	0				0	0			-
Asian	0	0				0	0			-
Filipino	0	0				0	0			-
Hispanic or Latino	4	4	100			4	4	100		-
Native Hawaiian or Pacific Islander	0	0				0	0			-
White	0	0				0	0			-
Two or More Races	0	0				0	0			-
Socioeconomically Disadvantaged	3	3	100			3	3	100		-

English Learners	0	0	 	 0	0		 -
Students with Disabilities	0	0	 	 0	0		 -

#### Attendance Rate Target: 90 Percent

Averag	ge Daily Attendance	School Attendance Enrollment	Met Criteria
	N/A	N/A	N/A

Attendance Rate Criteria: Schools that met the following criteria were required to meet the attendance rate indicator:

1. The school's entire enrollment was 100 or more on Fall Census Day in October 2014, and the Enrollment in Transitional Kindergarten through grade eight (TK-8) was 30 or more.

 The school's entire enrollment was between 30 to 99 on Fall Census Day in October 2014, and the enrollment in TK-8 was 30 or more, or the percent of TK-8 enrollment made up 50% or more of the school's enrollment.

LEAs that met the following criteria were required to meet the attendance rate indicator:

1. The LEAs entire TK-8 enrollment was 30 or more on Fall Census Day in October 2014.

LEAs and direct-funded charter schools were given two options for submitting their attendance data to the California Department of Education:

1. Total number of days students attended and were enrolled.

or

2. Average Daily Attendance (ADA)

The data are as of the second period (P-2), which is from July 1 through the last school month that ends before April 15, 2015. LEAs and direct-funded charter schools submitted data for one option only. The attendance rate will be displayed in the column that reflects the option chosen by the LEA or direct-funded charter school.

"--" means the school submitted attendance data under the other option (i.e., ADA or School Attendance Enrollment).

"DNS" (Did Not Submit) in the ADA and School Attendance Enrollment columns mean an attendance rate could not be calculated because the LEA or direct-funded charter school did not submit data under either option.

"N/A" means not applicable.

#### Graduation Rate Goal: 90 Percent

Met Schoolwide Graduation	Met Student Group Graduation Rates	Met Overall Graduation Rate Criteria
N/A	N/A	N/A

#### **Current Year: Graduation Rate Results**

2014 Cohort Graduation Rate (class of 2012-13)	2015 Cohort Graduation Rate (class of 2013-14)	<u>2015 Target</u> <u>Graduation</u> <u>Rate</u>	<u>2015</u> <u>Graduation</u> <u>Rate</u> <u>Criteria Met</u>	2016 Target Graduation Rate Class of 2014-15)	<u>Exclusion/</u> <u>Alternative</u> <u>Method</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
		N/A	N/A	N/A	<u>U50</u>
	Graduation           Rate (class of 2012-13)	Graduation Rate (class of 2012-13)         Graduation Rate (class of 2013-14)	Graduation Rate (class of 2012-13)Graduation Rate (class of 2013-14)2015 Target Graduation Rate2013-14)N/AN/AN/AN/AN/AN/AN/AN/AN/AN/AN/AN/A	Graduation Rate (class of 2012-13)Graduation Rate (class of 2013-14)2015 Target Graduation Rate Criteria Met2013-14)Graduation RateN/A	2014 Cohort Graduation Rate (class of 2012-13)2015 Cohort Graduation Rate (class of 2013-14)2015 Target Graduation Rate Criteria Met 2014-15)Graduation Rate 2014-15)N/A

Two or More Races	 	N/A	N/A	N/A	<u>U50</u>
Socioeconomically Disadvantaged	 	N/A	N/A	N/A	<u>U50</u>
English Learners	 	N/A	N/A	N/A	<u>U50</u>
Students with Disabilities	 	N/A	N/A	N/A	<u>U50</u>

<u>Graduation Rate Criteria:</u> (1) met or exceeded the goal of 90%, or (2) met the fixed target graduation rate, or (3) met the variable target graduation rate. Fixed and variable target graduation rates are calculated for LEAs and schools until 2019 when the target for all LEAs, schools and the state is 90%.

<u>Percent Proficient - Annual Measurable Objectives (AMOs)</u> Percent Proficient Statement: Due to the transition to the Smarter Balanced Summative Assessments, the U.S. Department of Education (ED) approved the California Department of Education's waiver request to exclude the percent proficient results from AYP determinations. However, the ED is requiring the percent proficient results be displayed on the AYP reports. For a more thorough view of a school's or district's progress, please view: <u>Local Control Funding Formula State</u> Priorities Snapshot

#### Percent Proficient Rate: Schoolwide and Student Groups

Content Area	Target
English Language Arts/Literacy (ELA)	100.0%
Mathematics	100.0%

#### Percent Proficient: Schoolwide and Student Groups

Student Groups	<u>ELA</u> <u>Valid</u> <u>Scores</u>	ELA Number At or Above Proficient	ELA Percent At or Above Proficient	<u>Math</u> <u>Valid</u> Scores	<u>Math Number</u> <u>At or Above</u> <u>Proficient</u>	Math Percent At or Above Proficient
Schoolwide	4			4		
Black or African American	0			0		
American Indian or Alaska Native	0			0		
Asian	0			0		
Filipino	0			0		
Hispanic or Latino	4			4	-	
Native Hawaiian or Pacific Islander	0			0		
White	0			0		
Two or More Races	0			0		
Socioeconomically Disadvantaged	3		-	3	-	-
English Learners	0			0	-	
Students with Disabilities	0			0		

Web Policy

# **Core Module Results**

# 1. Survey Sample

Table A1.1Student Sample Characteristics

	Grade 5
Student Sample Size	
Target sample	118
Final number	102
Average Response Rate	86%

Pierce Joint Unified 2015-16

Page 2 Elementary Main Report - Module A: Core

# 2. Summary of Key Indicators

Table A2.1

Key Indicators of School Climate and Student Well-Being

	Grade 5 %	Table
School Engagement and Supports		
School connectedness (high)	26	A4.2
Academic motivation (high)	33	A4.2
Caring adult relationships (high)	20	A4.2
High expectations (high)	16	A4.2
Meaningful participation (high)	40	A4.2
School Safety		
Feel safe at school <sup>†</sup>	81	A7.1
Been hit or pushed	54	A7.2
Mean rumors spread about you	60	A7.2
Been called bad names or mean jokes made about you	45	A7.2
Saw a weapon at school <sup>‡</sup>	28	A7.4
Disciplinary Environment		
Students well-behaved <sup>†</sup>	53	A6.2
Students treated fairly when break school rules <sup>†</sup>	44	A6.1
Students treated with respect <sup>†</sup>	85	A6.1
Lifetime Substance Use		
Alcohol or drug use	14	A9.1
Cigarette smoking	2	A10.1
E-cigarette	1	A10.1

Notes: Cells are empty if there are less than 25 respondents. <sup>†</sup>Combines "Most of the time" and "All of the time." <sup>‡</sup>Past 12 months.

Page 3 Elementary Main Report - Module A: Core

# **Core Module Results**

# 1. Survey Sample

	Grade 7	Grade 9	Grade 11	NTA
Student Sample Size				
Target sample	110	109	110	_
Final number	105	105	105	
Average Response Rate	95%	96%	95%	_

Table A1.1Student Sample Characteristics

Note: <sup>A</sup>NT includes continuation, community day, and other alternative school types.

Middle & High School Page 2

Main Report - Module A: Core

Pierce Joint Unified 2015-16

# 2. Summary of Key Indicators

Table A2.1

Key Indicators of School Climate and Student Well-Being

	Grade 7	Grade 9	Grade 11	NT	Table
	%	%	%	%	
School Engagement and Supports					
School connectedness (high)	81	62	48	-	A4.4
Academic motivation (high)	62	44	24	—	A4.4
Truant more than a few times <sup><math>\dagger</math></sup>	2	1	5		A4.2
Caring adult relationships (high)	60	31	30	_	A4.4
High expectations (high)	80	41	39	_	A4.4
Meaningful participation (high)	23	21	7	_	A4.4
School Safety and Substance Use					
School perceived as very safe or safe	82	77	74	-	A5.1
Experienced any harassment or bullying <sup>†</sup>	27	29	32		A5.4
Had mean rumors or lies spread about you <sup>†</sup>	30	46	42		A5.2
Been afraid of being beaten $up^{\dagger}$	11	12	5	-	A5.3
Been in a physical fight <sup>†</sup>	14	15	10	<u> </u>	A5.3
Seen a weapon on campus <sup>†</sup>	13	18	11		A5.6
Been drunk or "high" on drugs at school, ever	1	2	9	_	A6.9
Mental and Physical Health					
Current alcohol or drug use <sup>‡</sup>	8	23	33		A6.4
Current binge drinking <sup>‡</sup>	1	6	12		A6.5
Very drunk or "high" 7 or more times	2	5	12	_	A6.6
Current cigarette smoking <sup>‡</sup>	1	1	3	-	A7.3
Experienced chronic sadness/hopelessness <sup>†</sup>	15	28	36	_	A8.4
Considered suicide <sup>†</sup>	na	14	19	_	A8.5

Notes: Cells are empty if there are less than 25 respondents.

<sup>†</sup>Past 12 months; <sup>‡</sup>Past 30 days; na—Not asked of middle school students.

Middle and High School

Page 3 Main Report - Module A: Core

# 2. Summary of Key Survey Indicators

Table A2.1

Key Indicators of School Climate and Student Behavior

Ley Indicators of School Cumule and Student Denavior	All %	ES %	MS %	HS %	NT %	Table
Student Learning Environment	10	10		10		
Is a supportive and inviting place for students to learn <sup>†</sup>	67	69	91	52	-	A4.3
Sets high standards for academic performance for all <sup>†</sup>	56	78	27	35	-	A4.4
Nearly all adults believe every student can be a success	46	47	45	43	-	A5.7
Encourages opportunities for students to decide things <sup>†</sup>	26	25	18	30	-	A5.8
Is welcoming to and facilitates parent involvement	62	64	55	64	-	A4.25
Staff Working Environment						
Is a supportive and inviting place for staff to work <sup><math>\dagger</math></sup>	61	58	73	61	-	A4.10
Promotes trust and collegiality among staff <sup>†</sup>	49	47	55	48	_	A4.13
Promotes personnel participation in decision making <sup>†</sup>	26	28	20	27	_	A4.15
Safety						
Is a safe place for staff <sup>†</sup>	69	67	64	74	_	A4.23
Is a safe place for students <sup>†</sup>	64	64	55	70	-	A4.22
Has sufficient resources to create a safe campus <sup>†</sup>	42	50		45	_	B3.2
Student Discipline and Support						
Handles discipline problems fairly <sup>†</sup>	47	47	27	57	-	A10.3
Provides adequate counseling and support services <sup>†</sup>	43	39	36	52	-	A10.5
Emphasizes helping students with social, emotional, behavioral problems <sup>†</sup>	30	44		18	_	B6.1
Positive Relationships						
Nearly all adults really care about every student	59	57	82	52	-	A5.3
Nearly all adults treat every student with respect	56	56	64	52	-	A7.5
Fosters an appreciation of student diversity and respect for each other $^{\dagger}$	50	47	64	48	_	A7.2
Has moderate/severe problem with harassment/bullying	12	11	9	14	—	A9.6
Student Behavior						
Nearly all/most students motivated to learn	67	78	64	50	_	A8.2
Nearly all/most students well-behaved	86	89	91	77	-	A8.5
Cutting classes or being truant moderate/severe problem	3	3	0	5	-	A8.4
Alcohol and drug use moderate/severe problem	7	0	0	23		A9.12

Notes: Cells are empty if there are less than 5 respondents. <sup>†</sup>Percent responding "Strongly Agree."

Legend: All–All District; ES–Elementary; MS–Middle; HS–High; NT–Continuation/Community Day/Alternative Pierce Joint Unified 2015-16 CSCS Report - Section A: Core

(Stat

## **LCAP Data Points**

Goal #1	2013/14	2014/15	2015/16 Goal	2015/16 Actual	2015/16 Met
AP Calculus Enrollment	n/a	12	12		Yes
	li/d	12	12	10	res
AP English Literature or Composition Enrollment	n/a	25	25	32*	Yes
AP Spanish Enrollment	n/a	25	25	44*	Yes
AP Calculus Exam Participation Rate	n/a	18	100	44	165
AP English Literature or Composition Exam	iiy a	10	100		
Participation Rate	n/a	100	100		
AP Spanish Exam Participation Rate	n/a	100	100		
AP Calculus Passage Rate	n/a	1/4 (25)	50		
	in a	1,4 (23)			
AP English Literature or Composition Passage Rate	n/a	4/15 (27)	25		
AP Spanish Passage Rate	n/a	13/24 (54)	74		
UC/CSU a-g Completion Rate	27	28.7	33		
CAASPP % Met or Exceeded Standard - English	n/a	38	44		
CAASPP % Met or Exceeded Standard - Math	n/a	33	38		
% Making Progress Toward English Proficiency	Constant State				
(AMAO #1)	62	61.4	60.5		
% in Cohort Attaining English Proficient Level	and the second second				
(AMAO #2 <5 yrs)	25.2	22.3	24.2		
% in Cohort Attaining English Proficient Level					
(AMAO #2 >5 yrs)	52.5	52	50.9		
English Learner Reclassification Rate	16.6	10.6	21.5		
EAP % Met College Ready Criteria - ELA	0	16	20		
EAP % Met College Ready Criteria - Math	2	10	12		
EAP % Met Conditional College Ready Criteria - ELA	n/a	46	48		
EAP % Met Conditional College Ready Criteria -					
Math	n/a	23	25		
CAHSEE Proficiency Rate - ELA	56	57	n/a	n/a	n/a
CAHSEE Proficiency Rate - Math	62	58	n/a	n/a	n/a
High School Graduation Rate	94.9	97	97	9	
High School Drop Out Rate	1.5	3	1.5		
Middle School Drop Out Rate	0	0	0		
SRI Proficiency Rate - AES	48	53	55		
SRI Proficiency Rate - GI	51	42	55		
SRI Proficiency Rate - JJH	6th Grade: 53		55		
	7th Grade: 62		65		
	8th Grade: 58	65	60		
SRI Proficiency Rate - PHS	n/a	59	62		
Credentialed Teacher Rate	100	100	100		
Standard Aligned Instructional Material Rate	100	100	100	100	Yes
Professional Development Days - Number	3	4	6	6	Yes
Physical Fitness Test 6/6 % - 5th Grade	42.7	47.4	50		
Physical Fitness Test 6/6 % - 7th Grade	40.7	21.8	25		
Physical Fitness Test 6/6 % - 9th Grade	39.8	32.5	35		

## **LCAP Data Points**

CTE Course Sequence Completion Rate	24.8	22	25		
Course Access Rate	100	100	100	100	Yes
CTE Enrollment Rate	33	62	65		
		and share the back			
	2013/14	2014/15	2015/16	2015/16	2015/16
Goal #2	2013/14	2014/15	Goal	Actual	Met
Attendance Rate	97	96.8	97	97.8*	
Chronic Absenteeism Rate	12	16	10	0*	
Suspension Rate	6.2	5	5	1*	
Expulsion Rate	0.1	0.2	0.1	0*	
F Rate per Semester - PHS	5.3 / 5.5	4.7/4.8	4	4.4 1st Q	
D Rate per Semester Rate - PHS	8.8 / 7.7	12.6/11.4	7	7.6 1st Q	
Discipline Referrals per Year - AES	n/a	67	50	37*	
Discipline Referrals per Year - GI	n/a	15	15	1*	
Discipline Referrals per Year - JJH	n/a	66	60	19*	
Discipline Referrals per Year - PHS	n/a	610	400	153*	
Discipline Referrals per Year - ALT	n/a	43	20	12*	
Bus Referrals per Year	n/a	45	25	19*	
School Facility Rating	100	100	100		
% of 5th Graders "Feel a Part of School" (School	The second the		Establish		
Connectedness)			Baseline	21*	
% of 7th Graders "Feel a Part of School" (School			Establish		
Connectedness)			Baseline	81*	
% of 9th Graders "Feel a Part of School" (School			Dusenne		
Connectedness)	63	n/a	68	62*	
% of 11th Graders "Feel a Part of School" (School	03	in a	00	02	
Connectedness)	44	n/a	54	48*	
		in a	Establish	40	
% of 5th Graders "Feel Safe at School"			Baseline	81*	
			Establish		
% of 7th Graders "Feel Safe at School"			Baseline	82*	
% of 9th Graders "Feel Safe at School"	67	n/a	72	77*	
% of 11th Graders "Feel Safe at School"	54	n/a	59	74*	
F's per Semester in P.E PHS	13/9	7/8	10	6 1st Q	
				<u> </u>	
			2015/16	2015/16	2015/16
Goal #3	2013/14	2014/15	Goal	Actual	Met
% of Parents with Access to Grading Portal - JJH	As and	33	43	31*	
% of Parents with Access to Grading Portal - PHS		52	62	52*	
DART Referral Number		33	25		
Number of Parent Workshops Offered			10	12 PIQE, 1 Drug/Gang	
% of District Schools Sending Parent Survey	100	100	100	100	

# Arbuckle Elementary School School Accountability Report Card Reported Using Data from the 2014-15 School Year Published During 2015-16

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at http://www.cde.ca.gov/ta/ac/sa/.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at http://www.cde.ca.gov/fg/aa/lc/.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

#### DataQuest

DataQuest is an online data tool located on the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district, the county, and the state. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners.

#### Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

## **About This School**

#### **Contact Information (Most Recent Year)**

School Contact Inf	ormation
School Name	Arbuckle Elementary School
Street	701 Hall St.
City, State, Zip	Arbuckle, CA 95912-0100
Phone Number	(530) 476-2522
Principal	Summer Shadley
E-mail Address	sshadley@pierce.k12.ca.us
Web Site	www.pierce.k12.ca.us
Grades Served	К-5
CDS Code	06616146003511

District Contact Inf	ormation
District Name	Pierce Joint Unified School District
Phone Number	(530) 476-2892
Superintendent	Carol Geyer
E-mail Address	cgeyer@pierce.k12.ca.us
Web Site	www.pierce.k12.ca.us

#### School Description and Mission Statement (Most Recent Year)

Arbuckle Elementary School is a school of character. The goal of our school is to provide each student with a challenging and rigorous curriculum appropriate to his/her academic level in a safe learning environment. With parents and teachers working together as a team towards the same goal, every child will succeed. In order to give each child the best opportunity for success, we keep the vision of "Students First" in all that we do. If we accept and make the pledge to keep children first, then it follows that education becomes our number one priority. A school-community with those two concepts as our core values will stand willing and able to do what is needed for educating the children.

#### Student Enrollment by Grade Level (School Year 2014-15)

Grade Level	Number of Students
Kindergarten	101
Grade 1	106
Grade 2	92
Grade 3	113
Grade 4	105
Grade 5	107
Total Enrollment	624

#### Student Enroliment by Group (School Year 2014-15)

Student Group	Percent of Total Enrollment
Black or African American	1.4
Asian	1.3
Hispanic or Latino	72.8
Native Hawaiian or Pacific Islander	0.3
White	22.5
Two or More Races	1.4
Socioeconomically Disadvantaged	70.3
English Learners	51.1
Students with Disabilities	3.1

# A. Conditions of Learning

#### State Priority: Basic

The SARC provides the following information relevant to the Basic State Priority (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair.

#### **Teacher Credentials**

<b>T</b>		School	District	
Teachers Teachers	2013-14	2014-15	2015-16	2015-16
With Full Credential	31	31	30	67
Without Full Credential	0	0	2	4
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	0

#### Teacher Misassignments and Vacant Teacher Positions

Indicator	2013-14	2014-15	2015-16
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments *	0	0	0
Vacant Teacher Positions	0	0	0

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\* Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

#### Core Academic Classes Taught by Highly Qualified Teachers (School Year 2014-15)

· · · · · · · · · · · · · · · · · · ·	Percent of Classes In Core Academic Subjects			
Location of Classes	Taught by Highly Qualified Teachers	Not Taught by Highly Qualified Teachers		
This School	100.0	0.0		
All Schools in District	100.0	0.0		
High-Poverty Schools in District	100.0	0.0		
Low-Poverty Schools in District	0.0	0.0		

Note: High-poverty schools are defined as those schools with student eligibility of approximately 40 percent or more in the free and reduced price meals program. Low-poverty schools are those with student eligibility of approximately 39 percent or less in the free and reduced price meals program.

#### Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2015-16)

Year and month in which data were collected: January 2016

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Reading/Language Arts	Good quality, most current adoption, all materials are available	Yes	0%
	McMillian McGraw Hill- CA Treasures 2009 with Program 2 ELD Component		

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Mathematics	Good quality, most current adoption, all materials are available	Yes	0%
	Houghton Mifflin/Harcourt- Go Math 2015 is available to all students		
Science	Good quality, most current adoption, all materials are available	Yes	0%
	Houghton Mifflin –Science California 2007 is available to all students	:	
History-Social Science	Good quality, most current adoption, all materials are available	Yes	0%
	Scott Foresman History-Social Science for California 2006 is available to all students		
Foreign Language			0%
Health			0%
Visual and Performing Arts			0%
Science Laboratory Equipment (grades 9-12)			0%

#### School Facility Conditions and Planned Improvements (Most Recent Year)

Arbuckle Elementary strives to maintain a safe, healthy, nurturing and orderly school campus that encourages positive attitudes in students and staff. Our custodial/grounds staff takes great pride in maintaining clean and safe facilities. Flowers make the campus colorful. Safety signs are posted on the main building and on the fences. A parking area is designated. A portion of Ninth Street is closed during school hours. The staff parking lot is fenced in and safety gates are at each of the upper grade corridors. Phones are in each classroom. \*During 14-15 there were no quarterly Williams Act complaints.

#### School Facility Good Repair Status (Most Recent Year)

School Facility Good Repair Status (Most Recent Year) Year and month in which data were collected: 6-15								
System Inspected		Repair Stat	us	Repair Needed and				
	Good	Fair	Poor	Action Taken or Planned				
Systems: Gas Leaks, Mechanical/HVAC, Sewer	x			6-30-15				
Interior: Interior Surfaces	x			6-30-15				
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	x			6-30-15				
Electrical: Electrical	x		-	6-30-15				
Restrooms/Fountains: Restrooms, Sinks/ Fountains	x			6-30-15				
Safety: Fire Safety, Hazardous Materials	x			6-30-15				

				ost Recent Year) collected: 6-15
System Inspected	Repair Status			Repair Needed and
	Good	Fair	Poor	Action Taken or Planned
Structural: Structural Damage, Roofs	х			6-30-15
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	х			6-30-15

#### **Overall Facility Rating (Most Recent Year)**

Year and month in which data were collected: 6-15									
Overell Peting		Exemplary	Good	Fair	Poor				
Overall Rating		х							

## **B.** Pupil Outcomes

#### **State Priority: Pupil Achievement**

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP], Science California Standards Tests); and
- The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study

#### California Assessment of Student Performance and Progress Results for All Students (School Year 2014-15)

Subject	Percent of Students Meeting or Exceeding the State Standards (grades 3-8 and 11)						
	School	District	State				
English Language Arts/Literacy	34	38	44				
Mathematics	38	33	33				

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

## CAASPP Assessment Results - English Language Arts (ELA)

#### Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

Student Group	а.	Number of Students		Percent of Students					
	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded	
All Students	3	119	118	99.2	29	28	25	19	
	4	105	103	98.1	44	32	16	9	
	5	109	108	99.1	36	30	26	8	
Male	3		66	55.5	38	26	23	14	
	4		63	60.0	51	32	10	8	
	5		63	57.8	40	30	27	3	
Female	3		52	43.7	17	31	27	25	
	4		40	38.1	33	33	25	10	
	5		45	41.3	31	29	24	16	
Black or African American	3		4	3.4					

Student Group	Grade	Number of Students		Percent of Students					
		Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded	
	4		2	1.9					
Asian	3		2	1.7					
	4		1	1.0					
	5		2	1.8					
Filipino	4		0	0.0					
Hispanic or Latino	3		85	71.4	35	31	21	13	
	4		71	67.6	54	34	6	7	
	5		66	60.6	42	32	23	3	
Native Hawaiian or Pacific Islander	5		1	0.9					
White	3		26	21.8	8	19	38	35	
	4		27	25.7	19	30	37	15	
	5		38	34.9	24	29	32	16	
Two or More Races	3		1	0.8					
	4		1	1.0					
	5		1	0.9					
Socioeconomically Disadvantaged	3		78	65.5	36	31	19	14	
	4	•	70	66.7	57	30	7	6	
	5		70	64.2	41	34	20	4	
English Learners	3		66	55.5	36	30	23	11	
	4		34	32.4	76	21	0	3	
	5		25	22.9	72	28	0	0	
Students with Disabilities	3		1	0.8					
	4		4	3.8					
	5		7	6.4					
Students Receiving Migrant Education Services	3		6	5.0					
enneation pervices	4		1	1.0					
	5		2	1.8					
Foster Youth	3								
	4								
	5								

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

# CAASPP Assessment Results - Mathematics

Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

		Number o	f Students		Pe	cent of Stude	nts	· · · · · · · · · · · · · · · · · · ·
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded
All Students	3	119	118	99.2	16	29	42	14
	4	105	105	100.0	28	47	23	3
	5	109	108	99.1	27	43	21	9
Male	3		66	55.5	24	24	41	11
	4		64	61.0	30	47	19	5
	5		63	57.8	25	43	25	6
Female	3		52	43.7	6	35	42	17
	4		41	39.0	24	46	29	0
	5		45	41.3	29	42	16	13
Black or African American	3		4	3.4				
	4		2	1.9				
Asian	3		2	1.7				
	4		1	1.0				
	5		2	1.8			<u></u>	
Filipino	4		1	1.0				
Hispanic or Latino	3		· 85	71.4	19	34	39	8
	4		72	68.6	36	47	15	1
	5		66	60.6	33	42	18	6
Native Hawaiian or Pacific Islander	5		1	0.9				
White	3		26	21.8	4	15	46	35
	4		27	25.7	7	44	41	7
	5		38	34.9	13	45	29	13
Two or More Races	3		1	0.8				
	4		1	1.0				
	5		1	0.9				
Socioeconomically Disadvantaged	3		78	65.5	19	35	37	9
	4		71	67.6	37	44	20	0
	5		70	64.2	36	41	17	6
English Learners	3		66	55.5	23	33	38	6
	4		35	33.3	57	37	6	0
	5	<u> </u>	25	22.9	48	40	12	0
Students with Disabilities	3		1	0.8				
	4		4	3.8				
	5		7	6.4				

	Number of Stude		Students	Percent of Students					
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded	
Students Receiving Migrant	3		6	5.0					
Education Services	4		1	1.0					
	5		2	1.8					
Foster Youth	3								
	4								
	5								

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

#### California Standards Tests for All Students in Science (Three-Year Comparison)

		Percent of Students Scoring at Proficient or Advanced (meeting or exceeding the state standards)							ж
Subject	School		District			State			
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Science (grades 5, 8, and 10)	41	50	33	46	50	35	59	60	56

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Standards Tests Results by Student Group in Science (School Year 2014-15)

Student Group	Percent of Students Scoring at Proficient or Advanced
All Students in the LEA	35
All Students at the School	33
Male	33
Female	32
Asian	
Hispanic or Latino	22
White	50
Socioeconomically Disadvantaged	
English Learners	4
Students with Disabilities	26
Students Receiving Migrant Education Services	
Foster Youth	

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### California Physical Fitness Test Results (School Year 2014-15)

Grade	Percei	nt of Students Meeting Fitness Star	ndards
Level	Four of Six Standards	Five of Six Standards	Six of Six Standards
5	12.80	22.00	49.50

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

# C. Engagement

# **State Priority: Parental Involvement**

The SARC provides the following information relevant to the Parental Involvement State Priority (Priority 3):

• Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite.

# **Opportunities for Parental Involvement (Most Recent Year)**

We have many opportunities for parents to become involved such as: Classroom Volunteers, Parents' Club, School Site Council, attending parent conferences, family nights, and parent workshops. Please call Summer Shadley at (530) 476-2522 for details on how to volunteer your time.

# **State Priority: School Climate**

The SARC provides the following information relevant to the School Climate State Priority (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

# **Suspensions and Expulsions**

Dirito		School		· · · · · · · · · · · · · · · · · · ·	District			State	
Rate	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Suspensions	1.27	0.65	0.45	6.76	6.24	4.45	5.07	4.36	3.80
Expulsions	0.00	0.00	0.00	0.21	0.07	0.13	0.13	0.10	0.09

# School Safety Plan (Most Recent Year)

Regular fire, earthquake and intruder drills are conducted. A monthly district Health and Safety Committee with administrative, teacher and parent representatives from each site reviews the consistency of the usage of the district discipline matrix as well as any health or safety issues that may need to be reviewed. Conflict facilitators are trained to assist in problem solving among students. Class meetings are held weekly to promote communication skills. Using the Safe Schools Planning guide, the School Site Council annually reviews elements of the school climate and the physical environment to annually update the Safe School Plan.

# **D.** Other SARC Information

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

# Adequate Yearly Progress Overall and by Criteria (School Year 2014-15)

AYP Criteria	School	District	State
Made AYP Overall	Yes	Yes	Yes
Met Participation Rate: English-Language Arts	Yes	Yes	Yes
Met Participation Rate: Mathematics	Yes	Yes	Yes
Met Percent Proficient: English-Language Arts	N/A	N/A	N/A
Met Percent Proficient: Mathematics	N/A	N/A	N/A
Met Attendance Rate	Yes	Yes	Yes
Met Graduation Rate	N/A	Yes	Yes

# Federal Intervention Program (School Year 2015-16)

Indicator	School	District
Program Improvement Status	In Pl	in Pl
First Year of Program Improvement	2006-2007	2010-2011
Year in Program Improvement*	Year 5	Year 3
Number of Schools Currently in Program Improvement	N/A	3
Percent of Schools Currently in Program Improvement	N/A	60.0

Note: Cells with N/A values do not require data.

# Average Class Size and Class Size Distribution (Elementary)

		201	2-13			2013-14			2014-15			
Grade	Avg.	Nun	nber of Cla	sses	Avg.	Avg. Number of Classes			Avg.	Nun	Number of Classes	
Level	Class Size	1-20	21-32	33+	Class Size	1-20	21-32	33+	Class Size	1-20	21-32	33+
К	25	1	3		25		4		21		5	
1	28		4		24		4		26		4	
2	24		4		27		4		23		4	
3	26		4		24		4		23		5	
4	29		3		25		4		25		4	
5	26		4		29		3		27		4	

Note: Number of classes indicates how many classes fall into each size category (a range of total students per class).

# Academic Counselors and Other Support Staff (School Year 2014-15)

Title	Number of FTE Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor	0	0
Counselor (Social/Behavioral or Career Development)	0.4	N/A
Library Media Teacher (Librarian)	0	N/A
Library Media Services Staff (Paraprofessional)	0.01	N/A
Psychologist	0.4	N/A
Social Worker	0	N/A
Nurse	0.2	N/A
Speech/Language/Hearing Specialist	1	N/A
Resource Specialist	0.4	N/A
Other	0	N/A

Note: Cells with N/A values do not require data. One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

# Expenditures per Pupil and School Site Teacher Salaries (Fiscal Year 2013-14)

		Average			
Level	Total	Supplemental/ Restricted	Basic/ Unrestricted	Teacher Salary	
School Site	5092	818	4271	62198	
District	N/A	N/A	5695	\$61,695	
Percent Difference: School Site and District	N/A	N/A	-25.0	0.8	
State	N/A	N/A	\$5,348	\$59,460	
Percent Difference: School Site and State	N/A	N/A	-20.1	4.6	

Note: Cells with N/A values do not require data.

# Types of Services Funded (Fiscal Year 2014-15)

Before and after school tutoring programs are offered by individual grade level teams. Primary Intervention Program (PIP) is available to qualifying students in grades K-3 to help students with social issues. Students meet one-on-one with an aide for thirty minutes during a semester. Counseling is available to our students two days a week through our district counselor. One fulltime and one part-time reading specialist works with students in grades 1-5 who are experiencing difficulty with reading and writing skills. A literacy coach trains certificated paraprofessionals, substitutes and parents in reading and writing strategies. Conflict facilitation is offered at the school site. Fourth and fifth grade students are trained to help students resolve conflicts among each other. One fulltime and one part-time English Language Development (ELD) teacher works with English language learners. Reading Counts is available in all classrooms. This program is used to promote reading and recognize students for their reading achievement. Read Naturally is used in classrooms to promote reading fluency. Arbuckle Elementary operates an after school program under the ASES grant. Lexia is a computer based phonics program utilized by struggling readers. FASTT Math is a computer based math facts program for student support. ST Math is a game-based instructional software for K-12 and is designed to boost math comprehension and proficiency through visual learning.

Category	District Amount	State Average for Districts in Same Category
Beginning Teacher Salary	\$43,369	\$38,953
Mid-Range Teacher Salary	\$58,005	\$57,103
Highest Teacher Salary	\$77,642	\$74,127
Average Principal Salary (Elementary)	\$106,489	\$90,225
Average Principal Salary (Middle)	\$111,060	\$98,146
Average Principal Salary (High)	\$118,709	\$97,758
Superintendent Salary	\$121,530	\$117,803
Percent of Budget for Teacher Salaries	40%	34%
Percent of Budget for Administrative Salaries	8%	7%

### Teacher and Administrative Salaries (Fiscal Year 2013-14)

For detailed information on salarles, see the CDE Certificated Salarles & Benefits Web page at http://www.cde.ca.gov/ds/fd/cs/.

# Professional Development (Most Recent Three Years)

A total of five full days per year are utilized for teacher training/staff development. Every Wednesday students are released at 2:00 p.m. in order for teaching staff to collaborate as a grade level team. Common Core State Standards are the focus currently for staff development, as well as, new curriculum training, Illuminate, Edivate, technology integration, EL instructional strategies and explicit direct instruction.

# Grand Island Elementary School School Accountability Report Card Reported Using Data from the 2014-15 School Year Published During 2015-16

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at http://www.cde.ca.gov/ta/ac/sa/.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at http://www.cde.ca.gov/fg/aa/lc/.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

# **DataQuest**

DataQuest is an online data tool located on the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district, the county, and the state. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners.

# Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

# **About This School**

# **Contact Information (Most Recent Year)**

School Contact Information					
School Name	Grand Island Elementary School				
Street	551 Leven St.				
City, State, Zip	Grimes, CA 95950-0030				
Phone Number	(530) 437-2416				
Principal	Summer Shadley				
E-mail Address	sshadley@pierce.k12.ca.us				
Web Site	http://www.pierce.k12.ca.us				
Grades Served	1-6				
CDS Code	06616146003537				

District Contact Information						
District Name	Pierce Joint Unified School District					
Phone Number	(530) 476-2892					
Superintendent	Carol Geyer					
E-mail Address	cgeyer@pierce.k12.ca.us					
Web Site	www.pierce.k12.ca.us					

# School Description and Mission Statement (Most Recent Year)

The mission statement for our school is "Believe, Achieve, Succeed." It is our goal to have each student positively motivated to learn, and it is our goal to be aware of each child's personal growth and self esteem.

Grand Island Elementary school serves students in grades 1-6 and islocated in Grimes, which is adjacent to the Sacramento River. The school is the primary hub of activity in this small farming community. The school district encompasses 60 square miles. The average enrollment is 55 students. The majority of our students begin school as non-English speakers. Once again, Grand Island Elementary School encourages parents to get involved in every facet of their child's education.

# Student Enrollment by Grade Level (School Year 2014-15)

Grade Level	Number of Students
Grade 1	13
Grade 2	11
Grade 3	15
Grade 4	9
Grade 5	7
Grade 6	9
Total Enrollment	64

# Student Enrollment by Group (School Year 2014-15)

Student Group	Percent of Total Enrollment
Asian	4.7
Hispanic or Latino	82.8
White	12.5
Socioeconomically Disadvantaged	92.2
English Learners	71.9
Students with Disabilities	4.7

# A. Conditions of Learning

# **State Priority: Basic**

The SARC provides the following information relevant to the Basic State Priority (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair.

# **Teacher Credentials**

		School		District
Teachers.	2013-14	2014-15	2015-16	2015-16
With Full Credential	4	4	4	67
Without Full Credential	0	0	0	4
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	0

# **Teacher Misassignments and Vacant Teacher Positions**

Indicator	2013-14	2014-15	2015-16
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments *	0	0	0
Vacant Teacher Positions	0	0	0

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\* Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

# Core Academic Classes Taught by Highly Qualified Teachers (School Year 2014-15)

	Percent of Classes In Core Academic Subjects				
Location of Classes	Taught by Highly Qualified Teachers	Not Taught by Highly Qualified Teachers			
This School	100.0	0.0			
All Schools in District	100.0	0.0			
High-Poverty Schools in District	100.0	0.0			
Low-Poverty Schools in District	0.0	0.0			

Note: High-poverty schools are defined as those schools with student eligibility of approximately 40 percent or more in the free and reduced price meals program. Low-poverty schools are those with student eligibility of approximately 39 percent or less in the free and reduced price meals program.

# Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2015-16)

Year and month in which data were collected: January 2016

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Reading/Language Arts	Good quality, most current adoption, all materials available	Yes	0%
	MacMillan/McGraw-Hill California Treasures 2009 with Program 2 ELD component		

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy	
Mathematics	Good quality, most current adoption, all materials available	Yes	0%	
	Houghton Mifflin - GO Math 2015 is available to all students			
Science	Good quality, most current adoption, all materials available	Yes	0%	
	Houghton-Mifflin - Science California 2007 is available to all students			
History-Social Science	Good quality, most current adoption, all materials available	Yes	0%	
	Scott Foresman History-Social Science for California 2006 is available to all students			
Foreign Language			0%	
Health			0%	
Visual and Performing Arts			0%	
Science Laboratory Equipment (grades 9-12)			0%	

# School Facility Conditions and Planned Improvements (Most Recent Year)

# School Facility Good Repair Status (Most Recent Year)

School Facility Good Repair Status (Most Recent Year) Year and month in which data were collected: 6-15							
	Repair Status			Repair Needed and			
System Inspected	Good Fair Po		Poor	Action Taken or Planned			
Systems: Gas Leaks, Mechanical/HVAC, Sewer	x			6-30-15			
Interior: Interior Surfaces	x			6-30-15			
Cleanliness: Overall Cleanliness, Pest/ Vermin Infestation	x			6-30-15			
Electrical: Electrical	х			6-30-15			
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	х			6-30-15			
Safety: Fire Safety, Hazardous Materials	х			6-30-15			
Structural: Structural Damage, Roofs	x			6-30-15			
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	x			6-30-15			

Yeara	nd month in which da	ata were collected: 6-	15	
	Exemplary	Good	Fair	Poor
Overall Kating	Х			

# **B. Pupil Outcomes**

# State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP], Science California Standards Tests); and
- The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study

# California Assessment of Student Performance and Progress Results for All Students (School Year 2014-15)

	Percent of	Students Meeting or Exceeding t	he State Standards
Subject		(grades 3-8 and 11)	
	School	District	State
English Language Arts/Literacy	23	38	44
Mathematics	28	33	33

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

		Number o	f Students		Pe	rcent of Stude	nts	
Student Group	Grade		Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded
All Students	3	14	14	100.0	43	43	7	7
	4	9	9	100.0				
	5	7	7	100.0				
	6	10	10	100.0				
Male	3		6	42.9				
	4		7	77.8				
	5		3	42.9				
	6		6	60.0				
Female	3		8	57.1				
	4		2	22.2				
	5		4	57.1				
	6		4	40.0				
Asian	3		1	7.1				
	4		1	11.1				
Hispanic or Latino	3		12	85.7	42	42	8	8
	4		7	77.8				
	5		7	100.0				
	6		8	80.0				

# CAASPP Assessment Results - English Language Arts (ELA)

Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

		Number o	f Students		Pe	rcent of Stude	nts	
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded
White	3		1	7.1				
	4		1	11.1				
	6		2	20.0				
Socioeconomically Disadvantaged	3		14	100.0	43	43	7	7
	4		9	100.0				
	5		7	100.0				
	6	_	9	90.0				
English Learners	3		13	92.9	46	38	8	8
	4		6	66.7				
	5		4	57.1				
	6		4	40.0				
Students with Disabilities	3		1	7.1				
	4		2	22.2				
Foster Youth	3							
	4							
	5							
	6							

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

# **CAASPP Assessment Results - Mathematics**

Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

		Number of	f Students	Percent of Students						
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded		
All Students	3	14	14	100.0	43	29	21	7		
	4	9	9	100.0						
	5	7	`7	100.0						
	6	10	10	100.0						
Male	3		6	42.9						
	4		7	77.8						
	5		3	42.9						
	6		6	60.0						
Female	3		8	57.1						
	4		2	22.2						
	5		4	57.1						
······	6		4	40.0						
Asian	3		1	7.1						

		Number o	f Students	Percent of Students					
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded	
	4		1	11.1					
Hispanic or Latino	3		12	85.7	42	25	25	8	
	4		7	77.8					
	5		7	100.0					
	6		8	80.0					
White	3		1	7.1					
	4		1	11.1					
	6		2	20.0					
Socioeconomically Disadvantaged	3		14	100.0	43	29	21	7	
	4		9	100.0					
	5		7	100.0					
	6		9	90.0					
English Learners	3		13	92.9	38	31	23	8	
	4		6	66.7					
	5		4	57.1					
	6		4	40.0					
Students with Disabilities	3		1	7.1					
	4		2	22.2					
Foster Youth	3								
	4								
	5								
	<del>6</del>						<b>N</b>		

Double dashes (---) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

### California Standards Tests for All Students in Science (Three-Year Comparison)

					coring at P eeding the		Advanced lards)		
Subject		School		· · · · · ·	District			State	
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Science (grades 5, 8, and 10)	0			46	50	35	59	60	56

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Standards Tests Results by Student Group in Science (School Year 2014-15)

Student Group	Percent of Students Scoring at Proficient or Advanced
All Students in the LEA	35
All Students at the School	
Male	
Female	
Hispanic or Latino	
English Learners	
Students with Disabilities	
Foster Youth	

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Physical Fitness Test Results (School Year 2014-15)

Grade	Percent of St	udents Meeting Fitness Stand	ards
Level	Four of Six Standards	Five of Six Standards	Six of Six Standards
Note: Percentages are not calculated	ated when the number of students tested is ten or les	s, either because the number of stude	ents in this category is too small for

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

# C. Engagement

# **State Priority: Parental Involvement**

The SARC provides the following information relevant to the Parental Involvement State Priority (Priority 3):

• Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite.

### **Opportunities for Parental Involvement (Most Recent Year)**

Grand Island Elementary has an open door policy and parents are encouraged to come by at any opportunity. Our Grand Island Parents' Club has been in existence for over 70 years. The parents are involved with various fundraisers and school events. Parents are also asked to join our School Site Council which is a two year commitment. Grand Island parents also volunteer to come into the classrooms and share their special talents. Please call (530) 437-2416 for details on how to volunteer your time.

# **State Priority: School Climate**

The SARC provides the following information relevant to the School Climate State Priority (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

### **Suspensions and Expulsions**

	School			District			State		
Rate	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Suspensions	0.00	2.50	0.00	6.76	6.24	4.45	5.07	4.36	3.80
Expulsions	1.25	0.00	0.00	0.21	0.07	0.13	0.13	0.10	0.09

# School Safety Plan (Most Recent Year)

Regular fire, earthquake and intruder drills are conducted. A monthly district Safety Committee consisting of administrative, teacher and parent representatives from each site review the usage of the district discipline matrix as well as any safety issues that may need to be reviewed. Conflict facilitators are trained to assist in problem solving among students. Class meetings are held weekly to promote communications skills. The School Site Council annually reviews elements of the school climate and the physical environment and uses the information to annually update the Safe School Plan.

# **D.** Other SARC Information

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

# Adequate Yearly Progress Overall and by Criteria (School Year 2014-15)

AYP Criteria	School	District	State
Made AYP Overall	Yes	Yes	Yes
Met Participation Rate: English-Language Arts	Yes	Yes	Yes
Met Participation Rate: Mathematics	Yes	Yes	Yes
Met Percent Proficient: English-Language Arts	N/A	N/A	N/A
Met Percent Proficient: Mathematics	N/A	N/A	N/A
Met Attendance Rate	Yes	Yes	Yes
Met Graduation Rate	N/A	Yes	Yes

# Federal Intervention Program (School Year 2015-16)

School	District
Not in Pl	In Pl
	2010-2011
	Year 3
N/A	3
N/A	60.0
	Not in Pl N/A

Note: Cells with N/A values do not require data.

# Average Class Size and Class Size Distribution (Elementary)

		201	2-13		2013-14			2014-15				
Grade	Avg.	Nun	nber of Cla	ISSES	Avg.	Avg. Number of Classes		Avg.	Nur	umber of Classes		
Level	Class Size	1-20	21-32	33+	Class Size	1-20	21-32	33+	Class Size	1-20	21-32	33+
к	10	1			13	1						
2	24		1		24		1		24		1	
4	19	1			19	1			24		1	
6	25		1		20	1			16	1		

Note: Number of classes indicates how many classes fall into each size category (a range of total students per class).

### Academic Counselors and Other Support Staff (School Year 2014-15)

Title	Number of FTE Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor	0	
Counselor (Social/Behavioral or Career Development)	0.05	N/A
Library Media Teacher (Librarian)	0	N/A
Library Media Services Staff (Paraprofessional)	0	N/A
Psychologist	0.1	N/A
Social Worker	0	N/A
Nurse	0.05	N/A
Speech/Language/Hearing Specialist	0.2	N/A
Resource Specialist	0	N/A
Other	0	N/A

Note: Cells with N/A values do not require data. One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

### Expenditures per Pupil and School Site Teacher Salaries (Fiscal Year 2013-14)

		Average			
Level	Total	Supplemental/ Restricted	Basic/ Unrestricted	Teacher Salary	
School Site	6,809.79	1,374.12	5,435.67	57,914	
District	N/A	N/A	5,694.65	\$61,695	
Percent Difference: School Site and District	N/A	N/A	-4.5	-6.1	
State	N/A	N/A	\$5,348	\$59,460	
Percent Difference: School Site and State	N/A	N/A	1.6	-2.6	

Note: Cells with N/A values do not require data.

# Types of Services Funded (Fiscal Year 2014-15)

After school tutoring programs are offered at some grade levels. Primary Intervention Program (PIP) is available to qualifying students in grades k-3 to help students with social issues. Students meet one-on-one with an aide for thirty minutes during a semester. Counseling is available to our students through Colusa County Mental Health and through the district. Paraprofessionals are hired to help enhance our language arts and math instruction. A literacy coach trains certificated paraprofessionals, substitutes and parents in reading and writing strategies. Conflict facilitation is offered at the school site. Fifth and sixth grade students are trained to help students resolve conflicts among each other. An English Language Development (ELD) teacher works with English language learners. Reading Counts is available to all classrooms. This program is used to promote reading and recognize students for thier reading achievement. Read Naturally is used in classrooms to promote reading fluency. Grand Island Elementary operates an after school program under the ASES grant. Lexia is a computer based phonics program utilized by struggling readers. FASTT Math is a computer based math program for student support.

Teacher and Administrative Salaries (Fiscal Year 2013-14)

Category	District Amount	State Average for Districts in Same Category
Beginning Teacher Salary	\$43,369	\$38,953
Mid-Range Teacher Salary	\$58,005	\$57,103
Highest Teacher Salary	\$77,642	\$74,127
Average Principal Salary (Elementary)	\$106,489	\$90,225
Average Principal Salary (Middle)	\$111,060	\$98,146
Average Principal Salary (High)	\$118,709	\$97,758
Superintendent Salary	\$121,530	\$117,803
Percent of Budget for Teacher Salaries	40%	34%
Percent of Budget for Administrative Salaries	8%	7%

For detailed information on salaries, see the CDE Certificated Salaries & Benefits Web page at http://www.cde.ca.gov/ds/fd/cs/.

# **Professional Development (Most Recent Three Years)**

Five full days per year are utilized for teacher training/staff development. Every Wednesday students are released at 2:00 p.m. in order for teaching staff to collaborate as a grade level team and staff. Common Core State Standards are the focus currently for staff development, as well as, new curriculum training, Edivate, Illuminate, technology integration, EL instructional strategies and explicit direct instruction.

# Lloyd G. Johnson Junior High School School Accountability Report Card Reported Using Data from the 2014-15 School Year Published During 2015-16

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at http://www.cde.ca.gov/ta/ac/sa/.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at http://www.cde.ca.gov/fg/aa/lc/.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

### DataQuest

DataQuest is an online data tool located on the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district, the county, and the state. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners.

### Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

# **About This School**

### Contact Information (Most Recent Year)

School Contact Inf	ormation
School Name	Lloyd G. Johnson Junior High School
Street	938 Wildwood Rd.
City, State, Zip	Arbuckle, CA 95912-9714
Phone Number	(530) 476-3261
Principal	Blake Kitchen
E-mail Address	bkitchen@pierce.k12.ca.us
Web Site	www.pierce.k12.ca.us
Grades Served	6-8
CDS Code	06616146103576

District Contact Inf	ormation
District Name	Pierce Joint Unified School District
Phone Number	(530) 476-2892
Superintendent	Carol Geyer
E-mail Address	cgeyer@pierce.k12.ca.us
Web Site	www.pierce.k12.ca.us

# School Description and Mission Statement (Most Recent Year)

The goal of the staff at Johnson Jr. High is to provide effective teaching for every student every day in order to promote high levels of student learning as evidenced from data collected from state and local assessments. Our school offers six periods a day of Common Core standards-based teaching and one period a day of common core standards-based interventions for those students who are performing below proficient as measured by benchmark assessments. Johnson Jr. High also offers extension classes for students who have scored proficient or above on benchmark assessments. The After-School Education Program provides funding for an after-school program which promotes the completion of homework and provides time for recreational activities everyday that school is in session. The Associated Student Body at JJH is a large group of very highly-motivated students who meet monthly to plan and promote school activities. Athletics are a strong component for 7th and 8th grade boys and girls and are provided throughout the entire school year. Johnson Jr. High also is offering new After School Clubs to improve student connectedness on Mondays, Tuesdays, and Thursdays from 3:10 to 4:10 PM. After school bus service is also provided for students.

# Student Enrollment by Grade Level (School Year 2014-15)

Grade: Level	Number of Students
Grade 6	92
Grade 7	118
Grade 8	109
Total Enrollment	319

# Student Enrollment by Group (School Year 2014-15)

Student Group	Percent of Total Enrollment
	4.1
Black or African American Asian	0.3
Hispanic or Latino	72.4
Native Hawaiian or Pacific Islander	0.3
White	22.6
Two or More Races	0.3
Socioeconomically Disadvantaged	70.8
English Learners	16.9
Students with Disabilities	8.2
Foster Youth	0.3

# A. Conditions of Learning

# State Priority: Basic

The SARC provides the following information relevant to the Basic State Priority (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair.

### **Teacher Credentiais**

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		≪School⊨=		District
Teachers	2013-14	2014-15	2015-16	2015-16
With Full Credential	18	18	17	
Without Full Credential	0	0	0	
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	

### **Teacher Misassignments and Vacant Teacher Positions**

reacher misassignifientes and vacant reacher to the		the second se	to a state of the second s
Indicator	2013-14	2014-15	2015-16
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments *	0	0	0
Vacant Teacher Positions	0	0	0

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\* Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

# Core Academic Classes Taught by Highly Qualified Teachers (School Year 2014-15)

		Core Academic Subjects
Location of Classes	ught by Highly Qualified Teachers	Not Taught by Highly Qualified Teachers
This School	100.0	0.0
All Schools in District	100.0	0.0
High-Poverty Schools in District	100.0	0.0
Low-Poverty Schools in District	0.0	0.0

Note: High-poverty schools are defined as those schools with student eligibility of approximately 40 percent or more in the free and reduced price meals program. Low-poverty schools are those with student eligibility of approximately 39 percent or less in the free and reduced price meals program.

# Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2015-16)

# Year and month in which data were collected: January 2015

Core Curriculum Area	Textbooks and instructional Materials/ Year of Adoption:	From Most Recent Adoption?	The second se
Reading/Language Arts	5 years sufficient 2011-2012 Holt Language Grades 7th/8th		0%
Mathematics	2 year sufficient 2014-2015 Go Math Program		0%

History-Social Science	10 year sufficient		0%
Science	9 year sufficient		0%
Core Curriculum Area	Textbooks and Instructional Materials/	Môst Recent	Percent of Students, Lacking Own Assigned Copy

# School Facility Conditions and Planned Improvements (Most Recent Year)

The Pierce Jt. Unified School District had solar panels installed during winter break 2013 at Johnson Jr. High. The solar panels were placed on the 6th grade classroom wing;office/library wings; and gym.

# School Facility Good Repair Status (Most Recent Year)

School Yea	Facility Goo Ir and mont	od Repair-S th'in which	tatus (Mos data were	t Recent Year) <u>collected</u>
	R	epair Statu	IS .	Repair Needed and
System (Inspected	Good	Fair	Poor	Action Taken or Planned
Systems: Gas Leaks, Mechanical/HVAC, Sewer	x			
Interior: Interior Surfaces	x			
Cleanliness: Overall Cleanliness, Pest/ Vermin Infestation	x			
Electrical: Electrical	х			
Restrooms/Fountains: Restrooms, Sinks/ Fountains	x			
Safety: Fire Safety, Hazardous Materials	х			
Structural: Structural Damage, Roofs	×			
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	x			

### **Overall Facility Rating (Most Recent Year)**

Overall rates of the second se	and the second	用于ATT 的复数形式 ATT 计算机编辑 计数据分析 对于问题的 化合物合物 化合物合物合物合物合物合物 化合物合物合物合物合物合物合物合物
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Overall Rating		
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# **B.** Pupil Outcomes

# **State Priority: Pupil Achievement**

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP], Science California Standards Tests); and
- The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University
  of California and the California State University, or career technical education sequences or programs of study

# California Assessment of Student Performance and Progress Results for All Students (School Year 2014-15)

,

Mathematics	31	33	33
English Language Arts/Literacy	40	38	44
	School	District	State
Subject	Percento	f Students Meeting on Exceeding t (grades 3-8 and 11)	he State Standards

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

# CAASPP Assessment Results - English Language Arts (ELA) Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

Isageregated by Student Groups, e		Number of Students						
Student Group	Grade	Enrolled.	DAY BUS	Tested	Standard		Standard	Standard Exceeded
All Students	6	95	95	100.0	21	43	32	4
	7	116	114	98.3	31	28	33	8
	8	114	109	95.6	27	30	38	6
Male	6		56	58.9	23	46	29	2
	7		57	49.1	42	30	23	5
	8		58	50. <del>9</del>	38	24	34	3
Female	6		39	41.1	18	38	36	8
	7		57	49.1	19	26	44	11
	8		51	44.7	14	37	41	8
Black or African American	6		3	3.2	**			
	7		5	4.3				
	8		3	2.6				
Asian	7		1	0.9				
Filipino	8		1	0.9		••••		
Hispanic or Latino	6		69	72.6	25	43	30	1
	7		79	68.1	39	28	28	5
	8		79	69.3	24	30	43	3
Native Hawaiian or Pacific Islander	7		1	0.9		 	<u></u>	<del></del>
White	6		23	24.2	4	43	39	13
	7		28	24.1	11	25	46	18
	8		24	21.1	25	33	25	17
Two or More Races	8		1	0.9				
Socioeconomically Disadvantaged	6		65	68.4	23	42	34	2
	7		79	68.1	37	30	29	4
	8		74	64.9	28	34	34	4
English Learners	6		19	20.0	58	32	11	0
	7		17	14.7	88	6	6	0

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	Numb	er of Students		Per	cent of Stude	Itsi a	
Student Group	AND DESCRIPTION OF CARDING AND	ed Tested	CONTRACTOR OF A	standardi.	Standard Nearly Met	Standard	Standard Exceeded
Halling Theory ( ( 1993) File Den 1995) in Andrew Hill Inc. ( 1995) in Andrew Hill Inc. ( 1995) in Andrew Hill Inc. (	8	19	16.7	74	26	0	0
Students with Disabilities	6	2	2.1				
	7	13	11.2	77	23	0	0
	8	7	6.1				
Students Receiving Migrant	6	2	2.1				
Education Services	7	4	3.4				
	8	2	1.8		<b></b>		
Foster Youth	6						
	7		**				-
	8						

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages are calculated using students with scores.

# CAASPP Assessment Results - Mathematics

Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

JPage Care of Annalis		Number.o	fStudents		I man had to be to be the mail to a well of the shore the first of	Percent of Students		
Student Group	Grade	Enrolled	Tested	Tested		-Standard⊚ Nearly Met		Standard: Exceeded
All Students	6	95	95	100.0	31	36	17	17
	7	116	114	98.3	31	39	18	12
	8	114	109	95.6	39	30	20	10
Male	6		56	58.9	32	34	16	18
	7		57	49.1	39	37	14	11
	8		58	50.9	38	36	16	10
Female	6		39	41.1	28	38	18	15
	7		57	49.1	23	40	23	14
	8		51	44.7	41	24	25	10
Black or African American	6		3	3,2				
	7		5	4.3				
	8		3	2.6				
Asian	7		1	0.9				
Filipino	8		1	0.9				
Hispanic or Latino	6		69	72.6	32	42	16	10
	7		79	68.1	34	41	19	6
	8		79	69.3	39	33	20	8
Native Hawaiian or Pacific Islander	7		1	0.9		<u></u>		_u

		Number of Students		Pe	rcent of Stude	nts	
Student Group	Grade	Enrolled Tested	Tested	Standard	Standard	22 - ALC 2019 - ALC - AL	Standard
				Not Met	Nearly Met	Meta	Exceeded
White	6	23	24.2	17	22	22	39
	7	28	24.1	21	29	21	29
	8	24	21.1	29	29	21	21
Two or More Races	8	1	0.9				
Socioeconomically Disadvantaged	6	65	68.4	37	37	15	11
	7	79	68.1	39	34	19	8
	8	74	64.9	45	32	16	7
English Learners	6	19	20.0	63	37	0	0
	7	17	14.7	59	35	0	6
	8	19	16.7	84	16	0	0
Students with Disabilities	6	2	2.1				
	7	13	11.2	77	15	8	0
	8	7	6.1				
Students Receiving Migrant	6	2	2.1				
Education Services	7	4	3.4				
	8	2	1.8				
Foster Youth	6						
	7						
	8	-					

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

#### California Standards Tests for All Students in Science (Three-Year Comparison)

Science (grades 5, 8, and 10)	59	57	42	46	50	35	59	60	56
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Subject		School	1150 mill 626 36 2 2	変換者などのないであるのである	District	CONTRACTOR DESIGNATION		State	
		126 <u>8</u> 2	(mee	ting or exce	eeding the	state stand	ards)		的政治推定
			Percent of					le i tra	

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

# California Standards Tests Results by Student Group in Science (School Year 2014-15)

Student Group	Percent of Students Scoring at Proficient or Advanced
All Students in the LEA	35
All Students at the School	42
Male	46
Female	39
Black or African American	
Filipino	
Hispanic or Latino	41
White	52
Two or More Races	
Socioeconomically Disadvantaged	
English Learners	0
Students with Disabilities	35
Students Receiving Migrant Education Services	
Foster Youth	

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Physical Fitness Test Results (School Year 2014-15)

Grade	Percer	nt of Students Meeting Fitness Star	idards
Level 7	Four of Six Standards 23.70	Five of Six Standards 27.20	28.10

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

# C. Engagement

# State Priority: Parental Involvement

The SARC provides the following information relevant to the Parental Involvement State Priority (Priority 3):

Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite.

# **Opportunities for Parental involvement (Most Recent Year)**

There are many opportunities for parents to be involved in their child's educational experiences at JJH. The School Site Council meets monthly to provide parents an advisory voice to the site administrator. District-wide safety and health committee meetings are announced and open to all parents interested in discussing concerns with district and site administrators. The site ELAC committee provides a venue for parents of bilingual students to voice their concerns, especially those concerns regarding the academic progress of their English Language students. Parents can also request, through the school, a Student Study Team meeting if they have concerns regarding their child's learning; when a teacher requests an SST, the parent is always invited and is an integral part of the meeting . Parents are informed of various informational meetings throughout the school year in mailings from the school office. Parents are also encouraged to be involved in their child's educational experiences by visiting classes, through Open House and Back to School Night. JJH promotes parent communication through several web-based platforms to better help with communication from school to home.

# State Priority: School Climate

The SARC provides the following information relevant to the School Climate State Priority (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

### Suspensions and Expulsions

		School 4.	· · · · · · · · · · · · · · · · · · ·		District			State	
Rate	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Suspensions	13.75	14.33	8.06	6.76	6.24	4.45	5.07	4.36	3.80
Expulsions	0.31	0.00	0.30	0.21	0.07	0.13	0.13	0.10	0.09

### School Safety Plan (Most Recent Year)

The comprehensive school safety plan was developed for JJH with the number one goal of student and staff safety in mind. Drills and practices for emergencies such as: earthquake, fire, and intruder on campus are practiced regularly throughout the school year . All teachers have emergency bags that are filled with safety supplies and other miscellaneous emergency necessities. Teachers are required to carry their emergency bags, student rosters, and green and red signs to all practices to indicate that they are prepared, know where their students are, and to let administration know if they need help . Student and staff emergency information is kept readily available in the school office in case of emergency. The site secretary notifies the local law enforcement officials, the pre-school (located on school property), and the neighboring high school when JJH has a practice drill or other real emergency. Local Colusa Co. Sheriff's officers are called for school fights and other site situations such as drugs or weapons on campus. Mental health workers and the site psychologist are available for emergency counseling with students. The site administrator monitors during lunch recess to help support staff and students. JJH houses sixteen strategically placed cameras throughout the campus to help deter vandalism and to help identify participants in any inappropriate behaviors or any person of suspicion on campus without permission. JJH has a guidance counselor that is on site two days per week. Students that need counseling services now have the opportunity for a weekly meeting with our counselor.

# **D. Other SARC Information**

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

### Adequate Yearly Progress Overall and by Criteria (School Year 2014-15)

AYP Criteria	School	District	State
Made AYP Overall	Yes	Yes	Yes
Met Participation Rate: English-Language Arts	Yes	Yes	Yes
Met Participation Rate: Mathematics	Yes	Yes	Yes
Met Percent Proficient: English-Language Arts	N/A	N/A	N/A
Met Percent Proficient: Mathematics	N/A	N/A	N/A
Met Attendance Rate	Yes	Yes	Yes
Met Graduation Rate	N/A	Yes	Yes

### Federal Intervention Program (School Year 2015-16)

Indicator	School	District
Program Improvement Status	In Pi	In Pl
First Year of Program Improvement	2011-2012	2010-2011
Year in Program Improvement*	Year 3	Year 3
Number of Schools Currently in Program Improvement	N/A	3
Percent of Schools Currently in Program Improvement	N/A	60.0

Note: Cells with N/A values do not require data.

### Average Class Size and Class Size Distribution (Elementary)

6	26	1	23	2	27		23	2	24	1	19	2
Level	Class Size	1-20.	21-32	33+	Size (	1-20	* 21-32*	33+ <sup>1</sup>		-1-201	-21-32-	< <u>3</u> 3+∗ •
Grade	Avg.	Num	nber of Cla	sses <sub>ap</sub> a	Avg. Class	S.S. Nun	ber of Cla	sses	Avg	Nun	nber of Cla	ISSES
		201	2-13			201	3-14 a.			201	4-15	

Note: Number of classes indicates how many classes fall into each size category (a range of total students per class).

# Average Class Size and Class Size Distribution (Secondary)

		201		srooms	C. 100 C. 201	201	a de contra de la 2005.			4-15 v	Stooms -
Subject	Avg. Classe Size	<b>21-26</b> -2014年1月21日	23-32	147 A.	CINE OF	1000000	23-32		1-22		
English	16	23	3		18	16	10	20	15	8	
Mathematics	19	10	2		21	7	5	21	8	4	
Science	21	7	3		21	6	4	 22	4	7	
Social Science	19	8	3		20	7	4	 22	3	7	·

Note: Number of classes indicates how many classrooms fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

# Academic Counselors and Other Support Staff (School Year 2014-15)

Title	re Number of FTE Assigned to School	Average Number of Students per 2 Academic Counselor
Academic Counselor		
Counselor (Social/Behavioral or Career Development)	50%	N/A
Library Media Teacher (Librarian)	25%	N/A
Library Media Services Staff (Paraprofessional)	0	N/A
Psychologist	50%	<u>N/A</u>
Social Worker	0	N/A
Nurse	25%	N/A
Speech/Language/Hearing Specialist	50%	N/A
Resource Specialist	0	N/A
Other	0	N/A

Note: Cells with N/A values do not require data. One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

# Expenditures per Pupil and School Site Teacher Salaries (Fiscal Year 2013-14)

		Expenditures Per Pupili				
Level	Total	Supplemental/ Restricted	Basic/ Unrestricted	Teacher Salary		
School Site	5,882.53	1,728.40	4,154.13	62,100		
District	N/A	N/A	5,694.65	\$61,695		
Percent Difference: School Site and District	N/A	N/A	-27.1	0.7		
State	N/A	N/A	\$5,348	\$59,460		
Percent Difference: School Site and State	N/A	N/A	-22.3	4.4		

Note: Cells with N/A values do not require data.

#### Types of Services Funded (Fiscal Year 2014-15)

Students at JJH are offered academic assistance, recreational activities, and time to work on their homework through the ASES grant. Summer School has been offered yearly for those students who need assistance to reach grade level proficiency. The district lead teacher for ELD supports CELDT testing services and other EL tracking needs and is paid through Title III. The district literacy coach provides support for all teachers teaching academic core classes and ELD and is funded through Title I funding.

Category	to make the second support to the second state of the second state of the second state of the second state of t	State Average for Districts in Same Category.
Beginning Teacher Salary	\$43,369	\$38,953
Mid-Range Teacher Salary	\$58,005	\$57,103
Highest Teacher Salary	\$77,642	\$74,127
Average Principal Salary (Elementary)	\$106,489	\$90,225
Average Principal Salary (Middle)	\$111,060	\$98,146
Average Principal Salary (High)	\$118,709	\$97,758
Superintendent Salary	\$121,530	\$117,803
Percent of Budget for Teacher Salaries	40%	34%
Percent of Budget for Administrative Salaries	8%	7%

#### Teacher and Administrative Salaries (Fiscal Year 2013-14)

For detailed information on salarles, see the CDE Certificated Salaries & Benefits Web page at http://www.cde.ca.gov/ds/fd/cs/.

# Professional Development (Most Recent Three Years)

Site administrator meets regularly with staff to assess school programs. The site administrator works diligently with students, their parents, and the staff to monitor student progress and address concerns. Early release Wednesdays allow teachers and site administration to work in grade level or content level groups to focus on specific needs of students. Three staff buy-back days are used to help keep educators abreast of changes in curriculum standards, current text adoptions, instructional materials, assessments, and common core implementation in order to meet the diverse needs of our student population. Early release Wednesdays also include basic staff development in EDI instructional strategies, the modeling of those, and how to better serve our students through our instruction. Teachers participated in ten after school sessions on Common Core implementation in ELA and Math by several trainers from SCOE. Teachers are also invited to attend trainings and conferences throughout the school year and to share the information from those trainings with the staff. On site and other district staff also help train other staff members in the use of Illuminate, computer technology, Reading Counts, etc. Classified staff are encouraged to attend regular district offered trainings in CPR and required site meetings to discuss expectations for serving students needs. The site secretary attends AERIES trainings, as well as others offered by various agencies that will train her in better management of student data and other related issues. Colusa County Office of Education also offers staff development for our Special Education teachers, para educators, and school psychologist. All teaching staff has had instruction in implementing Common Core Standards in their content area . Staff regularly uses the early release Wednesdays for analysis and reflection of student work and analyses assessment data to guide further staff development needs .

# Pierce High School School Accountability Report Card Reported Using Data from the 2014-15 School Year Published During 2015-16

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at http://www.cde.ca.gov/ta/ac/sa/.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at http://www.cde.ca.gov/fg/aa/lc/.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

### **DataQuest**

DataQuest is an online data tool located on the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district, the county, and the state. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners.

# Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

# **About This School**

# **Contact Information (Most Recent Year)**

School Contact Inf	ormation
School Name	Pierce High School
Street	960 Wildwood Rd.
City, State, Zip	Arbuckle, CA 95912-9714
Phone Number	(530) 476-2277
Principal	Mrs. Nicole Newman
E-mail Address	nnewman@pierce.k12.ca.us
Web Site	http://pierce.phs.schooldesk.net/
Grades Served	9-12
CDS Code	06616140635250

<b>District Contact Inf</b>	ormation
District Name	Pierce Joint Unified School District
Phone Number	(530) 476-2892
Superintendent	Mrs. Carol Geyer
E-mail Address	cgeyer@pierce.k12.ca.us
Web Site	www.pierce.k12.ca.us

### School Description and Mission Statement (Most Recent Year)

#### **PHS Mission Statement**

Pierce High School is committed to developing academically proficient students prepared for entrance to careers, colleges and universities. Academic and co-curricular experiences are provided that develop socially and academically successful students.

### **PHS Vision Statement**

Pierce High School strives to develop intrinsically motivated learners who take ownership of their learning to become responsible, innovative global citizens.

PHS Schoolwide Learner Outcomes (SLOs)

(CARE) "BEARS"

Critical Thinkers Who: Successfully acquire, analyze, organize, and apply information. Develop and express creative ideas and solutions Examine moral, ethical, and cultural issues from multiple perspectives. Integrate and synthesize information across disciplines. Demonstrate growth in higher level thinking skills.

Accomplished Lifelong Learners Who: Commit to high academic and personal standards. Understand the importance of new experiences and continual education. Work well collaboratively in culturally and organizationally diverse settings.

Responsible Citizens Who:

Understand and appreciate their roles and responsibilities in a global society. Acknowledge and are accountable for their actions and choices. Demonstrate respect, trustworthiness, responsibility, fairness, caring, and citizenship. Recognize the impact of human activities on the environment, and their role in its protection. Understand the choices necessary to develop a healthy lifestyle.

Effective Communicators Who:

Listen and communicate well in written, verbal, and nonverbal modes. Understand and use technology in communication. Show respect for diverse perspectives. Research, create, and evaluate in written, verbal, and nonverbal modes. Use communication skills to resolve conflicts through positive alternatives.

Pierce High School was established in 1897 and the current site opened in 1937. The school sits on a 35 acre campus that includes a 10 acre outdoor agricultural laboratory, with a 9000 square foot agricultural mechanics/farm fabrication building, computer lab, modernized science classrooms and labs, a 700 seat auditorium, two gymnasiums, a library with a computer lab, and 23 classrooms.

Major renovations were done during the 2007-08 school year revitalizing the campus, improving technology, and brought new updated classrooms throughout the school including science labs, classrooms for vocational programs, core classrooms, and classroom buildings that house the agricultural programs and labs.

The renovations have continued as our school has grown in population. In 2010, there was a complete HVAC replacement at PHS as well as an energy management system. In 2011, Room 8 was turned into a counseling office for more privacy and there was a total replacement of the front sidewalk at PHS. In 2012, the baseball stadium was renovated, Room 4 in the main building was converted to an Art room, Room 12 was renovated for a Culinary Arts Program, and there was a new roof put on the main building at PHS. In 2013, there was renovation done on the stadium seating and the addition of an elevated walkway at PHS Lemaster Stadium as well as renovations done to the softball stadium. In 2014, PJUSD purchased two relocatable classrooms at PHS (P-7 and P-8), there was a need for an additional bus, addition of an intervention/afternoon bus route district wide, and a new scoreboard was installed in the PHS south gym. In 2015, there was a total renovation and repainting of the PHS Auditorium as well as curtains installed to manage lighting in the auditorium, replacement and expansion of the Information Technology Building, an outdoor dining area/shade structure was installed, benches were built at the south end of the Science Building (Eagle Scout project), motorization of the bleachers in the PHS South Gym, recarpeting of seven classrooms, computer lab, and library, an additional FTE in the maintenance department to meet the needs of the growing campuses, increased custodial at all sites, and new wall pads in the South Gym at PHS.

School personnel, students, and parents are continually considering ways to improve the total school program. Our goal is to maximize learning for all students in ways that meet their academic, career, personal, and social needs. A core academic program is required of all students and a variety of electives are offered. PHS provides supported study programs to meet the needs of our ELD and SPED student population as well as learners that are struggling, but not an ELD or SPED student. In addition to rigorous academic coursework that allows students to meet college and university entrance requirements, PHS also offers numerous Career and Technical Education programs that provide knowledge and skills for post-secondary career opportunities. PHS is proud to offer Career Pathway programs that can lead to certification or further education in the areas of Agriculture and Natural Resources, Building and Construction, Finance and Business, Information Technology, and Manufacturing and Product Development.

There is a memorandum of understanding between PHS and local community colleges that allows our students to enroll concurrently (dual enrollment) in college classes. We offer school-to-career pathways, ROP classes (Regional Occupational Programs), and Advanced Placement courses that can be completed for college credit. Several of our programs have articulated with Yuba and/or Woodland Community College and count for college credit and/or meet A-G requirements.

PHS students who elect to enter four-year universities do well, although a significant number of our students elect to begin their college careers at the local community colleges. We have a number of students who attend major universities such as USC, Stanford, UCLA, UC Berkeley, UC Davis, Duke, and University of Nevada, Reno. Many more attend nearby Chico State and Sacramento State Universities.

PHS has also worked to meet the needs of a changing society. Technology continues to be incorporated into the curriculum and instruction, social and academic support has been provided to students and families, and the community continues to be educated about the Common Core State Standards.

PJUSD/PHS has focused on standardizing technology equipment in the classroom with a teacher computer and at least 2 student computers and a printer per classroom that is not older than 6 years. Document cameras have also been purchased for each classroom.

Our district has focused on bringing up our network backbone (such as the switches) to gigabit speed and Internet speed to 1 Gigabyte. This speed was set as the goal to support wireless networking with one-to-one devices for students. Two years ago we implemented wireless networking at the PHS.

During the 2014-2015 school year the district started the first round of one-to-one wireless devices for students. Students are using Chromebooks in combination with our district Google Apps for Education setup. This includes student email and teachers and students are also using Google Classroom. We have upgraded all the LCD projectors in the classroom so they can support Apple TVs and Ipads. The goal is to provide teachers with all of these devices. Also, network wiring has been added and upgraded to support future devices such as additional wireless access points.

At PHS we working on are setting up wireless printing, creating the ability for students to project their work from their device on a LCD projector, setup of single sign-on/LMS and electronic student registration.

In addition to academic enrichment, PHS offers a myriad of extracurricular opportunities for students. Over 85% of our students are involved in co- or extracurricular activities including seasonal sports teams, FFA, Associated Student Body, Concert Band, Drama, Yearbook, and a wide selection of clubs which engage the interests of our students. In recent years, the high school has won numerous Sacramento Valley League Championships. The football, volleyball, soccer, basketball as well as baseball and track teams have participated in the Northern Section Championship Playoffs. For the 2015-2016 school year, every Varsity team has made the Northern Section ( CIF ) Championship Playoffs.

Parents are encouraged to participate in school life by involving themselves in the Pierce Pride Foundation, PHS alumni, advisory committees, as well as the School Site Council and PIQE (Parent Institute for Quality Education). Back-to-School night and Open House is well attended by over 60% of our parents. Many parents obtain daily attendance and academic information via our web-based Parent-Portal system. Facebook and the PHS webpage are used to keep parents, students, and the community up-to-date with what is happening on campus. A daily bulletin is announced each morning in 1st period and it is posted on the school Web site which provides regular updated communication to parents, students, and the community.

Grade Level	Number of Students
Grade 9	120
Grade 10	105
Grade 11	121
Grade 12	78
Total Enrollment	424

# Student Enrollment by Grade Level (School Year 2014-15)

# Student Enrollment by Group (School Year 2014-15)

Student: Group	Percent of Total Enrollment
Black or African American	0.9
American Indian or Alaska Native	0.5
Asian	0.9
Filipino	0.5
Hispanic or Latino	72.9
Native Hawaiian or Pacific Islander	0.5
White	23.8
Socioeconomically Disadvantaged	65.1
English Learners	13.7
Students with Disabilities	10.8

# A. Conditions of Learning

# **State Priority: Basic**

The SARC provides the following information relevant to the Basic State Priority (Priority 1):

• Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;

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- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair.

# **Teacher Credentials**

		School		District
Teachers	2013-14	2014-15	2015-16	2015-16
With Full Credential	21	21	20	67
Without Full Credential	0	0	2	4
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	0

# **Teacher Misassignments and Vacant Teacher Positions**

Indicator	2013-14	2014-15	2015-16
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments *	0	0	0
Vacant Teacher Positions	0	0	1

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\* Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

# Core Academic Classes Taught by Highly Qualified Teachers (School Year 2014-15)

Location of Classes	Percent of Classes In (	Core Academic Subjects
	Taught by Highly Qualified Teachers	Not Taught by Highly Qualified Teachers
This School	100.0	0.0
All Schools in District	100.0	0.0
High-Poverty Schools in District	100.0	0.0
Low-Poverty Schools in District	0.0	0.0

Note: High-poverty schools are defined as those schools with student eligibility of approximately 40 percent or more in the free and reduced price meals program. Low-poverty schools are those with student eligibility of approximately 39 percent or less in the free and reduced price meals program.

# Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2015-16)

# Year and month in which data were collected: January 2016

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Reading/Language Arts	Holt Literature & Language Arts, 2011 Literature and Composition: Reading, Writing, Thinking, Bedford/St. Martins 2011	Yes	0%
Mathematics	Integrated Mathematics I, II & III, Houghton Mifflin 2014 Pre Caculus & Calculus, Pearson Prentice Hall 2007	Yes	0%

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Science	Biology, Holt 2007 Integrated Science, Prentice Hall 2006 Chemistry, Houghton Mifflin 2000 Physics, Prentice Hall 2006 Agriscience: Fundamentals & Applications, Delmar Thomson Learning 2004 The Science of Agriculture: A Biological Approach, Delmar Thomson Learning 2004 Exploring Animal Science, Delmar Cengage Learning 2012	Yes	0%
History-Social Science	Geography, Prentice Hall 2006 World History, Glencoe 2006 US History, Glencoe 2006 American Government, Prentice Hall 2006	Yes	0%
Foreign Language	AP Spanish: Temas: AP Spanish Language and Culture, Vista Higher Learning, 2014 Abriendo puertas: Lenjuaje, McDougal Littell, 2007 Abriendo puertas: Literatura Tomo 1, McDougal Littell, 2007 Abriendo puertas: Literatura Tomo 2, McDougal Littell, 2007 Spanish 3: Buen Viaje!, McGraw Hill - Glencoe, 2008 Spanish 3: Descubre 2, Vista Higher Learning, 2014 Spanish 1: Descubre 3, Vista Higher Learning, 2014	Yes	<b>0%</b>
Health	Holt Health, 2005	Yes	0%
Visual and Performing Arts	The Visual Experience, Davis 2005 Basic Drama Projects, Perfection Learning 2003 The Art of Floral Design, Delmar Thomson Learning 2000	Yes	0%
Science Laboratory Equipment (grades 9-12)	New microscope, slides and chemicals purchased 2011 Consumable lab materials purchased annualy.	Yes	0%

### School Facility Conditions and Planned Improvements (Most Recent Year)

The Pierce High School grounds and buildings are very well maintained. Repair issues are addressed quickly, all systems are in good operating order, and vandalism is nonevident. The grounds are very well kept - lawns mowed, bushes trimmed, all areas planted, and irrigated appropriately. Restrooms are cleaned multiple times per day. All staff have access to a work order system so they can enter facility repair issues as soon as they become aware that there is a need for a repair.

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### School Facility Good Repair Status (Most Recent Year)

	10			t Recent Year) ected: 6/30/15
in the second second and the second	F	lepair Statu	15	Repair Needed and
System Inspected	Good	Fair	Poor	Action Taken or Planned
Systems: Gas Leaks, Mechanical/HVAC, Sewer	x			
Interior: Interior Surfaces	x			
Cleanliness: Overall Cleanliness, Pest/ Vermin Infestation	x			
Electrical: Electrical	х			
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	х			·
Safety: Fire Safety, Hazardous Materials	x			
Structural: Structural Damage, Roofs	x			
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	x			

# **Overall Facility Rating (Most Recent Year)**

Year and	i month in which dat	a were collected: 6/3	0/15	
	Exemplary	Good	Fair	Poor
Overall Rating	х			

# **B.** Pupil Outcomes

# **State Priority: Pupil Achievement**

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP], Science California Standards Tests); and
- The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study

# California Assessment of Student Performance and Progress Results for All Students (School Year 2014-15)

Subject	Percent of	Students Meeting or Exceeding t (grades 3-8 and 11)	ne State Standards
	School	District	State
English Language Arts/Literacy	46	38	. 44
Mathematics	22	33	33

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

# CAASPP Assessment Results - English Language Arts (ELA) Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

		Number o	f Students		Per	cent of Stude	nts	
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded
All Students	11	122	106	86.9	25	28	30	16
Male	11		52	42.6	35	23	29	13
Female	11		54	44.3	17	33	31	19
Black or African American	11		2	1.6				
American Indian or Alaska Native	11		0	0.0				
Hispanic or Latino	11		85	69.7	27	28	27	18
Native Hawaiian or Pacific Islander	11		1	0.8				
White	11		18	14.8	17	28	44	11
Socioeconomically Disadvantaged	11		69	56.6	28	28	28	17
English Learners	11		9	7.4				
Students with Disabilities	11		10	8.2				
Students Receiving Migrant Education Services	11		3	2.5				
Foster Youth	11							

Double dashes (---) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

# CAASPP Assessment Results - Mathematics

Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

	Number of Students			Percent of Students					
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded	
All Students	11	122	107	87.7	57	21	12	10	
Male	11		53	43.4	64	17	8	11	
Female	11		54	44.3	50	24	17	9	
Black or African American	11		2	1.6					
American Indian or Alaska Native	11		0	0.0					
Hispanic or Latino	11		86	70.5	59	17	13	10	
Native Hawaiian or Pacific Islander	11		1	0.8					
White	11		18	14.8	44	33	11	11	
Socioeconomically Disadvantaged	11		70	57.4	59	19	11	11	
English Learners	11		10	8.2					

		Number of Students		Per	cent of Stude	nts	
Student Group	Grade	Enrolled Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded
Students with Disabilities	11	10	8.2				
Students Receiving Migrant Education Services	11	3	2.5				
Foster Youth	11				·		

Double dashes (---) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

### California Standards Tests for All Students in Science (Three-Year Comparison)

Science (grades 5, 8, and 10)	44	46	30	46	50	35	59	60	56
	2012-13	antipation and a start	2014-15	2012-13	2013-14	2014-15	2012-13	Second	2014-15
Subject		School	10.55		District			State	
			1000 (ALC: 1000)	000 00 00 00 M M	coring at P eeding the		计通过分词 动力的 法法		

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### California Standards Tests Results by Student Group in Science (School Year 2014-15)

Student Group	Percent of Students Scoring at Proficient or Advanced
All Students in the LEA	35
All Students at the School	30
Male	30
Female	29
Black or African American	
Asian	
Filipino	
Hispanic or Latino	20
White	59
Socioeconomically Disadvantaged	7
English Learners	0
Students with Disabilities	18
Students Receiving Migrant Education Services	
Foster Youth	

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

### **Career Technical Education Programs (School Year 2014-15)**

PHS is dedicated to providing an integrated curriculum that allows our students who are interested in one of our pathways to make a choice when they graduate.

"I can choose whether or not I want to began my career or go in the military?"

"I can choose whether or not I want to go to a university or a junior college?"

"I can choose both!"

PHS is proud to offer Career Pathway programs that can lead to certification or further education in the Industry Sectors of Agriculture and Natural Resources, Building and Construction, Finance and Business, Information Technology, Hospitality and Tourism, and Manufacturing and Product Development.

PHS is accomplishing this by adding to and enhancing our current career pathways to engage students by improving their ability to achieve their dreams. The programs we offer provide knowledge and skills for post-secondary career opportunities.

As part of the pathway program, in a perfect world students select a field of study and continue in that field throughout their time in high school. However, PHS is a small school and sometimes scheduling makes this impossible for all students. Counseling on an individuals pathway, as well as additional pathways, is done through recruitment during course registration, advisory periods with their academic adviser, and parent conferences, planning using our career navigator Kuder facilitated by our career counselor.

#### Career Technical Education Participation (School Year 2014-15)

Measure	CTE Program Participation
Number of pupils participating in CTE	385
% of pupils completing a CTE program and earning a high school diploma	23
% of CTE courses sequenced or articulated between the school and institutions of postsecondary education	83

#### Courses for University of California and/or California State University Admission

UC/CSU Course Measure	Percent
2014-15 Students Enrolled in Courses Required for UC/CSU Admission	99.76
2013-14 Graduates Who Completed All Courses Required for UC/CSU Admission	31.51

#### **State Priority: Other Pupil Outcomes**

The SARC provides the following information relevant to the Other Pupil Outcomes State Priority (Priority 8):

• Pupil outcomes in the subject areas of English, mathematics, and physical education.

#### California High School Exit Examination Results for Grade Ten Students (Three-Year Comparison)

Mathematics	59	57	58	59	57	58	60	62	59
English-Language Arts	46	48	57	45	48	57	57	56	58
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Subject		School			District			State	
		1993 (S. 19	Percent o	f Students S	Scoring at P	roficient or	Advanced		

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### California High School Exit Examination Grade Ten Results by Student Group (School Year 2014-15)

	Eng	ish-Language	Arts	Mathematics			
Group	Percent Not Proficient	Percent Proficient	Percent Advanced	Percent Not Proficient	Percent Proficient	Percent Advanced	
All Students in the LEA	43	33	24	42	50	8	
All Students at the School	43	33	24	42	50	8	
Male	47	27	27	39	52	8	
Female	38	43	20	45	48	8	
Hispanic or Latino	50	34	16	49	46	4	
White	22	30	48	19	63	19	
Socioeconomically Disadvantaged	57	30	13	51	44	4	
English Learners	87	13		73	27		
Students with Disabilities	92	8		86	7	7	

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### California Physical Fitness Test Results (School Year 2014-15)

9	22.80	21.90	32.50
Level	Four of Six Standards	Five of Six Standards	Six of Six Standards
Grade	Percei	nt of Students Meeting Fitness Star	ndards

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### **C.** Engagement

#### **State Priority: Parental Involvement**

The SARC provides the following information relevant to the Parental Involvement State Priority (Priority 3):

• Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite.

#### **Opportunities for Parental Involvement (Most Recent Year)**

Parents can get involved in a variety of ways. All parents are encouraged to maintain communication about their student's progress by directly communicating with staff through email and voicemail. Information about activities is distributed regularly through the school website and Facebook as well as by automated our calling system. There are opportunities for participation on School Site Council, ELAC, Pierce Pride Foundation, and chaperoning and volunteering at numerous student activities. The district office maintains a list of adults who have provided the necessary information, including fingerprint clearance, to help with chaperoning and/or transporting students for school events, and all parents are encouraged to do so. On January 26, 2016 Pierce High School began offering monthly meetings ("Paw Talk") that will allow parents to have a round table forum with the principal as well as workshops to navigate parents through their child's high school experience.

Pierce High School conducts 2 weeks of parent teacher conferences (1 in the fall and 1 in the spring) to have one on one meetings to discuss the progress of each student. Conferences are conducted by the student's advisory teacher.

In the summer of 2015, a College and Career Coordinator position was created. This person was hired to help students and parents with making decisions about colleges and careers. One of the activities organized by the College and Career Coordinator was the Parent Institute for Quality Education series. A nine week parent education program, successfully completed by 55 junior high school and high school parents.

#### State Priority: Pupil Engagement

The SARC provides the following information relevant to the Pupil Engagement State Priority (Priority 5):

- High school dropout rates; and
- High school graduation rates.

#### Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

ledi t		School			District			State	
Indicator	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
Dropout Rate	2.40	3.60	5.10	5.60	4.30	7.00	13.10	11.40	11.50
<b>Graduation Rate</b>	94.05	96.39	94.87	90.00	94.62	93.02	78.87	80.44	80.95

#### Completion of High School Graduation Requirements (Graduating Class of 2014)

	Graduating Class of 2014						
Group	School	District	State				
All Students	91.25	91.95	84.6				
Black or African American			76				
American Indian or Alaska Native			78.07				
Asian			92.62				
Filipino			96.49				
Hispanic or Latino	90.16	91.04	81.28				
Native Hawaiian/Pacific Islander	100	100	83.58				
White	94.44	94.74	89.93				
Two or More Races			82.8				
Socioeconomically Disadvantaged	100	100	61.28				
English Learners	33.33	41.67	50.76				
Students with Disabilities	96.23	95	81.36				
Foster Youth							

#### State Priority: School Climate

The SARC provides the following information relevant to the School Climate State Priority (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

#### Suspensions and Expulsions

Sector (C.S. Scotter de Caro)		School	a atala a		District	000000000000000000000000000000000000000		State	
Rate	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Suspensions	10.91	8.15	7.48	6.76	6.24	4.45	5.07	4.36	3.80
Expulsions	0.25	0.25	0.23	0.21	0.07	0.13	0.13	0.10	0.09

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#### School Safety Plan (Most Recent Year)

Pierce High School's comprehensive school safety plan was updated and accepted by the Site Council on October 21, 2015 and approved by the Pierce Joint Unified School District Governing Board on November 19, 2015. Pierce High School has a comprehensive Safe School Plan that addresses the school's climate and the school's physical environment. Prior to the beginning of the academic school year, a Student Handbook is provided to each family of students who attend Pierce High School. This handbook contains important information regarding the attendance policies, student activities, school resource information, expected student behaviors, and emergency preparedness procedures. The Student Handbook is also available in Spanish for our Spanish speaking families. Students and families can download the student handbook from the school's website.

Pierce High School is staffed with two administrators, two counselors (1-full time Guidance Counselor and 1-full time (but part time to Pierce High School) Behavioral Counselor), a school resource officer, a district school nurse, and an attendance clerk; they all assist in student safety, wellness, and campus security. The School Resource Officer helps promote a safe environment by assisting with campus security, being a resource to the students, and building positive relationships with the Pierce High School community.

Pierce High School is a closed campus. All visitors must sign in at the Main Office. Surveillance cameras have been installed on the campus grounds as well as in the school building and gym. There are plans for more cameras to be installed during the summer of 2016. Pierce High School conducts emergency preparedness drills as defined in Ed. Code, which includes earthquake, fire, and secure the building/lock down-intruder drills.

Training for all staff and faculty is provided throughout the year, and includes collaboration with the community such as Colusa County Sheriff Department and the Arbuckle Fire Department.

The district office has an app that is available on both iPhone and Android devices as well as the automated dialer system that will send push notifications and alert parents in emergency situations. Also, there is a brochure that contains information regarding what to do in the event of an emergency that has been given to every parent during parent teacher conferences and is available in the high school office.

#### D. Other SARC Information

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

#### Adequate Yearly Progress Overall and by Criteria (School Year 2014-15)

AYP Criteria	School	District	State
Made AYP Overall	No	Yes	Yes
Met Participation Rate: English-Language Arts	No	Yes	Yes
Met Participation Rate: Mathematics	Yes	Yes	Yes
Met Percent Proficient: English-Language Arts	N/A	N/A	N/A
Met Percent Proficient: Mathematics	N/A	N/A	N/A
Met Attendance Rate	N/A	Yes	Yes
Met Graduation Rate	Yes	Yes	Yes

#### Federal Intervention Program (School Year 2015-16)

Indicator	School	District
Program Improvement Status	In Pl	in Pi
First Year of Program Improvement	2013-2014	2010-2011
Year in Program Improvement*	Year 3	Year 3
Number of Schools Currently in Program Improvement	N/A	3
Percent of Schools Currently in Program Improvement	N/A	60.0

Note: Cells with N/A values do not require data.

#### Average Class Size and Class Size Distribution (Secondary)

		201	2-13			201	.3-14		2014-15			
Subject	Avg. Class Size	Numb	er of Clas 23-32	srooms 33+	Avg. Class Size	Numb	er of Clas 23-32	srooms 33+	Avg. Class Size	Numb	er of Clas 23-32	srooms 33+
English	16	18	6		19	12	10		21	10	12	
Mathematics	20	11	5		19	14	5		15	5		
Science	21	4	8		24	2	10		22	4	7	
Social Science	18	11	8		26	3	11	1	27		14	

Note: Number of classes indicates how many classrooms fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

#### Academic Counselors and Other Support Staff (School Year 2014-15)

Title	Number of FTE Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor	0.96	405
Counselor (Social/Behavioral or Career Development)	0.08	N/A
Library Media Teacher (Librarian)	0	N/A
Library Media Services Staff (Paraprofessional)	0.37	`N/A
Psychologist	0.2	N/A
Social Worker	0	N/A
Nurse	0.1	N/A
Speech/Language/Hearing Specialist	0	N/A
Resource Specialist	0	N/A
Other	0	N/A

Note: Cells with N/A values do not require data. One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

#### Expenditures per Pupil and School Site Teacher Salaries (Fiscal Year 2013-14)

	Expenditures Per Pupil			Average	
Level	Total	Supplemental/ Restricted	Basic/ Unrestricted	Teacher Salary	
School Site	6,489.95	918.22	5,571.73	61,127.00	
District	N/A	N/Å	5,694.65	\$61,695	
Percent Difference: School Site and District	N/A	N/A	-2.2	-0.9	
State	N/A	N/A	\$5,348	\$59,460	
Percent Difference: School Site and State	N/A	N/A	4.2	2.8	

Note: Cells with N/A values do not require data.

#### Types of Services Funded (Fiscal Year 2014-15)

Intervention and supplemental services are provided both during and after the school day. Three class periods of additional support for students still working toward English proficiency are included in the master schedule. After school intervention and tutorial is offered in all academic areas by each teacher 1-3 times per week.

#### Teacher and Administrative Salaries (Fiscal Year 2013-14)

Category	District Amount	State Average for Districts In Same Category
Beginning Teacher Salary	\$43,369	\$38,953
Mid-Range Teacher Salary	\$58,005	\$57,103
Highest Teacher Salary	\$77,642	\$74,127
Average Principal Salary (Elementary)	\$106,489	\$90,225
Average Principal Salary (Middle)	\$111,060	\$98,146
Average Principal Salary (High)	\$118,709	\$97,758
Superintendent Salary	\$121,530	\$117,803
Percent of Budget for Teacher Salaries	40%	34%
Percent of Budget for Administrative Salaries	8%	7%

For detailed information on salaries, see the CDE Certificated Salaries & Benefits Web page at http://www.cde.ca.gov/ds/fd/cs/.

#### Advanced Placement (AP) Courses (School Year 2014-15)

Subject	Number of AP Courses Offered*	Percent of Students In AP Courses
Computer Science		N/A
English	1	N/A
Fine and Performing Arts		N/A
Foreign Language	1	N/A
Mathematics	1	N/A
Science		N/A
Social Science		N/A
All courses	3	3.5

\* Cells with N/A values do not require data. Where there are student course enrollments.

#### **Professional Development (Most Recent Three Years)**

Three full days per year are utilized for teacher training/staff development. In addition every Wednesday students are released at 2:10 pm to allow time for teaching staff to collaborate in departments and as a whole group from 2:20 - 3:45 pm.

Teachers are supported individually through goal setting based on student achievement data and progress conferences with the principal, and formal and informal classroom observation feedback from site administrators and external consultants. In groups, teachers participate in collaboration as well as training led by site personnel and external consultants.

## Arbuckle Alternative High (Continuation) School Accountability Report Card Reported Using Data from the 2014-15 School Year Published During 2015-16

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at http://www.cde.ca.gov/ta/ac/sa/.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at http://www.cde.ca.gov/fg/aa/lc/.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

#### **DataQuest**

DataQuest is an online data tool located on the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ that contains additional information about this school and comparisons of the school to the district, the county, and the state. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners.

#### Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

#### About This School

#### **Contact Information (Most Recent Year)**

School Contact Inf	ormation
School Name	Arbuckle Alternative High (Continuation)
Street	966 Wildwood Rd.
City, State, Zip	Arbuckle, CA 95912-9714
Phone Number	(530) 476-2277
Principal	Mrs. Nicole Newman
E-mail Address	nnewman@pierce.k12.ca.us
Web Site	http://pierce.aahs.schooldesk.net/
Grades Served	9-12
CDS Code	06616140630087

<b>District Contact Inf</b>	ormation
District Name	Pierce Joint Unified School District
Phone Number	(530) 476-2892
Superintendent	Mrs. Carol Geyer
E-mail Address	cgeyer@pierce.k12.ca.us
Web Site	www.pierce.k12.ca.us

#### School Description and Mission Statement (Most Recent Year)

Arbuckle Alternative High School is located adjacent to the Pierce High School campus and is the only alternative secondary program in the Pierce Joint Unified School District. Enrollment reported through 1/11/16 is 15 students. There are 12 males and 3 females.

Arbuckle Alternative High School Vision Statement:

Arbuckle Alternative High School strives to develop intrinsically motivated learners who take ownership of their learning to become responsible, innovative global citizens.

#### Arbuckle Alternative High School Mission Statement

Arbuckle Alternative High School is committed to preparing academically proficient students for entrance and success in colleges, universities, and their chosen career. We provide academic and co-curricular experiences that develop socially and academically successful students.

Arbuckle Alternative High School serves students 16 - 18 years old that are credit deficient and/or require a more flexible path toward meeting graduation requirements. The administration is shared with PHS and the teacher participates with PHS staff in all staff and professional development activities.

Parents, students and other community members play a vital role as partners in the educational process. Pierce Joint Unified School District enjoys strong community involvement which contributes significantly to the succes of its programs and its position as a focal point of the community.

#### Student Enrollment by Grade Level (School Year 2014-15)

Grade Level	Number of Students
Grade 11	5
Grade 12	9
Total Enrollment	14

#### Student Enrollment by Group (School Year 2014-15)

Student Group	Percent of Total Enrollment
Hispanic or Latino	85.7
White	14.3
Socioeconomically Disadvantaged	85.7
English Learners	28.6
Students with Disabilities	7.1

#### A. Conditions of Learning

#### **State Priority: Basic**

The SARC provides the following information relevant to the Basic State Priority (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair.

#### **Teacher Credentials**.

		School		District
Teachers	2013-14	2014-15	2015-16	2015-16
With Full Credential	1	1	1	67
Without Full Credential	0	0	0	4
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	0

#### **Teacher Misassignments and Vacant Teacher Positions**

Indicator	2013-14	2014-15	2015-16
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments *	0	D	0
Vacant Teacher Positions	0	0	0

Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\* Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

#### Core Academic Classes Taught by Highly Qualified Teachers (School Year 2014-15)

Location of Classes	Percent of Classes In Core Academic Subjects		
Location of Classes	Taught by Highly Qualified Teachers	Not Taught by Highly Qualified Teachers	
This School	100.0	0.0	
All Schools in District	100.0	0.0	
High-Poverty Schools in District	100.0	0.0	
Low-Poverty Schools in District	0.0	0.0	

Note: High-poverty schools are defined as those schools with student eligibility of approximately 40 percent or more in the free and reduced price meals program. Low-poverty schools are those with student eligibility of approximately 39 percent or less in the free and reduced price meals program.

#### Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2015-16)

Year and month in which data were collected: January 2016

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Reading/Language Arts	Holt Literature & Language Arts, 2011 Literature and Composition: Reading, Writing, Thinking, Bedford/St. Martins 2011	Yes	0%
Mathematics	Integrated Mathematics I, II & III, Houghton Mifflin 2014	Yes	0%

Core Curriculum Area	Textbooks and Instructional Materials/ Year of Adoption	From Most Recent Adoption?	Percent of Students Lacking Own Assigned Copy
Science	Biology, Holt 2007 Integrated Science, Prentice Hall 2006	Yes	0%
History-Social Science	Geography, Prentice Hall 2006 World History, Glencoe 2006 US History, Glencoe 2006 American Government, Prentice Hall 2006	Yes	0%
Foreign Language			0%
Health	Holt Health, 2005	Yes	0%
Visual and Performing Arts	The Visual Experience, Davis 2005	Yes	0%
Science Laboratory Equipment (grades 9-12)			0%

#### School Facility Conditions and Planned Improvements (Most Recent Year)

The classroom, building and grounds of AAHS are clean and well maintained. The classroom and restroom are cleaned on a daily basis. There is a work ticket online system where staff can enter work orders to be completed when there is need of repair.

#### School Facility Good Repair Status (Most Recent Year)

School Facility Good Repair Status (Most Recent Year) Year and month in which data were collected: 6/30/15										
	1 I	Repair Statu	15	Repair Needed and						
System Inspected	Good	Fair	Poor	Action Taken or Planned						
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	х									
Interior: Interior Surfaces	х									
Cleanliness: Overall Cleanliness, Pest/ Vermin Infestation	х									
Electrical: Electrical	x									
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	x									
Safety: Fire Safety, Hazardous Materials	х									
Structural: Structural Damage, Roofs	Х									
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	х									

#### **Overall Facility Rating (Most Recent Year)**

Year and	l month in which dat	a were collected: 6/3	0/15	
	Exemplary	Good	Fair	Роог
Overall Rating	х			

#### **B. Pupil Outcomes**

#### **State Priority: Pupil Achievement**

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP], Science California Standards Tests); and
- The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University
  of California and the California State University, or career technical education sequences or programs of study

#### California Assessment of Student Performance and Progress Results for All Students (School Year 2014-15)

Mathematics		33	33
English Language Arts/Literacy		38	44
	School	District	State
Subject	Percent of	Students Meeting or Exceeding t (grades 3-8 and 11)	he State Standards

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### CAASPP Assessment Results - English Language Arts (ELA) Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

Student Group		Number of Students		serverse s	Per	nts			
	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded	
All Students	11	5	4	80.0					
Male	11		3	60.0					
Female	11		1	20.0					
Hispanic or Latino	11		4	80.0					
Socioeconomically Disadvantaged	11		3	60.0					
English Learners	11		0	0.0					
Foster Youth	11								

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

#### **CAASPP Assessment Results - Mathematics**

Disaggregated by Student Groups, Grades Three through Eight and Eleven (School Year 2014-15)

18 Zajanony mistoregich musical provinci		Number of Students			Percent of Students					
Student Group	Grade	Enrolled	Tested	Tested	Standard Not Met	Standard Nearly Met	Standard Met	Standard Exceeded		
All Students	11	5	4	80.0		<u></u>				
Male	11		3	60.0						
Female	11		1	20.0						
Hispanic or Latino	11		4	80.0						
Socioeconomically Disadvantaged	11		3	60.0						
English Learners	11		0	0.0						

Student Group	Grade	Number of Students			<u>cent of Stuc</u> Standard	ients Standard	Standard
		Enrolled Tested	Tested	Not Met	Nearly Me	Sun 1986 Mag 1996 Mag 2019 States	Exceeded
Foster Youth	11						

Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes students that did not receive a score; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using students with scores.

#### California Standards Tests for All Students in Science (Three-Year Comparison)

	an a	Percent of (meet	1.25.25 K 2.0 C K 1. K	coring at P eding the		CALL STOLE AND A CALL OF A		
Subject	School 2012-13 2013-14	2014 15	2012 12	District	2014 15	2012 12	State	2014 15
Science (grades 5, 8, and 10)	2012-15 2013-14	2014-13	47	2013-14 50	2014-13	59	2013-14 60	2014-15

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### California Standards Tests Results by Student Group in Science (School Year 2014-15)

Student	Percent of Students Scoring at Proficient or Advanced
Circle	Froncienci of Advanced

Note: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### **Career Technical Education Programs (School Year 2014-15)**

#### **Career Technical Education Participation (School Year 2014-15)**

Measure	CTE Program Participation
Number of pupils participating in CTE	0
% of pupils completing a CTE program and earning a high school diploma	0
% of CTE courses sequenced or articulated between the school and institutions of postsecondary education	0

#### Courses for University of California and/or California State University Admission

UC/CSU Course Measure	Percent
2014-15 Students Enrolled in Courses Required for UC/CSU Admission	14.29
2013-14 Graduates Who Completed All Courses Required for UC/CSU Admission	0

#### **State Priority: Other Pupil Outcomes**

The SARC provides the following information relevant to the Other Pupil Outcomes State Priority (Priority 8):

• Pupil outcomes in the subject areas of English, mathematics, and physical education.

#### California High School Exit Examination Results for Grade Ten Students (Three-Year Comparison)

Mathematics				59	57	58	60	62	59
English-Language Arts				45	48	57	57	56	58
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Subject	Contraction of	School			District			State	
Steel Later of Article States in the			Percent o	f Students S	Scoring at P	roficient or	Advanced		nia en de como

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### California High School Exit Examination Grade Ten Results by Student Group (School Year 2014-15)

All Students in the LEA	43	22	24	17	50	8
Group	Percent Not	ish-Language Percent Proficient	Percent	Percent Not	Mathematics Percent Proficient	Percent
	NAME OF BRIDE					10.00

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### California Physical Fitness Test Results (School Year 2014-15)

Grade	Percent of Students Meeting Fitness Standards	
Level	Four of Six Standards Five of Six Standards Six of Six Standards	

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

#### C. Engagement

#### **State Priority: Parental Involvement**

The SARC provides the following information relevant to the Parental Involvement State Priority (Priority 3):

• Efforts the school district makes to seek parent input in making decisions for the school district and each schoolsite.

#### **Opportunities for Parental Involvement (Most Recent Year)**

All parents are encouraged to maintain communication about their student's progress by directly communicating with staff through email and voicemail. There are opportunities for participation on School Site Council and ELAC. Printed information is provided annually to to parents on the function and opportunities to participate in these groups. Meeting times and minutes are also posted publicly.

On January 26, 2016 Pierce High School/Arbuckle Alternative High School began offering monthly meetings ("Paw Talk") that will allow parents to have a round table forum with the principal as well as a workshops to navigate parents through their child's high school experience.

Arbuckle Alternative High School conducts 2 weeks of parent teacher conferences (1 in the fail and 1 in the spring) to have one on one meetings to discuss the progress of each student. Conferences are conducted by the classroom teacher.

In the summer of 2015, a College and Career Coordinator position was created. This person was hired to help students and parents with making decisions about colleges and careers. One of the activities organized by the College and Career Coordinator was the Parent Institute for Quality Education series. A nine week parent education program, successfully completed by 55 Pierce Joint Unified junior high school and high school parents.

#### State Priority: Pupil Engagement

The SARC provides the following information relevant to the Pupil Engagement State Priority (Priority 5):

- High school dropout rates; and
- High school graduation rates.

#### Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

1-1		School	0.6.253		District			State	
Indicator	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14	2011-12	2012-13	2013-14
Dropout Rate	5.60	4.30	7.00	5.60	4.30	7.00	13.10	11.40	11.50
Graduation Rate	90.00	94.62	93.02	90.00	94.62	93.02	78.87	80.44	80.95

#### Completion of High School Graduation Requirements (Graduating Class of 2014)

	Graduating Class of 2014						
Group	School	District	State				
All Students	100	91.95	84.6				
Black or African American			76				
American Indian or Alaska Native			78.07				
Asian			92.62				
Filipino			96.49				
Hispanic or Latino	100	91.04	81.28				
Native Hawaiian/Pacific Islander		100	83.58				
White	100	94.74	89.93				
Two or More Races			82.8				
Socioeconomically Disadvantaged		100	61.28				
English Learners	66.67	41.67	50.76				
Students with Disabilities	85.71	95	81.36				
Foster Youth							

#### State Priority: School Climate

The SARC provides the following information relevant to the School Climate State Priority (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

#### Suspensions and Expulsions

Expulsions	0.00	0.00	0.00	0.21	0.07	0.13	0.13	0.10	0.09
Suspensions	8.70	16.67	27.78	6.76	6.24	4.45	5.07	4.36	3.80
Rate	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
P-A-		School	204030		District	201003		State	

#### School Safety Plan (Most Recent Year)

Arbuckle Alternative High School's comprehensive school safety plan was updated and accepted by the Site Council on October 21, 2015 and approved by the Pierce Joint Unified School District Governing Board on November 19, 2015. Arbuckle Alternative High School has a comprehensive Safe School Plan that addresses the school's climate and the school's physical environment.

Arbuckle Alternative High School has access to the same support staff as Pierce High School: two administrators, two counselors (1full time Guidance Counselor and 1-full time (but part time to Pierce High School) Behavioral Counselor), a school resource officer, a district school nurse, and an attendance clerk; they all assist in student safety, wellness, and campus security. The School Resource Officer helps promote a safe environment by assisting with campus security, being a resource to the students, and building positive relationships with the Pierce High School community.

Arbuckle Alternative High School is a closed campus. All visitors must sign in at the Main Office. Surveillance cameras have been installed on the campus grounds as well as in the school building and gym. There are plans for more cameras to be installed during the summer of 2016. Arbuckle Alternative High School conducts emergency preparedness drills as defined in Ed. Code, which includes earthquake, fire, and secure the building/lock down-intruder drills.

Training for all staff and faculty is provided throughout the year, and includes collaboration with the community such as Colusa County Sheriff Department and the Arbuckle Fire Department.

The district office has an app that is available on both iPhone and Android devices as well as the automated dialer system that will send push notifications and alert parents in emergency situations. Also, there is a brochure that contains information regarding what to do in the event of an emergency that has been given to every parent during parent teacher conferences and is available in the high school office.

#### **D. Other SARC Information**

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

AYP Criteria	School	District	State
Made AYP Overall	Yes	Yes	Yes
Met Participation Rate: English-Language Arts	Yes	Yes	Yes
Met Participation Rate: Mathematics	Yes	Yes	Yes
Met Percent Proficient: English-Language Arts	N/A	N/A	N/A
Met Percent Proficient: Mathematics	N/A	N/A	N/A
Met Attendance Rate	N/A	Yes	Yes
Met Graduation Rate	N/A	Yes	Yes

#### Adequate Yearly Progress Overall and by Criteria (School Year 2014-15)

#### Federal Intervention Program (School Year 2015-16)

Indicator	School	District
Program Improvement Status	Not in Pl	ln Pl
First Year of Program Improvement		2010-2011
Year in Program Improvement*		Year 3
Number of Schools Currently in Program Improvement	N/A	3
Percent of Schools Currently in Program Improvement	N/A	60.0

Note: Cells with N/A values do not require data.

#### Average Class Size and Class Size Distribution (Secondary)

the state of the second	2012-13 2013-14 2014-15											
Subject	Avg. Class Size	Numb	er of Clas 23-32	srooms 33+	Avg. Class Size	Numb	er of Clas 23-32	srooms 33+	Avg. Class Size	Numb	er of Clas 23-32	srooms 33+
English	4	5			4	8			9	4		
Mathematics	7	1			5	6			6	2		
Science	2	4			13	1			4	4		
Social Science	1	10			3	9			4	8		

Note: Number of classes indicates how many classrooms fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

#### Academic Counselors and Other Support Staff (School Year 2014-15)

Title	Number of FTE Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor	0.04	405
Counselor (Social/Behavioral or Career Development)		N/A
Library Media Teacher (Librarian)		N/A
Library Media Services Staff (Paraprofessional)		N/A
Psychologist		N/A
Social Worker		N/A
Nurse		N/A
Speech/Language/Hearing Specialist		N/A
Resource Specialist		N/A
Other		N/A

Note: Cells with N/A values do not require data. One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

#### Expenditures per Pupil and School Site Teacher Salaries (Fiscal Year 2013-14)

		Average		
Level	Total	Supplemental/ Restricted	Basic/ Unrestricted	Teacher Salary
School Site	\$15,106.75	\$29.91	\$15,076.84	\$66,324
District	N/A	N/A	\$5,694.65	\$61,695
Percent Difference: School Site and District	N/A	N/A	164.8	7.5
State	N/A	N/A	\$5,348	\$59,460
Percent Difference: School Site and State	N/A	N/A	181.9	11.5

Note: Cells with N/A values do not require data.

#### Types of Services Funded (Fiscal Year 2014-15)

The school is staffed with one full-time teacher for 15-18 students. The teacher provides significant small group and one-on-one support to address student needs. The majority of the academic program is tailored to fit the student's individual needs to support progress toward graduation. Whole group instruction is also designed specifically for the clientele and their respective progress toward proficiency of required standards.

#### Teacher and Administrative Salaries (Fiscal Year 2013-14)

Category	District Amount	State Average for Districts In Same Category		
Beginning Teacher Salary	\$43,369	\$38,953		
Mid-Range Teacher Salary	\$58,005	\$57,103		
Highest Teacher Salary	\$77,642	\$74,127		
Average Principal Salary (Elementary)	\$106,489	\$90,225		
Average Principal Salary (Middle)	\$111,060	\$98,146		
Average Principal Salary (High)	\$118,709	\$97,758		
Superintendent Salary	\$121,530	\$117,803		
Percent of Budget for Teacher Salaries	40%	34%		
Percent of Budget for Administrative Salaries	8%	7%		

For detailed information on salaries, see the CDE Certificated Salaries & Benefits Web page at http://www.cde.ca.gov/ds/fd/cs/.

#### Advanced Placement (AP) Courses (School Year 2014-15)

Subject Number of AP Courses	s Offered* Percent of Students In AP Courses
Computer Science	N/A
English	N/A
Fine and Performing Arts	N/A
Foreign Language	N/A
Mathematics	N/A
Science	N/A
Social Science	N/A
All courses	

\* Cells with N/A values do not require data. Where there are student course enrollments.

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#### **Professional Development (Most Recent Three Years)**

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Three full days and every Wednesday afternoon 2:20 - 3:45 are dedicated to professional development activities for the teaching staff. The teacher at AAHS participates in all staff development activities with the PHS staff.

# Pierce Joint Unified School District Library Plan

**Committee Members** 

Blake Kitchen, Principal Nicole Newman, Principal Donna Rourke, Librarian Jane Hardy, Librarian Katie Boles, Reading Coach Carol Geyer, Superintendent

> 2015/2016 School Year

## Mission and Goals of the School Library Media Program

The mission of the library media program is to ensure that students and staff are effective users of ideas and information. This mission is accomplished by:

- 1. Providing intellectual and physical access to materials in all formats.
- 2. Providing instruction to foster competence and stimulate interest in reading, viewing, and using information and ideas.
- 3. Working with other educators to design learning strategies to meet the needs of individual students.

# Goal 1: To provide the staffing necessary to implement an effective, district wide library media program.

- Staffing to support enrollment (ADA) for each site.
   Responsible: Administration/Board
   Timeline: 2015/2016
   Evaluation: We are aware that we are understaffed due to budget restraints but will continue to reevaluate staffing as funds come available.
- A district wide library committee with representation from all sites will meet annually.
   Responsible: Superintendent Designee
   Timeline: 2015/2016
   Evaluation: Recorded dates of meetings

# Goal 2: To ensure that all students in the district have access to equally effective library media programs.

- All K-6 elementary students will have weekly classroom visits to library and material check out available by staff.
   Responsible: Site Administrator
   Timeline: 2015/2016
   Evaluation: Circulation Statistics
- Johnson Junior High library is open for classroom visitation and access during school time and before school.
   Responsible: Site Administrator Timeline: 2015/2016
   Evaluation: Circulation Statistics
- All 9-12 students will have open access to the library collections during school, lunch, and after school 3 days per week.
   Responsible: Site Administrator Timeline: 2015/2016
   Evaluation: Circulation Statistics
- The school district governing board will regularly review policies for library and instructional materials.
   Responsible: Superintendent/Board
   Timeline: 2015/2016
   Evaluation: Policies
   At District Meeting:
  - 1. Challenge of book
  - 2. Board policies concerning library
  - 3. Books on recommended list from State are acceptable

- Sites will continue to use Follett Library Software, Destiny Library Manager. Follett will manage software upgrades. All new materials will be categorized.
   Responsible: District Technology Director and Librarians Timeline: 2015/2016
   Evaluation: Implementation
- Library funding can come out of site allocations. District will consider including library funding in 2015/2016 LCAP.
   Responsible: Teachers Timeline: 2015/2016
   Evaluation: LCAP Action

# Goal 3: To provide up-to-date relevant resources in a variety of formats and technologies to meet the diverse needs of all learners.

- The internet will be available for all students for computer research. **Responsible:** District/County Librarian **Timeline:** 2015/2016 **Evidence:** Research Projects done by students
- Spanish library selections will be available in site library collections and K-8 classroom library selections.
   Responsible: Librarian/Classroom Teachers Timeline: 2015/2016
   Evaluation: Number of Spanish books available in each library
- Trade books, representing grade level appropriate, narrative and expository text will be purchased to enhance K-8 classroom library collections and site libraries when funding allows.
   Responsible: Grade Level Teams/Classroom Teacher Timeline: 2015/2016
   Evaluation: Books
- Motivational high interest books will be purchased for site libraries and classroom collections when funding allows.
   Responsible: Grade Level Teams/Classroom Teacher Timeline: 2015/2016
   Evaluation: Books purchased on a yearly basis
- Libraries will include an area in which books will be shelved by lexile number or grade equivalency.
   Responsible: Librarian Timeline: 2015/2016
   Evaluation: Books
- Using district funding, quizzes for Reading Counts will be selected to coincide with themes for different reading levels.
   Responsible: District technology director and principals

#### Timeline: 2015/2016 Evaluation: Budget records

- All materials purchased will be stamped as district property when received.
   Responsible: Librarians/Site Staff Timeline: 2015/2016 Evaluation: Books
- The district library committee has set the following system to pull wellworn non-appealing materials; all books are examined for condition, copyright date, and circulation. Worn books will be replaced and obsolete books will be discarded.
   Responsible: Librarian Timeline: 2015/2016 Evaluation: Books
- The collection of lexile level books over 1000 with appropriate content will be continually enhanced at the K-8 site library.
   Responsible: Librarian Timeline: 2015/2016
   Evaluation: Books purchased for each library
- The district will begin the process of exploring the option of creating access to digital library content at each library.
   Responsible: Superintendent and Technology Director Timeline: Ongoing

# Goal 4: To ensure ongoing administrative commitment for effective library media programs.

- The district will consider the district's library media program needs during the Local Control and Accountability Plan (LCAP) process and allocate necessary funds from the Local Control Funding Formula (LCFF).
   Responsible: Superintendent/Board
   Timeline: 2015/2016
   Evaluation: Budget
- The district will encourage schools to use available funds to continually upgrade library media resources.
   Responsible: Superintendent Timeline: 2015/2016
   Evaluation: Budget

- Students will receive training in handling of books; responsibility of the checking in and out of books; and the expected behavior conducive to a library environment.
   Responsible: Librarians/Teachers
   Timeline: 2015/2016
   Evaluation: Number of lost books at the end of school year
- Lost/Damaged books will be replaced by fines and district funds. Responsible: Librarians, Principals Timeline: 2015/2016 Evaluation: Budget

# Goal 5: To involve parents and community members in the development and support of library media programs for improved student learning.

- The district will encourage the continued use of public libraries by students and teachers.
   Responsible: Librarian/Teachers
   Timeline: 2015/2016
   Evaluation: Meeting dates
- To encourage parent/student library volunteers to support access of library materials to all students.
   Responsible: Administrator and Teachers Timeline: 2015/2016
   Evaluation: Volunteer sign in sheet
- An informal assessment survey of teachers, students and parents will be administered annually, i.e., teachers' meetings, School Site Council. Students will be involved in selection of books to support school site programs.
   Responsible: Librarians and Principals Timeline: Annually Evaluation: Needs assessment

# Goal 6: To provide appropriate facilities to meet the learning and teaching needs of an effective library media program.

- All District school sites include library facilities.
   Responsible: Superintendent/Board Administration Timeline: Ongoing
   Evaluation: Building blue prints
- The district facilities and maintenance plans will include the upgrading and renovation of school libraries.
   **Responsible:** Superintendent and Maintenance Director **Timeline:** Ongoing **Evaluation:** Facilities Report

- Goal 7: To ensure that the library media program serves as an essential catalyst for learning and teaching through comprehensive plans, policies, and ongoing program assessment.
  - The district library committee will review and update district library plan annually.
     Responsible: Committees
     Timeline: Yearly
     Evaluation: Updated documents
- Goal 8: To ensure that the K-8 classroom libraries serve as a catalyst for student reading, the following genre of literature and periodicals will be purchased:
  - Trade books, informational text, paperback or hardbound, representing grade-level-appropriate narrative and expository text, e.g., classic and contemporary literature
  - Stand-alone literature titles not dependent upon instruction
  - Literature aligned to student reading levels
  - Literature sets for small groups, e.g., 5-8 copies
  - Literature suggested as recreational or related to the reading program
  - Literature in languages other than English
  - Books to support a reading motivational program
  - Grade level teams will collaboratively select classroom materials that best suits the needs of the collective grade level.
     Responsible: Grade Level Teams, Principal Timeline: Yearly
     Funded: Site funds
     Evaluation: Books
  - The literature selected by grade level teams will be rotated between classes.
     Responsible: Grade Level Teams, Principals
     Timeline: Yearly
     Funded: Site Funds
     Evaluation: Books



#### **Pierce Joint Unified School District** 2016/17 SCHOOL CALENDAR

AUG						5		AUG 5 NEW TEACHER ORIENTATION
AUG		#8	#9	#10	11	12		AUG 8-9 STAFF DEVELOPMENT DAY
AUG		15	16	14	18	19		AUG 10 BACK TO SCHOOL BREAKFAST/TEACHER WORK DAY
AUG		22	23	24	25	26		AUG 11 FIRST DAY OF SCHOOL ATTENDANCE
AUG/S	EP 1st	29	30	31	1	20	17	
SEP		[5]	6	7	8	2		SEP 5 LABOR DAY
SEP		12	13	14	15	16		
SEP		19	20	21	22	23		
SEP	2nd	26	20	28	29	30		
OCT		- 20	4	5	6	7	13	OCT 10 COLUMBUS DAY
OCT		<10>	11	12	13	14		
OCT		17	18	12	20	21		OCT 14 END OF 1ST QTR.( 45 DAYS) FOR JJH/PHS
OCT	3rd	*24	*25	*26	20 *27	*28	40	OCT 21 END OF 1st TRIMESTER (50 days) FOR AES/GI OCT 24-OCT 28 MINIMUM DAYS-PARENT CONFERENCE
OCT/N						_	19	OCT 24-OCT 26 MINIMUM DATS-PARENT CONFERENCE
	υv	31	1	2	3	4		
NOV		7	8	9	10	<11>		NOV 11 VETERANS DAY
NOV	415	14	15	16	17	18		
NOV	4th	<21>	<22>	[23]	[24]	[25]	14	NOV 21-25 THANKSGIVING
NOV/D	EC	28	29	30	1	2		
DEC		5	6	7	8	9		DEC 16 MINIMUM DAY - END OF 2ND QUARTER (39 days) FOR JJH/PHS
DEC		12	13	14	15	*16		DEC 19-JAN 6 WINTER BREAK
JAN	5th	. 9	10	11	12	13	20	
JAN		[16]	17	18	19	20		JAN 16 MARTIN LUTHER KING DAY
JAN		23	24	25	26	27		
JAN/FE		30	31	1	2	3		
FEB	6th	6	7	8	9	10	19	
FEB		13	14	15	16	17		
FEB		[20]	21	22	23	24		FEB 20 PRESIDENT'S DAY
FEB/MA	٩R	27	28	1	2	3		MAR 3 END OF 2ND TRIMESTER (72 days) FOR AES/GI
MAR	7th	6	7	8	9	10	19	
MAR		13	14	15	16	<17>		MAR 16 END OF 3RD QUARTER (47 DAYS) FOR JJH/PHS
MAR		*20	*21	*22	*23	*24		MAR 17 TEACHER STAFF DEVELOPMENT JJH/PHS
MAR		27	28	29	30	31		MAR 20-24 MINIMUM DAYS - PARENT CONFERENCE
APR	8th	3	4	5	6	7	19	
APR		[10]	[11]	[12]	[13]	[14]		APR 10 - APR 14 SPRING BREAK
APR		17	18	19	20	21		
APR		24	25	26	27	28		
MAY	9th	1	2	3	4	5	15	
MAY		8	9	10	11	12		
MAY		15	16	17	18	19		MAY 29 MEMORIAL DAY
MAY		22	23	24	25	26		JUN 1 - JUN 2 MINIMUM DAYS
MAY/JL	IN 10th	[29]	30	31	*1	*2		JUN 2 END OF 3RD TRIMESTER (58 days) FOR AES/GI - END OF 4TH QUARTER (49 days) FOR JJH/PHS
				<u>.</u> .		4	13	Sonz Line of the minilester (to days) for Aleyer- END of 4th QUARTER (49 days) FOR JJH/PHS

* = MINIMUM DAY	180 STUDENT ATTENDANCE DAYS
<>=LOCAL HOLIDAY	1 TEACHER WORK DAY
[] = LEGAL HOLIDAY	6 STAFF DEVELOPMENT DAYS
# =NON INSTRUCTIONAL DAY	187 TOTAL DAYS OF SERVICE

GRADUATION: ALTERNATIVE HIGH SCHOOL 05/31/2017 JOHNSON JUNIOR HIGH 06/01/2017 PIERCE HIGH SCHOOL 06/02/2017

#### Staff Development/Work Day Schedule

*****	
2 days	August 3 & 4: AES & GI
3 days	August 8-10: (one day is a work day) ALL SITES
2 days	Embedded on Wednesdays: ALL SITES
1 day	January 16: PHS
1 day	March 17: JJH & PHS

1 day Embedded over 3 days: JJH

First Day of School: SCHOOL START/END Last Day of School: August 11, 2016

DRAFT

June 2, 2017

Columbus Day/Teacher Staff Development Day December 19, 2016 - January 6, 2017: October 24 - 28, 2016 Minimum Days March 20 - 24, 2017 Minimum Days Teacher Staff Development Day November 21-25, 2016: PARENT CONFERENCES: Martin Luther King Day November 11, 2016: September 5, 2016: IMPORTANT DATES Thanksgiving Break Feburary 20, 2017: April 10 - 14, 2017: October 10, 2016: January 16, 2017: President's Day May 29, 2017: Veteran's Day Memorial Day Winter Break Spring Break 3/17/2017: HOLIDAYS: Labor Day

# **Pierce Joint Unified School District** 2016/17 Student Calendar

W         T         K         T         W	JULY	-Y 2016				AUG	AUGUST 2016	2016			SEPT	SEPTEMBER 2016	R 20	16		0	OCTOBER 2016	ER 2(	)16
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Pierce High School: June 2, 2017

End of Semester JJH/PHS

#### MEMORANDUM OF UNDERSTANDING BETWEEN THE PIERCE JOINT UNIFIED EDUCATORS ASSOCIATION AND THE PIERCE JOINT UNIFIED SCHOOL DISTRICT FOR THE 2015/16 SCHOOL YEAR

The Pierce Joint Unified School District ("District") and the Pierce Joint Unified Educators Association ("PJUEA") having met and negotiated pursuant to the Educational Employment Relations Act hereby agree to modify the current Collective Bargaining Agreement as follows:

- 1. The 2015/16 Certificated salary schedule set forth in Appendix A to the current Collective Bargaining Agreement shall be increased by 4%. Payments of increase shall be made retroactive to July 1, 2015.
- 2. The District shall increase the annualized cap for health and welfare insurance by \$1,000.00 per year, retroactive to July 1, 2015. The cap will increase to \$10,288 per year.

PIERCE JO ASSOCIA	DINT UNIFIED EDUCATORS FION
BY:	Chag Find le
TITLE:	854EA President
DATED:	12-15-15

PIERCE JOINT UNIFIED SCHOOL

DISTRICT BY:

TITLE: S

DATED:

#### Public Disclosure of Proposed Collective Bargaining Agreement Pierce Joint Unified School District

To be acted upon by the Governing Board at its meeting on January 21, 2016

TO THE GOVERNING BOARD AND THE COUNTY SUPERINTENDENT OF SCHOOLS: In compliance with the Public Disclosure requirements of AB1200 as well at the Salary Settlement Notification requirements of SB1677 when Salary/Benefits Negotiations are finalized after the final budget is adopted.

#### Section 1: STATUS OF BARGAINING UNIT AGREEMENTS

Certificated	Settled Agreement	-71 <b>-</b>	Employees Represented
Unrepresented	Settled Agreement	-13-	Employees Represented

#### Section 2: PERIOD OF AGREEMENT

The proposed agreement covers the period beginning July 1, 2015 and ending June 30, 2016. A one year agreement.

Section 3: INCREASE IN SALARIES and/or BENEFITS IN PROPOSED AGREEMENT: The proposed agreement includes the following costs in salaries and benefits:

The Certificated and Unrepresented Bargaining Units will receive a 4% increase to the salary schedules, payment based on the employees' regular annual salary. The health insurance annual district contribution cap will also increase from \$9,288 to \$10,288.

Current Year Salary and Benefit Cost before Settlement	
Based upon YTD Actuals Projected through 6/30/16	\$10,110,255
Current year Salary and Benefit Cost after Settlement	\$10,479,817
Total Cost Increase	\$ 369,562
Percentage Increase on salary schedules:	4%
Cost of 1% for Certificated and Unrepresented Bargaining Unit is	\$ 71,392
Includes cost of Statutory Benefit	-

#### Section 4: IMPACT OF PROPOSED AGREEMENT ON THE GENERAL FUND BUDGET IN

CURRENT YEAR (Reflects total of both Restricted and Unrestricted Amounts) See Multiple Year Projection

Section 5: IMPACT OF PROPOSED AGREEMENT IN FUTURE FISCAL YEARS: The following assumptions were used to determine that resources will be available to fund these obligations in future fiscal years:

The cost of this agreement will be built into the 2015-16 budget, the multi-year projection attached includes the increase in costs per this settlement.

#### Section 6: COMPARISON OF PROPOSED AGREEMENT TO CHANGE IN DISTRICT BASE

**FUNDING:** The District's proposed increase in funding for the Local Control Funding Formula is approximately 12.57%.

#### CERTIFICATION

The information provided in this document summarizes the financial implications of the proposed agreements in accordance with the requirement of AB1200 and GC 3547.5. I certify the costs incurred by the school district under the agreement can be met by the district during the term of the agreement.

Signed <u>Carol Geyer, Superintendent</u>	Date/4/16
Signed AMA MMA Daena Meras, Business Manager	Date_1/4/16

After public disclosure of the major provisions contained in this Summary, the Governing Board, at its meeting on January 21, 2016, took action to approve the proposed Agreements with the Certificated and Unrepresented Bargaining Units.

Signed\_

Date\_\_\_\_\_

Amy Charter, President, Board of Trustees

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#### MEMORANDUM OF UNDERSTANDING BETWEEN THE PIERCE JOINT UNIFIED EDUCATORS ASSOCIATION AND THE PIERCE JOINT UNIFIED SCHOOL DISTRICT FOR THE 2015/16 SCHOOL YEAR

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PIERCE JOINT UNIFIED EDUCATORS ASSOCIATION	PIERCE JOINT UNIFIED SCHOOL DISTRICT
BY: while BY:	BY: Carof Geyer
TITLE: 854EA President	TITLE: <u>Superintendent</u>
DATED: 12-15-15	DATED: 12/15/15

#### **Pierce Joint Unified School District**

#### 2015/16

#### Public Disclosure: Collective Bargaining Settlement

Unrestricted/Re	stricted		
MULTIPLE YEAR PROJECT	ION - January 2	1,2016	· · · · · · · · · · · · · · · · · · ·
INCOME	<u>15/16</u>	<u>16/17</u>	<u>17/18</u>
8011-8089 LCFF SOURCES	10,865,642	11,543,175	12,092,430
8012 EPA-EDUCATION PROTECTION ACT	1,991,615	1,772,597	1,694,293
8019 PRIOR YEAR ADJUSTMENTS	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL REVENUE LIMIT SOURCES	12,857,257	13,315,772	13,786,723
TOTAL FEDERAL REVENUE	447,381	333,995	333,995
STATE REVENUES			
8311 STATE APPORTIONMENT PROGRAMS	0	0	0
8550 MANDATED COSTS	51,112	51,688	51,688
8560 LOTTERY	230,707	230,707	230,707
8590 OTHER STATE	<u>1,364,060</u>	<u>513,130</u>	<u>513,130</u>
TOTAL STATE REVENUE	1,645,879	795,525	795,525
OTHER LOCAL REVENUES			
8650 LEASES AND RENTALS	31,814	31,814	31,814
8660 INTEREST	25,000	28,750	33,063
8677 INTERAGENCY REVENUES	173,797	55,607	28,306
8699 OTHER LOCAL INCOME	81,019	67,720	69,278
8782 OTHER TRANSFERS FROM COUNTY	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL LOCAL REVENUES	311,630	183,891	162,460
FOTAL REVENUES	15,262,147	14,629,183	15,078,703
8912-8919 INTERFUND TRANSFERS IN	0	0	0
TOTAL REVENUES AND TRANSFERS IN	15,262,147	14,629,183	15,078,703
EXPENDITURES			
1100 TEACHER'S SALARIES	5,287,468	5,391,297	5,497,203
1200 PUPIL SUPPORT SALARIES	160,761	163,976	167,256
1300 SUPERVISOR/ADMIN. SALARIES	693,400	707,268	721,413
1900 OTHER CERTIFICATED SALARIES	<u>57,720</u>	<u>58,874</u>	<u>60,052</u>
TOTAL CERTIFICATED	6,199,349	6,321,416	6,445,924
2100 INSTRUCTIONAL AIDES	188,273	192,038	195,879
2200 CLASSIFIED SUPPORT	658,732	671,907	685,345
2300 CLASSIFIED ADMINISTRATORS	281,968	287,607	293,360
2400 CLERICAL AND OFFICE	419,787	428,183	436,746
2900 OTHER CLASSIFIED SALARIES	<u>85,397</u>	<u>87,105</u>	<u>88,847</u>
TOTAL CLASSIFIED	1,634,157	1,666,840	1,700,177
TOTAL SALARIES	7,833,506	7,988,256	8,146,101
3100 STRS	936,267	1,073,271	1,208,184
3200 PERS	189,789	250,026	282,229
3300 SOCIAL SECURITY/MEDICARE	218,854	223,231	227,696
3400 HEALTH	1,146,503	1,146,503	1,146,503
EXPENDITURES (Continued)	15/16	16/17	17/18

3600 WORKER'S COMPENSATION	145,556	148,467	151,436
3900 OTHER BENEFITS	<u>0</u>	Q	<u>0</u>
TOTAL BENEFITS	2,646,311	2,851,027	3,025,768
4100 TEXTBOOKS	396,551	378,031	187,860
4200 OTHER BOOKS	124,481	34,982	35,892
4300 INSTRUCTIONAL SUPPLIES	945,632	761,327	781,122
4400 NON CAPITALIZED EQUIPMENT	<u>812,458</u>	<u>478,957</u>	491,410
TOTAL BOOKS AND SUPPLIES	2,279,122	1,653,297	1,496,283
5200 TRAVEL AND CONFERENCE	63,747	55,277	56,714
5300 DUES AND MEMBERSHIPS	15,739	16,117	16,536
5400 INSURANCE	108,044	110,637	113,514
5500 UTILITIES	352,538	360,999	370,385
5600 CONTRACTS, RENTS, LEASES	153,749	150,439	154,350
5800 OTHER SERV. & OPERATING EXP.	1,688,784	945,362	969,941
5900 COMMUNICATIONS	<u>124,415</u>	<u>127,401</u>	<u>130,713</u>
TOTAL CONTRACTS	2,507,016	1,766,231	1,812,153
6170 LAND IMPROVEMENTS	0	0	0
6200 NEW BLDGS/IMPROVEMENTS	98,980	0	0
6400 NEW EQUIPMENT	121,378	73,091	74,991
6500 EQUIPMENT REPLACEMENT	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL EQUIPMENT	220,358	73,091	74,991
7142 COMMUNITY SCHOOL/SELPA	692,376	719,224	733,608
7282 ALL OTHER TRANSFERS TO COUNTY	0	0	0
7350 INTERFUND INDIRECT COST	-35,819	-36,750	-37,706
7400 DEBT SERVICE	0	0	0
7600 TRANSFERS TO OTHER FUNDS	450,000	0	0
7649 OTHER LOAN PAYMENTS	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL 7000 OTHER OUTGO	1,106,557	682,473	695,902
TOTAL EXPENDITURES & TRANSFERS OUT	16,592,870	15,014,376	15,251,199

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#### **MULTIPLE YEAR PROJECTION SUMMARY**

#### 2015/16

#### **Public Disclosure: Collective Bargaining Settlement**

Linne Disclosure: Concentre Dal	<u> </u>	Unrestricted/Restricted					
MULTIPLE YEAR PROJECTIO	N - January 2	1, 2016					
	<u>15/16</u>	<u>16/17</u>	<u>17/18</u>				
TOTAL REVENUES & TRANSFERS IN	15,262,147	14,629,183	15,078,703				
TOTAL EXPENSES & TRANSFERS OUT	16,592,870	15,014,376	15,251,199				
TOTAL REVENUES LESS EXPENDITURES	-1,330,723	-385,193	-172,496				
BEGINNING BALANCE	5,381,302	4,050,579	3,665,386				
LESS AMOUNT ABOVE REVENUES LESS EXP	-1,330,723	-385,193	-172,496				
LESS REVOLVING CASH	<u>-10,000</u>	<u>~10,000</u>	<u>-10,000</u>				
UNDISTRIBUTED RESERVE	4,040,579	3,655,386	3,482,890				
% UNDISTRIBUTED RESERVE	24.35%	24.35%	22.84%				
<b>3% UNDISTRIBUTED RESERVE IS</b>	497,786	450,431	457,536				
AMOUNT ABOVE (-BELOW) 3%	3,542,793	3,204,955	3,025,354				
5% UNRESTRICTED BOARD RESERVE	674,343	617,698	626,392				
AMOUNT ABOVE (-BELOW) 5%	3,366,236	3,037,689	2,856,498				
Recommended Reserve: 3% plus one year LCFF Growth							
LCFF Growth over prior year	1,531,063	600,775	532,127				
Plus 3% reserve	<u>497,786</u>	<u>450,431</u>	457,536				
Total Recommended Reserve	2,028,849	1,051,206	989,663				
Amount Above (-Below) Recommended Reserve	2,011,730	2,604,180	2,493,227				
% Undistributed Reserve	12.12%	17.34%	16.35%				

			2015-16			
Γ	1	lt	[]]	IV	V	]
			BA + 45	BA + 60	BA + 75	1
	BA *	BA + 30	or MA	or MA +15	or MA + 30	
1	42,120	48,694	50,832	53,064	55,394	· ·
2		49,545	51,720	53,991	56,666	
3		50,410	52,623	55,529	57,966	
4		51,289	53,542	56,803	59.298	
5		52,185	55,663	58,108	60,658	
6		53,097	56,940	59,440	62,051	
7		55,796	58,248	60,807	63,478	
8		57,079	59,585	62 203	64,934	
9		58,388	60,954	63,630	66,425	
10		59,728	62,353	65,091	67,952	
11		61,100	63,784	66,587	69,511	
12		62,503	65,249	68,116	71,109	- I
13			66,747	69,680	72,741	
14			68,280	71,280	74,411	1
15				72,916	76,121	1
18				78,057	81,487	1
20					84,290	1
22			>		87,092	1
Based on	187 Work Da	ays 🖉 🕹			·	

#### Pierce Joint Unified School District Certificated Salary Schedule 2015-16

\* Teachers that hold less than a Preliminary or Clear Credential.

1. Language Development Certificate - \$100 per step included in salary schedule above

- 2 \$800 for Masters' degree
- 3. \$2,000 for Bilingual Credential

#### Credit for experience:

Five years of teaching experience in or out of state will be allowed plus 1 year of credit for each additional two years of feaching experience. A maximum of 9 years experience may be granted on the salary schedule.

#### Salary Related Benefits

#### Health Care: Plan Year is 10-1-15 to 9-30-16

Employee and dependents health insurance, dental, and vision. Annual premium costs range from \$58 01 to \$1,222 01 monthly, over an 11 month pay period. Employee can choose from 6 medical plans. The district's annual contribution toward health benefits is \$10,288.

#### Dental Care: (Employee & dependents)

Full dental coverage through Delta Dental Plan is provided.

70% coverage 1st year / 80% 2nd year / 90% 3rd year/ 100% thereafter.

#### Vision Care: (Employee & dependents)

Plan provides for exams and for the purchase of glasses or contacts, if needed.

#### Extra Duty Schedule:

PJUSD provides a comprehensive extra-duty schedule.

Pierce Joint Unified School District 2015/16 Administrative Salary Schedule

														>		
1		COUNSELOR	69,314	71,393	73,535	75,741	78.013	80,353	82,764	86,902	91,247	93,985	96,804		200	
	HIGH SCHOOL	VICE-PRINCIPAL	83,217	85,297	87,430	89,614	< 91,856	94,151	96,505	102,295	108,434	11,687	117,159		200	
•	HIGH SCHOOL	PRINCIPAL	938'66	102,353	104,912	107,534	110,223	112,978	115,803	121,593	127.673	130,864	134,136		215	
	ELEMENTARY AND	JR HIGH PRINCIPAL	90,735	93,457	96,260	99,148	102,123	105,186	108,342	113,759	119,447	122,433	125,494		205	
	ELEMENTARY	VICE-PRINCIPAL	77,068	79,380	81,761	84,215	86,740	89,343	92,023	97,545	103,397	106,499	111,559		200	Montorio Doaroo - ¢800 Ctinom
		STEPS	-	7	က	4	5	ပ	7	10	13	16	19		Work Days	Mactor's Do

Master's Degree = \$800 Stipend Doctorate Degree = \$1,000 Stipend

<u>Medical/Dental/Vision:</u> \$10,286.00 Annual District Contribution; \$935.27 per month (11 months)

#### Pierce Joint Unified School District 2015/16 Confidential Salary Schedule

STEPS	Executive Administrative Assistant	Payroll/Personnel Technician
1	42,557	40,568
2	44,684	42,598
3	46,919	44 728
4	49,265	46,963
5	51,728	49.312
6	54,314	51.777
7	57,031	54,366
10	59,882	57 084
13	62,876	59,938
16	66,020	62,936
19	69,321	66.082
DAYS WORKED	261.25	261.25

Master's Degree = \$800 Stipend

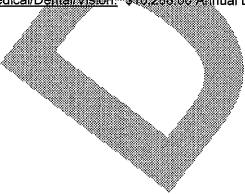
Medical/Dental/Vision: \$10,288.00 Annual District Contribution, \$857.33 per month.

# Pierce Joint Unified School District 2015/16 Classified Management Salary Schedule

<b>P</b>		<u>&amp;</u>	
		Facilities &	
		Transportation Director	
		and	Food Services
STEPS	Business Manager	Technology Director	Manager
1	70,559	60,954	41,103
2	74,086	64,002	43,158
3	77,791	67,202	45,316
4	81,680	70,562	47,582
5	85,764	74,090	49,961
6	90,053	77,794	52,459
7	94,555	81,684	55,081
10	97,392	84,135	57,836
13	100,314	86,659	60,728
16	103,323	89,258	63,764
19	106,423	91,936	66,953
DAYS WORKED	261,25	261,25	261.25

Master's Degree = \$800 Stipend

Medical/Dental/Vision: \$10,288.00 Annual District Contribution; \$857.33 per month.



## Pierce Joint Unified School District Equipment & Supplies

### Board Declaration Surplus Equipment & Supplies

Date:	December 21, 2015
Subject:	Declaration of Surplus and Obsolete Equipment: 1957 Chevrolet Truck
Comments:	The district has concluded this item to be obsolete due to the fact that it is not utilized any longer.
Information:	The Board of Trustees has the authority under Sections 17545-17555 of the Education Code to sell, auction, donate, or otherwise dispose of District equipment or materials that are unusable, obsolete, or no longer needed for District use.
Educational Impact:	None
Financial Impact:	Projected Revenue – over \$2,500
Recommendations:	It is recommended that the Board of Trustees declare and approve the sale, donation, and/or disposal of this equipment.
Submitted by:	Carol Geyer
Attachments:	None

### Pierce Joint Unified School District Equipment & Supplies

## Board Declaration Surplus Equipment & Supplies

Date:	December 21, 2015
Subject:	Declaration of Surplus and Obsolete Equipment: 1991 Pontiac Sunbird
Comments:	This was the car used for driver's education and district mail delivery and is no longer utilized by the district.
Information:	The Board of Trustees has the authority under Sections 17545-17555 of the Education Code to sell, auction, donate, or otherwise dispose of District equipment or materials that are unusable, obsolete, or no longer needed for District use.
Educational Impact:	None
Financial Impact:	Projected Revenue \$2,200
Recommendations:	It is recommended that the Board of Trustees declare and approve the sale, donation, and/or disposal of this equipment.
Submitted by:	Carol Geyer
Attachments:	None

Pierce Joint Unified School District 540-A 6th Street Arbuckle, CA 95912 (530) 476-2892 \* FAX (530) 476-2289 Thursday, November 19, 2015 5:30 pm Pierce Joint Unified School District Technology Building 940 Wildwood Rd, Arbuckle CA Regular Board Meeting Minutes

#### **Governing Board:**

Debbie Charter, President					
Amy Charter, Vice President	Abel Gomez, Board Clerk				
John Friel, Member	Nadine High, Member				

President Debbie Charter called the meeting to order at 6:01 p.m. Members Present: Debbie Charter, Amy Charter, Nadine High, John Friel, and Abel Gomez Absent: None Others Present: Carol Geyer, Summer Shadley, Nicole Newman, Blake Kitchen, George Green, Daena Meras, and Melanie Brackett

Ms. High led the Pledge of Allegiance

A motion was made by Mr. Friel and seconded by Ms. High to approve the agenda. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

There were no new board members elected. For 2016 the Board officer shall be as follows:

- A. President Ms. Amy Charter
- B. Vice-President Mr. Abel Gomez
- C. Clerk Mr. John Friel
- D. Member Ms. Nadine High
- E. Member Ms. Debbie Charter

The Board went into CLOSED SESSION at 6:03 p.m.

The Board reconvened at 6:05 p.m. In a unanimous vote, the Board took NO ACTION to readmit Student 14/15 - A. Student 14/15 - A will not be readmitted back into the District and has been referred to Colusa County Community School.

1. CALL TO ORDER

A. Pledge of Allegiance

- 2. APPROVAL OF AGENDA
- ANNUAL BAORD ORGANIZATIONAL MEETING – PART I: A. Rotation/Election of Board members

- 4. CLOSED SESSION:A. Readmittance Hearing for Student 14/15 A
- 5. OPEN SESSION:
  - A. Report ACTION Taken in CLOSED SESSION

No one spoke at this time.

Mrs. Newman read the report for the Student Body Representative. Last week a luncheon was held for students who had a 3.0 or higher. Hotdogs, chips and soda were served. The students were super excited. There will be a similar lunch each quarter. Basketball and soccer have started and everything seems to be going great. ASB put on a boys basketball tournament at PHS. The ASB is still working on projects to improve the school. FFA is selling Christmas trees.

Nicole Newman reported that with the success of the PIQE trainings that were held at Pierce High School, she, Perla, and Patty have scheduled more parent trainings along with "Paw Talk" that will give parents an opportunity for open dialogue with school administration. She submitted a flyer to the Board with dates, times, and subjects. The trainings will be presented in English and Spanish. She presented the minutes of the December 16<sup>th</sup> Ag Advisory Committee Meeting. Mrs. Newman submitted a draft copy of the California Technical Education Incentive Grant (CTEIG) and outlined the future plans for the school farm which is included in the grant. She outlined some of the items that will be asked for with the grant. She also outlined the plans for a Careers Class that is required for a Pathways Grant that was received last year. Mrs. Newman, Perla, Patty, and Sam will be attending a training in Woodland regarding implementation and rollout of the Get Focused, Stay Focused curriculum. She will be presenting new graduation requirements to the Board at the February Regular This will be a dual enrollment class with Board Meeting. Woodland Community College for Freshman. All Freshman that take the class will received high school and college credit. There was discussion regarding the need for more keyboard classes for students.

Blake Kitchen reported that he and Summer will be attending the Smarter Balanced training in Woodland tomorrow along with Katie Boles. Girls' basketball wrapped up their season Tuesday. There is a parent/student game tonight. Boys' soccer played their last game today. Boys' basketball tryouts are going on right now.

- HEARING OF THE PUBLIC (Speakers will be given three (3) minutes to speak with a twenty (20) minute limit per topic)
- 7. PHS Student Body Representative Report

#### 8. PRINCIPAL'S REPORTS

- A. Arbuckle Elementary School/Grand Island Elementary School
- B. Lloyd G. Johnson Junior High School
- C. Pierce High School/Arbuckle Alternative High School

There are approximately 45 students trying out. Houghton Mifflin was onsite Wednesday to present the new ELA adoption. The focus of the presentation was on digital resources with the new adoption. McGraw Hill is presenting on Monday. There are still Mandarin Oranges available for purchase at the JJH office. It was a great day picking and bagging the oranges. The Toys for Tots collection and Colusa County Food Basket donations are in the office and ready to be picked up. Lifetouch came and did an all school picture yesterday. It will be a two spread page in the yearbook. Mr. Kitchen has been doing walk throughs focusing on learning objectives. He is very happy with the direction it is going and the improvement that the teachers have made. He has also been giving feedback on activating prior knowledge. He will continue this focus after the winter break.

Summer Shadley reported that Arbuckle Elementary and Grand Island Elementary have started on their ELA adoption. Houghton Mifflin materials were shipped out last week. They should be arriving soon. They are sending an entire set of curriculum for the teachers to pilot. The teachers are excited to begin using the curriculum. McGraw Hill has only send the electronic piece at this time. After break they will be on site doing a presentation. Ms. Shadley outlined two other publishers being considered for the ELA adoption. Both elementary sites are beginning to focus on keyboarding for students as a result of reports from the Technology Committee meeting that students are having trouble typing when they get to the high school level. There is a Parent's Club meeting is on Monday. The committee has been working on facility projects at Arbuckle Elementary. They have decided to replace the back drop curtain for the stage and update the sound system. The Grand Island performance is next Wednesday at 6:00 pm. The Arbuckle Elementary kindergarten performance is next Thursday at 6:00 pm. Next Friday is the  $3^{rd} - 5^{th}$  Grade talent show at 9:00 am.

Mrs. Geyer reported that a new District Mechanic has been hired. He will start work on Monday, December 14, 2015. In the meantime Bill Taylor, who does trainings for our district, has been assisting the utility tech at the bus shed while the hiring process has been completed. There was a CHP inspection of maintenance records was last week. Everything was in order. One bus was in the shop so the inspector will return when the bus in back.

Daena Meras outlined the 2015/16 First Interim Report. There were no questions.

9. REPORTS:

A. Facilities / Transportation Report

B. 2015/16 First Interim Report

Each site principal reported on the number of students who have signed up for temporary independent study for December 2015.

Daena Meras outlined the Annual Developer Fee report and presented the Five Year Developer Fee report.

Mr. Franklin let Mrs. Geyer know there is nothing new to report. Everything is going well. The District and Association met for negotiations.

No report was given.

C. Estimate of Students Requesting Temporary Independent Study – December 2015

- D. Developer Fee Annual Report
- 10. PJUEA (Pierce Joint Unified Educators Association
- 11. CSEA (California School Employees Association)
- 12. ANNUAL BOARD ORGANIZATIONAL MEETING PART II:
  - A. Appointment of Superintendent as the Official Secretary to the Board of Trustees
  - B. Appointment of Board Representatives to the Following:
    - 1. SELPA Board
    - 2. Technology Committee
    - 3. Facilities Committee a. Cafeteria Committee
    - 4. Ag Advisory Committee
    - 5. Safety Committee
    - 6. District Advisory Committee
    - 7. District English Learners Advisory Committee
  - C. Approve 2016 Board Meeting Schedule
  - D. Approve Timelines for Superintendent Evaluation and Board Self-Evaluation
  - E. Approve Warrant Order Signatures Authorizing Certain Employees to Sign on Behalf of the District

A motion was made by Ms. High and seconded by Mr. Friel to approve Item 12 – Annual Organizational Meeting Part II:

- A. Appoint Superintendent as the Official Secretary to the Board of Trustees.
- B. Appoint Board Representatives to the Following:
  - 1. SELPA Ms. Debbie Charter
  - 2. Technology Committee Ms. Amy Charter
  - Facilities Committee All Members
     a. Cafeteria Committee
  - 4. Ag Advisory Committee Mr. John Friel/ Ms. Debbie Charter

- 5. Safety Committee Ms. Nadine High
- 6. District Advisory Committee All Rotation
- District English Learner Advisory Committee Mr. Abel Gomez

Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

A motion was made by Mr. Friel and seconded by Ms. Debbie Charter to approve the 2015/16 First Interim Report. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

A motion was made by Ms. High and seconded by Ms. Debbie Charter to approve the Pierce Joint Unified School District 2015/16 Administrative Salary Schedule Revision. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

A motion was made by Mr. Friel and seconded by Mr. Gomez to approve Resolution 15/16 - 11: Budget Revision. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

Ms. Amy Charter asked for clarification on the recommendation section of the plan which states that the district is underutilizing Grand Island Elementary. There was discussion regarding upgrades that need to be done at Grand Island Elementary. There was further discussion regarding buying land adjacent to Arbuckle Elementary. A motion was made by Ms. High and seconded by Mr. Gomez to approve the Pierce Joint Unified School District Facility Master Plan. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

A motion was made by Ms. High and seconded by Ms. Debbie Charter to approve the Pierce Joint Unified School District Educator Effectiveness Plan. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None

- 13. Consider and approve 2015/16 First Interim Report
- 14. Consider and approve Pierce Joint Unified School District 2015/16 Administrative Salary Schedule Revision
- 15. Consider and approve Resolution 15/16 11: Budget Revision
- 16. Consider and approve Pierce Joint Unified School District Facility Master Plan

17. Consider and approve Pierce Joint Unified School District Educator Effectiveness Plan

- 18. Consider and approve Consent Agenda:
  - A. Minutes of November 19, 2015 Regular Board Meeting
  - B. Warrant List for November 2015
  - C. Donations:
    - 1. Shady Creek JJH:
      - a. Odd Fellows Lodge 316
      - b. Norma Erline Goodman
      - c. Woodland Lodge #1299
    - 2. Chamisal Creek Ranch Gym Wall Pads
  - D. Contracts:
    - 1. Proposal/Agreement between Jack Schreder & Associates to Prepare Developer Fee Justification Study
  - E. Overnight Field Trip Requests:
    - 1. FFA Delegates at State Convention: Fresno Convention Center
    - 2. FFA Made for Excellence/ALA Conference: Redding CA
    - 3. EFA Parli Pro Teams: Klamath Falls CA
    - 4. FFA Parli Pro Teams: Madera CA
    - 5. FFA Parli Pro Teams: Modesto CA
    - 6. FFA Parli Pro and Speaking Teams State Finals: Fresno Convention Center
- A motion was made by Mr. Friel and seconded by High to approve the Consent Agenda. Voting Aye: Ms. High, Ms. Debbie Charter, Mr. Gomez, Mr. Friel, and Ms. Amy Charter. Voting No: None. Absent: None
- High School Grade Report SARC Second Quarter Discipline Report Student and Attendance Calendars for 2016/17 Library Plan Williams Act Quarterly Report P-1 Attendance WASC Draft Report
- Mrs. Geyer reported that she has been at each site this week doing walk throughs. She will meet with Pat Hamilton tomorrow for a coaching session. Mrs. Geyer will meet separately with Katie Boles, District Literacy Coach, and Kathy Lopez, Intervention/Prevention Counselor, next week. She meets monthly with them to ensure that everyone is on the same page. She

19. Items to be agendized for next regular meeting:

20. Superintendent's Report

reported that President Obama signed the Every Student Succeeds Act. It replaced the No Child Left Behind. She outlined the changes in the two programs. California is ahead of other states with the new accountability system. She outlined the difference between the LCAP (state accountability) and the LEAP (federal accountability) and stated that the hope is to shift to only the LCAP for both state and federal levels. Mrs. Geyer will keep the Board informed of changes. The commended the principals for this hard work while doing walk throughs. She and the principals have been having weekly power meetings to look at data generated from walk throughs which is part of the Edivate system the district has been utilizing. Mrs. Geyer also commended Daena Meras for her had work on the budget.

No report was given.

- 21. Board President's Report
- 22. CLOSED SESSION:
  - A. PUBLIC EMPLOYMENT: Pursuant to Government Code sec. 54957 the Board will meet in CLOSED SESSION to discuss personnel matters

Certification	Position	Status
Classified	7 <sup>th</sup> /8 <sup>th</sup> Grade	Hiring
	Boy's Basketball	_
	Coach – JJH	
Classified	Tutor – PHS	Hiring
Classified	Girl's Varsity	Volunteer
	Basketball Coach	
Classified	Girl's Varsity	Hiring
	Basketball Coach	

B. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Government Code sec. 54957.6, the Board will meet in CLOSED SESSION to give direction to Agency Negotiator, Carol Geyer, regarding negotiations with PJUEA (Pierce Joint Unified Educators Association), CSEA (California School Employees Association), and unrepresented groups.

The Board went into CLOSED SESSION at 6:50 p.m.

23. OPEN SESSION

A. Report Action Taken in CLOSED SESSION

The Board reconvened at 8:00 p.m. and took action on the following:

A. PUBLIC EMPLOYMENT: Pursuant to Government Code sec. 54957 the Board will meet in CLOSED SESSION to discuss personnel matters. In CLOSED SESSION the Board, by unanimous vote, approved the Public Employment.

Certification	Position	Status
Classified	7 <sup>th</sup> /8 <sup>th</sup> Grade Boy's	Hiring
	Basketball Coach – JJH	
Classified	Tutor – PHS	Hiring
Classified	Girl's Varsity Basketball	Volunteer
	Coach	
Classified	Girl's Varsity Basketball	Hiring
	Coach	

 B. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Government Code sec. 54957.6, the Board will meet in CLOSED SESSION to give direction to Agency Negotiator, Carol Geyer, regarding negotiations with PJUEA (Pierce Joint Unified Educators Association), CSEA (California School Employees Association), and unrepresented groups. No ACTION was taken

24. ADJOURN

The Board adjourned at 8:01 p.m.

Carol Geyer, Secretary to the Board of Trustees

Pierce Joint Unified School District 540-A 6th Street Arbuckle, CA 95912 (530) 476-2892 \* FAX (530) 476-2289 Thursday, December 10, 2015 1:00 p.m. 960 Wildwood Rd, Arbuckle CA 95912 Special Board Meeting Minutes

Governing Board:Debbie Charter, PresidentAmy Charter, Vice PresidentAbel Gomez, Board ClerkJohn Friel, MemberNadine High, Member

 President Debbie Charter called the meeting to order at 1:04 p.m.

 Members Present:
 Nadine High, Abel Gomez, John Friel, Amy Charter, and Debbie Charter

 Absent:
 None

 Others Present:
 Carol Geyer, Nicole Newman, Daena Meras, Duffy Bailey, Trent Sommers, Cathy Marsh, Michael Doherty, and Don Friel

Ms. Amy Charter led the Pledge of Allegiance

A motion was made by Ms. Amy Charter and seconded by Ms. High to approve the agenda. Voting aye: Ms. High, Mr. Friel. Mr. Gomez, Ms. Amy Charter, and Ms. Debbie Charter. Voting no: None. Absent: None

No one spoke at this time.

The Board members and meeting participants toured the sites of the District. There was discussion on general projects, site development, and the PHS multi-purpose room.

The Board adjourned at 2:15 p.m.

1. CALL TO ORDER

A. Pledge of Allegiance

- 2. APPROVAL OF AGENDA
- 3. HEARING OF THE PUBLIC
- 4. Facility Planning Meeting

5. ADJOURN

Carol Geyer, Secretary to the Board of Trustees

APY280 L.00.03

DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST

COLUSA COUNTY OFFICE OF EDUCATION ACCOUNTS PAYABLE SUMMARY BY OBJECT FOR WARRANTS DATED 12/04/2015 FUND : 01

12/03/15 PAGE 11

GENERAL FUND/COUNTY SCH.SRV.

		ŝ	BUILDINGS
TRAVEL AND CONFERENCE 1,504.03 RENTALS, LEASES AND REPAIRS 902.16 CONSULTING SERV/OPERATING EXP 9,554.00		E REPAIRS ATING EXP BUILDINGS	CE REPAIRS RATING EXP F BUILDINGS 4
<i>,</i> e	S AND REPAIRS V/OPERATING EXP	REPAIRS ATING EXP BUILDINGS	REPAIRS RATING EXP F BUILDINGS 1
CONSULTING SERV/OPERATING EXP 9,554.0	V/OPERATING EXP	ATING EXP BUILDINGS	RATING EXP F BUILDINGS 1
		BUILDINGS	F BUILDINGS

		5800	OBJECT	DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.	APY280 L.00.03
TOTAL DISTRICT:	TOTAL FUND :	CONSULTING SERV/OPERATING EXP	DESCRIPTION	FOR WARRANTS DATED 12/04/2015	COLUSA COUNTY OFFICE OF EDUCATION
199,945.90	324.00	324.00	AMOUNT	FUND : 13 CAFETERIA FUND	12/03/15 PAGE

004859 FLORA FRESH INC PO-000225 PIERCE HIGH SCHOOL	002651 FIRST NATIONAL BANK OMAHA 373446 PV-000651 FLD NOT USED FLD NOT USED FLD NOT USED	004408 EDUCATIONAL DATA SYSTEMS INC 373445 PO-000276 FLD NOT USED	000736 D&P ENTERPRISES 373444 PO-000235 PIERCE HIGH SCHOOL	005221 CREATIVE BUS SALES 373443 PV-000660 FLD NOT USED	002908 COASTAL BUSINESS SYSTEMS 373442 PV-000653 JOHNSON JR HIGH SCHOOL	003231 CANON FINANCIAL SERVICES INC 373441 PV-000659 PIERCE HIGH SCHOOL	002124 CALIFORNIA'S VALUED TRUST 373440 PV-000657 FLD NOT USED FLD NOT USED	003344 CALIFORNIA FFA 373439 PO-000281 PIERCE HIGH SCHOOL	001944 C&L HOME SERVICE 373438 PV-000649 FLD NOT USED	005223 BETTERCLOUD INC PO-000296 FLD NOT USED	Vendor# Vendor name (remit) Warrant Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
VOCATIONAL EDUCATION WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/04/2015 6998
MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES TRAVEL AND CONFERENCE	CONSULTING SERV/OPERATING EXP	NONCAPITALIZED EQUIPMENT	MATERIALS AND SUPPLIES	COPY MACHINE MAINTENANCE	COPY MACHINE MAINTENANCE	HEALTH & WELFARE-CERTIFICATED HEALTH/WELFARE LIAB	MATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP	CONSULTING SERV/OPERATING EXP	OBJECT	12/03/15 BATCH 0021 ACCOUNTS PAYABLE
118.41 \$118.41 *	32.97 177.56 1,195.38 \$1,405.91 *	357.00 \$357.00 *	3,675.98 \$3,675.98 *	ჯინ. ენ. ენ. ენ. ენ. ენ. ენ. ენ. ენ. ენ. ე	229.00 \$229.00 *	673.16 \$673.16 *	5,415.03 121,907.32 \$127,322.35 *	2,887.50 \$2,887.50 *	370.00 \$370.00 *	4,671.00 \$4,671.00 *	Amount	15 PACE 20

002580 ORIENTAL TRADING PO-000289	005305 NICOLE NEWMAN PV-000643 PV-000646 PV-000667	005352 NEW MANAGEMENT II PO-000292	003755 MJB WELDING INC PO-000266	002539 MITEL NETSOLUTIONS PV-000656 F	002532 MITEL LEASING PV-000658	003446 TAMMY MINTEN PV-000668	005308 LJ MATH CONSULTANTS PO-000073 FL	001787 INLAND BUSINESS : PV-000665	000911 GRIFF'S FEED & S PV-000655	000574 CAROL GEYER PV-000666	004586 GEARY PACIFIC SU PV-000664	Vendor# Vendor name (re Reference	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. 1
CO ARBUCKLE ELEMENTARY	37: PIERCE HIGH SCHOOL PIERCE HIGH SCHOOL PIERCE HIGH SCHOOL	INC. 3 JOHNSON JR HIGH S	37 PIERCE HIGH SCHOOL	LD NOT USED	3 FLD NOT USED	FLD NOT USED 3	D NOT USED	SYSTEMS 3 FLD NOT USED	SEED 3 JOHNSON JR HIGH S	3 FLD NOT USED	SUPPLY #22 3 FLD NOT USED	(remit) W SCHOOL	UNIF. SCH. DIST.
373459 ARY SCHOOL	373458 OL OL OL	373457 SCHOOL	373456 OL	373455	373454	373453	373452	373451	373450 SCHOOL	373449	373448	Warrant	COL
REGULAR EDUCATION, K-12	VOCATIONAL EDUCATION REGULAR EDUCATION, K-12 VOCATIONAL EDUCATION WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	VOCATIONAL EDUCATION WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/04/2015 6998
MATERIALS AND SUPPLIES	TRAVEL AND CONFERENCE TRAVEL AND CONFERENCE MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	NONCAPITALIZED EQUIPMENT	COMMUNICATIONS	COMMUNICATIONS	TRAVEL AND CONFERENCE	CONSULTING SERV/OPERATING EXP	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	OBJECT	12/03/15 BATCH 0021 ACCOUNTS PAYABLE
29.98	66.70 34.50 112.93 \$214.13 *	185.63 \$185.63 *	2,483.50 \$2,483.50 *	813.25 \$813.25 *	847.47 \$847.47 *	65.55 \$65.55 *	1,500.00 \$1,500.00 *	973.50 \$973.50 *	83.36 \$83.36 *	75.96 \$75.96 *	276.24 \$276.24 *	Amount	PAGE 21

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005175 SOUTHERN COMPUTER WAREHOUSE 373470 PO-000287 FLD NOT USED	003187 SCHOOL SAFETY SOLUTIONS.LLC 373469 PV-000648 FLD NOT USED PV-000654 FLD NOT USED	003466 SAC-VAL 373468 PV-000662 FLD NOT USED	000388 CINDY ROHDE 373467 PV-000669 PIERCE HIGH SCHOOL	000099 RAY MORGAN CO PO-000284 PIERCE HIGH SCHOOL	000639 QUILL CORPORATION 373465 PO-000272 FLD NOT USED	003820 PURCHASE POWER 373464 PV-000652 FLD NOT USED	000682 PLATT ELECTRIC SUPPLY 373463 PV-000661 FLD NOT USED	003005 FITNEY BOWES EV-000650 FLD NOT USED	005359 DEBORAH PERDUE PV-000645 FLD NOT USED	004794 P&D COMMERCIAL PARTS & SERV 373460 pv-000647 FLD NOT USED		Vendor# Vendor name (remit) Warrant Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
O UNDISTRIBUTED WARRANT TOTAL	59 UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	38 UNDISTRIBUTED WARRANT TOTAL	;7 REGULAR EDUCATION, K-12 WARRANT TOTAL	66 REGULAR EDUCATION, K-12 WARRANT TOTAL	55 UNDISTRIBUTED WARRANT TOTAL	14 UNDISTRIBUTED WARRANT TOTAL	53 UNDISTRIBUTED WARRANT TOTAL	52 UNDISTRIBUTED WARRANT TOTAL	51 UNDISTRIBUTED WARRANT TOTAL	50 UNDISTRIBUTED WARRANT TOTAL	WARRANT TOTAL	Int GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/04/2015 6998
MATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES	TRAVEL AND CONFERENCE	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	COMMUNICATIONS	MATERIALS AND SUPPLIES	COMMUNICATIONS	FINGERPRINTING	CONSULTING SERV/OPERATING EXP		OBJECT	12/03/15 BATCH 0021 ACCOUNTS PAYABLE
158.08 \$158.08 *	1,192.50 480.00 \$1,672.50 *	251.20 \$251.20 *	141.90 \$141.90 *	348.92 \$348.92 *	132.42 \$132.42 *	500.00 \$500.00 *	255.64 \$255.64 *	\$86.88 \$86.88	10.00 \$10.00 *	324.00 \$324.00 *	\$29.98 *	Amount	5 PAGE 22

*** DISTRICT TOTALS ***	*** BATCH TOTALS ***	003178 TRI COUNTY PETROLEUM PV000663 FLD FLD	003621 SYNCB/AMAZON PO-000234 PO-000245 PO-000258 PO-000260 PO-000265 PO-000279	004986 ERIN SWEET PV-000644	003590 STAGECRAFT INDUSTRIES PO-000126 FLD 1	Vendor# Vendor name (remit) Reference SCF	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. 1
		LEUM INC 373474 FLD NOT USED FLD NOT USED	373473 FLD NOT USED FLD NOT USED ARBUCKLE ELEMENTARY SC FLD NOT USED PIERCE HIGH SCHOOL ARBUCKLE ELEMENTARY SC ARBUCKLE ELEMENTARY SC	373472 PIERCE HIGH SCHOOL	TRIES INC 373471 FLD NOT USED	mit) Warrant SCHOOL	).02 PIERCE JT. UNIF. SCH. DIST.
TOTAL NUMBER OF WARRANTS:	TOTAL NUMBER OF WA	×	HOOL HOOL W	×	z	ant GOAL	COLUSA COUN BILL FOR WAR
ယ ထ	WARRANTS: 38 T	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED REGULAR EDUCATION, K-12 UNDISTRIBUTED REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12	VOCATIONAL EDUCATION WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	ΔL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/04/2015 6998
TOTAL AMOUNT OF WARRANTS:	TOTAL AMOUNT OF WARRANTS: \$	FUEL FUEL	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES BOOKS OTHER THAN TEXTBOOKS MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	NEW & IMPROVEMENT OF BUILDINGS	OBJECT	12/03/15 BATCH 0021 ACCOUNTS PAYABLE 8
\$199,945.90**	\$199,945.90*	173.46 1,730.18 \$1,903.64 *	15.85 560.90 57.19 14.82 68.92 286.73 144.99 144.99 \$1,149.40 *	71.09 \$71.09 *	42,825.00 \$42,825.00 *	Amount	5 PAGE 23

APY280 L.00.03

DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.

COLUSA COUNTY OFFICE OF EDUCATION BOAT 22 ACCOUNTS PAYABLE SUMMARY BY OBJECT FOR WARRANTS DATED 12/11/2015 FUND

12/10/15 PAGE 8

GENERAL FUND/COUNTY SCH.SRV.

	9514	5900	5800	5600	5500	5200	4400	4300	4100	3400	OBJECT	
TOTAL FUND :	HEALTH/WELFARE LIAB	COMMUNICATIONS	CONSULTING SERV/OPERATING EXP	RENTALS, LEASES AND REPAIRS	OPERATIONS & HOUSEKEEPING SERV	TRAVEL AND CONFERENCE	NONCAPITALIZED EQUIPMENT	MATERIALS AND SUPPLIES	TEXTBOOKS	HEALTH & WELFARE	DESCRIPTION	
85,921.85	12,329.00	15,121.80	8,733.75	5,270.67	3,264.24	559.20	21,768.32	2,940.12	159.75	15,775.00	AMOUNT	

5800	4700	4400	4300	OBJECT	DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.	APY280 L.00.03
CONSULTING SERV/OPERATING EXP	FOOD	NONCAPITALIZED EQUIPMENT	MATERIALS AND SUPPLIES	DESCRIPTION	FOR WARRANTS DATED 12/11/2015	COLUSA COUNTY OFFICE OF EDUCATION
252.91	25,176.10	1,936.55	2,874.36	AMOUNT	FUND : 13	
					CAFETERIA FUND	12/10/15 PAGE

9

TOTAL FUND

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30,239.92

	6200	4300	OBJECT	DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.	APY280 L.00.03
TOTAL FUND :	NEW & IMPROVEMENT OF BUILDINGS	MATERIALS AND SUPPLIES	DESCRIPTION	FOR WARRANTS DATED 12/11/2015	COLUSA COUNTY OFFICE OF EDUCATION
5,219.88	4,691.25	528.63	AMOUNT	FUND : 41 SPECIAL RESERVE-CPTL.OUTLAY	12/10/15 PAGE 10

TOTAL DISTRICT:

121,381.65

005193 GARY LEDERER PV-000673	004902 GEORGE GRIFFIN PV-000676	001651 GOLD STAR FOODS PV-000681	000127 FRONTIER PV-000678 PV-000679	005264 DE LAGE LANDEN PV-000677	000428 THE DANIELSEN C PV-000684	005324 CSTA PO-000169	000071 CLOSE LUMBER INC PO-000231	003208 CDW-G COMPUTING PO-000198 PO-000219	001021 SCOTT BURNUM PV-000674	005202 BOZ ELECTRIC PV-000685	Vendor# Vendor name (r Reference	APY251CO L.00.02 DISTRICT: 34 PIERCE JT.
373640 PIERCE HIGH SCHOOL	373639 GRAND ISLAND ELEMENTARY	373638 FLD NOT USED	373637 FLD NOT USED FLD NOT USED	PUBLIC FINANCE 373636 FLD NOT USED ARBUCKLE ELEMENTARY SCHOOL JOHNSON JR HIGH SCHOOL	CO. FLD NOT USED FLD NOT USED FLD NOT USED	373634 JOHNSON JR HIGH SCHOOL	C JOHNSON JR HIGH SCHOOL	SOLUTIONS 373632 ARBUCKLE ELEMENTARY SCHOOL FLD NOT USED	373631 PIERCE HIGH SCHOOL	373630 FLD NOT USED	(remit) Warrant SCHOOL	UNIF. SCH. DIST.
REGULAR EDUCATION, K-12	SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED OOL REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	OOL REGULAR EDUCATION, K-12 UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/11/2015 6998
MATERIALS AND SUPPLIES	TRAVEL AND CONFERENCE	FOOD	COMMUNICATIONS COMMUNICATIONS	COPY MACHINE MAINTENANCE COPY MACHINE MAINTENANCE COPY MACHINE MAINTENANCE	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES FOOD	TRAVEL AND CONFERENCE	MATERIALS AND SUPPLIES	NONCAPITALIZED EQUIPMENT NONCAPITALIZED EQUIPMENT	MATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP	OBJECT	12/10/15 BATCH 0022 ACCOUNTS PAYABLE
175.97	209.30 \$209.30 *	8,637.52 \$8,637.52 *	60.03 15,061.77 \$15,121.80 *	1,429.08 2,200.08 1,641.51 \$5,270.67 *	1,475.22 212.14 10,215.57 \$11,902.93 *	205.00 \$205.00 *	130.80 \$130.80 *	968.28 1,936.55 \$2,904.83 *	559.00 \$559.00 *	300.00 \$300.00 *	Amount	5 PAGE 21

005175 SOUTHERN COMPUTER WAREHOUSE 373651 PO-000269 ARBUCKLE ELEMENTARY SCHOOL	005061 SUMMER SHADLEY PV-000670 GRAND ISLAND E	005235 SERV-PAK PRODUCTS INC. PV-000691 FLD NOT USED	001535 ROHRER BROS INC PV-000688 FLD NOT USED	004206 RECOLOGY BUTTE COLUSA COUNTIES PV-000680 FLD NOT USED	005347 LISA NILSEN RAYMOND PV-000671 FLD NOT USED	003587 RAY DALTON INSPECTIONS PV-000690 FLD NOT USED	005321 PIQE PO-000132 FLD NOT USED PO-000199 FLD NOT USED	005341 MISSION LINEN SUPPLY PV-000682 FLD NOT USED PV-000683 FLD NOT USED	004911 MELISSA MINGARELLI 373 PV-000675 ARBUCKLE ELEMENTARY ARBUCKLE ELEMENTARY	001253 MCGRAW-HILL SCHOOL EDUCATION 373 PO-000246 ARBUCKLE ELEMENTARY		Vendor# Vendor name (remit) Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST
373651 NTARY SCHOOL	373650 ELEMENTARY SCHOC	373649	373648	373647	373646	373645	373644	373643	373642 NTARY SCHOOL NTARY SCHOOL	373641 NTARY SCHOOL		Warrant	COLUSA C FOR
REGULAR EDUCATION, K-12	SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	WARRANT TOTAL	GOAL	A COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER DR WARRANTS DATED 12/11/2015 6998
NONCAPITALIZED EQUIPMENT	TRAVEL AND CONFERENCE	MATERIALS AND SUPPLIES	FOOD	GARBAGE	TRAVEL AND CONFERENCE	MATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP	CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES TRAVEL AND CONFERENCE	TEXTBOOKS		OBJECT	12/10/15 BATCH 0022 ACCOUNTS PAYABLE
8,193.15	71.30 \$71.30 *	1,187.00 \$1,187.00 *	6,277.63 \$6,277.63 *	3,264.24 \$3,264.24 *	21.85 \$21.85 *	528.63 \$528.63 *	5,000.00 3,000.00 \$8,000.00 *	112.05 140.86 \$252.91 *	113.23 21.85 \$135.08 *	159.75 \$159.75 *	\$175.97 *	Amount	PAGE 22

*** DISTRICT TOTALS ***	*** BATCH TOTALS ***	000841 TRI-COUNTY SCHOOLS PV-000692 FLD NOT USED FLD NOT USED FLD NOT USED	005115 TOP TIER DATACOM INC. PV-000686 FLD NOT USED	004912 THIRD SHOE PV-000689 FLD NOT USED	000426 SYSCO FOOD SERVICES PV-000687 FLD NOT USED	004205 JEFFREY STUIVENBERG PV-000672 FLD NOT USED	PO-000280 PIERCE HIGH SCHOOL PO-000288 PIERCE HIGH SCHOOL PO-000303 PO-000313 PO-000314 PD-000314 PLD NOT USED	Vendor# Vendor name (remit) Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH.
TOTAL NUMBER	TOTAL NUMBER	373656 3D	373655 3D	373654 3D	373653 SD	373652 SD	ARBUCKLE ELEMENTARY SCHOOL PIERCE HIGH SCHOOL PIERCE HIGH SCHOOL FLD NOT USED ARBUCKLE ALTERNTATIVE HIGH SCH FLD NOT USED	Warrant	COLUSI DIST. FO
TOTAL NUMBER OF WARRANTS: 27	OF WARRANTS: 27	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 VOCATIONAL EDUCATION VOCATIONAL EDUCATION REGULAR EDUCATION, K-12 CH REGULAR EDUCATION, K-12 UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/11/2015 69
TOTAL AMOUNT OF WARRANTS:	TOTAL AMOUNT OF WARRANTS:	HEALTH & WELFARE-CLASSIFIED HEALTH & WELFARE-CLASSIFIED HEALTH/WELFARE LIAB	CONSULTING SERV/OPERATING EXP	NEW & IMPROVEMENT OF BUILDINGS	FOOD	TRAVEL AND CONFERENCE	NONCAPITALIZED EQUIPMENT MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES NONCAPITALIZED EQUIPMENT MATERIALS AND SUPPLIES NONCAPITALIZED EQUIPMENT MATERIALS AND SUPPLIES	OBJECT	ON 12/10/15 115 BATCH 0022 ACCOUNTS PAYABLE 6998
\$121,381.65**	\$121,381.65*	8,754.00 7,021.00 12,329.00 \$28,104.00 *	433.75 \$433.75 *	4,691.25 \$4,691.25 *	45.38 \$45.38 *	29.90 \$29.90 *	967.35 381.62 381.63 10,289.07 828.16 1,350.47 369.71 \$22,761.16 *	Amount	15 PAGE 23

APY280 L.00.03

DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.

OBJECT



12/17/15 PAGE 10

GENERAL FUND/COUNTY SCH.SRV.

CT	DESCRIPTION	AMOUNT
3400	HEALTH & WELFARE	15,775.00
4200	BOOKS OTHER THAN TEXTBOOKS	220.77
4300	MATERIALS AND SUPPLIES	18,654.23
4400	NONCAPITALIZED EQUIPMENT	8,159.65
5200	TRAVEL AND CONFERENCE	792.70
5500	OPERATIONS & HOUSEKEEPING SERV	19,994.92
5600	RENTALS, LEASES AND REPAIRS	889.99
5800	CONSULTING SERV/OPERATING EXP	24,644.15
5900	COMMUNICATIONS	1,636.46
8600	LOCAL REVENUES	50.00
9514	HEALTH/WELFARE LIAB	12,329.00
9515	SUI LIAB	860.12
9516	WORKER'S COMP LIAB	12,836.00
	TOTAL FUND :	116,842.99

5800	4700	4300	OBJECT	DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.	APY280 L.CO.O3
CONSULTING SERV/OPERATING EXP	FOOD	MATERIALS AND SUPPLIES	DESCRIPTION	FOR WARRANTS DATED 12/18/2015	COLUSA COUNTY OFFICE OF EDUCATION
305,81	18,343.59	709.76	AMOUNT	FUND : 13 CAFETERIA FUND	12/17/15 PAGE 11
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TOTAL FUND :

19,359.16

	8600	OBJECT	DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.	APY280 L.00.03
TOTAL FUND :	LOCAL REVENUES	DESCRIPTION	FOR WARRANTS DATED 12/18/2015	COLUSA COUNTY OFFICE OF EDUCATION
2,147-00	2,147.00	AMOUNT	FUND : 25 CAPITAL FACILITIES FUND	12/17/15 PAGE

		5800	OBJECT	DISTRICT: 034 PIERCE JT. UNIF. SCH. DIST.	APY280 L.00.03
TOTAL DISTRICT:	TOTAL FUND :	CONSULTING SERV/OPERATING EXP	DESCRIPTION	FOR WARRANTS DATED 12/18/2015	COLUSA COUNTY OFFICE OF EDUCATION
139,049.15	700.00	700.00	AMOUNT	FUND : 41 SPECIAL RESERVE-CPTL.OUTLAY	12/17/15 PAGE 13

005251 BLUE MOUNTAIN CONSTRUCTION PV-000735 FLD NOT USED	000141 ARBUCKLE PUBLIC UTILITIES PV-000719 FLD NOT USED	000139 ARBUCKLE FOOD CENTER PV-000731 FLD NOT USED FLD NOT USED	005159 APPLE INC. PO-000311 FLD NOT USED	000516 APPEAL-DEMOCRAT PV-000712 FLD NOT USED PV-000713 FLD NOT USED	005326 ANDREW ANSTEAD PV-000693 GRAND ISLAND	005288 AMERICAN EAGLE ENTERPRISES PV-000758 FLD NOT USED	005340 ALTA PLANNING & DESIGN INC PO-000243 FLD NOT USED	004503 ALSCO-GEYER/ACE HARDWARE 373928 PO-000123 JOHNSON JR HIGH SCHOOL PO-000277 PIERCE HIGH SCHOOL PV-000709 FLD NOT USED FLD NOT USED	002380 ALHAMBRA PV-000729 FLD NOT USED FLD NOT USED FLD NOT USED	Vendor# Vendor name (remit) Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
373936	373935	373934	373933	373932	373931 Elementary	373930	373929	373928 GH SCHOOL CHOOL	373927	Warrant	
UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	regular education, K-12 Warrant total	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	373931 GRAND ISLAND ELEMENTARY SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 VOCATIONAL EDUCATION UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/18/2015 6998
MITIGATION/DEVELOPER FEES	WATER	MATERIALS AND SUPPLIES FOOD	NONCAPITALIZED EQUIPMENT	NEWSPAPER ADVERTISEMENTS NEWSPAPER ADVERTISEMENTS	TRAVEL AND CONFERENCE	CONSULTING SERV/OPERATING EXP	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	OBJECT	12/17/15 BATCH 0023 ACCOUNTS PAYABLE
2,147.00 \$2,147.00 *	35.00 \$35.00 *	96.49 11.97 \$108.46 *	4,233.56 \$4,233.56 +	664.65 121.03 \$785.68 *	112.70 \$112.70 *	7,179.00 \$7,179.00 *	6,458.00 \$6,458.00 *	251.43 222.31 957.61 22.34 \$1,453.69 *	29.14 5.00 17.15 \$51.29 *	Amount	5 PACE 28

000028 DEPT OF JUSTICE PV-000714 FLD NOT USED	000428 THE DANIELSEN CO. PV-000703 FLD NOT USED FLD NOT USED FLD NOT USED	000429 CRYSTAL CREAMERY PV-000734 FLD NOT USED	003998 COLUSA REGIONAL MEDICAL PV-000733 FLD NOT USED	000044 COLUSA MOTOR SALES PV-000716 FLD NOT USED FLD NOT USED	001763 COLUSA DAIRY PV-000704 FLD NOT USED	000043 COLUSA COUNTY OFFICE OF ED FV-000725 FLD NOT USED	000295 COLUSA CO WATER WORKS DIST #1 PV-000717 FLD NOT USED	001944 C&L HOME SERVICE PV-000745 FLD NOT USED	000179 BUSWEST NORTH PV-000740 FLD NOT USED PV-000744 FLD NOT USED	000018 EOYD'S AUTO PARTS INC PV-000726 FLD NOT USED	Vendor# Vendor name (remit) Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
373947	373946	373945	373944	373943	373942	373941	373940	373939	373938	373937	Warrant	
UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARPANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/16/2015 6998
FINGERPRINTING	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES FOOD	FOOD	PHYSICAL EXAMS	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	FOOD	WORKER'S COMP LIAB	WATER	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES RENTALS, LEASES AND REPAIRS	MATERIALS AND SUPPLIES	OBJECT	12/17/15 BATCH 0023 ACCOUNTS PAYABLE
192.00 *	690.53 19.23 8,554.48 \$9,264.24 *	6,064.25 \$6,064.25 *	296.00 \$296.00 *	35.13 1,228.96 \$1,264.09 *	194.25 \$194.25 *	12,836.00 \$12,836.00 *	120.00 \$120.00 *	370.00 \$370.00 *	1,724.00 505.44 \$2,229.44 *	230.78 \$230.78 *	Amount	i PAGE 29

004020 KELLI GRIFFITH-GARCIA 373958 PV-000695 ARBUCKLE ELEMENTARY SCHOOL	005246 GREAT AMERICA FINANCIAL SVCS. 373 PV-000721 FLD NOT USED	000574 CAROL GEYER 373 PV-000699 FLD NOT USED	004859 FLORA FRESH INC 373 PO-000308 PIERCE HIGH SCHOOL	001983 FLINN SCIENTIFIC INC 373 PO-000293 PIERCE HIGH SCHOOL	002651 FIRST NATIONAL BANK OWAHA 373 PV-000754 FLD NOT USED FLD NOT USED PIERCE HIGH SCHOOL	005138 EVERBANK COMMERCIAL FINANCE 373 PV-000708 GRAND ISLAND ELEMEN	004721 ENVIRONMENTAL SYSTEMS INC PV-000752 FLD NOT USED	000829 EMPLOYMENT DEVELOPEMENT DEPT 373 PV-000757 FLD NOT USED	004962 PERLA DUARTE 373 PV-000698 PIERCE HIGH SCHOOL	003861 DINN BROS. INC. 373948 PO-000192 ARBUCKLE ELEMENTARY SCHOOL PO-000309 ARBUCKLE ELEMENTARY SCHOOL	Vendor# Vendor name (remit) Waa Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JY. UNIF. SCH. DIST.
373956 ARY SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	373957 REGULAR EDUCATION, K-12 WARRANT TOTAL	373956 UNDISTRIBUTED WARRANT TOTAL	373955 OL VOCATIONAL EDUCATION WARRANT TOTAL	373954 REGULAR EDUCATION, K-12 WARRANT TOTAL	373953 UNDISTRIBUTED UNDISTRIBUTED OL VOCATIONAL EDUCATION WARRANT TOTAL	AL FINANCE 373952 GRAND ISLAND ELEMENTARY SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	373951 UNDISTRIBUTED WARRANT TOTAL	373950 UNDISTRIBUTED WARRANT TOTAL	373949 Regular Education, K-12 Warrant Total	373948 ARY SCHOOL REGULAR EDUCATION, K-12 ARY SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	Warrant GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/18/2015 6998
MATERTALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP	TRAVEL AND CONFERENCE	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	COPY MACHINE MAINTENANCE	CONSULTING SERV/OPERATING EXP	SUI LIAB	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	OBJECT	12/17/15 BATCH 0023 ACCOUNTS PAYABLE
56.97 *	4,308.38 \$4,308.38 *	15.00 \$15.00 *	631.13 \$631.13 *	1,746.56 \$1,746.56 *	131.56 39.00 131.90 \$302.46 *	219.57 \$219.57 *	490.80 \$490.80 *	860.12 \$860.12 *	131.78 \$131.78 *	251.50 495.50 \$747.00 *	Amount	5 PAGE 30

005341 MISSION LINEN SUPPLY PV-000728 FLD PV-000743 FLD	005308 LJ MATH CONSULTANTS PO-000336 FL	004917 LIBERTY PAPER PO-000302 JO	005357 KUDER PO-000299 PI	000475 JEFF SAVAGE PLUMBING PV-000710 FLD	005361 INTERSTATE BATTERIES PO-000317 GRA	001787 INLAND BUSINESS SYS PV-000706 AR PV-000707 FL PV-000756 GR	005119 HD SUPPLY FACILITIES MAINT PV-000722 FLD NOT U PV-000727 FLD NOT U	004976 HARRIS COMPUTER SYSTEMS EV-000730 FLD NO	005183 AMY HANNON PV-000694 JC PV-000695 JC	004764 Megan Hall PV-000702 Af	Vendor# Vendox name (remit) Reference SCH	DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
Y 373969 D NOT USED D NOT USED	TS 373968 FLD NOT USED	373967 Johnson Jr High School	373966 PIERCE HIGH SCHOOL	ING 373965 FLD NOT USED	(IES 373964 GRAND ISLAND ELEMENTARY SCHOOL REGULAR EDUCATION, WARRANT TOTAL	SYSTEMS 373963 ARBUCKLE ALTERNATIVE HIGH SCH ALTERNATIVE SCHOOLS FLD NOT USED INDEPENDENT STUDY C GRAND ISLAND ELEMENTARY SCHOOL REGULAR EDUCATION, WARRANT TOTAL	TES MAINT 373962 FLJ NOT USED FLJ NOT USED	YSTEMS 373961 FLD NOT USED	373960 Johnson Jr High School Johnson Jr High School	373959 ARBUCKLE ELEMENTARY SCHOOL	it) Warrant SCHOOL	COLD
UNDISTRIBUTED UNDISTRIBUTED	REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	VOCATIONAL EDUCATION WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	OL REGULAR EDUCATION, K-12 WARRANT TOTAL	INSTEMS 373963 ARBUCKLE ALTERNTATIVE HIGH SCH ALTERNATIVE SCHOOLS FLD NOT USED INDEPENDENT STUDY CENTERS GRAND ISLAND ELEMENTARY SCHOOL REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/18/2015 6998
CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES	COPY MACHINE MAINTENANCE COPY MACHINE MAINTENANCE COPY MACHINE MAINTENANCE	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES BOOKS OTHER THAN TEXTBOOKS	MATERIALS AND SUPPLIES	OBJECT	12/17/15 Batch 0023 Accounts Payable
121.20 135.75	1,000.00 \$1,000.00 *	1,386.75 \$1,386.75 *	919,95 \$919.95 *	493.23 \$493.23 *	40.04 \$40.04 *	64.52 22.00 78.46 \$164.98 *	253.42 185.62 \$439.04 *	46.25 \$46.25 *	165.37 220.77 \$386.14 *	20.30 \$20.30 *	Amount	PAGE 31

003820 PURCHASE POWER PV-000759	000682 PLATT ELECTRIC S PV-000751	000233 EJUSD REVOLVING . RC-000003	0000094 PACIFIC GAS & EL PV-000711 PV-000736 PV-000736 PV-000761	005305 NICOLE NEMMAN PV-000697	004699 NCIAMG INC PV-000732	000376 NASCO MODESTO PO-000214	002928 MITEL TECHNOLOGIES PV-000760 F	₽V-000746 ₽V-000747 ₽V-000748 ₽V-000749	Vendor# Vendor name (re Reference	APY251CO L.00.02 DISTRICT: 34 PIERCE JT.
FLD NOT USED	SUPPLY FLD NOT USED	ACCOUNT 37: PIERCE HIGH SCHOOL FLD NOT USED PIERCE HIGH SCHOOL FLD NOT USED	ELECTRIC CO FLD NOT USED FLD NOT USED	37 PIERCE HIGH SCHOOL	dasn Lon Gua	373971 JOHNSON JR HIGH SCHOOL	LD NOT USED	FLD NOT USED FLD NOT USED FLD NOT USED FLD NOT USED FLD NOT USED FLD NOT USED	(remit) V SCHOOL	UNIF. SCH. DIST.
373977	373976	373975 OL OL	373974	373973 Ol	373972	373971 SCHOOL	373970		Warrant	S
UNDISTRIBUTED	UNDISTRIBUTED WARNANT TOTAL	REGULAR EDUCATION, K-12 UNDISTRIBUTED REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WIDISTRIBUTED	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/18/2015 6998
COMMUNICATIONS	MATERTALS AND SUPPLIES	TRAVEL AND CONFERENCE LEASES AND RENTALS TRAVEL AND CONFERENCE MATERIALS AND SUPPLIES	GAS AND ELECTRICITY GAS AND ELECTRICITY	MATERIALS AND SUPPLIES	PHYSICAL EXAMS	NATERIALS AND SUPPLIES	CONSULTING SERV/OPERATING EXP	CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP CONSULTING SERV/OPERATING EXP	овлест	12/17/15 BATCH 0023 ACCOUNTS PAYABLE
1,054.77	77.98 \$77.98 *	200.00 50.00 465.00 1,000.00 \$1,715.00 +	399.20 68.89 3,913.72 1,506.83 10,800.80 2,503.49 325.15 51.87 51.87 269.97 269.97	162.44 \$162.44 *	41.00 \$41.00 *	168.42 \$168.42 *	226.00 \$226.00 *	90.50 112.05 41.33 523.55 147.51 \$1,171.89 *	Amount	PAGE 32

004912 THIRD SHOE PV-000723 FLD NOT USED	004986 ERIN SWEET 37 PV-000700 PIERCE HIGH SCHOOL PV-000701 PIERCE HIGH SCHOOL	004681 STRAW HAT PIZZA PV-000705 FLD NOT USED	001953 STAPLES ADVANTAGE 373983 PO-000261 JOHNSON JR HIGH SCHOOL PO-000296 JOHNSON JR HIGH SCHOOL PO-000296 FLD NOT USED PO-000294 FLD NOT USED PO-000297 FLD NOT USED PO-000301 GRAND ISLAND ELEMENTAR PO-000306 FLD NOT USED	005175 SOUTHERN COMPUTER WAREHOUSE 373982 PO-000305 ARBUCKLE ELEMENTARY SCHOOL PO-000318 ARBUCKLE ELEMENTARY SCHOOL PO-000319 FLD NOT USED	003187 SCHOOL SAFETY SOLUTIONS.LLC PV-000718 FLD NOT USED	005364 SCHOOL DATEBOOXS INC. 373980 PV-000742 JOHNSON JR HIGH SCHOOL	003466 SAC-VAL PV-000715 FLD NOT USED PV-000737 FLD NOT USED PV-000738 FLD NOT USED PV-000739 FLD NOT USED	004863 RUSSELL SIGLER INC PV-000741 FLD NOT USED	Vendor# Vendor name (remit) Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
373986	373985 OL	373984	373983 SCHOOL SCHOOL MENTARY SCHOO	373982 ARY SCHOOL ARY SCHOOL	373981	373980 SCHOOL	373979	373978	Warrant	COLUS <i>P</i>
UNDISTRIBUTED	VOCATIONAL EDUCATION VOCATIONAL EDUCATION WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	373983 GH SCHOOL REGULAR EDUCATION, K-12 GH SCHOOL UNDISTRIBUTED UNDISTRIBUTED ELEMENTARY SCHOOL REGULAR EDUCATION, K-12 UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 REGULAR EDUCATION, K-12 UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	REGULAR EDUCATION, K-12 WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	WARBANT TOTAL UNDISTRIBUTED WARBANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/18/2015 6998
CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	FOOD	NONCAPITALIZED EQUIPMENT MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES NONCAPITALIZED EQUIPMENT NONCAPITALIZED EQUIPMENT	CONSULTING SERV/OPERATING EXP	MATERIALS AND SUPPLIES	MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES MATERIALS AND SUPPLIES NONCAPITALIZED EQUIPMENT	MATERIALS AND SUPPLIES	OBJECT	12/17/15 Batch 0023 accounts payable
700.00	174.49 144.33 \$318.82 *	3,518.64 \$3,518.64 *	581.24 93.25 99.76 22.84 73.10 313.14 215.95 \$1,399.28 •	300.99 1,706.03 887.93 \$2,894.95 *	1,125.00 \$1,125.00 *	936.73 \$936.73 *	1,533.99 72.71 228.49 750.89 \$2,586.08 *	\$1,054.77 * 450.37 \$450.37 *	Атсилt	15 PAGE 33

*** DISTRICT TOTALS *** TOTAL NUMBE	*** BATCH TOTALS *** TOTAL NUMBE	000610 VERIZON WIRELESS PV-000753 FLD NOT USED	000057 VACAVIILE REPORTER/VAILEJO 373989 PV-000755 FLD NOT USED	000841 TRI-COUNTY SCHOOLS 373988 PV-000724 FLD NOT USED FLD NOT USED FLD NOT USED	003178 TRI COUNTY PETROLEUM INC 373987 PV-000750 FLD NOT USED FLD NOT USED		Vendor# Vendor name (zemit) Warrant Reference SCHOOL	APY251CO L.00.02 DISTRICT: 34 PIERCE JT. UNIF. SCH. DIST.
TOTAL NUMBER OF WARRANTS: 64 TOTAL	TOTAL NUMBER OF WARRANTS: 64 TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	UNDISTRIBUTED UNDISTRIBUTED WARRANT TOTAL	WARRANT TOTAL	GOAL	COLUSA COUNTY OFFICE OF EDUCATION BILL WARRANT REGISTER FOR WARRANTS DATED 12/18/2015 6998
TOTAL AMOUNT OF WARRANTS:	TOTAL AMOUNT OF WARRANTS:	COMMUNICATIONS	NEWSPAPER ADVERTISEMENTS	HEALTH & WELFARE-CLASSIFIED HEALTH & WELFARE-CLASSIFIED HEALTH/WELFARE LIAB	PUBL		OBJECT	12/17/15 BATCH 0023 ACCOUNTS PAVABLE
\$139,049.15**	\$139,049,15*	581.69 \$581.69 *	766.73 \$766.73 *	8,754.00 7,021.00 12,329.00 \$28,104.00 *	198.44 979.12 \$1,177.56 *	\$700.00 *	Amount	/15 PACE 34 E

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## **DOCUMENT SCANNING SERVICE AGREEMENT**

This document scanning service contract (hereinafter referred to as "Agreement") is made and entered into by and between SyTech Solutions, (hereinafter referred to as "Contractor") and Pierce Joint Unified School District, (hereinafter referred to as "Client").

#### WITNESSETH

WHEREAS, Client wishes to obtain Contractor's expertise and services as they pertain to document imaging services and

WHEREAS, Contractor is knowledgeable and experienced in providing such services; and

WHEREAS, Contractor and Client wish to enter into a mutually beneficial business relationship;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises contained herein, it is hereby agreed by and between the parties as follows:

#### I. <u>DEFINITIONS</u>

For purposes of this section, the following terms have the following meanings:

- (1) "Deidentified information" means information that cannot be used to identify an individual pupil.
- (2) "Eligible pupil" means a pupil who has reached 18 years of age.
- (3) "Local educational agency" includes school districts, county offices of education, and charter schools.

(4) "Pupil-generated content" means materials created by a pupil, including, but not limited to, essays, research reports, portfolios, creative writing, music or other audio files, photographs, and account information that enables ongoing ownership of pupil content. "Pupil-generated content" does not include pupil responses to a standardized assessment where pupil possession and control would jeopardize the validity and reliability of that assessment.

(4) (A) "Pupil records" means both of the following:

(i) Any information directly related to a pupil that is maintained by the local educational agency.

(ii) Any information acquired directly from the pupil through the use of instructional software or applications assigned to the pupil by a teacher or other local educational agency employee.

(B) "Pupil records" does not mean any of the following:

(i) Deidentified information, including aggregated deidentified information, used by the third party to improve educational products for adaptive learning purposes and for customizing pupil learning.

(ii) Deidentified information, including aggregated deidentified information, used to demonstrate the effectiveness of the operator's products in the marketing of those products.

(iii) Deidentified information, including aggregated deidentified information, used for the development and improvement of educational sites, services, or applications.

(5) "Third party" refers to a provider of digital educational software or services, including cloud-based services, for the digital storage, management, and retrieval of pupil records.

#### II. <u>TERM</u>

Section 2.1 Unless it is terminated as specified in Paragraph 2.2 below, the term of this Agreement is from December 15, 2015 to December 14, 2016. The Agreement may be renewed for successive one -year periods ("Renewal Periods") by mutual agreement of the parties.

**Section 2.2** Contractor or Client may terminate this Agreement or suspend its performance hereunder, without prior notice, in the event the Contractor or Client's facilities are damaged or destroyed or the Contractor or Client's performance hereunder is prevented or hindered by labor disturbances (including, but not limited to, strikes and picketing), acts of God, the elements, order of governmental, civil and military authority or any other cause (whether similar or dissimilar to the above mentioned), not within the reasonable control of the Contractor or Client.

**Section 2.3** Client may, by written notice to Contractor, suspend for a specified period, in whole or in part, either payments to Contractor or Contractor's obligation to continue to provide services under the Agreement if, in the Client's sole discretion and business judgment, any material condition arises which interferes, or threatens to interfere with, the successful performance of Contractor's services or the accomplishment of the purposes thereof, or if Contractor fails, in whole or in part, to perform any material part of the terms and conditions of this Agreement.

**Section 2.4** Notice of suspension hereunder to Contractor shall be sufficient if sent by Registered or Certified Mail to Contractor at the address of Contractor set forth below or if hand-delivered to Contractor.

#### III. <u>SERVICES/PAYMENT</u>

**Section 3.1** Contractor agrees to perform document imaging services, in accordance with the attached Project Proposal, dated November 13, 2015, herein referred to as Exhibit A. Exhibit A may be amended, upon mutual agreement of the parties, to add additional services to be provided by SyTech Solutions to Client under the terms of this Agreement. Notwithstanding the foregoing, no changes to the Services shall be made without Client's prior written consent.

**Section 3.2** Contractor shall be available to provide the services specified in Section 3.1 of this Agreement as requested by Client in coordination with timelines and deliverable dates as defined by Client and agreed upon by Contractor.

**Section 3.3** Contractor's fee for services described in Section 3.1 of this Agreement shall be as outlined in the attached Project Proposal, dated November 13, 2015, herein referred to as Exhibit A. Client shall pay amounts invoiced within 30 days of receipt of Contractor's verifiable invoice for services rendered.

#### IV. INDEPENDENT CONTRACTOR STATUS

**Section 4.1** Except as provided in Attachment A, Contractor and Client are acting solely as independent contractors under this Agreement. It is expressly understood and agreed by the parties hereto that nothing in this Agreement, its provisions or transactions and relationships contemplated hereby shall constitute either party as the agent, employee, partner or legal representative of the other for any purpose whatsoever, nor shall either party hold itself out as such. Neither party to this Agreement shall have the authority to bind or commit the other party hereto in any manner or for any purpose whatsoever, except as may be expressly provided for herein, but rather each party shall at all times act and conduct itself in all respects and events as an independent contractor. This Agreement creates no relationships of joint venturers, partners, associates or principal and agent between the parties hereto.

#### V. <u>CLIENT REPRESENTATION & WARRANTIES</u>

Section 5.1 The Client represents and warrants that:

(a) The Client has the power to enter into this Agreement and perform in accordance with the provisions hereof and that the execution and performance of the Agreement has been duly and validly authorized in accordance with all applicable laws and governing instruments including the Client's formation documents.

(b) The execution, delivery and performance by the Client of this Agreement and the consummation of the transactions contemplated hereby do not violate or conflict with the Articles of Incorporation or Bylaws of the Client, any material contract, agreement or instrument to which the Client is a party or by which it or its properties are hound, or any judgment, decree, order or award of any court, governmental body or arbitrator by which the Client is bound, or any law, rule or regulation applicable to the Client.

#### VI. <u>CONTRACTOR REPRESENTATION & WARRANTIES</u>

Section 6.1 Contractor represents and warrants that:

(a) The Services will be delivered and/or performed in a professional and quality manner;

(b) The Services will be delivered and/or performed in material accordance with the specifications and as represented by Contractor;

(c) Contractor has the power to enter into this Agreement and perform in accordance with the

provisions hereof and that the execution and performance of the Agreement has been duly and validly authorized in accordance with all applicable laws and governing instruments; and

(d) The execution, delivery and performance by Contractor of this Agreement and the consummation of the transactions contemplated hereby do not violate or conflict with the Contractor's Bylaws, any material contract, agreement or instrument to which Contractor is a party or by which it is bound, or any judgment, decree, order or award of any court, governmental body or arbitrator by which Contractor is bound, or any law, rule or regulation applicable to Contractor.

**Section 6.2** Contractor will be responsible for all expenses other than those set forth in section 3.3 incurred by Contractor in the performance of the services specified in Section 3.1 of this Agreement and Client shall have no obligations to reimburse Contractor for any other expenditure by it.

Section 6.3 Contractor will obtain, provide, pay for and be solely responsible for workers' compensation, business liability, public liability, comprehensive insurance and requisite federal, state and local income taxes, employee benefit contributions, including but not limited to, FICA, SDI, workers' compensation, and unemployment insurance for Contractor and Contractor's employees, agents, and all other persons or entities providing services for or on behalf of Contractor, if any. Client and Contractor understand and agree that Client has neither responsibility for nor the right to control Contractor with respect to any of the foregoing described obligations.

Section 6.4 Contractor shall hire, pay and exclusively control Contractor's employees, agents or any other persons or entities providing services for or on behalf of Contractor.

Section 6.5 Contractor shall maintain Contractor's own books and accounts.

**Section 6.6** Contractor shall be responsible for the acquisition of any licenses, permits and the like required to perform the services specified in this Agreement and, further, Contractor shall be responsible for the payment of any license fees, all taxes, expenses of incorporation, if any, and permit fees required to perform the services specified in this Agreement.

Section 6.7 During the term of this Agreement, Contractor may have access to and become familiar with private, confidential and/or sensitive information belonging to Client. Contractor acknowledges and agrees that such confidential information is owned and shall continue to be owned solely by Client. During the term of this Agreement and thereafter, Contractor agrees not to use either directly or indirectly such information for any purpose or to divulge such information to any person, entity or corporation other than to Client or to persons, entities or corporations to whom Client has given its written consent, unless such information becomes publicly available by lawful means or unless Contractor is compelled to disclose such information by governmental process.

**Section 6.8** During the term of this contract, Contractor shall provide to Client upon request a current certificate of policy evidencing its comprehensive and general liability insurance coverage

in a sum not less than \$2,000,000 aggregate and \$1,000,000 per occurrence. Upon request, Contractor shall also include Client, as an additional insured. Coverage shall provide notice to the additional insured of any change in or limitation of coverage or cancellation of the policy no less than thirty (30) days prior to the effective date of the change, limitation or cancellation.

Section 6.9 All work shall be completed at SyTech's secure Elk Grove facility, which is located at 9362 Studio Court, Elk Grove, California. Access to SyTech's stand-alone building is restricted to SyTech employees only, and the facility itself is protected with alarm system, 16 security cameras and biometric locks. Nearly all records that SyTech processes require adherence to strict privacy standards.

Section 6.10 EDUCATION CODE SECTION 49073.1. Contractor agrees to comply with all applicable laws and regulations governing the activities and services provided under this Agreement, including California Ed Code Section 49073.1 and FERPA provisions of the "General Educational Provisions Act", Title 20, United States Code, § 1232g, as amended, relating to family educational and privacy rights, and regulations, (34 CFR Part 99), and other applicable laws concerning the privacy and confidentiality of information and records.

#### 6.10.1 CONTROL & OWNERSHIP OF STUDENT RECORDS

The Parties agree that as between them, all rights including all intellectual property rights in and to Client Data shall remain the exclusive property of the Client, and Contractor has a limited, nonexclusive license as provided in this Agreement solely for the purpose of performing its obligations hereunder. This Agreement does not give Contractor any rights, implied or otherwise, to Client Data, content, or intellectual property, except as expressly stated in this Agreement.

#### 6.10.2 STUDENT CONTROL OF CONTENT CREATED FOR SCHOOL

Notwithstanding paragraph (2.1) of this section, the Client's pupils shall retain possession and control of their own pupil-generated content. In order to exert possession and control over their own pupil-generated content, the Client's pupil must provide such requests to the Client in writing. The Client shall pass these requests on to Contractor, and Contractor must reasonably comply, which may include assisting in the facilitation of moving pupil-generated content into a personal account.

#### 6.10.3 PROHIBITION OF 3<sup>RD</sup> PARTY USE OF STUDENT INFORMATION FOR PURPOSES OUTSIDE THOSE NAMED IN THIS AGREEMENT

Contractor will use the education records only for the purpose of fulfilling its duties under this Agreement and will not share such data with or disclose it to any third party except as provided for in this Agreement, required by law, or authorized in writing by the Client.

#### 6.10.4 STUDENT, PARENT & GUARDIAN REVIEW & CORRECT PERSONALLY IDENTIFIABLE INFORMATION

Client pupils, as well as their parents and guardians, shall have the right to review personally identifiable information in a pupil's records retained by Contractor. Client pupils, as well as their parents and guardians, shall also have the right to correct such information if it contains errors. In order to review such information, a request must be submitted to the Client in writing. Client shall pass such requests on to Contractor and Contractor must reasonably comply.

## 6.10.5 ACTIONS TAKEN TO ENSURE STUDENT DATA IS SECURE & CONFIDENTIAL

6.10.5.1: SAS70 CERTIFIED. Contractor utilizes Microsoft's SAS70 certified Azure to securely host Client's education records. This solutions is specifically audited for HIPAA and FERPA compliance.

6.10.5.2: ISO/IEC 27018 & ISO/IEC 27001/27002:2013 CERTIFIED. Azure is committed to annual certification against ISO/IEC 27001/27002:2013, a broad international information security standard. Additionally, Microsoft Azure services have incorporated the controls that embody ISO/IEC 27018 – an extension of the ISO 27001 standard with a code of practice governing the processing of personal information by cloud service providers. ISO 27018 provides controls that reflect considerations specifically for protecting personally identifiable information in public cloud services. For example, the ISO 27018 controls prohibit the use of customer data for advertising and marketing purposes without the customer's express consent.

**6.10.5.3: SOC 1/SSAE 16/ISAE 3402 and SOC 2 CERTIFIED**. Azure has been audited against the Service Organization Control (SOC) reporting framework for both SOC 1 Type 2 and SOC 2 Type 2. Both reports are available to customers to meet a wide range of US and international auditing requirements. The SOC 1 Type 2 audit report attests to the design and operating effectiveness of Azure controls. The SOC 2 Type 2 audit included a further examination of Azure controls related to security, availability, and confidentiality. Azure is audited annually to ensure that security controls are maintained. Audits are conducted in accordance with the Statement on Standards for Attestation Engagements (SSAE) No. 16 put forth by the Auditing Standards Board (ASB) of the American Institute of Certified Public Accountants (AICPA) and International Auditing and Assurance Engagements (ISAE) 3402 put forth by the International Auditing and Assurance Standards Board (IAASB). In addition, the SOC 2 Type 2 audit included an examination of the Cloud Controls Matrix (CCM) from the Cloud Security Alliance (CSA).

6.10.5.4: **INTRUSION DETECTION & DDoS:** Intrusion detection and prevention systems, denial of service attack prevention, regular penetration testing, and forensic tools help identify and mitigate threats from both outside and inside of Azure.

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6.10.5.5: 24 HOUR MONITORED PHYSICAL SECURITY. Datacenters are physically constructed, managed, and monitored to shelter data and services from unauthorized access as well as environmental threats.

**6.10.5.6: DATA BACKUP**. Every document stored in 1DocStop is backed up at least once per version using a completely different Azure Service Account. This is done to mitigate any potential threat to top level storage account keys or severe application faults. As each document is saved to 1DocStop, it is queued for backup to the backup service using a first-in first-out serial queue. Because documents are backed up individually, this allows them to be protected earlier and restored faster. Additionally, snapshots are created for existing versions prior to any updates being performed. This ensures that rollbacks can be performed without much fanfare. The restore/revert process can be completed by any authenticated user account with an Administrator Role. These document level backups are kept for the life of the document in geographically redundant locations on the Azure cloud but within the continental US.

6.10.5.7: **TWO-FACTOR AUTHENTICATION:** Mobile phone two-factor authentication allows mobile phones to authenticate themselves, the user uses their personal access license plus a one-time-valid, dynamic passcode consisting of digits that is sent to their mobile device via SMS. Two-factor authentication is optional for end-users, but mandatory for administrators.

6.10.5.8: TLS TRANSPORT LAYER SECURITY: Built-in SSL and TLS cryptography enables customers to encrypt communications within and between deployments, from Azure to on-premises datacenters, and from Azure to administrators and users.

6.10.5.9: ACTIVE ACCESS MONITORING & ACCESS LOGS: 1DocStop provides reporting capability on not only who has access rights to records, but also reports on who actually logs in, what specific record was accessed, and when the access took place.

6.10.5.10: NO SHARING DATA OR DATA MINING: Contractor's CIO conducts regular training of Contractor's employees to ensure the security and confidentiality of pupil records. Contractor will use Client Data only for the purpose of fulfilling its duties under this Agreement and will not share such data, including anonymized data, with or disclose it to any third party without the prior written consent of the Client, except as required by law and except to third party contractors retained by Contractor to provide services related to the Services under written obligations of confidentiality commensurate with the Contractor's confidentiality obligations to the Client. Contractor will not use Client Data (including metadata) for advertising or marketing purposes.

6.10.5.11: DISASTER RECOVERY: Client Data will not be stored outside the United States. For disaster recovery purposes, hosted Client Data will be securely co-located on at least two separate servers located in the continental United States.

CONFIDENTIAL OBLIGATIONS: Contractor will provide access to 6.10.5.12: Client Data to its employees, subcontractors and third party contractors who need to access the data to fulfill Contractor obligations under this Agreement. Contractor will ensure that employees and subcontractors who perform work under this Agreement are bound to strict obligations of confidentiality no less rigorous than those set forth herein. If Contractor will have access to "education records" for the Client's students as defined under the Family Educational Rights and Privacy Act (FERPA), the Contractor acknowledges that for the purposes of this Agreement it will be designated as a "school official" with "legitimate educational interests" in the Client Education records, as those terms have been defined under FERPA and its implementing regulations, and the Contractor agrees to abide by the FERPA limitations and requirements imposed on school officials. Contractor shall train all of its responsible employees on how to comply with those responsibilities imposed by FERPA, through this Agreement, which are applicable to Contractor and its employees. Contractor will use the education records only for the purpose of fulfilling its duties under this Agreement for Client's and its End User's benefit, and will not share such data with or disclose it to any third party except as provided for in this Agreement, required by law, or authorized in writing by the Client.

#### 6.10.6 PROCEDURES FOR NOTIFYING AFFECTED PARTIES IF THERE IS AN UNAUTHORIZED DISCLOSURE OF STUDENT RECORDS

Upon notification of any potential Security Breaches, Contractor shall promptly investigate and remediate such breaches using industry standard technology. Immediately upon confirming a Security Breach, Contractor will notify the Client, fully investigate the incident, and cooperate fully with the Client's response to the incident. Except as otherwise required by law, Contractor will not provide notice of the incident directly to individuals whose Personally Identifiable Information was involved, regulatory agencies, or other entities, without prior written permission from the Client.

#### 6.10.7 CERTIFICATION THAT STUDENT RECORDS WILL NOT BE RETAINED OR AVAILABLE TO SYTECH ONCE THE CONTRACT IS TERMINATED

Upon termination or expiration of this Agreement, Contractor will return or Securely Destroy Client Data as directed by the Client. Transfer to the Client or a third party designated by the Client shall occur within a reasonable period of time, and without significant interruption in service. In the event that the Client requests destruction of its data, Contractor agrees to Securely Destroy all data in its possession and in the possession of any subcontractors or agents to which the Contractor might have transferred Client data. The Contractor agrees to provide certification of data destruction to the Client upon request. Contractor will notify the Client of impending cessation of its business and any contingency plans, including plans for the transfer and inventory of Client Data.

## 6.10.8 COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

(A) Contractor will provide access to Client Data to its employees, subcontractors and third party contractors who need to access the data to fulfill Contractor obligations under this Agreement. Contractor will ensure that employees and subcontractors who perform work under this Agreement are bound to strict obligations of confidentiality no less rigorous than those set forth herein. If Contractor will have access to "education records" for the Client's students as defined under the Family Educational Rights and Privacy Act (FERPA), the Contractor acknowledges that for the purposes of this Agreement it will be designated as a "school official" with "legitimate educational interests" in the Client Education records, as those terms have been defined under FERPA and its implementing regulations, and the Contractor agrees to abide by the FERPA limitations and requirements imposed on school officials. Contractor shall train all of its responsible employees on how to comply with those responsibilities imposed by FERPA, through this Agreement, which are applicable to Contractor and its employees. Contractor will use the education records only for the purpose of fulfilling its duties under this Agreement for Client's and its End User's benefit, and will not share such data with or disclose it to any third party except as provided for in this Agreement, required by law, or authorized in writing by the Client.

(B) Client acknowledges and agrees that SyTech can rely, is relying and will continue to rely on Client's full compliance with the applicable obligations imposed by FERPA, as any such obligations may be amended or modified, with respect to any data that may be accessed, obtained, received, extracted or otherwise used by SyTech (or which may be disclosed in any manner to SyTech by or on behalf of Client), in individualized or aggregate form, in connection with Client's use of the Services and SyTech software.

#### 6.10.9 PROHIBITION FROM USING PERSONALLY IDENTIFIABLE INFORMATION FROM STUDENT RECORDS TO TARGET ADVERTISING TO STUDENTS

Contractor will not use Client Data or Personally Identifiable Information to engage in targeted advertising.

#### VII. <u>GENERAL PROVISIONS</u>

Section 7.1 This Agreement shall be construed in all respects in accordance with and governed by the laws and decisions of the State of California and as drafted by both parties.

**Section 7.2** If any part, term or provision of this Agreement shall be held void, illegal, unenforceable, or in conflict with any law of a federal, state, or local government having jurisdiction over this Agreement, the validity of the remaining portions or provisions thereof shall not be affected thereby.

**Section 7.3** This Agreement contains all of the understandings and agreements between the parties and any waiver or modification of this Agreement must be in expressly made and agreed to by Client and Contractor in writing.

Section 7.4 Any notice from one party to the other required by this Agreement shall be deemed made on the date of mailing if sent by Certified Mail and addressed to the addressees specified below:

TO SYTECH SOLUTIONS:	SyTech Solutions 9362 Studio Court
	Elk Grove, CA 95758 Attn: Jonathan Pritt

TO CLIENT:

Pierce Joint Unified School District 540A 6<sup>th</sup> Street Arbuckle CA 95912 ADDRESS Attn. Daena Meras

Executed this \_\_7th\_\_\_\_ day of \_\_December\_\_\_\_\_\_, 2015.

CONTRACTOR Authorized Signature \_12/7/2015\_\_\_\_ Date

Jonathan Pritt, Vice President Printed Name and Title

CLIE

Authorized Signature

Printed Name and



PJUSD will fill out an online request form that details the information of the file requested. This request will be automatically submitted to SyTech. The record will be located in our warehouse, retrieved, scanned using our Kofax process, and finally uploaded into 1DocStop within 24 hours of the request.

In addition to the requested files, SyTech will work with PJUSD to identify any records that can be continually scanned and uploaded into the system. PJUSD will receive regular updates of those records that are scanned and uploaded into the system.

#### PRICING

Based on the quantities proposed, the costs for scanning each record type is provided below. This cost includes everything associated with the final deliverable: project setup, pickup and delivery, document preparation, scanning, formatting, indexing, and training. The pricing does not include any applicable sales tax.

Due to the large volume of Student Cumulative files, we can provide a volume discount. Should PJUSD decide to complete all record types at once, the discount will apply to all records.

#### Personnel Records (estimated 34 boxes)

Quantity	Units	Service or Product	Unit Price	Ext. Price
1	Instance	Pickup & Delivery	\$75.00	\$75.00
136	Hours	Document Preparation	\$16.00	\$2,176.00
85,000	Images	Document Scanning	\$0.050	\$4,250.00
60,000	Keystrokes	Indexing (FN, LN, SSN)	\$0.007	\$420.00
	l		Subtotal	\$6,921.00

#### Board Meeting Documents (estimated 20 boxes)

Quantity	Units	Service or Product	Unit Price	Ext. Price
1	Instance	Pickup & Delivery	\$75.00	\$75.00
80	Hours	Document Preparation	\$16.00	\$1,280.00
50,000	Images	Document Scanning	\$0.050	\$2,500.00
15,000	Keystrokes	Indexing (Date)	\$0.007	\$105.00
50,000	Images	OCR (for full-text searching)	\$0.005	\$250.00
			Subtotal	\$4,210.00



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#### Student Cumulative Files (estimated 20 4-drawer file cabinets)

Quantity	Units	Service or Product	Unit Price	Ext. Price
1	Instance	Pickup & Delivery	\$75.00	\$75.00
640	Hours	Document Preparation	\$16.00	\$10,240.00
400,000	Images	Document Scanning	\$0.050	\$20,000.00
285,000	Keystrokes	Indexing (FN, LN, DOB)	\$0.007	\$1,995.00
		Volume Discount (15%)	(4,846.50)	(4,846.50)
			Subtotal	\$27,463.50

#### Student Transcripts (estimated 2 4-drawer file cabinets)

Quantity	Units	Service or Product	Unit Price	Ext. Price
1	Instance	Pickup & Delivery	\$75.00	\$75.00
64	Hours	Document Preparation	\$16.00	\$1,024.00
40,000	Images	Document Scanning	\$0.050	\$2,000.00
1,400,000	Keystrokes	Indexing (FN, LN, DOB)	\$0.007	\$9,800.00
		<u></u> ,	Subtotal	\$12,899.00

#### 1DocStop

Quantity	Units	Service or Product	Unit Price	Ext. Price
12	Months	1DocStop Hosting (includes up to 100 GB and unlimited users)	\$175.00	\$2,100.00
1	Backup	Backup (provided upon request)	\$150.00	
	<u> </u>		Total	\$2,100.00

#### Storage/Scan On-Demand (Optional)

Quantity	Units	Service or Product	Unit Price	Ext. Price
1	Instance	Project Setup (one-time cost)	\$300.00	\$300.00
230	Boxes	Document Storage per month	\$0.50	\$115.00
5	Hours	Document Retrieval Services per month - satisfaction of on-going file requests	\$25.00	\$125.00
1,000	Images	Scanning of requested files per month	\$0.080	\$80.00
1	Month	1DocStop Hosting (includes up to 100 GB and unlimited users)	\$175.00	\$175.00
	····		Subtotal	\$795.00



#### **Miscellaneous Services**

Quantity	Units	Service or Product	<b>Unit Price</b>	Ext. Price
	Box	Document Destruction	\$6.00	
	Box	Document Storage post scanning (per month) no cost for 60 days	\$0.50	
	Hour	Boxing of records in file cabinets	\$25.00	
	Hour	Professional IT Services	\$175.00	·····
				· · ·

The pricing specified is based on the quantity estimated. Should the actual quantities change, pricing will be adjusted accordingly. SyTech offers additional technical services and support. A complete SyTech pricing list for service and installation upgrade options can be provided upon request.

SyTech holds a California Multiple Award Schedule (CMAS #3-14-36-0085B). The CMAS contract independently attests to SyTech's competency and competitive low prices.

#### CONCLUSION

In conclusion, SyTech's approach offers many benefits to PJUSD:

- It reduces the backlog of boxes stored and prevents the degradation of paper files.
- It does not require valuable staff time to scan a cumbersome backlog of records, and stops effort from being wasted to search for records in an unorganized system.
- It eliminates the need to purchase a more expensive scanning and retrieval system.
- It provides electronic back-up for disaster recovery purposes.
- It is simple. SyTech takes ownership for the project so that your staff can focus on their jobs.
- Long-term, it provides an open solution that can be leveraged to achieve even greater business efficiencies without proprietary limits.

SyTech provides the greatest comprehensive value, combining our experience with document conversion services and our leading technology. The proposed approach offers PJUSD a low cost, solution for document management. Finally, and perhaps most important, SyTech is committed to building a *long-term partnership with our customers*— one that ties SyTech to their success. We watch out for the best interest of our customers and we search for the best alternatives to minimize cost and leverage resources to produce the best outcome. SyTech greatly appreciates your consideration and looks forward to a successful partnership with PJUSD.

Pierce Joint Unified School District
Overnight Field Trip Request
Date Submitted: 12-9-15 Site Approval: Market Date: 12-10-15
As outlined in the district's administrative regulations, requests for overnight field trips must be submitted thirty days prior to the date of the next regularly scheduled Board meeting. The Board will approve or disapprove the request and notify the teacher at the next regularly scheduled Board meeting after receipt of the request.
Event/Group Title: REACH for the Future Youth Conterence
Teacher(s) Submitting Request (Field Trip Supervisor): Donna Rourke
The teacher(s) submitting the request will be designated the <i>Field Trip Supervisor</i> and assumes responsibility at all times for supervising student activities and shall assume responsibility for the proper conduct of all participants.
Number of students participating: Number of adult volunteers:
List adult volunteers/chaperones: Donng Rourke
-
For other than athletic events, there must be one adult for every five students participating.
Departure Date/Time/Location: March 10th 28:30a.m.
PHS Library
Scheduled Return (include time): March 12th 27:30 p.m.
Destination (address required): 15850 Richardson Springs Road
Chico CA
Contact Phone Number at Destination (required): 530-893-6750

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	(For District Use)	·
Taka	n to Board on:	
IAKU		
Appr	oved:            Denied:	
	•	
Super	intendent Signature	Date
	Conditions	
1.	No student shall be denied the opportunity to take part in a fi instruction because of an inability to pay for any part of the tr	
2.	An appropriate educational experience and proper supervision student whose parents do not want them to participate in the f	
3. •	The requesting teacher(s) is the <i>Field Trip Supervisor</i> and as this role as outlined in the Board administrative regulations.	sumes the responsibilities of
4.	No one, including any student or adult, may possess, consum intoxicant during the field trip.	ne or display any alcohol or
5.	Students of the opposite sex must have separate accommodation being in each other's rooms.	ions and are prohibited from
6.	Each vehicle used must have a first aid kit.	
Site 7.	Prior to the start of the field trip, the Field Trip Super	visor will provide the site
administrator initial	principal with: a. a signed copy of the parent permission slip for	or each student granting
	permission to go on trip and authorizing any neces b. a daily itinerary for the trip including the address scheduled stops.	ssary medical treatment.
	c. the name, address, and phone number of all locati housed.	ons where students will be
	d. the name, and phone numbers of all adult voluntee	ers.
	e. A waiver exempting the District and Governi responsibility. (Required only when private vehicles	—
8.	Emergencies:	
	a. Because parent permission is required to obtain medi Supervisor shall carry with him/her the original sig students.	· · ·
	b. In the event of an accident, illness or other emergenc and/or an adult volunteer must immediately notify th students involved. Contact should also be made with	e parents/guardians of those

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This conference location is the Youth With A Mission Conference Grounds in Richardson Springs 15850 Richardson Springs Road - Approximately 5 miles outside of Chico (530) 893 - 6750



nature helps to reduce stress. Be prepared to be outside. It may be cold. Oress for WORKSHOP 2: TAKE A HIKE - Discover how being physically active & taking time in Come explore what it takes to be in a healthy relationship with family and friends. WORKSHOP 1: THE LOVE MOVEMENT - Keep it real through love, life, & relationships the weather.

WORKSHOP 4: CYBER BULLYING - Learn tips and tools you can use to prevent mentally. Learn how to better cope with stress, and get support when you need it. WORKSHOP 3: ME, MYSELF, AND I - Learn ways to take care of yourself physically and digital behaviors and trends that young people face. bullying. Gain a greater understanding of the negative, irresponsible and hurtful

abuse. awareness around prescription drugs. Learn the signs and symptoms of use and WORKSHOP 5: POPPIN' FACTS ON PILLS - Build a foundation of knowledge and

WORKSHOP 6: IT GETS BETTER - Everyone deserves to be respected and appreciated intolerance for who they are. Learn how to spread a message of hope  ${f B}$  speak against hate  ${f B}$ 

WORKSHOP 7: GEN XYZ "COMMON CULTURE" - Get educated through music, fashion technology, and upcoming trends that influence us in today's world.

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# **KEY NOTE SPEAKERS**

you by breaking down barriers that uncover diversity. Change your palette to be more than just colors. WORKSHOP 8: MORE THAN COLORS - Come learn how you can influence others around

judgments based on physical appearance and societies stereotypes. Von't make WORKSHOP 9: INNOCENT UNTIL PROVEN GUILTY - Erase preconceived notions and assumptions until you know the facts.

groups decrease youth access to alcohol and implement effective strategies for working with parents and merchants. WORKSHOP 10: THE INFLUENCE OF ALCOHOL: COMMITTED - Learn how successful youth

educating participants on the significance of nutrition, sleep, character and chemical WORKSHOP 11: ATHLETE COMMITTED - This is designed to optimize athletic performance by health. Athlete Committed promotes excellence on and off the field!

mark on the world. be an effective leader by encouraging them to harness their passion to leave a positive WORKSHOP 13: LEADERSHIP MASTER CLASS - This session prepares youth to learn how to a better school campus—free from bullying and harassment—where nobody feels invisible. WORKSHDP 12: FOSITIVE SCHOOL CULTURE - Discover specific things you can do to create

WORKSHOP 14 OPPORTUNITIES KNOCKIN' - This workshop guides youth to seize the day and take advantage of positive opportunities to prepare for their future

PLEASE READ OVER ALL THE WORKSHOPS DESCRIPTIONS AND INDICATE YOUR TOP THREE CHOICES ON PAGE 4.

His presentations encourage, inspire & challenge youth to take control and deal with difficult situations. teenagers realize they can achieve their goals & aspirations by learning basic principles that build self-esteem and personal motivation. Rick Minniefield is a big man with a big message! Expect results because Rick is going to fire up your audience in a BIG way. Rick helps

adding process to their passion. He believes that once you have a vision and a sense of purpose for your life there are almost NO LIMITS to what you can accomplish. (high school conference only) and throughout the Caribbean. Javier truly enjoys inspiring and equipping youth and adults to be intentional about spoken to and worked with thousands of youth and adults across the U.S. as well as Italy, Germany, Japan, Ganada Javier Sanchez is an internationally recognized Author, Performer, Film Maker and Life Change Expert. He has



es on helping students to learn what it means to represent their triends, tamily, school and...most importantly, who they want to become you become a leader you stand as an ideal for others to rally behind and setting an example is the best way to gain influence. Josh focus-Josh Orean's experience as a mascot provides a unique and fresh perspective on what is takes to become a leader. Like a mascot, when (junior high conterence only).

abit Lunasser Kuau Suite 163 Linuu, La 33326       Jacket / sweatshirt         (530) 891-2891       FAX: (530) 891-2983       Money for snack bar         Visa, Master card & Discover. Please call for credit card instructions.       Prepaid Calling Card         ND CASH PLEASE	): Notebool			Warm com Towel Undertries	BACK TO THEIR SCHOOL & COMMUNITY Filiow	EDBE		TAMBA ILLICE WILL BE AVAILABLE FOR \$500	PARTICIPANTS CAN ALSO BRING	REMEMBER THERE IS NO CELL SERVICE AT THE CONFERENCE FACILITY. PARENTS / GUARDIANS CAN LEAVE MESSAGES @ 530 893-6750.	RESPONSIBLE FOR ANY LOST OR MISPLACED ITEMS. PLEASE DO NOT BRING ANY ENERGY DRINKS	PLEASE LEAVE ALL MEDICATIONS WITH YOUR ADULT ADVISOR. ITEMS NOT ALLOWED: IPOD, EARPHONES, OR MP3 PLAYER ALCOHOL, TOBACCO, DRUGS OR WEAPONS OF ANY KIND PLEASE DO NOT BRING ANY VALUABLES TO THE CONFERENCE BCDBH WILL NOT BE
Jacket /sweatshirt Money for snack bar Prepaid Calling Card \$5.00 for Jamba Juice	- Brush /comb k & pen ttle w/name	- Toeth paste - Toeth brush - Denderant	- Shampoo - Soap	Warm comfortable clothes Towel Wash cloth Toiletries	rniow Tennis Shoes (may get muddy)	I HINGS TO BRING TO THE CONFERENCE		9:00 CLOSING SESSION 9:30 LIGHTS OUT	5:DU DINNER 6:DO CHALLENGE DAY 8:30 GRANIP TIMF	THURSDAY 1:00 REGISTRATION 2:00 VELCOME 2:30 CHALLENGE DAY	CONFERENCE AGENDA	
	ADULT ADVISORS MUST AGREEMENTS FOR THE	RELEASE FORM AGREEMENT	REGISTRATION	CHECK LIS EACH PARTICIPA ALL FORMS CON YOUTH PARTICIPANT		eidid dinnicr 7:00 talent show 8:00 closing 9:30 lights dut	4:30 BRUUP IME 5:00 FREE TIME	3-DD BULLDING A FUTURE WITH DOYSSEY 3-DD COMMITTED SHOWCASE	12-DO LUNCH 1:00 WORKSHOP BLOCK 3	BLS GROUP POLITIVRE BLS GROUP POLITIVRE BLSU KEYNOTE BLSU WORKSHOP BLDCX 1 10:45 WORKSHOP BLDCX 2	<u>FRIDAY</u> 7.3n ABPAAFAAST	
	ADULT ADVISORS MUST SIGN ALL THE PARTICIPANT AGREEMENTS FOR THE YOUTH IN YOUR GROUP	RELEASE FORM	RECISTRATION	CHECK LIST OF ALL FORMS EACH PARTICIPANT MUST SEND BACK ALL FORMS COMPLETELY FILLED OUT ARTICIPANT ADULT ADVISOR	ال المراجعي (12). 11 - 12 - 12		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		5:30 DEPART FOR HOME	8:15 GENREA SESSION 8:30 OBYSSEY ROPES COURSE 12:00 LUNCH 4:00 CLOSURE. VIDEO. EVALUATION	SATURDAY 7-201 HEFAKFACT	FOR THE FUTURE

BOTH HIGH SCHOOL & JR. HIGH CONFERENCES REGISTRATION DUE DATES ARE THE SAME FOR

5150 for EARLY Registration by Friday 12/18

\$175 for Registration by Friday 1/15/16

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If you do not select workshops they will be selected for you.

recovering the set you under on burn area that the second set of t

**NO APPLICATIONS ACCEPTED AFTER 1/29/15** \$200 for LATE Registration by Friday 1/29/16



(230) 887-2887 560 Cohasset Rd Suite 185, Chico, CA 95926 "HOAAR" "REACH" to Butte County Dept. of Behavioral Health Please Send Registration Packets and Checks

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DISCOVER + Registration fee includes lodging, meals, and all workshop materials.

+ Checks must be turned in with complete registration packet - for youth and adults + Make checks/money orders payable to (BCDBH) - <u>NO CASH PLEASE</u>.

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(includes registration form, participant release form, and adult or participant agreement).

+ We now accept Visa, Master card & Discover. Please call for credit card instructions.

#### PLEASE MAKE ALL SUBSTITUTIONS NO LATER THAN 7 DAYS PRIOR TO THE CONFERENCE. THERE ARE NO CANCELLATIONS OR REFUNDS, YOU MAY SUBSTITUTE SAME GENDER STUDENTS.

n ni [(Deerice:_(This is not guarantee)]		ttend the workshops of your choice; however in
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stent/Guardian/Vame		s workshops you wish to attend by vorkshop descriptions)
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əmsN	ອເມຣິນ	
Youth Participant Information:	<u>ivbA\ flubA</u>	noitemioit

# **MADA 32A3J3**



(Every youth and adult affending the conference must complete and submit this form)

<u>Voluntary Release - Assumption of Risk and Indemnity Agreement</u>: In consideration of the acceptance of my participation (adult/advisors) or my son/daughters attendance in the BCDBH - Community Services, I hereby release, discharge and covenant not to sue BCDBH - Community Services, any other supporting agencies and counties, and it's agents, representatives, discharge and covenant not to sue BCDBH - Community successors and assigns, directors, sponsors, the staff, workers, and hosts of the training (herein collectively referred to as "releasee") from any and all claims and liability arising out of strict liability or ordinary negligence of releasee harmless and/or indemnity releasee for any and all claim judgment or expenses releases may incur arising out or my participation (adult/advisor) or my son/daughter's activities and/or participation in this event.

I understand that my participation (adult/advisors) or my son/daughter's participation in this event contains certain dangers and risk of injury; that the event will be indoors and outdoors and that there is an inherent danger in playing outdoors which I appreciate and voluntarily assume, brysical activity. I voluntarily elect to accept all risks connected with my participation (adult/advisor) or my son/daughter's participation in this event.

I further recognize that the BCDBH - Community Services is in no way liable, or responsible for my transportation (adultadvisor) or my sont daughter's transportation to or from the event. I accept that there are inherent daughter on their way to or from the event. I accept that there are inherent daughter on their way to or from the event. I fully understand that in a motor vehicle, and if an incident should occur which injures, or kills me (adultadvisor) or my son/daughter on their way to or from the event, I fully understand that incident should occur which injures, or kills me (adultadvisor) or my son/daughter on their way to or from the event, I fully understand that incident should occur which injures, or kills me (adultadvisor) or my son/daughter on their way to or from the event, I fully understand that incident should occur which injures, or kills me (adultadvisor) or my son/daughter on their way to or from the event, I fully understand that incident should occur which injures, or kills me (adultadvisor) or my son/daughter on their way to or from the event, I fully understand that incident should occur which injures, or kills me (adultadvisor) or my son/daughter on their way to or from the event, I fully understand that incident should occur which injures is not likely.

I have read and will abide by the rules set forth by the staff. I agree that this agreement shall apply to incident, injury, or accident occuring at the event and to any incident, injury, or accident.

Educational Code: It is agreed that I will (adult/advisor) or my son/daughter will abide by the Official Operating Policies of BCDBH - Community whatever disciplinary action is judicious to the safety or welfare of the group, myself (adult/advisor) or my son/daughter in jeopardy, he/she will be sent home at my expense. If I (adult/advisor) or he/she breaks any of these rules or regulations, I give my permission to the sponsor for will be sent home at my eculoring Policies of the sponsor for whatever disciplinary action is judicious to ensure the safety and welfare of the group.

Medical Consent: I hereby give my consent to have the undersigned participant treated by a physician or surgeon in case of sudden illness or injury while participating in the above event. It is understood that BCDBH - Community Services, and its agents, representatives, officers, any and/or all sponsors, their representatives, successors and assigns, directors, sponsors, the staff, workers, and hosts of the training provide no medical insurance for such treatment, and that the cost thereof will be at my expense. If a personal physician is listed below, every effort will be made to contact such physician. However, the location of the event or the nature of the illness or injury may require the use of emergency medical personnel.

Be sure signature of yould and parentiguardian or adultadvisor is on this form. Registrations are not valid without appropriate signatures.

Date of Last Tetanus Shot Participant Received

Name of Family Physician / Medical Group

Telephone Number

Aledical Insurance Coverage

Subscriber Group Number

I further grant full permission to BCDBH - Community Services and its directors to use any audio and/or visual recording and/or photographs of this event with me in it for promotional and/or educational purposes without receiving any financial return or further authorization. Furthermore, any audio and/or visual recording and/or photographs may be used in all forms of media (including but not limited to) print media, audio/visual media and electronic/web based media.

ו have read and understand this document. I understand it is a release of all claims. I understand ( assume all risk inherent in participation in the BCDBH - Community Services event. I voluntarily sign my name evidencing my acceptance of the above provisions.

		Date	if 18 or under Parent/Guardian Signature
₽DÅ	Print Participant's Name	Date	Participant Signature Youth or AdultAdvisor

### fine Advisor Agreement

AMME

COUNTY

As a participant and adult chaperone I will meet with my group prior to the conference to discuss the participant agreement, transportation, and make sure that at the participant agreement, transportation,

As a participant and adult chaperone, I agree to the following:

- I am responsible for my group of students and I will do my best to ensure that they behave in an appropriate manner at all times during the conference. I will know the general whereat of my group and will be available to respond to any emergencies or needs they have.
- I agree to attend and participate in ALL scheduled program activities and in case of a problem, I will notify the conference staff as soon as possible.
- I agree to remain on the premises at all times.
- I will abstain from alcohol, tobacco and other drug use while attending the conference.
- I will attend the advisor meeting at the conference.
- I will assist the conference staff with room checks to ensure that all students are in their assigned rooms by currew.
- I will not make any room changes, or snack/vending machine runs.
- I will show up to the conference (with my students) on time for registration and We Will not leave the conference early.

	•		-
D <b>3(6</b>	영상 왜 화가? 김	dvisor/Chaperone Signature	N.

#### Participant Agreement

ROSIVDA	CONNLA
	IAME:

We would like to ensure as a participant at the "Reach for the Future " Youth Conference, that you have a great safe experience therefore everyone will agree to the following:

- I will abstain from alcohol, tobacco, and other drug use while attending the conference. I understand that if alcohol, tobacco, and other drugs are found in my room or in my possession, I will be sent home at my own/my parents/ guardians expense.
- e l am responsiple for my own actions and will conduct myself in an appropriate manner at all times during the leadership conference.
- I agree to attend and participate in <u>ALL</u> scheduled program activities and in case of a problem, will clear my absence with my advisor and conference staff.
- agree to remain on the premises at all times.
- Agree to abide by the curlew.
- I agree to show up for registration on time and stay for the entire conference.
- . I agree to go to my assigned workshops and sleep in the room I am assigned.
- I will act appropriately and responsible at all times. I will remain in the assigned locations and follow all conference guidelines.
- Conference sponsors are not responsible for any stolen or misplaced items. Please leave all valuables at home.
- I understand that violation of any of the above stated terms and conditions will subject me to immediate expulsion from the conference. I will have no right for a refund and my parent(s) or guardian(s) will be notified. I will be responsible for my own transportation home.

Participant Signature

Advisor / Chaperone Signature

Parent / Guardian Signature





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Pierce Joint Unified School District Overnight Field Trip Request
Date Submitted: $12 - 14 - 15$ Site Approval: $JJH$ Date: $12 - 14 - 15$
As outlined in the district's administrative regulations, requests for overnight field trips must be submitted thirty days prior to the date of the next regularly scheduled Board meeting. The Board will approve or disapprove the request and notify the teacher at the next regularly scheduled Board meeting after receipt of the request.
Event/Group Title: REALH - Jr thigh Conterance
Teacher(s) Submitting Request (Field Trip Supervisor): Samah Regnani
Girls Cirle Coordinator
The teacher(s) submitting the request will be designated the <i>Field Trip Supervisor</i> and assumes responsibility at all times for supervising student activities and shall assume responsibility for the proper conduct of all participants.
Number of students participating: <u>4-</u> *Number of adult volunteers: <u>2</u>
List adult volunteers/chaperones:
Sarah Regrani - Cathy Coper-Jot Courselos
Date transportation request submitted: <u>12-14-18</u> Funding source: <u>Colora County Girle Circle - Clud Live</u>
*For other than athletic events, there must be one adult for every five students participating.
Departure Date/Time/Location:
from JJH
Scheduled Return (include time) - Saturny - March 5th, 2016 6-7PM
Scheduled Return (include time) <u>Solution</u> <u>March 5th</u> , 2016 6-7PM Destination (address required): <u>Richardson Springs Conforma Ground</u> <u>Smiller ontride</u> Chico CA
Contact Phone Number at Destination (required): 530 893-6750

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	(For District Use)		
Taken	to Board on:		
Appro	ved: Denied:		
Superi	ntendent Signature Date		
	Conditions		
1.	No student shall be denied the opportunity to take part in a field trip related to classroom instruction because of an inability to pay for any part of the trip.		
2.	An appropriate educational experience and proper supervision will be provided for any student whose parents do not want them to participate in the field trip.		
3.	The requesting teacher(s) is the <i>Field Trip Supervisor</i> and assumes the responsibilities of this role as outlined in the Board administrative regulations.		
4.	No one, including any student or adult, may possess, consume or display any alcohol or intoxicant during the field trip.		
5.	Students of the opposite sex must have separate accommodations and are prohibited from being in each other's rooms.		
6.	If the field trip is near water or involves swimming, boating, rafting, canoeing, water sports, or any other activity in or on the water there must be a CPR Certified person in attendance. A copy of the certification must be turned in with this form.		
7.	Each vehicle used must have a first aid kit.		
8. Iministrator itial	<ul> <li>Prior to the start of the field trip, the <i>Field Trip Supervisor</i> will provide the site principal with:</li> <li>a. a signed copy of the parent permission slip for each student granting permission to go on trip and authorizing any necessary medical treatment.</li> </ul>		
<u> 2</u> 2	<ul> <li>b. a daily itinerary for the trip including the address and phone number of all scheduled stops.</li> <li>c. the name, address, and phone number of all locations where students will be housed.</li> </ul>		
	<ul> <li>d. the name, and phone numbers of all adult volunteers.</li> <li>e. A waiver exempting the District and Governing Board from financial responsibility. (Required only when private vehicles are used)</li> </ul>		
9.	Emergencies:		
	a. Because parent permission is required to obtain medical attention, the <i>Field Trip Supervisor</i> shall carry with him/her the original signed permission slip for all students.		
	b. In the event of an accident, illness or other emergency, the <i>Field Trip Supervisor</i> and/or an adult volunteer must immediately notify the parents/guardians of those students involved. Contact should also be made with the District.		



This conference location is the Youth With A Mission Conference Grounds in Richardson Springs 15850 Richardson Springs Road - Approximately 5 miles outside of Chico (530) 893 - 6750



WORKSHOP 1: THE LOVE MOVEMENT - Keep it real through love, life, & relationships Come explore what it takes to be in a healthy relationship with family and friends. WORKSHOP 2: TAKE A HIKE - Discover how being physically active & taking time in nature helps to reduce stress. Be prepared to be outside. It may be cold. Dress for the weather.

WORKSHOP 3: ME, MYSELF, AND I - Learn ways to take care of yourself physically and mentally. Learn how to better cope with stress, and get support when you need it. WORKSHOP 4: CYBER BULLYING - Learn tips and tools you can use to prevent bullying. Gain a greater understanding of the negative, irresponsible and hurtful digital behaviors and trends that young people face.

WORKSHOP 5: POPPIN' FACTS ON PILLS - Build a foundation of knowledge and awareness around prescription drugs. Learn the signs and symptoms of use and abuse.

WORKSHOP 6: IT GETS BETTER - Everyone deserves to be respected and appreciated for who they are. Learn how to spread a message of hope & speak against hate & intolerance.

#ORKSHOP 7: GEN XYZ "COMMON CULTURE" - Get educated through music, fashion, technology, and upcoming trends that influence us in today's world.



# **KEY NOTE SPEAKERS**

WORKSHOP 8: MORE THAN COLORS - Come learn how you can influence others around you by breaking down barriers that uncover diversity. Change your palette to be more than just colors.

WORKSHOP 8: INNOCENT UNTIL PROVEN GUILTY - Erase preconceived notions and judgments based on physical appearance and societies stereotypes. Don't make assumptions until you know the facts.

WORKSHOP 10: THE INFLUENCE OF ALCOHOL: COMMITTED - Learn how successful youth groups decrease youth access to alcohol and implement effective strategies for working with parents and merchants.

YURKSHOP It: ATHLETE COMMITTED - This is designed to optimize athletic performance by educating participants on the significance of nutrition, sleep, character and chemical health. Athlete Committed promotes excellence on and off the field!

WORKSHOP 12: POSITIVE SCHOOL CULTURE - Discover specific things you can do to create a better school campus—free from bullying and harassment—where nobody feels invisible. WORKSHOP 13: LEADERSHIP MASTER CLASS - This session prepares youth to learn how to

be an effective leader by encouraging them to harness their passion to leave a positive mark on the world.

WORKSHOP 14 EPPORTUNITIES KNOCKIN' - This workshop guides youth to seize the day and take advantage of positive opportunities to prepare for their future.

PLEASE READ OVER ALL THE WORKSHOPS DESCRIPTIONS AND INDICATE YOUR TOP THREE CHOICES ON PAGE 4.

His presentations encourage, inspire & challenge youth to take control and deal with difficult situations teenagers realize they can achieve their goals & aspirations by learning basic principles that build self-esteem and personal motivation. Rick Minniefield is a big man with a big messagel Expect results because Rick is going to fire up your audience in a BIG way. Rick helps



and throughout the Caribbean. Javier truly enjoys inspiring and equipping youth and adults to be intentional about spoken to and worked with thousands of youth and adults across the U.S. as well as Italy, Germany, Japan, Canada, are almost NO LIMITS to what you can accomplish. (high school conference only). adding process to their passion. He believes that once you have a vision and a sense of purpose for your life there Javier Sanchez is an internationally recognized Author, Performer, Film Maker and Life Change Expert. He has



es on helping students to learn what it means to represent their friends, family, school and...most importantly, who they want to become (junior high conference only). you become a leader you stand as an ideal for others to rally behind and setting an example is the best way to gain influence. Josh focus: Josh Drean's experience as a mascot provides a unique and fresh perspective on what is takes to become a leader. Like a mascot, when

PLEASE SEND REGISTRATION PACKETS & CHECKS TO:         BUTTE CDUNTY DEPT. OF BEHAVIDRAL HEALTH         COMMUNITY SERVICES "REACH"         SEED COHASSET RDAD SUITE 185 CHICD, CA 95926         (530) 891-2891         FAX: (530) 891-2983         We now accept         Visa, Master card & Discover. Please call for         credit card instructions.         NII CASH PLEASE			PLEASE LEAVE ALL MEDICATIONS WITH YOUR, ADULT ADVISOR, ITEMS NOT ALLOWED; IPOD, EAR, PHONES, OR, MP3 PLAYER, ALCOHOL, TOBACCO, DR.LIQS OR, WEAPONS OF ANY KIND PLEASE DO NOT BR.ING ANY VALUABLES TO THE CONFERENCE BCDBH WILL NOT BE RESPONSIBLE FOR, ANY LOST OR MISPLACED ITEMS PLEASE DO NOT BR.ING ANY ENERGY DR.INKS CAN LEAVE MESSAGES @ 530 893-6750. PARTICIPANTS CAN ALSO BRING PRE PAID CALLING CARDS TO USE JAMBA JUICE WILL BE AVAILABLE FOR \$5.00 FILE SUPPORT TO TAKE THE SKILLS & KNOWLEDGE BACK TO THEIR SCHOOL & COMMUNITY.
- Brush /comb Notebook & pen Water bottle w/name Jacket /sweatshirt Money for snack bar Prepaid Calling Card \$5.00 for Jamba Juice	- Shampoo - Soap - Tooth paste - Tooth brush	Tennis Shoes (may get muddy) Warm comfortable clothes Towel Wash cloth Toiletries	JR. ADULT ADVISOR. D: PLAYER UCS OR ND D: PLAYER UCS OR ND D: PLAYER UCS OR ND D: PLAYER UCS OR ND D: PLAYER STO USE STO USE ERVICE AT THE 5 / GUARCDIANS 893-6750. BRUNG S TO USE E FOR, \$5:00 THINGS TO BRING TO THE CONFERENCE AGENDA S:00 DINNER B:00 CLOSING SESSION B:00 CLOSING SES
ADULT ADVISORS MUST AGREEMENTS FOR THI	REGISTRATION RELEASE FORM AGREEMENT	CHECK LIS EACH PARTICIPAI ALL FORMS COM YOUTH PARTICIPANT	FRIDAY 7:30 BREAKAST 8:45 GROUP PICTURE 8:30 KEWNOTE 9:30 WORKSHOP BLIDCX 10:45 WORKSHOP BLIDCX 12:00 WORKSHOP BLIDCX 2:15 CHARITY GAMES 3:00 BUILDING & FUTURE WITH DOYSSEY 3:00 COMMITTED SHOWCASE 4:30 GROUP TIME 5:00 PIREE TIME
ADULT ADVISORS MUST SIGN ALL THE PARTICIPANT AGREEMENTS FOR THE YOUTH IN YOUR GROUP	REGISTRATION RELEASE FORM AGREEMENT	CHECK LIST OF ALL FORMS EACH PARTICIPANT MUST SEND BACK ALL FORMS COMPLETELY FILLED OUT ARTICIPANT ADULT ADVISOR	FOR THE ANTINATION STATE OF THE ANTINATION STATE OF THE ASSOCIATION STA

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Please Send Registration Packets and Checks to Butte County Dept. of Behavioral Health Community Services "REACH" 560 Cohasset Rd Suite 185, Chico, CA 95926 (530) 891-2891 REGISTRATION DUE DATES ARE THE SAME FOR BOTH HIGH SCHOOL & JR. HIGH CONFERENCES

\$150 for EARLY Registration by Friday 12/18/15

\$175 for Registration by Friday 1/15/16

\$200 for LATE Registration by Friday 1/29/16

NO APPLICATIONS ACCEPTED AFTER 1/29/15

VISA

+ Registration fee includes lodging, meals, and all workshop materials.

+ Make checks/money orders payable to (BCDBH) - NO CASH PLEASE.

+ Checks must be turned in with complete registration packet - for youth and adults (includes registration form, participant release form, and adult or participant agreement).

+ We now accept Visa, Master card & Discover. Please call for credit card instructions.



#### THERE ARE NO CANCELLATIONS OR REFUNDS, YOU MAY SUBSTITUTE SAME GENDER STUDENTS. PLEASE MAKE ALL SUBSTITUTIONS NO LATER THAN 7 DAYS PRIOR TO THE CONFERENCE.

Youth Participant Information:			Adult /Advisor Information:			
Name		,	Name			
Address (home)			Address (work)			
City & Zip			City & Zip			
Phone (home)	Emer	gency #	Phone (home)		Emergency #	
Junior High	High School	Gender	Jr. High	High School	Gender	
School/Organizat	ion		School/Organiza	tion		
Email:			Advisor Email:			

Parent/Guardian Name	Please indicate your top 3 workshops you wish to attend by number (see workshop descriptions)			
Place of Employment (Parent/Guardian)	Workshop 1 THE LOVE MOVEMENT Workshop 2 TAKE A HIKE Workshop 3 ME, MYSELF, AND I			
Phone (Home) Parent Cell Phone / Emergency Contact	Workshop 4 CYBER BULLYING Workshop 5 POPPIN' FACTS ON PILLS Workshop 6 IT GETS BETTER			
Medical Information: Do you have allergic reactions to certain foods, medicines, etc.? If so, please explain!	Workshop 7 GEN XYZ "COMMON CULTURE" Workshop 8 MORE THAN COLORS Workshop 9 INNOCENT UNTIL PROVEN GUILTY Workshop 10 THE INFLUENCE OF ALCOHOL			
If you are requesting a vegetarian meal please mark here	Workshop 11 ATHLETE COMMITTED Workshop 12 POSITIVE SCHOOL CULTURE			
Vegetarian Meal	Workshop 13 LEADERSHIP MASTER CLASS Workshop 14 OPPORTUNITIES KNOCKIN'			
Roommate Preference: (This is not guaranteed) T-SHIRT SIZE:	In most cases you will be able to attend the workshops of your choice; however in some cases workshops fill up so you might be put in alternate workshops.			
 XS S ML XL 2X 3X 4x	If you do not select workshops they will be selected for you.			



# **RELEASE FORM**

(Every youth and adult attending the conference must complete and submit this form)

Voluntary Release - Assumption of Risk and Indemnity Agreement: In consideration of the acceptance of my participation (adult/advisors) or my son/daughters attendance in the BCDBH - Community Services, I hereby release, discharge and covenant not to sue BCDBH - Community Services, any other supporting agencies and counties, and it's agents, representatives, officers, and/or all sponsors, their representatives, successors and assigns, directors, sponsors, the staff, workers, and hosts of the training (herein collectively referred to as "releasee") from any

successors and assigns, directors, sponsors, the staff, workers, and hosts of the training (herein collectively referred to as "releasee") from any and all claims and liability arising out of strict liability or ordinary negligence of releasee harmless and/or indemnity releasee for any and all claim judgment or expenses releases may incur arising out or my participation (adult/advisor) or my son/daughter's activities and/or participation in this event.

I understand that my participation (adult/advisors) or my son/daughter's participation in this event contains certain dangers and risk of injury; that the event will be indoors and outdoors and that there is an inherent danger in playing outdoors which I appreciate and voluntarily assume, because I choose to do so. I further know that other participants may pose a danger to myself (adult/advisor) or my son/daughter, as this is a physical activity. I voluntarily elect to accept all risks connected with my participation (adult/advisor) or my son/daughter's participation in this event.

I further recognize that the BCDBH - Community Services is in no way liable, or responsible for my transportation (adult/advisor) or my son/ daughter's transportation to or from the event. I accept that there are inherent dangers while driving or riding in a motor vehicle, and if an incident should occur which injures, or kills me (adult/advisor) or my son/daughter on their way to or from the event, I fully understand that BCDBH - Community Services is not liable.

I have read and will abide by the rules set forth by the staff. I agree that this agreement shall apply to incident, injury, or accident occurring at the event and to any incident, injury, accident, or death occurring within a period of one (1) year after the execution of this agreement.

Educational Code: It is agreed that I will (adult/advisor) or my son/daughter will abide by the Official Operating Policies of BCDBH - Community Services, and the rules or regulations that put the safety or welfare of the group, myself (adult/advisor) or my son/daughter in jeopardy, he/she will be sent home at my expense. If I (adult/advisor) or he/she breaks any of these rules or regulations, I give my permission to the sponsor for whatever disciplinary action is judicious to ensure the safety and welfare of the group.

Medical Consent: I hereby give my consent to have the undersigned participant treated by a physician or surgeon in case of sudden illness or injury while participating in the above event. It is understood that BCDBH - Community Services, and its agents, representatives, officers, any and/or all sponsors, their representatives, successors and assigns, directors, sponsors, the staff, workers, and hosts of the training provide no medical insurance for such treatment, and that the cost thereof will be at my expense. If a personal physician is listed below, every effort will be made to contact such physician. However, the location of the event or the nature of the illness or injury may require the use of emergency medical personnel.

Be sure signature of youth and parent/guardian or adult/advisor is on this form. Registrations are not valid without appropriate signatures.

Date of Last Tetanus Shot Participant Received

Name of Family Physician / Medical Group

**Telephone Number** 

Medical Insurance Coverage

Subscriber Group Number

I further grant full permission to BCDBH - Community Services and its directors to use any audio and/or visual recording and/or photographs of this event with me in it for promotional and/or educational purposes without receiving any financial return or further authorization. Furthermore, any audio and/or visual recording and/or photographs may be used in all forms of media (including but not limited to) print media, audio/visual media and electronic/web based media.

I have read and understand this document. I understand it is a release of all claims. I understand I assume all risk inherent in participation in the BCDBH - Community Services event. I voluntarily sign my name evidencing my acceptance of the above provisions.

	Data	Delet Destining atta None	
Participant Signature Youth or Adult/Advisor	Date	Print Participant's Name	Age

### Adult / Advisor Agreement



#### NAME

#### COUNTY

As a participant and adult chaperone I will meet with my group prior to the conference to discuss the participant agreement, transportation, and make sure that all forms have been filled out <u>completely</u> and are turned in on time.

As a participant and adult chaperone, I agree to the following:

- I am responsible for my group of students and I will do my best to ensure that they behave in an appropriate manner at all times during the conference. I
  will know the general whereabouts of my group and will be available to respond to any emergencies or needs they have.
- I agree to attend and participate in ALL scheduled program activities and in case of a problem, I will notify the conference staff as soon as possible.
- I agree to remain on the premises at all times.
- I will abstain from alcohol, tobacco and other drug use while attending the conference.
- I will attend the advisor meeting at the conference.
- I will assist the conference staff with room checks to ensure that all students are in their assigned rooms by curfew.
- I will not make any room changes, or snack/vending machine runs.
- I will show up to the conference (with my students) on time for registration and we will not leave the conference early.

Advisor/Chaperone Signature

#### **Participant Agreement**

#### NAME:

COUNTY:

ADVISOR:

We would like to ensure as a participant at the "Reach for the Future "Youth Conference, that you have a great safe experience therefore everyone will agree to the following:

Date

- I will abstain from alcohol, tobacco, and other drug use while attending the conference. I understand that if alcohol, tobacco, and other drugs are found in my room or in my possession, I will be sent home at my own/my parents/ guardians expense.
- I am responsible for my own actions and will conduct myself in an appropriate manner at all times during the leadership conference.
- I agree to attend and participate in <u>ALL</u> scheduled program activities and in case of a problem, will clear my absence with my advisor and conference staff.
- I agree to remain on the premises at all times.
- I agree to abide by the curfew.
- I agree to show up for registration on time and stay for the entire conference.
- I agree to go to my assigned workshops and sleep in the room I am assigned.
- I will act appropriately and responsible at all times. I will remain in the assigned locations and follow all conference guidelines.
- Conference sponsors are not responsible for any stolen or misplaced items. Please leave all valuables at home.
- I understand that violation of any of the above stated terms and conditions will subject me to immediate expulsion from the conference. I will have no
  right for a refund and my parent(s) or guardian(s) will be notified. I will be responsible for my own transportation home.

Participant Signature	Date
Advisor / Chaperone Signature	Date
Parent / Guardian Signature	Date



		Ⅲ ~ mber the conference forever! Æ AVAILABLE FOR PRE-ORDERS ONLY
School	Advisor	
Address (Where to send th Email	ne DVD):	
		Jr. High School DVD: Total Amount Due:



Talent Show Registration
Dance Sing Poetry Skit Other
Do to a limited number of performance slots you must fill out this portion if you are interested in participating in the talent show. This does not guarantee your performance. Submit lyrics to your song or poem.
Please bring CDs or Mp3 player - <u>No Tapes!</u>
Description of Act:
* ACTS MUST BE 2 1/2 MINUTES OR LESS
We expect all acts to be in good taste. No violent lyrics, no profanity, no alcohol, tobacco, drug, or sexual references in your song/performance, and dress appropriately (no mid-drift shirts or short skirts / shorts).
Your advisor/chaperone must preview and approve all acts in advance.



Odyssey Teams "Team Wall" Addendum



#### Participant Name (Please Print):

Activity Date:

Addendum: This agreement is an addendum to that Program Agreement Form (PAF) executed by the undersigned on this date. The purpose of this addendum is to modify the descriptions of Activities and Risks in the PAF, to reflect specific activities in which the undersigned, or his or her minor child, will be participating. The two documents are to be read together and, together comprise the agreement of the undersigned with Odyssey.

This Agreement must be signed by all adult (eighteen years and older) participants in a program of Odyssey Teams, Inc., a California corporation ("Odyssey"), and by a parent of legal guardian (either, "Parent") of a participant who is a minor. "Participant", as used in this agreement, refers to those engaged in an activity of Odyssey, observers and all other persons at the activity site. In consideration of being allowed to attend, observe, or participate in any way in the program, its related events and activities, the undersigned adult Participant and/or Parent of a minor participant (Parent signing for himself or herself AND on behalf of the minor Participant) acknowledges and agrees as follows:

Activities: Odyssey programs covered by this agreement are the Team Wall activity (herein referred to as "activity" or "activities"). All participation is voluntary. I and/or the minor Participant will comply with the directions of Odyssey staff and if we, or either of us, observes any unusual and significant hazard I, or the child, will withdraw from participation and bring such condition to the attention of staff. **The Team Wall** is a 12 to 13 foot 'Wall' that participating group members go up and over. The Wall has a flat, featureless face. There is a platform (deck) on the backside of the Wall allowing as many as five 'lifters' to be on the "top' helping their team-mates over. The combination of team-mates lifting from the bottom and pulling from the top allows members to go up and over. Team-members form a 'bed of hands' as spotters to help catch anyone needing to be caught and/or lowered to the ground. Once over and on to the platform (deck) team-members may lift others before climbing down the ladder to return to the spotting/lifting role on the ground.

**<u>Risks:</u>** The Team Wall activity led by Odyssey and its staff, and the location of these activities, may expose Participants to certain physical and emotional risks, including the following: Dislocation of shoulders, and aggravation of old dislocations, from lifting or being lifted; pulled or torn muscles and ligaments, from pulling, lifting, pushing (participants are urged to stretch and warm up your muscles to reduce the chance of injury); and head injuries, including as a result of falling or being dropped, or being struck by someone who has fallen or been dropped. (Participants may request a helmet, and should not participate in an area or situation where a head injury could occur if a helmet is requested but is not available.) Bones may be broken as a result of falling or being improperly caught. Bumps, bruises, abrasions and other mild and serious trauma may be the result of not maintaining a proper 'spotters' position and/or failing to keep eyes upon the person being 'spotted' with complete awareness and readiness. These injuries also occur also from improper lifting techniques, including being 'drug' over the top of the wall, from falling debris and other objects; and splinters due to the wood surfaces of The Wall. Heart attack, stroke, and other serious and sudden medical events may be caused by increased exertion. Participants subject to such serious risks should not participate.

Emotional risks: In an attempt to pull people over the wall, there have been several instances where clothing has been pulled up, down and even off. There is the risk of embarrassment or other psychological effects from this. In addition, the team may not be able to lift a participant over the wall if the team's combined strength is inadequate for the weight, size or other physical characteristic of the person being lifted. If this appears to be the case, the facilitator may require the group to discontinue its efforts, in the interest of safety. There is an emotional/psychological risk of embarrassment, even under the care and good intentions of the group and/or facilitator.

PRINTED NAME OF PARTICIPANT:	DATE:
SIGNATURE OF ADULT PARTICIPANT:	
PARENT OR LEGAL GUARDIAN SIGNATURE IS REQUIRED FOR PARTICIP.	ANTS UNDER AGE 18

#### PARENT OR LEGAL GUARDIAN'S SIGNATURE

PRINTED PARENT NAME:

DATE:\_\_\_\_\_



Participant Name (Please Print):	Age; Phone:
Relevant medical conditions/allergies/medications:	
Organization/Group:	Date of activity:
Emergency contact for date of activity:	Phone:

Youth under age 18 must have a parent/guardian sign at the end of this form to attend an Odyssey Program.

Welcome to your Odyssey adventure! This Agreement must be signed by all adult (eighteen years and older) participants in a program of Odyssey Teams, Inc., a California corporation ("Odyssey"), and by a parent or legal guardian (either, "Parent") of a participant who is a minor. "Participant", as used in this agreement, refers to those engaged in an activity of Odyssey, observers and all other persons at the activity site.

In consideration of being allowed to attend, observe, or participate in any way in the program, its related events and activities, the undersigned adult Participant and/or Parent of a minor participant (Parent signing for himself or herself AND on behalf of the minor Participant) acknowledges and agrees as follows:

Activities: Odyssey programs include participation in the activities of ropes courses, rock climbing, zip lines, wall climbing, low and high challenge course elements; a variety of initiatives (warm-ups) and other games; hammering, sawing, assembling and painting; and other events, activities, exercises, simulations, discussions, assessments and conversations (herein referred to as "activity" or "activities"). The activities or variations of them may require moderate physical exertion, including balancing, bending, lifting, stretching, catching, climbing, carrying, walking and twisting. Participants may be asked to walk, swing or climb, including at heights of approximately 35 feet, with or without the assistance of staff or co-participants. All participation is voluntary. I and/or the minor Participant will comply with the directions of Odyssey staff and if we, or either of us, observes any unusual and significant hazard I, or the child, will withdraw from participation and bring such condition to the attention of staff.

**<u>Risks:</u>** The activities led by Odyssey and its staff, and the location of these activities, may expose Participants to certain risks, including the following: travel by foot over unpaved trails and rough, uneven terrain; moving about in outdoor, including wooded, areas, subject to falling timber, rain, wind, heat, cold and other weather conditions; contact with plants and animals which may be dangerous; increased heart rate, dizziness, anxiety, stress, embarrassment, fear of heights, and emotional upset; failure of structures or equipment; collisions, falling, abrupt and possibly damaging contact with structures and other Participants; and close personal contact with, and reliance on, others, including the possibility of inadvertent but unwelcome touching. I, the undersigned acknowledge that this description of risks and hazards is not complete and that these and other conditions may result in all manner of physical and emotional trauma, illness, bruises, scratches, breaks, strains or sprains, joint or back injuries, and concussions, heat exhaustion, dehydration and, in extraordinary cases, even death. The risks described, and others, including the possibility of negligence of other Participants and staff, are inherent in the Odyssey program – that is, they cannot be eliminated without destroying the essential nature of the activity and its promotion of personal development and other societal values.

<u>Assumption of Risks</u>: I, an adult Participant and/or Parent (for myself and on behalf of a minor Participant) expressly assume all risks – inherent and otherwise, and whether or not described above -- of participating in a program of Odyssey. If I am a Parent, I have discussed the activities and risks with the minor Participant who understands them and wishes to participate nevertheless.

<u>Release and Indemnity:</u> I, an adult Participant and/or Parent (for myself and, to the maximum extent allowed by law, on behalf of the minor Participant who is my child or ward), agree to release and not to sue Odyssey, Inc., its owners, directors officers and staff ("Released Parties") with respect to any and all claims of injury, disability, death, products liability (including strict liability), breach of warranty or other loss or damage to person or property suffered by me or by the minor Participant, arising in whole or part from my (or the child's) participating (as described above) in an Odyssey program.

In addition, I, am an adult participant and/or Parent, agree to indemnify (that is, defend and satisfy by payment or reimbursement, including costs and attorney's fees) Released Parties from any and all claims of injury, disability, death, products liability (including strict liability) or other loss or damage to person or property, brought by me or by or on behalf of the minor

Participant who is my child or ward, a co-participant in the activities, a rescuer, a member of my, or the minor child's, family, or anyone else, arising out of or in any way related to a loss suffered by me or the child, or caused by me or the child.

These agreements of release and indemnity include loss or damage caused or claimed to be caused in whole or in part by the negligence (but not the gross negligence or intentionally wrongful conduct) of a Released Party.

**Special Needs/Medical:** Odyssey programs and activities are designed for participants in reasonably good health. Those needing special consideration should advise Odyssey of any special needs or accommodation before the program date. <u>Odyssey strongly recommends that a physician be consulted if the Participant has any of the following medical conditions</u>: hemophilia, epilepsy, asthma, diabetes, seizure disorder, taking blood thinning medications, cardiac conditions that may require immediate medical attention, severe recent or recurring musculoskeletal injuries, severe allergic reactions to bees, insects, or other outdoor material, phobias , and any other condition which might cause the Participant to be a danger to himself or herself or to others. Odyssey has no medical personnel or treatment available to Participants. I hereby authorize and grant permission to Odyssey to secure emergency medical treatment for me or, if my minor child or ward is the Participant, for the child. I have insurance sufficient to cover medical costs that may be incurred, and in any event I agree to be responsible for such costs.

Participants on the High Elements (Ropes Course) must be free of the influence of alcohol, medications and drugs (legal or illegal) that might impair judgment or performance in any way. Participants on that course must not be pregnant, and must weigh no more than 310 pounds. A Participant who does not meet the weight or pregnancy requirements is nevertheless welcome to participate in all activities other than the high ropes course.

#### Additional Provisions:

1. Property Damages: I agree that I am responsible for any damage to Odyssey property caused, in whole or part, by me or the minor for whom I sign. I agree that Odyssey will not be responsible or liable in any manner for my or the minor Participant's personal property.

2. Dispute Resolution: Any dispute between Odyssey or a Released Party and the undersigned or the minor child will be governed by the substantive laws of the State of California, and any arbitration or suit shall take place solely in the State of California and the County of Butte. If any provision of this document is held to be void or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall nevertheless be fully enforceable and unimpaired by such holding. If the dispute cannot be resolved by mutual agreement, I agree to submit it to a mediator recognized by the Courts of that State and County. I will pay all costs and attorney's fees incurred by any Released Party in defending a claim or suit brought by me, or by or on behalf of the minor participant, if the claim or suit is withdrawn or to the extent a court of mediator determines that the Released Party is not responsible for the claimed injury or loss.

3. Media Release: I consent to the reproduction and use by Odyssey of photographs, videos and other images and sound recordings of me, or the minor, without compensation, for advertising or other purposes. I release Odyssey and other Released Parties from any claim of violation of any personal or other right which I or the child may have in connection with such representation or use.

4. I have carefully read, understand and voluntarily sign this Agreement and intend that it shall be effective and binding upon me, my minor child or ward who is a Participant, and my, or the child's, family, heirs, executors, administrators and representatives. A delay or failure by Odyssey to exercise its rights and/or remedies under this Agreement does not constitute a waiver of any such right or remedy.

6. Duration of this Agreement:) This agreement, which consists of this and the preceding page, will apply to my, or to the minor child's, participation in an Odyssey program to and including the end of the calendar year in which the agreement is signed, unless earlier cancelled or replaced by a new agreement, the terms of which will apply to future visits in accordance with its terms.

PRINTED NAME OF PARTICIPANT:

DATE:

SIGNATURE OF ADULT PARTICIPANT:

#### PARENT OR LEGAL GUARDIAN SIGNATURE IS REQUIRED FOR PARTICIPANTS UNDER AGE 18

#### PARENT OR LEGAL GUARDIAN'S SIGNATURE

PRINTED PARENT NAME:



DATE:

Odyssey Teams Inc -173 East 3rd Avenue Chico, CA 95926-800.342.1560

#### POLICY GUIDESHEET – January 21, 2016 Board Meeting

#### 1. BP 0200 – Goals for the School District

(BP revised)

a. Policy updated to delete sample goals and add concepts related to NEW LAW (AB 97, 2013) which requires district do develop annual goals aligned with specified state priorities and to include those goals in the district's local control and accountability plan (LCAP). Policy also reflects NEW TITLE 5 REGULATIONS (Register 2014, No. 6) which provides a template to be used for LCAP development.

#### 2. AR 0420.4 – Charter School Authorization

(AR Revised)

Regarding annual goals to include homeless students.

#### 3. AR 0460 - Local Control and Accountability Plan

(AR Revised)

Regarding annual goals to include homeless students.

#### 4. AR 3100 - Budget

(AR Revised)

Delete Budget Review Committee portion of policy.

#### 5. BP/AR 3260 – Fees and Charges

(BP/AR revised)

**Mandated** policy updated to reflect **NEW TITLE 5 REGULATION** (Register 2013, No. 38) which addresses remedies to be provided to all affected students and parents/guardians if the district is found in violation of the prohibition against unauthorized student fees. Policy also clarifies that the prohibition against student fees does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, or providing prizes or other recognition for participants in such fundraising events.

Regulation updated to expand and clarify the list of permissible fees and align material with California Department of Education Fiscal Management Advisories.

#### 6. BP/AR 3270 - Sale and Disposal of Books, Equipment and Supplies

(BP/AR revised)

Policy updated to add Board roles in determining whether the value of the property is sufficient to warrant a sale and in approving the terms and conditions of the sale. Policy also reflects **NEW LAW** (SB 971, 2014) which eliminates the mandate to adopt rules for the identification of obsolete instructional materials. Policy provides optional criteria for such identification and clarifies the circumstances under which the sale or donation of obsolete or unusable instructional materials may be appropriate. Reorganized regulation reflects the repeal by SB 971 of requirements related to the use of the proceeds from the sale of instructional materials and adds section on "Equipment/Supplies Acquired with Federal Funds." Section on "Replacement of School Buses" deleted since **NEW LAW** (SB 78, 2015) repealed the conditions for the sale of school buses by districts receiving a state apportionment to replace the buses.

#### 7. BP 3280 - Sale or Lease of District-Owned Real Property

(BP revised)

Policy updated to reflect **NEW LAW** (AB 86, 2013) which requires districts to first offer to sell surplus district property to a charter school that projects an in-district average daily attendance of at least 80 students, has requested to be notified of surplus property to be offered for sale or lease, and intends to use the property

exclusively to provide instruction or instructional support. Policy also reflects **NEW LAW** (AB 308, 2013) which authorizes the State Allocation Board, under specified conditions, to reclaim funds from districts selling any property purchased, constructed, or modernized within the previous 10 years with funds received from a state school facilities funding program.

#### 8. AR 3311 - Bids

(AR revised)

Regulation updated to reflect **NEW LAW** (AB 1581, 2014) which authorizes districts to set timelines for submittal and opening of bids and, for districts of 2,500 or more average daily attendance, extends prequalification procedures to any lease-leaseback agreement for a public project that involves an expenditure of \$1 million or more and meets other specified criteria. Regulation also references **NEW COURT DECISION** which ruled that, to be valid, a lease-leaseback agreement must contain a lease term and a financing component.

#### 9. AR 3460 - Financial Reports and Accountability

(AR revised)

Regulation updated to reflect **NEW TITLE 5 REGULATIONS** (Register 2013, No. 49) aligning the state standards and criteria for interim reports with the local control funding formula (LCFF), effective in the 2014-15 fiscal year. Regulation also updated to reflect **NEW LAW** (AB 97, 2013) which requires the annual audit to include a determination as to whether funds were expended in accordance with the district's LCAP.

#### 10. AR 3512 - Equipment

(AR revised)

Regulation updated to define "equipment," provide that district equipment shall be used primarily for educational purposes or other district operations, delete material on comparability of equipment which is also addressed in BP 6171 - Title I Programs, and clarify processes for transferring equipment between work sites. Regulation also adds material related to equipment inventories, the sale or disposal of equipment, and the purchase of equipment with federal funds.

#### 11. BP 3513.3 - Tobacco-Free Schools

(BP revised)

**Mandated** policy expands list of prohibited products to include electronic hookahs and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products. Policy also deletes the option for districts not receiving Tobacco Use Prevention Education (TUPE) funds to allow smoking outside on school or district grounds or in designated employee breakrooms, although non-TUPE districts may continue to adopt such policy language at their discretion.

#### 12. E 4112.9/4212.9/4312.9 - Employee Notifications

(E revised)

Exhibit updated to (1) reflect **NEW LAW** (AB 97, 2013) requiring the uniform complaint procedures notice to include information about LCAP requirements; (2) update notice requirements related to family care and medical leave and renumber cites to Title 2 regulations pursuant to Register 2013, No. 40; (3) reflect **NEW TITLE 5 REGULATIONS** (Register 2014, No. 14) which require notice re: employment status change reports to be given when an allegation of misconduct is pending; (4) revise notice on postretirement earnings limitation to include employment restrictions pursuant to **NEW LAW** (AB 1379, 2013); (5) add notification of teachers when school is identified for restructuring under Title I program improvement; (6) add notification of bus drivers when their driver's

license, driver's certificate, or medical certificate is expiring; and (7) move notice of vehicle idling limitations to AR 3542 - School Bus Drivers.

#### 13. AR 4117.14/4317.14 - Postretirement Employment

(AR revised)

Regulation updated to clarify the contents of the board resolution required in order to hire a member of the California State Teachers' Retirement System within 180 days of his/her retirement. Regulation reflects **NEW LAW** (AB 1381, 2013) which (1) defines "financial inducement" for the purpose of determining eligibility of a retiree to receive an exemption from the 180-day waiting period and (2) extends the compensation limit to other payments (e.g., deferred compensation plans, etc.) to prevent payment in excess of the zero-dollar limit for retired member activities performed within the 180-day waiting period. Regulation also reflects **NEW LAW** (AB 1379, 2013) which requires districts to notify retired individuals of employment restrictions.

#### 14. AR 4117.7/4317.14 - Employment Status Reports

(AR revised)

Regulation updated to reflect **NEW LAW** (AB 449, 2013) and **NEW TITLE 5 REGULATIONS** (Register 2014, No. 14) which (1) require submission of an employment status report to the Commission on Teacher Credentialing (CTC) while an allegation of misconduct is pending; (2) subject the superintendent to adverse action by the CTC if he/she fails to submit a report; and (3) clarify that changes in employment status due to unsatisfactory performance or a reduction in force are not reportable.

#### 15. AR 4119.11/4219.11/4319.11 - Sexual Harassment

(AR revised)

Regulation updated to clarify that the AR is mandated pursuant to state law and to reflect **NEW LAW** (AB 2053, 2014) which adds prevention of abusive conduct to the contents of sexual harassment training required for supervisory employees. Regulation also reflects state law providing that the conduct need not be motivated by sexual desire in order to constitute sexual harassment. References to Title 2 regulations updated to reflect recent renumbering.

#### 16. BP/AR 4154/4254/4354 - Health and Welfare Benefits

(BP/AR revised)

Policy and regulation updated to reflect the federal Patient Protection and Affordable Care Act, applicable to districts with 50 or more full-time employees. Policy includes information about the calculation of full-time employees for the purpose of determining the applicability of the Act and reflects requirements to provide an affordable health insurance plan which includes specified minimum coverage and pays at least 60 percent of the medical expenses covered under the plan. Policy also reflects **NEW LAW** (SB 1306, 2014) which defines "marriage" as a personal relationship arising out of a civil contract between two persons rather than a man and a woman. Regulation adds section on "Affordability of Health Coverage" which includes methods by which districts may determine that each employee's contribution for employee-only health coverage does not exceed 9.5 percent of his/her household income.

#### 17. AR 5112.2 - Exclusions from Attendance

(AR revised)

Regulation updated to clarify the circumstances under which students must or may be denied admission or be temporarily excluded from school. Regulation reflects **NEW LAW** (SB 277, 2015) which eliminates the immunization exemption based on a parent/guardian's personal beliefs, except in cases where a parent/guardian

submits a letter or written affidavit by January 1, 2016. Regulation also adds the period of time for which each exclusion is applicable.

#### 18. BP 5131.62 - Tobacco

#### (BP revised)

Policy updated to prohibit student possession or use of electronic hookahs and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products. Policy also recommends provision of counseling, intensive education, or other intervention services to assist in the cessation of tobacco use as an alternative to suspension for tobacco possession.

#### 19. BP/AR 5141.31 - Immunizations

#### (BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (SB 277, 2015) which limits the personal beliefs exemption to students whose parent/guardian submits a letter or written affidavit by January 1, 2016, in which case the exemption shall be effective only until the student enters the next grade span, as defined. Policy also deletes material related to conditional enrollment of transfer students while waiting for the transfer of immunization records, now addressed in AR. Regulation also reflects provisions of SB 277 which (1) require districts to ensure that students advancing to grade 7 are fully immunized against all specified diseases, (2) state that students with disabilities must be provided special education and related services regardless of their immunization status, and (3) exempt students from immunization requirements who are enrolled in an independent study program and who do not receive classroom-based instruction.

#### 20. BP/AR 5144 - Discipline

(BP/AR revised)

Policy updated to reflect **NEW FEDERAL GUIDANCE** encouraging the use of disciplinary measures that provide appropriate interventions and supports rather than exclusionary discipline practices (e.g., suspension and expulsion). Policy also reflects **NEW LAW** (AB 97, 2013) which requires the district's LCAP to include goals for addressing student engagement and school climate and adds optional language related to the establishment of a discipline matrix listing consequences associated with various violations.

Regulation updated to reflect **NEW LAW** (AB 97, 2013) which requires the development of LCAP goals and specific actions related to school climate. Regulation also contains optional language calling for an annual review of school discipline rules. Section on "Disciplinary Strategies" adds items #8-9 on social and emotional learning programs and "trauma-sensitive" programs.

#### 21. BP/AR 5144.1 - Suspension and Expulsion/Due Process

(BP/AR revised)

**Mandated** policy updated to reflect **NEW LAW** (AB 97, 2013) which requires development of LCAP goals and actions addressing school climate and **NEW FEDERAL GUIDANCE** encouraging appropriate interventions and supports rather than exclusionary discipline practices. Policy also adds optional language limiting the use of suspension for willful defiance or disruption of school activities, and deletes option which limited the board's authority to suspend enforcement of the expulsion order.

**Mandated** regulation reorganized for clarity and updated to reflect **NEW LAW** (AB 256, 2013) which clarifies that a student may be disciplined for bullying by means of electronic act even when the act originated off campus. Regulation also includes a new optional section on "Stipulated Expulsion."

# 22. E 5145.6 - Parental Notifications

(E revised)

Exhibit updated to delete notices related to Advanced Placement exam fees, gifted and talented education, and intensive instruction for students who fail to pass the high school exit exam by the end of grade 12, as those programs were eliminated by **NEW LAW** (AB 97, 2013). Exhibit also deletes special education notices re: behavioral intervention plan and the California Modified Assessment, pursuant to **NEW TITLE 5 REGULATIONS** (Register 2013, No. 42 and Register 2014, No. 7). Exhibit adds notices related to (1) student's participation in state testing and option to request exemption, (2) voluntary enrollment in continuation education pursuant to **NEW LAW** (AB 570, 2013), and (3) tobacco-free schools policy and enforcement procedures. Legal cites to state regulations re: functional behavioral assessment and emergency interventions renumbered pursuant to Register 2013, No. 42.

# 23. BP/AR 6141.5 - Advanced Placement

(BP revised; AR deleted)

Policy updated to reflect the self-repeal of law providing state grants to reduce the cost of Advanced Placement (AP) examination fees for economically disadvantaged students and **NEW LAW** (AB 97, 2013) which redirected that funding, and funding for the gifted and talented education program, into the LCFF.

Regulation deleted because of self-repeal of legal requirements related to state grants for reducing AP examination fees.

## 24. BP 6142.92 - Mathematics Instruction

(BP revised)

Policy updated to reflect Common Core State Standards and **NEW STATE CURRICULUM FRAMEWORK** for mathematics. Policy also updated to (1) reflect **NEW LAW** (AB 166, 2013) which requires the State Board of Education, concurrent with the next revision of textbooks or the curriculum framework in mathematics, to ensure the integration of financial literacy; (2) reflect **NEW LAW** (AB 97, 2013) which eliminates the Professional Development Block Grant and the Mathematics and Reading Professional Development Program; and (3) add material on program evaluation.

## 25. BP/AR 6151 - Class Size

(BP revised; AR deleted)

Policy updated to reflect **NEW LAW** (AB 97, 2013) which eliminates the K-3 Class Size Reduction and Morgan-Hart Class Size Reduction programs and requires districts, as a condition of receiving an additional adjustment to the K-3 base grant under the LCFF, to make progress toward a class size of 24 in grades K-3, unless a different class size for each school site is collectively bargained. Policy also reflects **NEW TITLE 5 REGULATIONS** (Register 2014, No. 14) addressing the calculation of average class enrollment.

Regulation deleted because program requirements for K-3 Class Size Reduction and Morgan-Hart Class Size Reduction programs were eliminated by **NEW LAW** (AB 97, 2013).

#### 26. BP 6162.5 - Student Assessment

(BP revised)

Policy updated to reflect **NEW LAW** (AB 97, 2013) which requires that statewide assessments be used as one measure of the district's LCAP goals for student achievement and revises the definition of "numerically significant" student

subgroups for which districts must demonstrate comparable improvement in academic achievement. Policy also reflects **NEW LAW** (AB 484, 2013) which replaces the Standardized Testing and Reporting program with the California Assessment of Student Performance and Progress (CAASPP) and changes the content required for the individual record of accomplishment to include results of the CAASPP or any predecessor assessment.

#### 27. BP 6162.54 - Test Integrity/Test Preparation

(BP revised)

Policy updated to reflect **NEW LAW** (AB 484, 2013) which establishes the CAASPP assessment system, prohibits use of a program for the sole purpose of test preparation for state assessments, and allows districts to familiarize students with item types or the computer-based testing environment used in the CAASPP. Policy deletes material reflecting state regulations on test preparation repealed by Register 2014, No. 6.

#### 28. BP 6163.1 - Library Media Centers

(BP revised)

Policy updated to reflect **NEW LAW** (AB 97, 2013) eliminating the School and Library Improvement Block Grant and State Instructional Materials Fund, which could be used to purchase materials for school or classroom libraries contingent upon the development of a districtwide library plan. New optional language addresses the development of a library plan that is aligned with other district and school plans.

#### 29. BP 6170.1 – Transitional Kindergarten

(BP revised)

Changes to eligibility criteria.

#### 30. BP/AR 6184 - Continuation Education

(BP/AR revised)

**Mandated** policy reflects **NEW LAW** (AB 570, 2013) which mandates that the district adopt policy with specified provisions if it allows students to voluntarily enroll in continuation education and **NEW LAW** (AB 97, 2013) which eliminates the Pupil Retention Block Grant. Policy also adds material on alignment of the program with goals in the LCAP, student enrollment in a regional occupational center/program in lieu of continuation education, and program evaluation.

**Mandated** regulation updates sections on "Voluntary Enrollment" and "Intake and Orientation" to reflect **NEW LAW** (AB 570, 2013) which mandates procedures governing identification, placement, and intake of students who voluntarily enroll in continuation education. Regulation adds optional program components related to parent/guardian communication, parent and community involvement, professional development, support services, and safety and school climate. Regulation also reflects **NEW COURT DECISION** concluding that districts are not required to exhaust <u>all</u> other means of correction to bring about student improvement before involuntarily transferring a student to a continuation education program.

#### 31. BP 6190 - Evaluation of the Instructional Program

(BP revised)

Policy updated to reflect the suspension of the state Academic Performance Index and **NEW LAW** (AB 104, 2015) which adds homeless students to the definition of numerically significant student subgroups whose progress toward district goals must be annually assessed. Policy also updates section on Federal Program Monitoring (FPM) to reflect new state tools for monitoring categorical programs, and actions needed if the FPM review results in a finding of noncompliance.

# 32. BB 9324 - Minutes and Recordings

(BB revised)

Bylaw updated to reflect **NEW LAW** (SB 751, 2013) which requires that minutes of board meetings report the vote or abstention of each member present for the action. Bylaw also adds optional space for the district to specify the position responsible for signing the minutes after approval by the board.

# **CSBA Sample** Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0200(a)

#### **GOALS FOR THE SCHOOL DISTRICT**

As part of the Governing Board's responsibility to set direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities.

(cf. 0000 - Vision) (cf. 0100 - Philosophy) (cf. 9000 - Role of the Board)

In developing goals and identifying strategies to achieve those goals, the Board and Superintendent shall solicit input and review from key stakeholders. The Board shall also review and consider quantitative and/or qualitative data, including data disaggregated by student subgroup and school site, to ensure that district goals are aligned with student needs.

Note: Education Code 52060-52077 require the Governing Board to adopt a three-year local control and accountability plan (LCAP) by July 1, 2014, and to update the LCAP on or before July 1 of each subsequent year; see BP/AR 0460 - Local Control and Accountability Plan. Pursuant to Education Code 52060, the LCAP must include annual goals, aligned with eight specified state priorities and any local priorities established by the Board, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, as amended by AB 104 (Ch. 13, Statutes of 2015), a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant subgroups are defined by the Superintendent of Public Instruction with approval by the State Board of Education.

5 CCR 15497.5 provides a template that the district must use to detail its actions and expenditures to support student outcomes and overall performance. Pursuant to this template, the district may organize its goals for the eight state priorities into three categories: (1) conditions of learning, including Williams compliance (teacher qualifications, access to instructional materials, and facilities in good repair), implementation of Common Core State Standards, and student access to a broad course of study; (2) student outcomes, including student achievement as measured by specified indicators and student outcomes in the course of study; and (3) engagement, including parent involvement, student engagement, and school climate. A district goal may address multiple priorities, and the district also may identify school sites and student subgroups that have the same goals and may group and describe those goals together.

Goals shall be established for all students and each numerically significant subgroup as defined in Education Code 52052, which may include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, and shall address each of the state priorities identified in Education Code 52060 and any additional local priorities established by the Board. These goals shall be incorporated into the district's local control and accountability plan (LCAP). (Education Code 52060, 52062, 52063; 5 CCR 15497.5)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6159 - Individualized Education Program)

#### GOALS FOR THE SCHOOL DISTRICT (continued)

#### (cf. 6173.1 - Education for Foster Youth) (cf. 6174 - Education for English Language Learners)

The LCAP shall include a clear description of each goal, one or more of the state or local priorities addressed by the goal, any student subgroup(s) or school site(s) to which the goal is applicable, and expected progress toward meeting the goal for the term of the LCAP and in each year. (5 CCR 15497)

Each year the district's update to the LCAP shall review progress toward the goals and describe any changes to the goals. (Education Code 52060-52061)

(cf. 0500 - Accountability) (cf. 6190 - Evaluation of the Instructional Program)

In addition to the goals identified in the LCAP, and consistent with those goals, the district and each school site may establish goals for inclusion in another district or school plan or for any other purpose. Such goals may address the improvement of governance, leadership, fiscal integrity, facilities, community involvement and collaboration, student wellness and other conditions of children, and/or any other areas of district or school operations. As appropriate, each goal shall include benchmarks or short-term objectives that can be used to determine progress toward meeting the goal.

(cf. 0400 - Comprehensive Plans) (cf. 0420 - School Plans/Site Councils) (cf. 0440 - District Technology Plan) (cf. 5030 - Student Wellness) (cf. 6171 - Title I Programs) (cf. 7110 - Facilities Master Plan)

Legal Reference: (see next page)

### GOALS FOR THE SCHOOL DISTRICT (continued)

Legal Reference:

EDUCATION CODE 17002 State School Building Lease-Purchase Law, including definition of good repair 42238.01-42238.07 Local control funding formula 44258.9 County superintendent review of teacher assignment 51002 Local development of programs based on stated philosophy and goals 51020 Definition of goal 51021 Definition of objective 51041 Evaluation of the educational program 51210 Course of study for grades 1-6 51220 Course of study for grades 7-12 52050-52059 Public Schools Accountability Act, especially: 52052 Academic Performance Index; numerically significant student subgroups 52060-52077 Local control and accountability plan 60119 Sufficiency of textbooks and instructional materials; hearing and resolution 64000-64001 Consolidated application process CODE OF REGULATIONS, TITLE 5 15497 Local control and accountability plan template UNITED STATES CODE, TITLE 20 6311 Accountability, adequate yearly progress 6312 Local educational agency plan

Management Resources:

CSBA PUBLICATIONS

<u>State Priorities for Funding: The Need for Local Control and Accountability Plans</u>, Fact Sheet, August 2013 <u>WEB SITES</u> CSBA: http://www.csba.org California Department of Education: http://www.cde.ca.gov

(7/08 4/14) 10/15

# **CSBA Sample** Administrative Regulation

## Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0420.4(a)

# **CHARTER SCHOOL AUTHORIZATION**

Note: The following administrative regulation is optional.

## **Petition Signatures**

A petition for the establishment of a start-up charter school must be signed by either of the following: (Education Code 47605)

- 1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation
- 2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation

If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

#### (cf. 4116 - Permanent/Probationary Status)

In circulating a petition, the petitioners shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

# Advisory Committee

Note: The following **optional** section may be revised to reflect district practice. CSBA's publication <u>Charter</u> <u>Schools: A Manual for Governance Teams</u> suggests that a petition review team is one method that may be used to obtain input on proposed charters. Such a committee might include representatives of the district's human resources, fiscal services, risk management, student services, curriculum, special education, facilities, and other departments.

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a petition or the merits of a proposed educational program and to identify any concerns that should be addressed by the petitioners. The Superintendent or designee shall also consult with legal counsel, as appropriate, regarding compliance of the charter proposals with legal requirements.

### **Components of Charter Petition**

Note: CSBA's publication <u>Charter Schools: A Manual for Governance Teams</u> recommends specific content that might be included in the descriptions of each component listed in items #1-16 below.

- The charter petition shall include affirmations of the conditions described in Education Code 47605(d) as well as reasonably comprehensive descriptions of: (Education Code 47605, 47611.5)
  - 1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

Education Code 47605 requires the charter petition to include annual goals for all students and for each subgroup of students identified pursuant to Education Code 52052 and specific actions to achieve those goals, similar to the local control and accountability plan that is required for districts and county offices of education pursuant to Education Code 52060-52077. Pursuant to Education Code 52052, as amended by AB 104 (Ch. 13, Statutes of 2015), a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school. For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction with approval by the State Board of Education (SBE).

Education Code 47605 requires that these annual goals be aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. See BP/AR 0460 - Local Control and Accountability Plan.

Unlike districts, charter schools are exempt from the requirements to solicit public comment, hold public hearings, and have their plans approved by the county office of education.

Education Code 47606.5 requires the charter school to annually update its goals and the specific actions identified to achieve the goals; see AR/E 0420.41 - Charter School Oversight.

The petition shall include a description of annual goals for all students and for each numerically significant subgroup of students identified pursuant to Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students.

These goals shall be aligned with the state priorities listed in Education Code 52060 that apply to the grade levels served or the nature of the program operated by the charter school. The petition also shall describe specific annual actions to achieve those goals. The petition may identify additional priorities established by the charter school, goals aligned with those priorities, and specific annual actions to achieve those goals.

#### (cf. 0420.41 - Charter School Oversight) (cf. 0460 - Local Control and Accountability Plan)

If the proposed school will serve high school students, the petition shall describe the manner in which the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "a-g" admissions criteria may be considered to meet college entrance requirements.

Note: Education Code 47605 requires that the petition identify student outcomes that the charter school intends to use, including those that address increases in student achievement both schoolwide and for all groups of students served by the charter school, as defined in Education Code 47607. Education Code 47607 defines "all groups of students served by the charter school, as defined in Education Code 52052.

2. The measurable student outcomes identified for use by the charter school. *Student* outcomes means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each numerically significant subgroup of students served by the charter school. The student outcomes shall align with the state priorities identified in Education Code 52060 that apply for the grade levels served or the nature of the program operated by the charter school.

Note: As amended by AB 97 (Ch. 47, Statutes of 2013), Education Code 47605 requires that, to the extent practicable, the methods of measuring student outcomes for state priorities be consistent with the way information is reported on a school accountability report card pursuant to Education Code 33126.

3. The method by which student progress in meeting the identified student outcomes is to be measured. To the extent practicable, the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(cf. 0510 - School Accountability Report Card)

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- 4. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
- 5. The qualifications to be met by individuals to be employed by the school.
- 6. The procedures that the school will follow to ensure the health and safety of students and staff, including the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
- 7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
- 8. Admission requirements, if applicable.
- 9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Governing Board's satisfaction.
- 10. The procedures by which students can be suspended or expelled.
- 11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
- 12. The public school attendance alternatives for students residing within the district who choose to not attend the charter school.
- 13. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school.
- 14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

Note: Education Code 47605 requires charter petitions to contain the declaration specified in item #15 below regarding responsibilities for collective bargaining. If the charter school is not deemed the public school employer for purposes of collective bargaining under Government Code 3540-3549.3, the district where the charter school is located shall be deemed the public school employer for these purposes, pursuant to Education Code 47611.5. Education Code 47611.5 further provides that, if the charter does not specify that the charter school shall comply with laws and regulations governing tenure or a merit or civil service system, the scope of representation for that charter school shall also include discipline and dismissal of charter school employees.

15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.

Note: Education Code 47605 and 5 CCR 11962 require the charter petition to include procedures to be used in the event that the charter school closes for any reason, as provided in item #16 below. Duties of the district pertaining to charter school closures include notification requirements pursuant to Education Code 47604.32 and 5 CCR 11962.1; see BP 0420.41 - Charter School Oversight.

- 16. The procedures to be used if the charter school closes, including, but not limited to: (5 CCR 11962)
  - a. Designation of a responsible entity to conduct closure-related activities
  - b. Notification to parents/guardians, the Board, the county office of education, the special education local plan area in which the school participates, the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:
    - (1) The effective date of the closure
    - (2) The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure
    - (3) The students' districts of residence
    - (4) The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
  - c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance with item #16a above
  - d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with item #16a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
  - e. Transfer and maintenance of personnel records in accordance with applicable law

- f. Completion of an independent final audit within six months after the closure of the school that includes an accounting of all financial assets and liabilities pursuant to 5 CCR 11962 and an assessment of the disposition of any restricted funds received by or due to the school
- g. Disposal of any net assets remaining after all liabilities of the school have been paid or otherwise addressed pursuant to 5 CCR 11962
- h. Completion and filing of any annual reports required pursuant to Education Code 47604.33
- i. Identification of funding for the activities identified in item #16a-h above

Note: Education Code 47605 requires that petitioners provide to the Governing Board the information listed in items #1-4 below. The Board may require additional information. For example, U.S. Department of Education nonregulatory guidance, <u>The Impact of New Title I Requirements on Charter Schools</u>, suggests that districts may, at their discretion, choose to incorporate in the charter the state's definition of "adequate yearly progress" to assist charter schools in understanding their accountability requirements; see the accompanying Board policy and BP/AR 0520.2 - Title I Program Improvement Schools.

As outlined in CSBA's publication <u>Charter Schools: A Manual for Governance Teams</u>, some districts request a school calendar, information regarding transportation arrangements, staff development plans, assurances that the school will provide appropriate services for English language learners and students with disabilities, or any other information that will assist the Board in understanding the proposal. Districts that wish to require additional information in the charter may list those items below.

 $\checkmark$  Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

Note: Education Code 47605 requires that information on school facilities, listed in item #1 below, must specify where the school intends to locate. Unless otherwise exempted, the school must be located within the geographic boundaries of the chartering district; see section "Location of Charter School" below.

1. The facilities to be used by the school, including where the school intends to locate

(cf. 7160 - Charter School Facilities)

- 2. The manner in which administrative services of the school are to be provided
- 3. Potential civil liability effects, if any, upon the school and district
- 4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation

## Location of Charter School

Note: Education Code 47605 and 47605.1 establish geographic and site requirements for charter schools. Pursuant to Education Code 47605, a charter school granted by either the County Board of Education or the SBE following initial denial by the district also must locate within the geographic boundaries of the district that denied the petition.

The Attorney General has opined, in 89 <u>Ops.Cal.Atty.Gen</u>. 166 (2006), that online charter schools are subject to the restrictions and conditions placed upon independent study programs, including the requirement that students reside in the charter school's home county or an adjacent county.

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, provided that: (Education Code 47605, 47605.1)

- 1. The district is notified prior to approval of the petition.
- 2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.
- 3. The charter school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

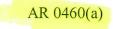
A charter school may establish and locate a resource center, meeting space, or other satellite facility in an adjacent county if both of the following conditions are met: (Education Code 47605.1)

- 1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
- 2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

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# **CSBA Sample** Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans



# LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about plan development and monitoring.

## Goals and Actions Addressing State and Local Priorities

Note: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, as amended by AB 104 (Ch. 13, Statutes of 2015), a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the State Board of Education (SBE).

In addition, several state priorities address programs and services for "unduplicated students." For purposes of supplemental and concentration grants allocated through the local control funding formula (LCFF), "unduplicated students" are defined by Education Code 42238.02 as students eligible for free or reduced-price meals, English learners, and foster youth; see the accompanying Board policy.

The district's local control and accountability plan (LCAP) shall include, for the district and each district school: (Education Code 52060)

- 1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:
  - a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

(cf. 1312.4 - Williams Uniform Complaint Procedures)

- (cf. 3517 Facilities Inspection)
- (cf. 4112.2 Certification)
- (cf. 4113 Assignment)
- (cf. 6161.1 Selection and Evaluation of Instructional Materials)

b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Language Learners)

c. Parent/guardian involvement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy

(cf. 3553 - Free and Reduced Price Meals) (cf. 6020 - Parent Involvement) (cf. 6173.1 - Education for Foster Youth)

- d. Student achievement, as measured by all of the following as applicable:
  - (1) Statewide assessments of student achievement
  - (2) Academic Performance Index
  - (3) The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that satisfy specified requirements and align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692
  - (4) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency
  - (5) The English learner reclassification rate
  - (6) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher

- (7) The percentage of students who participate in and demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301
- (cf. 0500 Accountability)
- (cf. 6141.5 Advanced Placement)
- (cf. 6162.5 Student Assessment)
- (cf. 6162.51 State Academic Achievement Tests)
- (cf. 6178 Career Technical Education)
  - e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable
- (cf. 6146.1 High School Graduation Requirements) (cf. 5113.1 - Chronic Absence and Truancy) (cf. 5147 - Dropout Prevention)
  - f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable
- (cf. 5137 Positive School Climate)
- (cf. 5144 Discipline)
- (cf. 5144.1 Suspension and Expulsion/Due Process)
- (cf. 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities))
  - g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study) (cf. 6159 - Individualized Education Program)

> h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

Note: In addition to goals aligned with the state priorities described in item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. **Optional** item #2 below may be revised to reflect local priorities.

2. Any goals identified for any local priorities established by the Board.

#### (cf. 0200 - Goals for the School District)

3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

Note: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the SPI, with approval of the SBE and conditional upon an appropriation in the state budget, to develop and implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on a school accountability report card. (Education Code 52060)

#### (cf. 0510 - School Accountability Report Card)

#### Increase or Improvement in Services for Unduplicated Students

Note: The following section is for use by districts that receive LCFF supplemental and/or concentration funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students; see BP 3100 - Budget. 5 CCR 15494-15496, as amended by Register 2015, No. 2, specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

Note: Whenever a district chooses to expend supplemental or concentration funds on a districtwide or schoolwide basis, it is required pursuant to 5 CCR 15496, as amended by Register 2015, No. 2, to include the following components in its LCAP.

When the district expends supplemental and/or concentration funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

- 1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
- 2. Describe how services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas
- 3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory. (5 CCR 15496)

## Annual Updates

On or before July 1 of each year, the LCAP shall be updated using the template in 5 CCR 15497.5 and shall include all of the following: (Education Code 52061)

- 1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Goals and Actions Addressing State and Local Priorities" above
- 2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals, and a description of changes to the specific actions the district will make as a result of the review and assessment

Note: Pursuant to Education Code 52061, the annual update to the LCAP must include expenditures for specific actions included in the LCAP and expenditures serving unduplicated students. Education Code 52061 requires that the expenditures specified in items #3-4 below be classified in accordance with the California School Accounting Manual.

- 3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above
- 4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

#### Availability of the Plan

Note: Education Code 52065 requires the district to post its LCAP and annual update or revisions to the LCAP on the district web site. In addition, the County Superintendent of Schools is required to post all district LCAPs, or links to those plans, on the county office of education web site and to transmit all such plans to the SPI, who will then post links to all plans on the California Department of Education web site.

The Superintendent or designee shall post the LCAP and any updates or revisions to the LCAP on the district's web site. (Education Code 52065)

(cf. 1113 - District and School Web Sites)

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# **CSBA Sample** Administrative Regulation

**Business and Noninstructional Operations** 

AR 3100(a)

BUDGET

#### **Budget Advisory Committee**

Note: The following **optional** section is for use by districts that have established a budget advisory committee and have selected either Option 1 or 2 in the "Budget Advisory Committee" section of the accompanying Board policy.

Membership of the district's budget advisory committee may include representatives of each of the following groups:

1. Governing Board members, provided that less than a majority of the Board serves on the committee

(cf. 9140 - Board Representatives)

District and school site administrators

Representatives of bargaining units

4. Certificated and/or classified staff

- 5. Parents/guardians
- 6. Representatives of the business community and/or other community members

7. Students

2.

(cf. 1220 - Citizen Advisory Committees) (cf. 2230 - Representative and Deliberative Groups) (cf. 9130 - Board Committees)

Note: The remainder of this section details the duties of the budget advisory committee and is for use by districts that selected either Option 1, 2, or 3 in the "Budget Advisory Committee" section of the accompanying Board policy.

The committee's duties may include, but not necessarily be limited to:

- 1. Making recommendations regarding budget priorities
- 2. Recommending cost reduction strategies, such as identifying services that may be reduced, made more efficient, or discontinued

# BUDGET (continued)

- 3. Reviewing the clarity and effectiveness of budget documents and communications
- 4. Presenting progress reports on the committee's work and a final report of recommendations to the Superintendent or designee and to the Board

The specific duties of the committee shall be clearly defined and presented to each member in writing, along with any background information necessary for the successful completion of the committee's charges, the timelines for reporting the committee's progress, and timelines for completion of each task.

(cf. 3350 - Travel Expenses)

#### **Public Hearing**

Note: Pursuant to Education Code 52062, the public hearing on the budget must be at the same meeting as the public hearing on the local control and accountability plan (LCAP) as described below; see the accompanying Board policy and BP 0460 - Local Control and Accountability Plan.

The agenda for the public hearing on the district budget shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. The proposed budget shall be available for public inspection at least three working days before this hearing. (Education Code 42103, 42127, 52062)

(cf. 0460 - Local Control and Accountability Plan) (cf. 9320 - Meetings and Notices) (cf. 9322 - Agenda/Meeting Materials)

Note: Pursuant to Education Code 42103, the County Superintendent of Schools must publish the location, dates, and times at which the district's proposed budget may be inspected, as well as the location, date, and time of the public hearing described above. This notice must be published in a newspaper of general circulation 10-45 days before the hearing.

The Superintendent or designee shall notify the County Superintendent of Schools of the location, dates, and times at which the proposed budget may be inspected, as well as the location, date, and time of the public hearing, in sufficient time for the County Superintendent to publish such information in a newspaper of general circulation at least 10 days but not more than 45 days before the hearing as required by Education Code 42103.

Note: Pursuant to Education Code 42127, as amended by AB 2585 (Ch. 309, Statutes of 2014), if the proposed budget for 2015-16 or a subsequent year includes a combined assigned and unassigned ending fund balance in excess of the minimum recommended reserve for economic uncertainties adopted by the State Board of Education and contained in 5 CCR 15450, the public hearing must provide the information specified below for public review and discussion.

# BUDGET (continued)

Whenever the proposed district budget includes a combined assigned and unassigned ending fund balance that exceeds the minimum recommended reserve for economic uncertainties adopted by the State Board of Education, the district shall provide, for each fiscal year included in the budget, the following information for public review and discussion at the public hearing: (Education Code 42127; 5 CCR 15450)

- 1. The minimum recommended reserve for economic uncertainties
- 2. The combined assigned and unassigned ending fund balances that are in excess of the minimum recommended reserve
- 3. A statement of reasons substantiating the need for the combined assigned and unassigned ending balances that are in excess of the minimum recommended reserve

During the hearing, any district resident may speak to the proposed budget or to any item in the budget. The hearing may conclude when all residents who have requested to be heard have had the opportunity to speak. (Education Code 42103)

(cf. 9323 - Meeting Conduct)

## **Budget Review Committee for Disapproved Budgets**

Note: Pursuant to Education Code 42127, as amended by SB 78 (Ch. 19, Statutes of 2015), if the County Superintendent conditionally approves or disapproves the district's initial budget, the district must respond to the County Superintendent's recommendations by October 8; see the accompanying Board policy. If the County Superintendent then disapproves that revised budget, Education Code 42127 and 42127.1 require him/her to call for the formation of a budget review committee unless the Board and the County Superintendent agree to waive the committee requirement and the California Department of Education agrees to the waiver. See BP 1431 - Waivers. The formation, convening procedures, and timelines of the budget review committee are set forth in Education Code 42127.1-42127.3.

Education Code 42127 provides that the County Superintendent cannot call for the formation of a budget review committee if his/her sole reason for disapproving the district's budget is that he/she has not approved the district's LCAP or the annual update to the LCAP.

If the district's budget is disapproved by the County Superintendent for any reason other than his/her disapproval of the district's local control and accountability plan (LCAP) or annual update to the LCAP, the budget shall be reviewed by a budget review committee, unless the Board and County Superintendent agree to waive the requirement and the California Department of Education accepts the waiver. (Education Code 42127)

Note: Pursuant to Education Code 42127.2, if the Governing Board fails to select the budget review committee from a list of candidates provided by the Superintendent of Public Instruction (SPI) within five working days of receiving the list, as provided in item #1 below, the SPI will select and convene the committee no later than 10 working days after the district's receipt of the candidate list.

# BUDGET (continued)

This committee shall consist of either: (Education Code 42127.1, 42127.2)

- 1. Three persons selected by the Board from a list of candidates provided by the Superintendent of Public Instruction (SPI), who shall be selected within five working days after receiving the list of candidates
- 2. A regional review committee convened by the County Superintendent with the approval of the Board

Note: Pursuant to Education Code 42127.2, as amended by SB 78 (Ch. 19, Statutes of 2015), the budget review committee is required to submit, by November 30, its recommendation as to whether the district's budget should be approved or disapproved and, if the recommendation is for disapproval, its recommended revisions to the budget. The SPI may extend this deadline for up to 15 working days. SB 78 also extends until December 31 the date by which the County Superintendent, in consultation with the district and SPI, must adopt a fiscal plan and budget for the district.

If the budget review committee recommends disapproval of the district budget, the Board may submit a response to the SPI no later than five working days after receipt of the committee's report. The response may include any revisions to the adopted final budget and any other proposed actions to be taken as a result of the committee's recommendations. (Education Code 42127.3)

If the SPI disapproves the district budget after reviewing the committee's report and the district's response, the Board shall consult with the County Superintendent as he/she develops and adopts, by December 31, a fiscal plan and budget that will allow the district to meet its financial obligations. For the current fiscal year, the district shall operate in accordance with the budget adopted by the County Superintendent. (Education Code 42127.3)

Until the district receives approval of its budget, it shall continue to operate either on the basis of the prior year's budget or on the basis of the current year's unapproved budget as adopted and revised by the Board, whichever budget contains a lower total spending authority. (Education Code 42127.4)

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# CSBA Sample | BP 3260 Business and Noninstructional Operations

# **Fees And Charges**

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Note: Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity as defined in Education Code 49010. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. Additionally, Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. However, pursuant to 5 CCR 350, a district is permitted, in certain circumstances, to impose fees that are specifically authorized by law. See the accompanying administrative regulation for a list of permissible fees.

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socio-economic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

Note: The following optional paragraph may be revised to reflect district practice. The prohibition against student fees pursuant to Education Code 49011 does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such fundraising activities.

The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, the district shall not offer or award to a student

any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student and shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

✓ Whenever district employees, volunteers, students, parents/guardians, or educational or civic organizations participate in such events or activities, the Superintendent or designee shall emphasize that participation in the event or activity is voluntary.

Note: Pursuant to Education Code 49013, a district is mandated to adopt a policy which allows complaints to be filed using the uniform complaint procedures when the district is alleged to have violated the prohibition against requiring unauthorized student fees. See BP/AR 1312.3 - Uniform Complaint Procedures for language implementing this mandate.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 -Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 49013 provides for districts found in violation of the prohibition against requiring student fees to design a remedy which may include reasonable efforts to fully identify and reimburse all affected individuals as specified in 5 CCR 4600, as amended by Register 2013, No. 38.

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Note: Education Code 49013 requires the district to include information about the prohibition against requiring unauthorized student fees in the annual notification required pursuant to 5 CCR 4622.

- Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification required to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)
  - (cf. 4112.9/4212.9/4312.9 Employee Notifications)
  - (cf. 5145.6 Parental Notifications)

Note: The following paragraph is optional and may be revised to reflect district practice.

The Superintendent or designee may provide additional information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

# EDUCATION CODE

8239 Preschool and wraparound child care services

- 8250 Child care and development services for children with disabilities
- 8263 Child care eligibility
- 8482.6 After School Education and Safety programs
- 8760-8774 Outdoor science and conservation programs
- 17453.1 District sale or lease of Internet appliances or personal computers to students or parents

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38086 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39801.5 Transportation for adults

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents

48904 Liability of parent or guardian

49010-49013 Student fees
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant aliens
56504 School records; students with disabilities
60410 Students in classes for adults
GOVERNMENT CODE
6253 Request for copy; fee
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
CODE OF REGULATIONS, TITLE 5
350 Fees not permitted
4600-4687 Uniform complaint procedures
UNITED STATES CODE, TITLE 8
1184 Foreign students
COURT DECISIONS
Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513
Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251
Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Hartzell v. Connell (1984) 35 Cal. 3d 899
CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony, Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

CSBA: http://www.csba.org

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

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# CSBA Sample | AR 3260 Business and Noninstructional Operations

## **Fees And Charges**

Note: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law. Other permissible fees may exist and be identified in the future.

Note: Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees may be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult with legal counsel.

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330).

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

Note: Education Code 17551 permits the district to sell to a student any nonperishable property of the district which has been fabricated by the student, as provided in item #6 below. California Department of Education (CDE) Fiscal Management Advisory 12-02 clarifies that this cost applies to materials the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

Note: Education Code 17453.1 permits the district to sell or lease Internet appliances or personal computers to students as provided in item #10 below. CDE Fiscal Management Advisory 12-02 defines "Internet appliance" as a technological product that allows connection or access to an online educational network and clarifies that Internet appliances and personal computers are deemed supplemental and not an essential part of a district's educational program.

10. Sale or lease of Internet appliances or personal computers for the purpose of providing access to the district's educational computer network, at no more than cost, as long as the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

11. Fees for any community service class in civic, vocational, illiteracy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810, 51815)

(cf. 6142.4 - Service Learning/Community Service Classes)

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Funds)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects or for which high school credit is granted when taken by a person who does not hold a high school diploma or, effective

July 1, 2015, classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

20. After School Education and Safety Programs, as long as no eligible student is denied the ability to participate because of inability to pay the fee (Education Code 8482.6)

Note: In Fiscal Management Advisory 12-02, the CDE lists item #21 below as permissible. Districts with questions concerning this item should consult legal counsel.

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.5 - Advanced Placement)

Note: In its Addendum to Fiscal Management Advisory 12-02 issued in October 2013, the CDE clarifies that a district that requires its students to wear a cap and gown as a condition for their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor.

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#### **Business and Noninstructional Operations**

#### SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES

Note: The following policy and administrative regulation address the sale and disposal of district-owned personal property, such as instructional materials, equipment, and supplies. For policy on the sale or lease of surplus real property, see BP 3280 - Sale or Lease of District-Owned Real Property.

The Governing Board recognizes its fiscal responsibility to maximize the use of district equipment, supplies, instructional materials, and other personal property while providing up-to-date resources that facilitate student learning and effective district operations. When the Board, upon recommendation of the Superintendent or designee, declares any district-owned personal property unusable, obsolete, or no longer needed, the Board shall determine the estimated value of the property and shall decide whether the property will be donated, sold, or otherwise disposed of as prescribed by law and administrative regulation.

(cf. 0440 - District Technology Plan) (cf. 3512 - Equipment) (cf. 6161.11 - Supplementary Instructional Materials) (cf. 6163.1 - Library Media Centers)

The Board shall approve the price and terms of any sale or lease of personal property of the district.

If the Board members who are in attendance at a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value, the property may be sold without advertising for bids. (Education Code 17546)

If the Board members who are in attendance at a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of by dumping. (Education Code 17546)

Note: Education Code 60510-60530 establish conditions for the sale or disposal of obsolete instructional materials depending on whether such materials are usable or unusable for educational purposes; see the section "Instructional Materials" in the accompanying administrative regulation. The following **optional** paragraph prescribes criteria for determining when instructional materials are obsolete or unusable, and may be revised to reflect district practice. The mandate to adopt rules and procedures setting standards for identifying obsolete materials was repealed by SB 971 (Ch. 923, Statutes of 2014).

- Instructional materials shall be considered obsolete or unusable by the district if they have been replaced by more recent editions or new materials selected by the Board, are not aligned with the district's academic standards or course of study, and have no foreseeable value in other instructional areas. Such materials may be sold or donated if they continue to serve educational purposes that would benefit others outside the district. Instructional materials are not appropriate for sale or donation if they meet any of the following criteria:
  - 1. Contain information rendered inaccurate or incomplete by new research or technologies

## SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (continued)

- 2. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy
- 3. Are damaged beyond use or repair

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1312.4 - Williams Uniform Complaint Procedures) (cf. 6161.1 - Selection and Evaluation of Instructional Materials) (cf. 6011 - Academic Standards) (cf. 6143 - Courses of Study)

Note: Pursuant to 34 CFR 80.32-80.33, equipment or supplies acquired under a federal grant or subgrant may be retained, sold, or otherwise disposed of, with no further obligation to the awarding federal agency, when they are no longer needed for the original project or program or for other federally supported activities. However, when the current per-unit fair market value of the equipment or the residual inventory of the unused supplies is \$5,000 or more, the federal agency that provided the grant or subgrant shall be entitled to a share of the current market value of the equipment, if retained, or the proceeds from its sale, and to compensation for its share of the unused supplies. See the accompanying administrative regulation.

✓ The Superintendent or designee shall establish procedures to be used whenever the district sells equipment or supplies originally acquired under a federal grant or subgrant. Such procedures shall be designed to ensure the highest possible return. (34 CFR 80.32)

(cf. 3440 - Inventories)

Legal Reference: (see next page)

#### SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (continued)

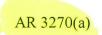
#### Legal Reference:

EDUCATION CODE 17540-17542 Sale or lease of personal property by one district to another 17545-17555 Sale of personal property 35168 Inventory, including record of time and mode of disposal 60510-60530 Sale, donation, or disposal of instructional materials <u>GOVERNMENT CODE</u> 25505 District property; disposition; proceeds <u>CODE OF REGULATIONS, TITLE 5</u> 3944 Consolidated categorical programs, district title to equipment 3946 Disposal of equipment purchased with state and federal consolidated application funds <u>UNITED STATES CODE, TITLE 40</u> 549 Surplus property <u>CODE OF FEDERAL REGULATIONS, TITLE 34</u> 80.32-80.33 Equipment and supplies acquired under a grant or subgrant

Management Resources:

<u>CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS</u> <u>California School Accounting Manual</u> <u>Standards for Evaluating Instructional Materials for Social Content</u>, 2013 <u>WEB SITES</u> California Department of Education: http://www.cde.ca.gov School Services of California, Inc.: http://www.sscal.com

#### **Business and Noninstructional Operations**



#### SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES

Note: The following administrative regulation addresses the sale and disposal of district-owned personal property, such as instructional materials, equipment, and supplies. For procedures regarding the disposal of real property, see BP/AR 3280 - Sale or Lease of District-Owned Real Property.

Education Code 42303, which established conditions for the sale of school buses by districts receiving a state apportionment to replace the buses, was repealed by SB 78 (Ch. 19, Statutes of 2015).

#### **Instructional Materials**

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Note: Education Code 60510-60530 address the sale or disposal of surplus or undistributed obsolete instructional materials that are either usable or unusable for educational purposes. See the accompanying Board policy for language regarding the determination of instructional materials as obsolete or unusable.

The legal requirement to use the proceeds of the sale of surplus or obsolete instructional materials to purchase new instructional materials, supplemental instructional materials, or technology-based materials was repealed by SB 971 (Ch. 923, Statutes of 2014).

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the district. Alternatively, such materials may be donated to: (Education Code 60510)

- 1. Another district, county free library, or other state institution
- 2. A United States public agency or institution
- 3. A nonprofit charitable organization
- 4. Children or adults in California or foreign countries for the purpose of increasing the general literacy of the people

(cf. 0440 - District Technology Plan)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Any organization, agency, or institution receiving obsolete instructional materials donated by the district shall certify to the Governing Board that it agrees to make no charge to any persons to whom it gives or lends these materials. (Education Code 60511)

Note: Education Code 60510.5 encourages, but does not require, districts to take actions described in the following **pptional** paragraph.

At least 60 days before selling or donating surplus or undistributed obsolete instructional materials, the Superintendent or designee shall notify the public of the district's intention to do so through a public service announcement on a local television station, in a local pewspaper, or by other means that will most effectively reach the entities described above.

### SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (continued)

Representatives of those entities and members of the public also shall be notified of the opportunity to address the Board regarding the distribution of these materials.

(cf. 9323 - Meeting Conduct)

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code 60530)

1. Mutilated as not to be satable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest obtainable price

2. Destroyed by any economical means, provided that the materials are not destroyed until at least 30 days after the district has given notice to all persons who have filed a request for such notice

(cf. 3510 - Green School Operations) (cf. 3511.1 - Integrated Waste Management)

# Equipment/Supplies Acquired with Federal Funds

Note: 34 CFR 80.32-80.33 address the sale or disposal of equipment and supplies that were acquired under a federal grant or subgrant. See BP 3512 - Equipment for additional requirements pertaining to the management of such equipment and supplies.

When the district has a need to replace equipment originally purchased with funds from a federal grant or subgrant, it may, subject to the approval of the agency that awarded the grant, trade in the original equipment or sell the property and use the proceeds to offset the cost of the replacement property. (34 CFR 80.32)

When any original or replacement equipment or supplies acquired under a federal grant or subgrant are no longer needed for the original project or program or for other federally supported activities, the district may retain or sell such items or, if the item has a current fair market value of less than \$5,000, may otherwise dispose of the item in a manner approved by the Board. Whenever the district sells equipment or supplies that have a current fair market value of \$5,000 or more, it shall provide an amount to the federal agency equal to the agency's share of the current market value of the equipment or the proceeds from the sale of the equipment or supplies. (34 CFR 80.32-80.33)

In the event that the district is provided equipment that is federally owned, the district shall request disposition instructions from the federal agency when it no longer needs the equipment. (34 CFR 80.32)

# SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (continued)

### **Other Personal Property**

The district may sell other surplus or obsolete district-owned personal property through any of the following methods:

1. The Superintendent or designee may advertise for bids by posting a notice in at least three public places in the district for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, publishing within the district. The district shall sell the property to the highest responsible bidder or shall reject all bids. (Education Code 17545, 17548)

Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 17546)

(cf. 3311 - Bids)

- 2. The property may be sold by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. (Education Code 17545)
- 3. The district may sell the property without advertising for bids under any of the following conditions:

Note: Pursuant to Education Code 17546, advertising without bids is authorized when the Governing Board members attending a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value; see the accompanying Board policy.

a. The Board members in attendance at a meeting have unanimously determined that the property does not exceed \$2,500 in value. (Education Code 17546)

(cf. 9323.2 - Actions by the Board)

Note: Education Code 17540 authorizes the sale of property to government agencies eligible under the federal surplus property law, renumbered as 40 USC 549.

b. The district sells the property to agencies of the federal, state, or local government, to any other school district, or to any agency eligible under the federal surplus property law and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling. (Education Code 17540; 40 USC 549)

### SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES (continued)

c. The district sells or leases the property to agencies of the federal, state, or local government or to any other school district and the price and terms of the sale or lease are fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)

Money received from the sale of surplus personal property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

(cf. 3100 - Budget)

Regulation approved:

### CSBA Sample | BP 3280 Business and Noninstructional Operations

### Sale Or Lease Of District-Owned Real Property

Note: The following optional policy and accompanying administrative regulation detail the procedures that govern the district's sale or lease of surplus real property.

Note: When district properties are not being utilized for school purposes after specific time periods, Education Code 17219-17224 authorize the State Allocation Board (SAB) to charge an "unused site fee." The Office of Public School Construction has developed a guide, the Unused Site Program Handbook, to assist districts with non-use payments.

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Note: Education Code 17455 authorizes the sale, or lease of up to 99 years, of any district real property together with any personal property located thereon without taking a vote of the electors of the district. To do so, the property must not or will not be needed by the district and the district must follow the procedures under Education Code 17387-17391. When a district is selling any property or leasing it with an option to purchase, Education Code 17464 lists the public entities that have priority to lease or purchase surplus district properties and the types of notice that the district must provide such entities before disposing of the property. Pursuant to Education Code 17457.5, as amended by AB 86 (Ch. 48, Statutes of 2013), an offer to sell the property must first be extended to a charter school that: (1) projects an in-district average daily attendance of at least 80 students for the following fiscal year, (2) submitted a written request to the district to be notified of surplus property offered for sale or lease by the district, and (3) intends to use the property exclusively to provide instruction or instructional support.

Note: Under certain circumstances, districts may also need to comply with Education Code 17485-17500 (the Naylor Act), which require the granting of priority to public agencies when disposing of any district property that includes a playground, playing field, or land with an outdoor recreational purpose. Under certain conditions, the district may grant priority to licensed child care providers pursuant to Education Code 17458 or may sell surplus property for less than fair market value to public entities for recreational purposes pursuant to Education Code 17230.

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Note: When proposing the sale or lease of surplus property, the district must also comply with the California Environmental Quality Act, Public Resources Code 21000-21177.

The Governing Board believes that the district should utilize its facilities and resources in the most economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space for the effective delivery of instruction.

(cf. 1330 - Use of School Facilities)

(cf. 7110 - Facilities Master Plan)

# (cf. 7111 - Evaluating Existing Buildings)

(cf. 7160 - Charter School Facilities)

Note: Pursuant to Education Code 17388, before surplus real property is sold or leased, the Governing Board must appoint an advisory committee to advise the Board on the disposition of such property. Education Code 17389 requires that the advisory committee be representative of specific groups within the community and be composed of not less than seven nor more than 11 members (commonly referred to as a "7-11 committee").

✓ Prior to the sale or lease of any surplus real property, the Board shall appoint a district advisory committee to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388-17389)

(cf. 1220 - Citizen Advisory Committees)

Note: Pursuant to Government Code 65402, before disposing of any real property, the district is required to submit a report to its local planning agency for comparison with the local planning agency's general plan. The planning agency has 40 days during which it may raise objections. If objections are not raised within 40 days, the lack of response is deemed acceptance of the district report. If objections are timely raised, the Board may either make adjustments to accommodate such objections or take further steps to override those objections.

Upon determination that district property is no longer needed, or may not be needed until some future time, the Board shall first submit a report to the local planning agency as to what real property the district intends to offer for sale or lease. Not less than 40 days after issuance of the report to the local planning agency, and prior to entering into any agreement for sale or lease of district real property, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in applicable law. (Education Code 17230, 17387-17391, 17457.5, 17464, 17485-17500; Government Code 54222, 65402)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: Pursuant to Education Code 17462.3, as amended by AB 308 (Ch. 496, Statutes of 2013), the SAB may require a district selling real property purchased, constructed, or modernized with funds received from a state school facilities funding program to return those funds if: (1) the state funds were received and the property purchased or improved within the previous 10 years; (2) the proceeds from the sale are not used for capital outlay; and (3) the property is not sold to a charter school, another school district, a county office of education, or an agency that will use the property exclusively for the delivery of child care and development services.

/ In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a school facilities funding program, the Board shall consider whether

any of the proceeds from the sale will need to be returned to the State Allocation Board (SAB) pursuant to Education Code 17462.3.

Resolution of Intention to Sell or Lease

✓ Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a twothirds vote of all of its members at a regularly scheduled open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

(cf. 9320 - Meetings and Notices)

(cf. 9323.2 - Actions by the Board)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a newspaper exists. (Education Code 17469)

In accordance with Education Code 17470, the Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting a written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

(cf. 1431 - Waivers)

### Use of Proceeds

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Note: Pursuant to Education Code 17462, the proceeds derived from the sale or lease of surplus property must be used for capital outlay or maintenance. However, proceeds from the sale or lease with an option to purchase may be deposited in the district's general fund when the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements. Thus, districts may not apply to the state for new construction or modernization funding during that time period unless certain conditions specified in Education Code 17462 are satisfied.

Note: In addition, Education Code 17462 requires that the proceeds be used for one-time expenditures and prohibits the use for ongoing expenditures. 2 CCR 1700 defines "ongoing expenditures" as costs paid by a district's general or special fund in support of salaries. However, 2 CCR 1700 creates an exception and authorizes the use of such proceeds, if approved by the SAB, for one-time funding to reduce a district's unfunded liability for other postemployment benefits (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees). For information about prefunding OPEBs and reporting the district's liability for OPEBs, see BP 3100 - Budget and AR 3460 - Financial Reports and Accountability.

The Superintendent or designee shall ensure that the proceeds from the sale, or lease with an option to purchase, of district surplus property are used in accordance with law. (Education Code 17462; 2 CCR 1700)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

Note: As amended by AB 86 (Ch. 48, Statutes of 2013), Education Code 17463.7 has extended, until January 1, 2016, the authority to use the proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose. Districts that choose to exercise this authority will be ineligible for hardship funding from the SAB for five years after the proceeds are deposited.

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Note: Prior to exercising this authority, Education Code 17463.7 requires the Board to adopt a plan for expending the resources and to make specific certifications to the SAB, as specified below. Education Code 17463.7 contains additional requirements applicable to the sale of property purchased with proceeds from a local general obligation bond or revenue from developer fees.

/ Pursuant to the authorization in Education Code 17463.7, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real

property, for any one-time general fund purpose(s). Before the district exercises this authority: (Education Code 17463.7)

1. The Board shall submit documents to the SAB certifying that:

a. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.

b. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.

(cf. 7214 - General Obligation Bonds)

c. The real property is not suitable to meet projected school construction needs for the next 10 years.

2. The Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district.

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

17457.5 Offer to charter school

17462.3 State Allocation Board program to reclaim funds

17463.7 Proceeds for general fund purposes

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App. 4th 1356

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008

WEB SITES

CSBA: http://www.csba.org

California Department of Education, School Facilities Planning Division: http://www.cde.ca.gov/ls/fa

Coalition for Adequate School Housing: http://www.cashnet.org

Office of Public School Construction: http://www.dgs.ca.gov/opsc

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http://gamutonline.net/DisplayPolicy/909476/



#### BIDS

Note: Pursuant to Government Code 54202, districts are **mandated** to adopt bidding procedures governing the purchase of equipment and supplies.

The following administrative regulation is for use by districts that have <u>not</u> adopted the provisions of the Uniform Public Construction Cost Accounting Act (UPCCAA). Procedures and bid limits under the UPCCAA are specified in Public Contract Code 22030-22045.

### Advertised/Competitive Bids

The district shall advertise for competitive bids when any public project contract involves an expenditure of \$15,000 or more. *Public project* means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

Note: For items #1-3 below, Public Contract Code 20111 requires the Superintendent of Public Instruction (SPI) to annually establish a bid limit that reflects U.S. Department of Commerce data. The following **optional** paragraph allows the amount to escalate automatically once the SPI has made the annual determination. For 2015, the bid limit is \$86,000.

The district shall also advertise for competitive bids when a contract exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

- 1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
- 2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
- 3. Repairs that are not a public project, including maintenance

*Maintenance* means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

### Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such

newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

#### (cf. 1113 - District and School Web Sites)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Note: For a bid to be successful, it must conform to specifications (i.e., it must be "responsive") and the bidder must be determined to be able to perform the work (i.e., he/she must be "responsible"). A district must be careful in making a determination on the "non-responsiveness" of a bid based on investigation or information outside of the submitted bid. In addition, when relying on outside investigation or information to disqualify a bidder, the district must follow the hearing procedures applicable for a finding of "non-responsibility." (Great West Contractors Inc. v. Irvine Unified School District) To avoid any confusion, the district should provide clear and comprehensive specifications to bidders.

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

- 2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
  - a. Cash
  - b. A cashier's check made payable to the district
  - c. A certified check made payable to the district
  - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

- 3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
- 4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
- 5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)

Note: Public Contract Code 20103.8 specifies that, in those cases when the bid includes items that may be added to or deducted from the scope of the work in the contract, the bid solicitation must specify the method to be used to determine the lowest bid, as detailed below. Districts should consult with legal counsel, as appropriate, as to the applicability of this law to school districts and other unclear provisions of this law.

- 6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

- 7. The district shall consider only responsive bids from responsible bidders in determining the lowest bid.
- 8. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
- 9. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

#### (cf. 1340 - Access to District Records)

10. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

#### **Prequalification Procedure**

Note: The following section is **optional**. Pursuant to Public Contract Code 20111.6, as amended by AB 566 (Ch. 214, Statutes of 2015), a district with average daily attendance (ADA) of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and plumbing subcontractors for any public project of \$1 million or more awarded on or after January 1, 2015, when the project uses or is reimbursed from School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds.

Additionally, pursuant to Public Contract Code 20111.5, districts are permitted, but not required, to establish prequalification procedures for other contracts which, by law, require competitive bidding.

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized proposal form which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

Note: Pursuant to Public Contract Code 20111.6, as amended by AB 1581 (Ch. 408, Statutes of 2014), districts' authority to set timelines for bid submittal and opening as specified in the following paragraph apply to contracts awarded on or after January 1, 2015 and will be in effect only until January 1, 2019. In addition, Public Contract Code 20111.6, as amended by AB 566 (Ch. 214, Statutes of 2015), clarifies that the requirement for prequalification applies to projects that will be reimbursed from future state school bonds, not just those that use funds "received" from state construction bonds.

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Education Code 17406, 17407; Public Contract Code 20111.6)

- 1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in the Business and Professions Code 4113, 7056, or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
- 2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

#### Award of Contract

Note: Pursuant to Public Contract Code 20111, the district is required to award a contract to the lowest responsible bidder except in the circumstances specified in the following **optional** section.

The district shall award each contract to the lowest responsible bidder except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)

2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)

Note: Pursuant to Public Contract Code 2000-2002, a district is permitted to establish bidding requirements that facilitate the participation of minority, women, disabled veteran, and small business enterprises in contracts. Though minorities and women are included in Public Contract Code 2000, Article 1, Section 31(a) of the California Constitution prohibits the granting of preferences based on race, sex, color, ethnicity, etc., in state employment and contracting. The district should consult legal counsel if there is any question about the granting of preferences to any such business.

3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)

(cf. 9270 - Conflict of Interest)

#### Protests by Bidders

Note: The law does not specify a procedure for handling protests by bidders. The following optional section provides one such procedure and should be modified to reflect district practice.

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

Note: The following paragraph provides a process for appealing a bid award to the Board. Although the law does not specify the notice to be given in this circumstance, CSBA recommends at least three business days which may be modified to reflect district practice.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

### Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

- 1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
- 2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
- 3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
- 4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
- 5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
- 6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
- 7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.

- 8. The Board, at its discretion, may reject all proposals and request new RFPs.
- 9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

### Sole Sourcing

Note: "Sole sourcing" is the practice by which one brand name product is specified, although comparable, competitive products are available. Public Contract Code 3400 allows sole sourcing in limited circumstances and requires that the specification of the designated product be followed by the words "or equal," so that bidders for such a contract are able to base their bids on the use of other products of equal functionality that may result in cost savings for the district. The following section is **optional**.

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3400)

- 1. Does not directly or indirectly limit bidding to any one specific concern
- 2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

Note: The following **optional** paragraph is for use by districts with ADA of more than 2,500. For the repair or replacement of the roof of a public facility, a material must meet the requirements specified below to be considered "equal" pursuant to Public Contract Code 3000-3010.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

- 1. To conduct a field test or experiment to determine its suitability for future use
- 2. To match others in use on a particular public improvement that has been completed or is in the course of completion
- 3. To obtain a necessary item that is only available from one source
- 4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 - Actions by the Board)

### **Bids Not Required**

Note: The following paragraph lists those items that may be purchased through a "piggybacked" bid; see the accompanying Board policy. Many districts have used the piggyback procedure to purchase portable and relocatable buildings. The Attorney General has opined (89 <u>Ops.Cal.Atty.Gen.</u> 1 2006) that a district may not rely on the piggyback exception to contract for the acquisition and installation of factory-built modular building components (i.e., roofs and walls) for installation on a permanent foundation. However, this opinion does not apply to typical portable or relocatable single-classroom buildings, because they lack a permanent foundation and building mobility. Districts considering using the piggyback process for relocatables, portables, modulars, and the like should consult district legal counsel. While Attorney General opinions are not binding, they are often given deference by the court and may also be considered by the State Allocation Board when making funding decisions.

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases) (cf. 3512 - Equipment)

Note: The following **optional** paragraph is commonly described as the "lease-leaseback" contract. This construction financing method should only be used in coordination with competent technical consultants and legal counsel to ensure all legal requirements are met. Pursuant to Education Code 17407.5, as added by AB 566 (Ch. 214, Statutes of 2015), the contractor must provide an enforceable commitment to the district that it will use a certain percentage of skilled and trained workers to complete project-related work that is within an "apprenticeable occupation" as defined in Labor Code 3075.

In addition, upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code 17406, 17407.5)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Note: In <u>Davis v. Fresno Unified School District</u>, a California appellate court ruled that, to be valid, a leaseleaseback agreement must contain a lease term and a financing component as specified in the following paragraph.

Any lease-leaseback agreement shall include a lease term that specifies the district's occupancy of the building or improved property and a financing component as may be determined on a case-by-case basis.

Note: Pursuant to Education Code 17406, as amended by AB 1581 (Ch. 408, Statutes of 2014), the prequalification requirements for contracts that meet the criteria specified in Public Contract Code 20111.6 are also applicable to lease-leaseback contracts. As amended by AB 566 (Ch. 214, Statutes of 2015), Education Code 17406 requires prequalification for such projects irrespective of whether or not they are funded locally or through state sources and makes the provision applicable to all districts, not just those with ADA of 2,500 or more. See "Prequalification Procedure" section above.

Regardless of the funding source, when any lease-leaseback agreement is for a public project, involves an expenditure of \$1,000,000 or more, and meets other criteria in Public Contract Code 20111.6, the prequalification requirements specified in the "Prequalification Procedure" section above shall be followed. (Education Code 17406)

Note: The following **optional** paragraph reflects the authority granted to public agencies pursuant to Government Code 4217.10-4217.18 to enter into energy service contracts without competitive bidding when the agency's governing body determines that the contract is in the best interest of the agency based on the "costs-benefits" analysis specified in Government Code 4217.12.

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

#### (cf. 3511 - Energy and Water Management) (cf. 9320 - Meetings and Notices)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials) (cf. 6161.11 - Supplementary Instructional Materials) (cf. 6163.1 - Library Media Centers)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

#### (cf. 3551 - Food Service Operations/Cafeteria Fund)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

Note: Pursuant to Public Contract Code 20113, a district may award contracts without competitive bidding in emergency situations, as specified below. In <u>Marshall v. Pasadena Unified School District</u>, a court held that the definition of "emergency" in Public Contract Code 1102 is applicable. Public Contract Code 1102 defines "emergency" as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

#### (cf. 3517 - Facilities Inspection)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

Regulation approved:

## CSBA Sample | AR 3460 Business and Noninstructional Operations

# Financial Reports And Accountability

# Interim Reports

Note: Education Code 42130 requires that the district issue two interim fiscal reports; see the accompanying Board policy for information about the use of these reports to certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years.

Each interim fiscal report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

Note: Interim reports must be based on the criteria and standards adopted by the State Board of Education (SBE) pursuant to Education Code 33127. These criteria and standards are specified in 5 CCR 15453-15464, as amended by Register 2013, No. 49, and address the areas listed below. As amended, 5 CCR 15453 and 15460 replace the standard for revenue limits with a standard for LCFF revenue beginning in the 2014-15 fiscal year. 5 CCR 15460 provides that projected LCFF revenue for the current fiscal year or any of the two subsequent fiscal years should not have changed by more than two percent since budget adoption.

The interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464)

(cf. 3100 - Budget)

(cf. 3220.1 - Lottery Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

The report shall also provide supplemental information regarding contingent liabilities, use of onetime revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

(cf. 3110 - Transfer of Funds)

# ✓ Audit Report

Note: Pursuant to Education Code 41020, each year the district is required to arrange for an independent audit of all the district's funds. The audit must be approved by the Governing Board and submitted to the County Superintendent of Schools, California Department of Education (CDE), and State Controller within specified timelines. See the accompanying Board policy.

The Superintendent or designee shall establish a timetable for the completion and review of the annual audit within the deadlines established by law.

Note: The following paragraph is optional. Governmental Accounting Standards Board (GASB) Statement 34 contains requirements for the contents of the district's annual audited financial reports.

The Superintendent or designee shall provide the necessary financial records and cooperate with the auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

Note: Pursuant to Education Code 41020, the audit must include an audit of income and expenditures for all district funds, as provided below. Additionally, AB 97 (Ch. 47, Statutes of 2013) amended Education Code 41020 to require that the audit include a determination of whether funds were expended in accordance with the district's local control and accountability plan (LCAP). Pursuant to Education Code 52061, as added by AB 97 and amended by SB 97 (Ch. 357, Statutes of 2013), the annual update to the LCAP must list expenditures for specific actions to be taken to achieve the goals in the LCAP, including expenditures for services to English learners, foster youth, and students eligible for free and reduced-price meals. See BP/AR 0460 - Local Control and Accountability Plan for requirements pertaining to the LCAP.

The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3430 - Investing)

(cf. 3451 - Petty Cash Funds)

(cf. 3452 - Student Activity Funds)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

Note: The following optional paragraph is for use by districts that elect to participate in the school district of choice program (Education Code 48300-48316); see BP/AR 5117 - Interdistrict Attendance. Pursuant to Education Code 48301, any district that elects to participate in the school district of choice program must ensure that its annual financial

audit includes a review of the district's compliance with program requirements to establish a random, unbiased process for student admittance and to provide appropriate and factually accurate parent/guardian communications. A summary of any audit exceptions found by the auditor must be included in reports to each geographically adjacent school district, the county office of education, CDE, and Department of Finance as required by Education Code 48313.

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

(cf. 5117 - Interdistrict Attendance)

Note: Pursuant to 31 USC 7502, Office of Management and Budget (OMB) Circular A-133, and subsequent compliance supplements, whenever the district expends \$500,000 or more in federal funds during a fiscal year, its audit of federal funds must be submitted to the federal audit clearinghouse designated by the OMB within the timelines specified below. Although submission of the report is often done by the auditor, it is the district's responsibility to ensure that it is submitted on time.

When required by federal law, specified records pertaining to the audit of federal funds received and expended by the district shall be transmitted to the federal clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the fiscal year, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (31 USC 7502)

Note: Pursuant to Education Code 41344 and 41344.1, the district may appeal to the Education Audit Appeals Panel (EAAP) when an audit finding requires the district to repay an apportionment or pay a penalty. If the EAAP finds that there has been substantial compliance with the law, it may waive or reduce repayments or order other remedial measures to induce future compliance.

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

# ✓ Fund Balance

Note: The following optional section reflects GASB Statement 54, which addresses the manner in which fund balances in the general fund must be reported in external financial reports. Pursuant to GASB 54, the Board has sole authority to specify purposes of committed funds (item #3 below) and also must express, or delegate the authority to

express, intended purposes of resources resulting in the assigned fund balance (item #4 below); see BP 3100 - Budget.

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact

2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law

3. Committed fund balance, including amounts constrained to specific purposes by the Board

4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose

5. Unassigned fund balance, including amounts that are available for any purpose

Wegative Balance Report

Note: When applicable, Education Code 42127.5 requires districts to report the reasons for a negative unrestricted fund balance or negative cash balance. "Unrestricted funds" are any funds that are not constrained by law to be spent on specific purposes and which therefore may be spent as the Board deems appropriate. Such funds may be reported in the committed fund balance, assigned fund balance, or unassigned fund balance as provided in items #3-5 in the section "Fund Balance" above.

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Non-Voter-Approved Debt Report

Note: The following section addresses notices regarding the issuance of revenue bonds, certificates of participation, and other non-voter-approved debts. Pursuant to Education Code 17150 and 17150.1, the County Superintendent and county auditor may, within 15 days of receiving these notices from the district, comment publicly to the Board regarding the capability of the district to repay the debt obligation.

Pursuant to Education Code 42133, a district that has a qualified or negative certification in any fiscal year cannot issue non-voter-approved debt in that fiscal year or in the next fiscal year unless the County Superintendent determines that the district's repayment of the debt is probable.

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or

designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

(cf. 7214 - General Obligation Bonds)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report (GASB 45)

Note: GASB Statement 45 contains reporting requirements pertaining to "other postemployment benefits" (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees). Under GASB 45, the district must report OPEBs as a current expense during the working years of an employee, calculated by an actuary using one of six specified actuarial cost methods. In addition, to the extent that the OPEBs are not prefunded in a designated fund or irrevocable trust, they must be reported as a liability on the district's financial statements. The decision of whether to prefund the benefits, and by how much, is at the Board's discretion; see BP 3100 - Budget.

Note: The SBE's criteria and standards for budget adoption (5 CCR 15440-15451) require districts to estimate unfunded OPEBs as well as the unfunded portion of any self-insured benefits program. Changes to the unfunded liabilities are disclosed at interim reporting periods pursuant to 5 CCR 15453 and 15464. These reports are included in the state's standardized account code structure software used to develop budget and interim reports.

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Note: CSBA's GASB 45 Solutions program provides access to qualified actuaries and consultants and a GASB 45-compliant trust to prefund future obligations. See CSBA's web site for further information.

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Note: The following optional section may be revised to reflect district practice and should be deleted by districts that do not provide OPEBs.

In accordance with GASB Statement 45, the district's financial statements shall report the annual expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or

designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a public meeting of the Board. (Education Code 42140)

Note: Pursuant to GASB 45, the district must arrange for an actuary to update the valuation of its OPEB obligations either every two years (for OPEB plans with a total membership of 200 or more) or every three years (for OPEB plans with fewer than 200 members). CDE correspondence dated February 26, 2007 indicates that districts with fewer than 100 plan members may use an alternative method that does not require the services of an actuary. The district may revise the following paragraph to reflect the district's circumstances.

The amount of the district's financial obligation for OPEBs shall be reevaluated every two or three years in accordance with GASB 45 depending on the number of members in the OPEB plan.

Workers' Compensation Claims Report

Note: The following optional section is for use by districts that are self-insured for workers' compensation claims, either individually or as part of a joint powers agency. See BP 3100 - Budget for provisions related to funding the estimated accrued cost of workers' compensation claims.

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

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### EQUIPMENT

Note: The <u>California School Accounting Manual</u> distinguishes between "equipment" and "supplies" and defines equipment as having relatively permanent value (e.g., is serviceable for more than one year) and substantially increasing the value of the district's physical assets. Equipment is generally not of an expendable nature and does not easily deteriorate in use. Examples include computer systems, machinery, vehicles, and playground equipment.

District equipment shall be used primarily for educational purposes and/or to conduct district business. The Superintendent or designee shall ensure that all employees, students, and other users understand the appropriate use of district equipment and that any misuse may be cause for disciplinary action or loss of user privilege.

(cf. 0440 - District Technology Plan)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3540 - Transportation)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 4040 - Employee Use of Technology)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 5142 - Dismissal/Suspension/Disciplinary Action)
(cf. 5142 - Safety)
(cf. 6000 - Concepts and Roles)
(cf. 6163.4 - Student Use of Technology)
(cf. 6171 - Title I Programs)

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

(cf. 1230 - School-Connected Organizations) (cf. 1330 - Use of School Facilities)

Note: The following paragraph is **optional**. It is recommended that the district check its liability coverage for off-site use of district equipment and materials. Whenever an individual is authorized to borrow district equipment, he/she could be required to complete a form identifying the equipment and the intended use and indicating that the individual will assume responsibility for any loss or damage to the equipment. See the accompanying Exhibit for a sample form that may be used for this purpose.

The Superintendent or designee shall approve the transfer of any district equipment from one work site to another and the removal of any district equipment for off-site use. When any equipment is taken off site, the borrower is responsible for its safe return and shall be fully liable for any loss or damage.

Employees transferred to another work site shall take with them only those personal items that have been purchased with their own funds unless otherwise authorized by the Superintendent or designee or applicable Board policy.

# EQUIPMENT (continued)

Note: Education Code 35168 requires the district to maintain an inventory containing specified information for all equipment currently valued in excess of \$500. Although 34 CFR 80.3 and 80.32 only require districts to maintain inventory records of tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, the state's Federal Program Monitoring process reviews whether the district maintains an inventory record for every item of equipment with an acquisition cost of \$500 or more per unit that is purchased with state and/or federal categorical funds. CSBA recommends an inventory of all equipment currently valued in excess of \$500 in order to simplify the district's inventory procedures and to comply with law. Also see AR 3440 - Inventories.

The Superintendent or designee shall maintain an inventory of all equipment currently valued in excess of \$500. (Education Code 35168; 5 CCR 3946)

#### (cf. 3440 - Inventories)

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 34 CFR 80.32, as applicable.

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

#### **Equipment Acquired with Federal Funds**

Note: Office of Management and Budget (OMB) guidance in OMB Circular A-87 (<u>Cost Principles for State</u>, <u>Local</u>, <u>and Indian Tribal Governments</u>) requires a district receiving federal grant funds to obtain prior written approval from its awarding agency before incurring the cost of a capital expenditure. Both the OMB guidance and generally accepted accounting principles identify equipment as a capital expenditure.

The Superintendent or designee shall obtain prior written approval from the California Department of Education or other awarding agency before purchasing equipment with federal funds.

#### (cf. 3300 - Expenditures and Purchases)

All equipment purchased for federal programs funded through the consolidated application pursuant to Education Code 64000-64001 shall be labeled with the name of the project, identification number, and name of the district. (5 CCR 3946)

For any equipment acquired in whole or in part with federal funds, the Superintendent or designee shall develop adequate maintenance procedures to keep the property in good condition. He/she shall also develop adequate safeguards to prevent loss, damage, or theft of the property and shall investigate any loss, damage, or theft. (34 CFR 80.32)

(cf. 3530 - Risk Management/Insurance)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

#### EQUIPMENT (continued)

Equipment purchased for use in a federal program shall be used in that program as long as needed, whether or not the program continues to be supported by federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when such use does not interfere with the work on the project or program for which it was originally acquired or when use of the equipment is no longer needed for the original program. (34 CFR 80.32)

#### 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 34 80.1-80.52 Uniform administration requirements for grants to state and local governments

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS California School Accounting Manual OFFICE OF MANAGEMENT AND BUDGET PUBLICATIONS Cost Principles for State, Local, and Indian Tribal Governments, OMB Circular A-87 WEB SITES California Department of Education: http://www.cde.ca.gov Office of Management and Budget: https://www.whitehouse.gov/omb CSBA Sample | BP 3513.3 Business and Noninstructional Operations

#### **Tobacco-Free Schools**

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Note: Health and Safety Code 104420 mandates districts receiving Tobacco-Use Prevention Education (TUPE) funds to adopt a tobacco-free schools policy that prohibits the use of tobacco anytime, anywhere in district-owned or leased buildings, on district property, and in district vehicles. Such districts must certify compliance with this requirement by submitting a California Department of Education (CDE) certification form and supporting documentation to the county office of education's TUPE coordinator by July 1 in order to apply for TUPE funding for that fiscal year. The certification process also requires submission of the district's written policy and enforcement procedures; see the accompanying administrative regulation for enforcement procedures.

Note: At their discretion, districts that do not receive TUPE funds may modify this policy to limit the prohibition against smoking to only enclosed spaces, pursuant to Labor Code 6404.5 and 20 USC 6083.

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff.

- (cf. 3514 Environmental Safety)
- (cf. 4159/4259/4359 Employee Assistance Programs)
- (cf. 5030 Student Wellness)
- (cf. 5131.62 Tobacco)
- (cf. 5141.23 Asthma Management)
- (cf. 6142.8 Comprehensive Health Education)
- (cf. 6143 Courses of Study)

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

- (cf. 1330 Use of School Facilities)
- (cf. 1330.1 Joint Use Agreements)

Note: State law does not define "tobacco products" for purposes of the district's tobacco-free schools policy. The CDE's web site recommends that a district's policy define "tobacco products" to include products containing tobacco or nicotine, including nicotine delivery devices such as electronic cigarettes, electronic hookah, and other vapor-emitting devices.

The products prohibited include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

#### HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

#### LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7100-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PERB RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention: http://www.cde.ca.gov/ls/he/at

California Department of Education, Tobacco-Free School District Certification: http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp">http://www.cde.ca.gov/ls/he/at/>http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp

California Department of Public Health, Tobacco Control: http://www.cdph.ca.gov/programs/tobacco

Occupational Safety and Health Standards Board: http://www.dir.ca.gov/OSHSB/oshsb.html

U.S. Environmental Protection Agency: http://www.epa.gov

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### CSBA Sample | E 4112.9 Personnel

### **Employee Notifications**

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

✓ I. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment

Legal Code: Education Code 231.5, Government Code 12950, 2 CCR 11023

Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11

Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually to all employees and 72 hours before pesticide application

Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: AR 3514.2

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

When/Whom to Notify: To all employees, prior to implementing year-round schedule

Legal Code: Education Code 37616

Board Policy/Administrative Regulation #: BP 6117

Subject: Public hearing on year-round program

When/Whom to Notify: To all employees, prior to implementing alternative schedule

Legal Code: Education Code 46162

Board Policy/Administrative Regulation #: AR 6112

Subject: Public hearing on alternative schedule

When/Whom to Notify: To all employees

Legal Code: Education Code 49013; 5 CCR 4622

Board Policy/Administrative Regulation #: AR 1312.3; BP 0460; BP 3260

Subject: Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control accountability plan

When/Whom to Notify: To all employees

Legal Code: Education Code 49414

Board Policy/Administrative Regulation #: AR 5141.21

Subject: Request for volunteers to be trained to administer epinephrine auto-injectors

When/Whom to Notify: To all employees

Legal Code: Education Code 49414.7

Board Policy/Administrative Regulation #: AR 5141.21

Subject: Request for volunteers to administer emergency antiseizure medication; training to be provided

When/Whom to Notify: To all employees

Legal Code: Government Code 1126

Board Policy/Administrative Regulation #: BP 4136/4236/4336

Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: Prior to beginning employment

Legal Code: Government Code 3102

Board Policy/Administrative Regulation #: AR 4112.3/4212.3/4312.3

Subject: Oath or affirmation of allegiance required of disaster service workers

When/Whom to Notify: To all employees

Legal Code: Government Code 8355; 41 USC 8102

Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359

Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter

Legal Code: Health and Safety Code 1797.196

Board Policy/Administrative Regulation #: AR 5141

Subject: Proper use of AED; location of all AEDs on campus

When/Whom to Notify: To all employees, if the district receives Tobacco-Use Prevention Education funds

- Legal Code: Health and Safety Code 104420
- Board Policy/Administrative Regulation #: AR 3513.3
- Subject: District's tobacco-free schools policy and enforcement procedures
- When/Whom to Notify: Annually to all employees, or more frequently if there is new information
- Legal Code: Health and Safety Code 120875, 120880
- Board Policy/Administrative Regulation #: AR 4119.43/4219.43/4319.43
- Subject: AIDS and hepatitis B, methods to prevent exposure
- When/Whom to Notify: To all employees, with each paycheck
- Legal Code: Labor Code 246
- Board Policy/Administrative Regulation #: AR 4161.1//4361.1 and AR 4261.1
- Subject: Amount of sick leave available
- When/Whom to Notify: To covered employees and former employees
- Legal Code: Labor Code 2800.2
- Board Policy/Administrative Regulation #: AR 4154/4254/4354
- Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
- When/Whom to Notify: To every new employee, either at the time employee is hired or by end of first pay period
- Legal Code: Labor Code 3551
- Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1
- Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
- When/Whom to Notify: Prior to beginning employment
- Legal Code: Penal Code 11165.7, 11166.5
- Board Policy/Administrative Regulation #: AR 5141.4
- Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment, and when employee goes on leave for specified reasons

Legal Code: Unemployment Insurance Code 2613

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Disability insurance rights and benefits

When/Whom to Notify: To all employees via employee handbook, or to each new employee

Legal Code: 29 CFR 825.300; 2 CCR 11096

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 day's notice of need for leave when possible

When/Whom to Notify: To all employees and job applicants

Legal Code: 34 CFR 104.8, 106.

Board Policy/Administrative Regulation #: BP 0410, BP 4030

Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: Annually to all employees

Legal Code: 40 CFR 763.84, 763.93

Board Policy/Administrative Regulation #: AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. To Certificated Employees

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire

Legal Code: Education Code 22455.5

Board Policy/Administrative Regulation #: AR 4121

Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual

Legal Code: Education Code 22461

Board Policy/Administrative Regulation #: AR 4117.14/4317.14

Subject: Postretirement earnings limitation or employment restriction; monthly report of compensation

When/Whom to Notify: To certificated employees

Legal Code: Education Code 35171

Board Policy/Administrative Regulation #: AR 4115, BP 4315

Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated

Legal Code: Education Code 44663

Board Policy/Administrative Regulation #: AR 4115

Subject: Copy of employee's evaluation

When/Whom to Notify: To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee

Legal Code: Education Code 44664

Board Policy/Administrative Regulation #: AR 4115

Subject: Notice and description of the unsatisfactory performance

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Legal Code: Education Code 44842

Board Policy/Administrative Regulation #: AR 4112.1

Subject: Request that the employee notify district of intent to remain in service next year

When/Whom to Notify: To certificated employees upon employment and to nonpermanent employees in July of each school year

Legal Code: Education Code 44916

Board Policy/Administrative Regulation #: AR 4112.1, AR 4121

Subject: Employment status and salary

When/Whom to Notify: To probationary employees in district with ADA of 250 or more, by March 15 of employee's second consecutive year of employment

Legal Code: Education Code 44929.21

Board Policy/Administrative Regulation #: AR 4117.6

Subject: Whether or not employee is reelected for next school year

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year

Legal Code: Education Code 44934, 44934.1, 44936

Board Policy/Administrative Regulation #: BP 4118; AR 4118

Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify: To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice

Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year

Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings

Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

When/Whom to Notify: To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second- year probationary employees

Legal Code: Education Code 44948.3

Board Policy/Administrative Regulation #: AR 4118

Subject: Reasons for dismissal and opportunity to appeal

When/Whom to Notify: By March 15 when necessary to reduce certificated personnel, with final notice by May 15

http://gamutonline.net/DisplayPolicy/909479/

Legal Code: Education Code 44949, 44955

Board Policy/Administrative Regulation #: BP 4117.3

Subject: Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination

When/Whom to Notify: On or before June 30, to temporary employee who served 75 percent of school year but will be released

Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts

Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7/4317.7

Subject: Contents of state regulation re: report to Commission on Teacher Credentialing

When/Whom to Notify: To teachers when school is identified for Title 1 program improvement restructuring

Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: AR 0520.2

Subject: School identified for restructuring; opportunity to comment and participate

III. To Classified Employees

When/Whom to Notify: To classified employee charged with mandatory leave of absence offense, in merit system district

Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of intent to dismiss in 30 days

When/Whom to Notify: When classified employee is subject to disciplinary action for cause, in nonmerit district

Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of charges, procedures, and employee rights

When/Whom to Notify: To classified employees at least 60 days prior to layoff, or by April 29 if specially funded program that expires at end of school year

Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff and reemployment rights

When/Whom to Notify: To classified employees upon employment and upon each change in classification

Legal Code: Education Code 45169

Board Policy/Administrative Regulation #: AR 4212

Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To classified permanent employee whose leave is exhausted

Legal Code: Education Code 45192, 45195

Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11

Subject: Exhaustion of leave, opportunity to request additional leave

When/Whom to Notify: To school bus drivers and school activity bus drivers prior to expiration of specified documents

Legal Code: 13 CCR 1234

Board Policy/Administrative Regulation #: AR 3542

Subject: Expiration date of driver's license, driver's certificate and medical certificate; need to renew

When/Whom to Notify: To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter

Legal Code: 13 CCR 2480

Board Policy/Administrative Regulation #: AR 3542

Subject: Limitations on vehicle idling; consequences of not complying

When/Whom to Notify: To school bus drivers, prior to district drug testing program and thereafter upon employment

Legal Code: 49 CFR 382.601

Board Policy/Administrative Regulation #: BP 4112.42/4212.42/4312.42

Subject: Explanation of federal requirements for drug testing program and district's policy

IV. To Administrative/Supervisory Personnel

When/Whom to Notify: To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract

Legal Code: Education Code 35031

Board Policy/Administrative Regulation #: BP 4312.1

Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position

Legal Code: Education Code 44896

Board Policy/Administrative Regulation #: AR 4313.2

Subject: Statement of the reasons for the release or reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year

Legal Code: Education Code 44951

Board Policy/Administrative Regulation #: AR 4313.2

Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

When/Whom to Notify: Prior to placing derogatory information in personnel file

Legal Code: Education Code 44031

Board Policy/Administrative Regulation #: AR 4112.6/4212.6/4312.6

Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: To employees who volunteer to administer epinephrine auto-injector

Legal Code: Education Code 49414

Board Policy/Administrative Regulation #: AR 5141.21

Subject: Defense and indemnification from civil liability by the district

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee

Legal Code: Government Code 54957

Board Policy/Administrative Regulation #: BB 9321

Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: When taking disciplinary action against employee for disclosure of confidential information

Legal Code: Government Code 54963

Board Policy/Administrative Regulation #: BP 4119.23/4219.23/4319.23

Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: Within one working day of work-related injury or victimization of crime

Legal Code: Labor Code 3553, 5401

Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1

Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification

Legal Code: Penal Code 11105, 11105.2

Board Policy/Administrative Regulation #: AR 4112.5/4212.5/4312.5

Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter

Legal Code: 8 CCR 3204, 5193

Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42

Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

http://gamutonline.net/DisplayPolicy/909479/

When/Whom to Notify: To any employee assigned to a work area where hazardous chemical are present, upon initial assignment and upon new exposure situation

Legal Code: 8 CCR 5191

Board Policy/Administrative Regulation #: AR 3514.1

Subject: Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

Legal Code: 8 CCR 5194

Board Policy/Administrative Regulation #: AR 3514.1

Subject: Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave

Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave

Legal Code: 29 CFR 825.300; 2 CCR 11049

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee

Legal Code: 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

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CSBA Sample | AR 4117.14 Personnel

# **Postretirement Employment**

Note: The following optional administrative regulation addresses postretirement employment restrictions and benefits which are applicable by law when retired members of the California State Teachers' Retirement System (CalSTRS) are hired by the district after their retirement.

When necessary, the Governing Board may hire a qualified retired certificated individual who possesses the knowledge and experience needed to perform creditable service for the district as an employee, the employee of a third party, or an independent contractor/consultant, provided that all applicable restrictions specified by the California State Teachers' Retirement System (CalSTRS) are met. Applicable CalSTRS restrictions include, but are not limited to, a requirement that a retired member be paid compensation comparable to that for active employees for comparable duties and prohibitions against the hiring of a retired member within 180 days of his/her retirement and for the classified service, except as an aide pursuant to Education Code 45134. Additional restrictions and rules may apply to other employment situations, such as when CalSTRS retired members are employed as employees of third parties, independent contractors, or consultants. The Superintendent or designee should consult legal counsel when dealing with such employment situations. (Education Code 22119.5, 22164.5, 24214, 24214.5)

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112 - Appointment and Conditions of Employment)

Any retired member of the defined benefit program of CalSTRS who is hired by the district to perform retired member activities as defined pursuant to Education Code 22164.5 shall be paid at an annualized rate of pay that shall not be below the minimum or exceed the maximum paid to other district employees performing comparable duties. However, such a retired individual shall not make contributions to the CalSTRS retirement fund or accrue service credit based on compensation earned from the retired member activity. (Education Code 24214)

Note: Pursuant to Education Code 24214.5, retired CalSTRS members may be hired to perform work that would normally accrue service credit in CalSTRS (creditable service) as long as the work commences more than 180 days after the member's retirement. Such retired individuals are allowed to receive compensation for services rendered without reduction in their retirement allowance if the compensation does not exceed the CalSTRS earnings limit. However, a retired CalSTRS member may be exempted from the 180-day waiting period if he/she has attained the normal retirement age and certain other conditions are met, as listed in items #1-6 below. Even if a retired individual is exempted from the 180-day waiting period, he/she shall still be subject to the postretirement compensation limitation specified in Education Code 24214.

✓ No retired member of the CalSTRS defined benefit program shall be hired by the district for at least 180 calendar days after his/her retirement from service, unless he/she has attained the normal retirement age and qualifies for an exemption to the 180-day waiting period. To seek this exemption, the Board shall, during the open session of a Board meeting, adopt a resolution which shall include the following information and findings: (Education Code 24214.5)

1. A statement expressing the Board's intent to seek an exemption to the 180-day waiting period

2. A description of the nature of the employment of the retiree

3. A finding that the retiree has reached the normal retirement age

4. A finding that the appointment of the retiree is necessary to fill a critically needed position before the 180-day waiting period has passed

Note: Education Code 24214.5 requires a finding that the retired individual did not receive additional service credit or a financial inducement to retire, as provided in item #5 below. Pursuant to Education Code 24214.5, as amended by AB 1381 (Ch. 559, Statutes of 2013), "financial inducement to retire" is defined broadly and includes any form of compensation or other payment paid to a retired member directly or indirectly by "any public employer," not just the district needing to employ the retired member.

5. A finding that the retired individual did not receive additional service credit pursuant to Education Code 22714 or 22715 or any financial inducement to retire. Financial inducement to retire shall include, but is not limited to, cash or any form of compensation or other payment directly or indirectly paid by any public employer to the retired individual before or after his/her retirement, if the individual retires for service on or before a specific date or range of dates established by the public employer on or before the date the inducement is offered

6. A finding that the retired individual's termination of employment with the district is not the basis for the need to acquire the services of the retired individual

The resolution shall not be adopted through the Board's consent agenda. (Education Code 24214.5)

(cf. 9320 - Meetings and Notices)

✓ When employing a retired individual who is eligible for exemption from the 180-day waiting period, the Superintendent or designee shall submit all required documentation to substantiate eligibility for the exemption to CalSTRS before the retired member begins performing any retired member activities. The Superintendent or designee may contact

CalSTRS to request information as to whether the retired member qualifies for the exemption after 30 days of submitting the required documentation to CalSTRS. (Education Code 24214.5)

Note: Special rules apply to the hiring of an individual receiving a CalSTRS disability allowance and the district should consult CalSTRS and legal counsel prior to employing any such disability allowance recipient.

V Postretirement Compensation Limitation, Notice, and Report

Note: Pursuant to Education Code 22461, as amended by AB 1379 (Ch. 558, Statutes of 2013), a district is required to notify retired individuals of the employment restrictions and the CalSTRS postretirement compensation limitation as specified in the following section. However, the statute expressly states that it does not impose liability upon the

district for any amount paid in excess of the limitation or for failing to inform the retired individual that continuation of service would exceed the limitation.

# All CalSTRS retirees performing creditable service for the district shall be subject to the applicable CalSTRS earnings limit. Monies earned in excess of the limit may subject the CalSTRS retiree to a reduction in his/her retirement allowance. Compensation subject to the earnings limitation includes, but is not limited to, salary or wages, deferred compensation plans, purchase of an annuity contract, tax-deferred retirement plan or insurance program, and other plans or contributions when the cost is covered by a district. (Education Code 22119.5, 22164.5, 24214)

Whenever the district retains the services of a CalSTRS retiree as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement earnings limitation or employment restriction set forth in Education Code 22714, 24214, or 24214.5 or any other applicable law

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

2. Maintain accurate records of the retired individual's compensation and report it monthly to CalSTRS and the individual, regardless of the method of payment or the fund from which the payments are made

Note: Pursuant to 5 CCR 27000-27009, CalSTRS has the authority to impose penalties on employers for late reporting of retired members' contributions. However, since retirees no longer contribute to CalSTRS, the penalties may be inapplicable.

Legal Reference:

EDUCATION CODE

22119.5 Creditable service, definition

22131 Employer; employing agency, definition

22164.5 Retired member activities, definition

22461 Notice of earnings limitation

22714 Encouragement of retirement

22715 Additional service credit

22716 Unpaid services

24214 Creditable service by retiree

24214.5 Postretirement compensation limit; members below normal retirement age

26113 Creditable service, definition

35046 Consultancy contracts

44830 Employment of certificated employees

44830.3 Employment of district interns

44929 Service credit under STRS; additional two years

44929.1 2+2 service and year credit option under STRS

45134 Age limits

CODE OF REGULATIONS, TITLE 5

27000-27009 Penalties and interests for late remittances and late and unacceptable reporting by employers

Management Resources:

WEB SITES

California State Teachers' Retirement System: http://www.calstrs.com

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# CSBA Sample | AR 4117.7 Personnel

# **Employment Status Reports**

Note: Education Code 44030.5 and 44242.5, as added and amended by AB 449 (Ch. 232, Statutes of 2013), and 5 CCR 80303, as amended by Register 2014, No. 14, require the Superintendent to make a report to the Commission on Teacher Credentialing (CTC) when the employment status of a certificated employee has been changed as a result of alleged misconduct or while an allegation of misconduct is pending. Upon notification by the district or other specified agencies, the CTC may conduct a review and take an adverse action against the certificated employee, including, but not limited to, suspension or revocation of the credential. Pursuant to 5 CCR 80303, the report must be made regardless of any proposed or actual agreement, settlement, or stipulation between the district and the employee not to make such a report. The report must also be made if the allegations are withdrawn in consideration of the employee's resignation, retirement, or other failure to contest the truth of the allegations. Pursuant to Education Code 44030.5 and 5 CCR 80303, as amended, the Superintendent's failure to make the report of the change in employment status or to notify the affected employee of the contents of 5 CCR 80303 would be considered unprofessional conduct and, if it is determined that the Superintendent refused or willfully neglected to make the report, he/she may be found guilty of a misdemeanor and fined.

The Superintendent shall report to the Commission on Teacher Credentialing (CTC) any change in the employment status of a certificated employee who, while working in a position requiring a credential and as a result of an allegation of misconduct or while an allegation of misconduct is pending: (Education Code 44030.5, 44242.5; 5 CCR 80303)

1. Is dismissed or nonreelected

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.6 - Decision Not to Rehire)

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

2. Resigns

(cf. 4117.2 - Resignation)

3. Is suspended or placed on unpaid administrative leave for more than 10 days as a final adverse employment action

4. Retires

5. Is otherwise terminated by a decision not to employ or reemploy

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Note: Pursuant to Education Code 44030.5 and 44242.5, as added and amended by AB 449 (Ch. 232, Statutes of 2013), a change in employment status due solely to unsatisfactory performance or a reduction in force does not require a report to the CTC.

- This report is not required when the change in employment status is due solely to unsatisfactory performance pursuant to Education Code 44932 or a reduction in force pursuant to Education Code 44955-44958. (Education Code 44030.5, 44242.5; 5 CCR 80303)
  - (cf. 4115 Evaluation/Supervision)
  - (cf. 4117.3 Personnel Reduction)

Note: Education Code 44030.5 requires the Superintendent to submit the report to the CTC within 30 days of the change in employment status. 5 CCR 80303, as amended by Register 2014, No. 14, requires the CTC to acknowledge receipt of the report within 30 days of receipt. 5 CCR 80303, as amended, describes the contents that must be included in the report. The report should be made using a notification form available on the CTC's web site and attaching relevant documents, evidence, and materials related to the district's investigation of the misconduct.

- When required, the report of a change in employment status shall be submitted not later than 30 days after the employment action. The report shall be made using a form provided by the CTC and shall include all known information about each alleged act of misconduct by the employee. The report shall contain the name and current address of the certificated employee, name of the district, last school or district assignment, an explanation of the allegation of misconduct or pending allegation of misconduct, current contact information for all persons who may have information relating to the alleged misconduct, and any and all documentation related to the case. (Education Code 44030.5; 5 CCR 80303)
- Upon a change in employment status as a result of alleged misconduct or while an allegation of misconduct is pending, the Superintendent shall, in writing, inform the employee of the contents of 5 CCR 80303. (5 CCR 80303)
  - (cf. 4112.9/4212.9/4312.9 Employee Notifications)

Additional Reports of Employee Misconduct

Note: Notification forms for the reports specified in items #1-2 below are available on the CTC's web site.

The Superintendent or designee shall submit a report to the CTC, using a form provided by the CTC and attaching all relevant documents, whenever:

Note: Pursuant to Education Code 44940, the district must notify the CTC when an employee has been charged in court with a "mandatory leave of absence offense," defined as a sex or drug offense specified in Education Code 44940. Also see BP/AR 4118 - Suspension/Disciplinary Action. Upon receiving notification from the district regarding any such offense, the CTC will automatically suspend the employee's credential. Education Code 44423.5 also requires the CTC to suspend an individual's credential upon receiving notice that another state has taken final action to revoke the individual's credential.

1. An employee, by complaint, information, or indictment filed in court, is charged with a "mandatory leave of absence offense," defined as a sex or drug offense specified in Education Code 44940. (Education Code 44242.5, 44940, 44940.5)

Not later than 10 days after receipt of such a complaint, information, or indictment regarding an employee, the Superintendent or designee shall forward a copy of the received documents to the CTC. In addition, he/she shall report to the CTC any action taken in connection with extending the employee's mandatory leave beyond the initial period. (Education Code 44940, 44940.5)

Note: According to the CTC's notification form, submission of this notification to the CTC does not relieve the district of the obligation to also submit an employment status report of the same misconduct when the district takes disciplinary action resulting in a change in employment status.

If the offense results in a change in employment status, the Superintendent shall submit an employment status report in addition to the report of the mandatory leave of absence offense.

 2. An employee refuses, without good cause, to fulfill a valid employment contract, or departs from district service without the consent of the Superintendent or Governing Board. (Education Code 44242.5, 44420)

Note: Education Code 44242.5 gives the CTC authority to review any of the violations described in items #1-3 below upon receiving notice from a district. Since the law does not require districts to report these violations to the CTC, the district should revise the following list to identify the types of violations that it will report and then ensure consistent implementation.

As appropriate, the Superintendent or designee also shall notify the CTC of any of the following:

Note: Pursuant to Education Code 44242.5, the CTC will not consider action on the basis of alleged sexual misconduct (item #1 below) unless there is evidence in the form of a written or oral declaration under penalty of perjury that confirms the personal knowledge of the declarant regarding the acts alleged to constitute misconduct.

 1. A complaint filed with the district regarding a certificated employee's alleged sexual misconduct (Education Code 44242.5)

The notice to the CTC shall contain all of the following information: (5 CCR 80304)

a. Name of the employee alleged to have engaged in the sexual misconduct

b. Name, age, and address of each victim of the alleged sexual misconduct

c. A summary of all information known to the district regarding the alleged sexual misconduct

d. A summary of the action, if any, taken at the district level in response to the complaint of sexual misconduct

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 5145.7 - Sexual Harassment)

2. An employee's knowing and willful use of school records of student data in connection with, or in implicit or explicit attempts to recruit a student to be a customer for, any business owned by the certificated employee or in which the certificated employee is an employee (Education Code 44242.5, 44421.1)

(cf. 5125 - Student Records)

3. An employee's knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program (Education Code 44242.5, 44421.5)

4. An employee's subversion or attempt to subvert any licensing examination or the administration of an examination (Education Code 44242.5, 44439)

Legal Reference:

EDUCATION CODE

44009 Conviction of specified crimes

44010 Sex offense, definitions

44011 Controlled substance offense, definitions

44030.5 Employment status reports

44225 Powers and duties of the CTC

44242.5 Reports and review of alleged misconduct

44420-44440 Adverse actions by CTC against credential holder

44932 Causes for dismissal

44940 Sex offenses and narcotic offenses; compulsory leave of absence

44940.5 Compulsory leave of absence

44955-44958 Reduction in force

CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status, alleged misconduct

80304 Notice of sexual misconduct

Management Resources:

# COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2013

# WEB SITES

CSBA: http://www.csba.org

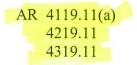
Commission on Teacher Credentialing: http://www.ctc.ca.gov

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Policy Reference UPDATE Service

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#### SEXUAL HARASSMENT

Note: The following administrative regulation is **mandated** pursuant to Education Code 231.5 and includes reasonable steps for preventing the occurrence of discrimination and harassment as required pursuant to Government Code 12940 (California Fair Employment and Housing Act).

The focus of this administrative regulation is on sexual harassment of employees. For information related to the sexual harassment of students, see BP/AR 5145.7 - Sexual Harassment.

# Definitions

Note: In <u>Oncale v. Sundowner Offshore Services, Inc.</u>, the U.S. Supreme Court held that same-sex sexual harassment could be actionable under Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17).

- Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 5 CCR 4916)
  - 1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
  - 2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.

Note: Pursuant to Government Code 12940, conduct specified in item #3 below constitutes sexual harassment if it is sufficiently severe, pervasive, or offensive to create a hostile or abusive work environment for the victim, regardless of whether or not the alleged harasser is motivated by sexual desire for the victim.

- 3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. Regardless of whether or not the alleged harasser was motivated by sexual desire, the conduct is sufficiently severe, persistent, pervasive, or objectively offensive as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
- 4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district.

Note: Pursuant to Government Code 12940, the district may be held liable for sexual harassment committed against employees by clients, customers, or other third parties if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment. The following paragraph clarifies that sexual harassment may include acts by supervisors, co-workers, or other parties and should be modified to reflect district practice.

AR 4119.11(b) 4219.11 4319.11

## SEXUAL HARASSMENT (continued)

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting include, but are not limited to:

- 1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
- 2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
- 3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

#### Training

Note: The following **optional** paragraph is consistent with a district's obligation to protect its employees from sexual harassment, and may be modified to reflect district practice. Although training is not legally required for all employees, Government Code 12940 requires districts to take reasonable steps to prevent harassment. In addition, since the language of BP/AR 5145.7 - Sexual Harassment requires employees to report sexual harassment against students, training such employees to recognize sexual harassment and address reports of incidents furthers the district's interest in protecting both employees and students against prohibited conduct. Thus, it is strongly recommended that districts periodically provide sexual harassment training or information to all their employees, especially those who work at school sites.

Provision of periodic training to all district employees could also help foster a positive work environment and mitigate damages against a district in the event of sexual harassment litigation. In <u>Department of Health</u> <u>Services v. Superior Court (McGinnis)</u>, the California Supreme Court held that employers that have taken reasonable steps to prevent and correct workplace sexual harassment may be able to reduce damages in the event of a lawsuit. Such steps may include establishing anti-harassment policies and communicating those policies to employees.

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. Such training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. 1312.3 - Uniform Complaint Procedures) (cf. 4031 - Complaints Concerning Discrimination in Employment) (cf. 5145.7 - Sexual Harassment)

AR 4119.11(c) 4219.11 4319.11

#### SEXUAL HARASSMENT (continued)

Note: The remainder of this section is for use by districts with 50 or more employees. Government Code 12950.1 requires such districts to provide two hours of sexual harassment training and education once every two years to every supervisory employee, defined as any employee with the authority to take employment action, including hiring, transferring, suspending, and disciplining other employees, or recommend such action if the exercise of that authority is not merely routine or clerical in nature. All newly hired supervisors or employees promoted to a supervisory position must receive the training within six months of their hire or assumption of the supervisory position. Compliance with this law does not insulate the district from any liability for harassment.

Governing Board members, as elected officials, are not usually considered "supervisors"; however, since Board members have the authority to hire, reward, or discipline the Superintendent and other employees, Board members may also be required to receive sexual harassment training. Districts should consult with legal counsel to ensure that the appropriate individuals receive training.

Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment suits. Districts with fewer than 50 employees may delete or modify the remainder of this section to reflect district practice.

- Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)
- A supervisory employee is any employee with the authority to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or to effectively recommend such action.

Note: Government Code 12950.1 and 2 CCR 11023 require that the training for supervisory employees contain specified components and be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

The district's sexual harassment training and education program for supervisory employees shall include the provision of: (Government Code 12950.1; 2 CCR 11023)

- 1. Information and practical guidance regarding federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment
- 2. Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation

AR 4119.11(d) 4219.11 4319.11

# SEXUAL HARASSMENT (continued)

Note: Pursuant to Government Code 12950.1, as amended by AB 2053 (Ch. 306, Statutes of 2014), the prevention of abusive conduct must be included as a component of the sexual harassment training for supervisors.

- 3. A component on the prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
- 4. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
- 5. All other contents of mandated training specified in 2 CCR 11023

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11023)

#### Notifications

Note: Education Code 231.5 requires that the district provide copies of its policy on sexual harassment to staff, as specified below. In addition, 2 CCR 11023 requires that supervisory employees undergoing mandatory training receive a copy of the district's policy and acknowledge receipt of the policy; see item #4 in the section "Training" above.

- / A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)
  - 1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
  - 2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

Note: Government Code 12950 requires the Department of Fair Employment and Housing (DFEH) to develop posters and information sheets on employment discrimination and the illegality of sexual harassment. These documents are available on DFEH's web site.

AR 4119.11(e) 4219.11 4319.11

## SEXUAL HARASSMENT (continued)

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

- 1. The illegality of sexual harassment
- 2. The definition of sexual harassment under applicable state and federal law
- 3. A description of sexual harassment, with examples
- 4. The district's complaint process available to the employee
- 5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
- 6. Directions on how to contact DFEH and the EEOC
- 7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation approved:

#### **All Personnel**

# HEALTH AND WELFARE BENEFITS

Note: The following **optional** policy should be revised to reflect district practice and collective bargaining agreements. Districts that contract with the Board of Administration of the Public Employees' Retirement System to obtain a health benefit plan under the Public Employees' Medical and Hospital Care Act (PEMHCA), Government Code 22750-22944, should revise the following policy and accompanying administrative regulation to reflect the requirements of that program.

The Governing Board recognizes that health and welfare benefits are essential to promote employee health and productivity and are an important part of the compensation offered to employees. The district shall provide health and welfare benefits for employees in accordance with state and federal law and subject to negotiated employee agreements.

(cf. 4140/4240/4340 - Bargaining Units) (cf. 4141/4241 - Collective Bargaining Agreement) (cf. 4151/4251/4351 - Employee Compensation)

Note: The district should select or revise the appropriate option below to reflect district practice regarding employees who are not in bargaining units. Districts selecting Option 2 should expand this policy or accompanying administrative regulation to specify benefits for unrepresented employees. Also see BP 4121 - Temporary/Substitute Personnel.

**OPTION 1:** Certificated management, administrative, and supervisory employees who are not in bargaining units shall receive the same health and welfare benefits as those specified in the collective bargaining agreement for certificated employees. Classified management, administrative, and supervisory employees who are not in bargaining units shall receive the same health and welfare benefits as those specified in the collective bargaining agreement for classified employees.

(cf. 4300 - Administrative and Supervisory Personnel)

**OPTION 2:** Employees who are not in bargaining units shall receive health and welfare benefits as specified in Board policy and administrative regulation.

(cf. 4121 - Temporary/Substitute Personnel)

Note: Family Code 300, as amended by SB 1306 (Ch. 82, Statutes of 2014), defines marriage as a personal relationship arising out of a civil contract between "two persons" rather than between a man and a woman. In addition, pursuant to Family Code 297.5, registered domestic partners have the same rights, protections, and benefits as spouses. Therefore, to the extent that the district provides health benefit coverage to spouses of employees pursuant to state law, the same coverage must be provided to registered domestic partners. Pursuant to Health and Safety Code 1374.58, health care service plans and health insurers are required to provide registered domestic partners coverage that is equal to the coverage provided to spouses.

For purposes of granting benefits, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child. (Family Code 297.5, 300)

Note: The following paragraph is for use by districts that have an average of 50 or more full-time equivalent (FTE) employees over the preceding calendar year. The federal Patient Protection and Affordable Care Act (PPACA) (42 USC 300gg-300gg95; 26 USC 4980H; 26 CFR 54.4980H-1-54.4980H-6) requires such districts to offer FTE employees and their dependents (not including spouses) the opportunity to enroll in an affordable district-sponsored group health plan or health insurance coverage that provides minimum "essential coverage," as defined in Health and Safety Code 1367.005, 26 USC 5000A, and 26 CFR 1.5000A-2 and 54.4980H-1. In addition, the district must ensure that the employee's contribution toward the cost of the coverage does not exceed 9.5 percent of his/her household income; see the accompanying administrative regulation for further information about the calculation of the employee's contribution.

For purposes of determining the applicability of this law, the district must calculate the number of FTE employees in accordance with 26 USC 4980H and 26 CFR 54.4980H-1. An FTE employee is one who works at least 30 hours per week (including actual work hours and hours for which an employee is paid or entitled to be paid due to vacation, holiday, sick leave, disability, jury duty, military leave, or other leave of absence). 26 CFR 54.4980H-3, as amended by 79 Federal Register 29, Feb. 12, 2014, clarifies that districts should not calculate employment breaks of four or more consecutive weeks, such as summer break, in a way that would significantly detract from the calculation of an employee's overall work hours. Thus, an employee who averages 30 hours or more per week for nine months and then no hours for three months would still be considered a full-time employee. In addition, in determining the number of FTE employees, the district must include the hours of service for all part-time employees for a calendar month divided by 120. Although part-time employees are considered in the determination as to whether the PPACA applies to the district, the district is not required under the PPACA to provide health benefits to part-time employees. See BP 4121 - Temporary/Substitute Personnel. The calculation of FTE employees is complex and the district should consult legal counsel as necessary.

Beginning with the 2016 plan year, a district with 50 or more FTE employees will be required to offer health coverage that meets the PPACA requirements to at least 95 percent of its FTE employees. If a district fails to comply with this law and any FTE employee uses a federal tax credit or cost-sharing premium reduction to purchase coverage through a health exchange (i.e., Covered California), the district must pay a financial penalty.

The district shall offer full-time employees who work an average of 30 hours or more per week and their dependents up to age 26 years a health insurance plan that includes coverage for essential health benefits, pays at least 60 percent of the medical expenses covered under the terms of the plan, and meets all other requirements of the federal Patient Protection and Affordable Care Act.

Note: Pursuant to 26 USC 105 and 26 CFR 1.105-11, self-insured medical expense reimbursement plans are prohibited from discriminating in favor of "highly compensated" individuals as to eligibility to participate or level of benefits provided under the plan. As defined in 26 USC 105(h), "highly compensated" individuals are those who are among the highest paid 25 percent of all employees, with specified exceptions. The PPACA (42 USC 300gg-16) extends this requirement to non-self-insured group health plans. Implementation of this provision with respect to group health plans has been delayed until the first plan year after the issuance of federal regulations or other guidance on how to comply with the requirement. As of October 6, 2015, this delay is still in effect. However, it is still recommended that districts begin to review their plans and practices to be prepared to comply with the expected rules.

With respect to eligibility to participate in the health benefits plan or the level of health benefits provided, the district shall not discriminate in favor of employees who are among the highest paid 25 percent of all district employees. (26 USC 105; 42 USC 300gg-16)

# **Continuation of Coverage**

Note: Education Code 7000-7005 provide for continued health and dental care benefits for retired certificated employees and their spouses/domestic partners. In addition, for districts with 20 or more employees, continued health and disability benefits for former classified and certificated employees and their qualified beneficiaries are addressed in the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) (26 USC 4980B; 29 USC 1161-1168; 26 CFR 54.4980B-1-54.4980B-10). For districts with 2-19 employees, continued health and disability benefits for former employees and their qualified beneficiaries are addressed in the California Continuation Benefits Replacement Act (Cal-COBRA) (Health and Safety Code 1366.20-1366.29; Insurance Code 10128.50-10128.59). These programs provide continuation coverage for limited time periods and under limited conditions. The following section reflects the general purposes of these programs; see the accompanying administrative regulation for a summary of major program requirements.

Pursuant to Governmental Accounting and Standards Board Statement 45, "other postemployment benefits" (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees) must be reported by the district as a current expense over the working years of an employee. To the extent that OPEBs are not prefunded in a designated fund or irrevocable trust, they must be reported as a liability on the district's financial statements. See BP 3100 - Budget and AR 3460 - Financial Reports and Accountability.

Retired certificated employees, other employees who would otherwise lose coverage due to a qualifying event specified in law and administrative regulation, and their qualified beneficiaries may continue to participate in the district's group health and welfare benefits in accordance with state and federal law.

Note: The following paragraph may be revised to reflect district practice. Covered employees and their qualified beneficiaries who elect continuation coverage may be required to pay all costs of the insurance plan as provided below (Education Code 7000; Health and Safety Code 1366.26; Insurance Code 10128.56; 26 USC 4980B). Any district contribution to retired employee health costs is a negotiable item.

Unless otherwise provided for in the applicable collective bargaining agreement, covered employees and their qualified beneficiaries may receive continuation coverage by paying the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering the program.

# Confidentiality

Note: The Health Insurance Portability and Accountability Act (HIPAA) (45 CFR 164.500-164.534) specifies actions that a health plan, health care provider, or health care clearinghouse must take to protect the privacy of an individual's health information. Generally, entities covered by HIPAA may release or

receive "protected health information" about an individual only if that individual gives permission or the Act expressly permits its release.

Civil Code 56.20-56.245 address an employer's responsibility to maintain the confidentiality of medical information it receives.

✓ The Superintendent or designee shall not use or disclose any employee's medical information the district possesses without the employee's authorization obtained in accordance with Civil Code 56.21, except for the purpose of administering and maintaining employee benefit plans and for other purposes specified in law. (Civil Code 56.20)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE 7000-7008 Health and welfare benefits, retired certificated employees 17566 Self-insurance fund 35208 Liability insurance 35214 Liability insurance (self-insurance) 44041-44042 Payroll deductions for collection of premiums 44986 Leave of absence, state disability benefits 45136 Benefits for classified employees CIVIL CODE 56.10-56.16 Disclosure of information by medical providers 56.20-56.245 Use and disclosure of medical information by employers FAMILY CODE 297-297.5 Rights, protections and benefits under law; registered domestic partners GOVERNMENT CODE 12940 Discrimination in employment 22750-22944 Public Employees' Medical and Hospital Care Act 53200-53210 Group insurance HEALTH AND SAFETY CODE 1366.20-1366.29 Cal-COBRA program, health insurance 1367.08 Disclosure of fees and commissions paid related to health care service plan 1373 Health services plan, coverage for dependent children who are full-time students 1373.621 Continuation coverage, age 60 or older after five years with district 1374.58 Coverage for registered domestic partners, health service plans and health insurers

Legal Reference continued: (see next page)

Legal Reference: (continued) INSURANCE CODE 10116.5 Continuation coverage, age 60 or older after five years with district 10128.50-10128.59 Cal-COBRA program, disability insurance 10277-10278 Group and individual health insurance, coverage for dependent children 10604.5 Annual disclosure of fees and commissions paid 12670-12692.5 Conversion coverage LABOR CODE 2800.2 Notification of conversion and continuation coverage 4856 Health benefits for spouse of peace officer killed in performance of duties UNEMPLOYMENT INSURANCE CODE 2613 Education program; notice of rights and benefits UNITED STATES CODE, TITLE 1 7 Definition of marriage, spouse UNITED STATES CODE, TITLE 26 105 Self-insured medical reimbursement plan; definition of highly compensated individual 4980B COBRA continuation coverage 4980H Penalty for noncompliance with employer-provided health care requirements 5000A Minimum essential coverage 6056 Report of health coverage provided to employees UNITED STATES CODE, TITLE 29 1161-1168 COBRA continuation coverage UNITED STATES CODE, TITLE 42 300gg-300gg95 Patient Protection and Affordable Care Act, especially: 300gg-16 Group health plan; nondiscrimination in favor of highly compensated individuals 1395-1395g Medicare benefits CODE OF FEDERAL REGULATIONS, TITLE 26 54.4980B-1-54.4980B-10 COBRA continuation coverage 54.4980H-1-54.4980H-6 Patient Protection and Affordable Care Act 1.105-11 Self-insured medical reimbursement plan CODE OF FEDERAL REGULATIONS, TITLE 45 164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

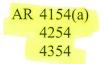
Management Resources: (see next page)

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS Health Policy: Implications of Covered California for School Boards, Districts and Personnel, Governance Brief, January 2013 INTERNAL REVENUE SERVICE NOTICES 2011-1 Affordable Care Act Nondiscrimination Provisions Applicable to Insured Group Health Plans U.S. DEPARTMENT OF TREASURY PUBLICATIONS Fact Sheet: Final Regulations Implementing Employer Shared Responsibility Under the Affordable Care Act (ACA) for 2015 <u>WEB SITES</u> CSBA: http://www.csba.org California Employment Development Department: http://www.edd.ca.gov Internal Revenue Service; http://www.irs.gov U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services: http://www.cms.gov U.S. Department of Labor: http://www.dol.gov

#### All Personnel

# HEALTH AND WELFARE BENEFITS



Note: The following **optional** administrative regulation should be revised to reflect district practice and collective bargaining agreements.

#### Affordability of Health Coverage

Note: The following section is for use by districts that have an average of 50 or more full-time equivalent (FTE) employees over the preceding calendar year. The federal Patient Protection and Affordable Care Act (PPACA) (42 USC 300gg-300gg95; 26 USC 4980H; 26 CFR 54.4980H-1-54.4980H-6) requires such districts to offer FTE employees and their dependents (not including spouses) the opportunity to enroll in an "affordable" district-sponsored group health plan or health insurance coverage. Pursuant to 26 USC 4980H and 26 CFR 54.4980H-4, health coverage will be deemed "affordable" if the employee's contribution for employee-only health coverage does not exceed 9.5 percent of his/her modified adjusted household income, as defined in 26 USC 5000A. Because the district generally will not know the employee's household income, 26 CFR 54.4980H-5 provides that the district can meet its obligation if it meets any of the "safe harbor" standards listed in items #1-3 below. All these methods are optional and the district may choose to use one or more of these methods for all its employees or for any category of employees, provided it does so on a uniform and consistent basis for all employees within the same category. The district may retain or delete any of the items below or specify its own method for ensuring affordability.

See the accompanying Board policy for additional requirements of the PPACA.

The Superintendent or designee shall seek written assurance from the district's health insurance carrier(s) that the health plan offered to full-time district employees and their dependents meets all requirements of the federal Patient Protection and Affordable Care Act. (42 USC 300gg-300gg95; 26 USC 4980H; 26 CFR 54.4980H-1-54.4980H-6)

The Superintendent or designee also shall ensure that each employee's contribution to the employee-only health coverage does not exceed 9.5 percent of his/her modified household income, as defined in 26 USC 5000A. The Superintendent or designee shall calculate the affordability of the coverage using one or more of the following methods in a uniform and consistent basis for all employees within the same category: (26 USC 4980H; 26 CFR 54.4980H-4-54.4980H-5)

- 1. The district shall ensure that the lowest cost employee-only coverage does not exceed 9.5 percent of wages paid to the employee by the district for the calendar year as reported on the employee's W-2 tax form. For an employee not offered coverage for an entire calendar year, the wages shall be adjusted to reflect the period for which coverage was offered.
- 2. The district shall ensure that the employee's required monthly contribution for the lowest cost employee-only coverage does not exceed 9.5 percent of an amount equal to 130 hours multiplied by the employee's hourly rate of pay on the first day of the plan year or his/her lowest hourly pay during the calendar month, whichever is lower.

3. The district shall ensure that the employee's contribution does not exceed 9.5 percent of a monthly amount determined as the federal poverty line for a single individual for the applicable calendar year, divided by 12.

# **Retired Certificated Employees**

Note: Education Code 7000 requires that any district which provides health and welfare benefits or dental care benefits for its certificated employees must make those benefits available to retired certificated employees and their spouses or eligible surviving spouses as provided in the following section.

Pursuant to Education Code 7000, any eligible person who elects to enroll in the benefits program may be required to pay all premiums, dues, and other charges, including any increases in the rate of premiums or dues for these persons, and all costs incurred by the district in administering the program; see the accompanying Board policy. Education Code 7000 allows districts, if appropriate, to require persons eligible for these benefits to pay different rates as a class. Education Code 7000 specifies three classes based on age and Medicare benefits for which the plan must provide separate rates. Government Code 12940 provides that, with respect to retiree health benefits and health care reimbursement plans in effect on or after January 1, 2011, it is not discrimination based on age to provide health benefits or health care reimbursement plans to retired persons that are altered, reduced, or eliminated when the retirees become eligible for Medicare health benefits.

The following section does not apply to employees who receive health care coverage under the Public Employees' Medical and Hospital Care Act (PEMHCA), Government Code 22750-22944.

Any former certificated employee who retired from the district under any public retirement system and his/her spouse/domestic partner shall be permitted to enroll in the health and welfare and/or dental care benefit plan currently provided for certificated employees. The plan also shall be available to any surviving spouse/domestic partner of a former certificated employee who either retired from the district under any public retirement system or was, at the time of death, employed by the district and a member of the State Teachers' Retirement System. (Education Code 7000)

A retired certificated employee or surviving spouse/domestic partner shall be allowed to enroll in the coverage within 30 days of losing active employee coverage. If he/she does not enroll during this initial enrollment period, he/she may be denied further opportunity to do so. (Education Code 7000)

#### **COBRA/Cal-COBRA Continuation Coverage**

Note: The following section reflects requirements for both the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) program (26 USC 4980B; 29 USC 1161-1168; 26 CFR 54.4980B-1-54.4980B-10) and the California Continuation Benefits Replacement Act (Cal-COBRA) program (Health and Safety Code 1366.20-1366.29; Insurance Code 10128.50-10128.59). These programs contain requirements designed to alleviate lapses in coverage due to employee termination, death, separation or

divorce, reduction in hours, eligibility for Medicare, or a dependent child of the covered employee ceasing to be a dependent child. COBRA applies to districts with at least 20 employees. Pursuant to Health and Safety Code 1366.21, Cal-COBRA applies to districts with 2-19 employees which have contracted for health care and/or disability coverage through a group benefit plan. If the district has contracted to provide administrative services for the health care service plan as authorized by Health and Safety Code 1366.25, it may expand the following section to reflect additional requirements of plan administrators.

The following section should be revised by districts that offer a group health insurance plan but not a group disability benefits plan. This section also should be revised by districts with employees who receive health care coverage under PEMHCA, Government Code 22750-22944.

Covered district employees and their qualified beneficiaries shall be offered the opportunity to continue health and disability insurance coverage when they otherwise would lose coverage due to one of the following qualifying events: (Health and Safety Code 1366.21, 1366.23, 1373; Insurance Code 10128.51, 10128.53, 10277; 26 USC 4980B; 26 CFR 54.4980B-4)

- 1. Death of the covered employee
- 2. Termination or reduction in hours of the covered employee's employment, other than termination by reason of the employee's gross misconduct

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

- 3. Divorce or legal separation of the covered employee
- 4. The covered employee becoming entitled to Medicare benefits

Note: For purposes of item #5 below, Health and Safety Code 1373 and Insurance Code 10277 require that the age at which a person ceases to be a dependent child, as specified in the health plan, must be at least 26 years, except that certain specified health plans beginning before January 1, 2014 may exclude adult children younger than age 26 who are eligible to enroll in an employer-sponsored health plan. In addition, Health and Safety Code 1373 and Insurance Code 10277 require a health services plan or insurer to continue coverage for a dependent child who attains the age specified in the plan if he/she is incapable of self-sustaining employment by reason of a physically or mentally disabling injury, illness, or condition and is chiefly dependent on the subscriber or insured for support and maintenance. Health and Safety Code 1373 and Insurance Code 10277 also require that, if the plan provides coverage for a dependent child who is over age 26 and enrolled at a secondary or postsecondary educational institution, continued coverage must be provided during any break in the school calendar and during a medical leave of absence as specified.

5. A dependent child ceasing to be a dependent child of the covered employee

Continuation health coverage shall be the same as provided to similarly situated individuals under the group benefit plan. (Health and Safety Code 1366.23; Insurance Code 10128.53; 26 USC 4980B)

Note: Districts should select the appropriate option below based on the number of district employees.

## **OPTION 1: (Districts with 20 or more employees)**

Note: Pursuant to 26 USC 4980B and 29 USC 1163, the 30-day notification period specified below may be revised if a longer time period is specified in the health plan.

The Superintendent or designee shall notify the health care service plan administrator of a qualifying event listed in item #1, 2, or 4 above, within 30 days of the event. A covered employee or qualified beneficiary shall notify the service plan administrator of a qualifying event listed in item #3 or 5 above within 60 days of the event or of the date that the beneficiary would lose coverage, whichever is later. (26 USC 4980B; 29 USC 1163, 1166; 26 CFR 54.4980B-6)

Continuation coverage shall be terminated in accordance with the district's insurance plan and federal and state law. (26 USC 4980B; 26 CFR 54.4980B-6; Health and Safety Code 1373.621; Insurance Code 10116.5)

# **OPTION 2**<sup>!</sup> (Districts with 2-19 employees)

Note: If the district contracts to perform the administrative services of a health care service plan as authorized by Health and Safety Code 1366.25, the following two paragraphs should be revised to reflect the plan administrator to whom the notifications should be directed.

The Superintendent or designee shall provide written notification to the health care service plan administrator of a qualifying event listed in item #2 above, within 30 days of the event.

A covered employee or qualified beneficiary shall provide written notification to the health care service plan administrator regarding any other qualifying event listed above within 60 days of the event or of the date that the covered employee or qualified beneficiary was notified of the ability to continue coverage, whichever is later. (Health and Safety Code 1366.24, 1366.25; Insurance Code 10128.54, 10128.55)

Continuation coverage shall be terminated in accordance with the district's insurance plan and state law. (Health and Safety Code 1366.22, 1366.27, 1373.621; Insurance Code 10116.5, 10128.52, 10128.57)

Note: The following paragraph applies to all districts.

The Superintendent or designee shall notify covered employees and qualified beneficiaries of the availability of conversion and continuation coverage. This notification shall include the statement in Labor Code 2800.2 encouraging individuals to examine their options carefully before declining such coverage. (Labor Code 2800.2)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

#### **Disability Insurance**

Note: The following notice is provided by the California Employment Development Department.

The Superintendent or designee shall give notice of disability insurance rights and benefits to each new employee and each employee leaving work due to pregnancy, nonoccupational illness or injury, the need to provide care for any sick or injured family member, or the need to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption. (Unemployment Insurance Code 2613)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries) (cf. 4161/4261/4361 - Leaves) (cf. 4161.1/4361.1 - Personal Illness/Injury Leave) (cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave) (cf. 4261.1 - Personal Illness and Injury Leave)

Note: The following paragraph does not apply to employees of districts that have contracted for health care coverage through PEMHCA, Government Code 22750-22944.

When disabled by an injury sustained from a violent act while performing duties within the scope of employment and performing creditable employment, a certificated or classified employee may continue in the district health and dental care plans upon meeting criteria specified by law. The employee shall pay all employer and employee premiums and related administrative costs. (Education Code 7008)

Regulation approved:

#### Students

AR 5112.2(a)

#### **EXCLUSIONS FROM ATTENDANCE**

The Superintendent or designee shall ensure that each child entering a district school at any grade level adheres to district admission requirements and enrollment procedures.

have this policy

(cf. 5111 - Admission) (cf. 5111.1 - District Residency) (cf. 5116 - Intradistrict Open Enrollment) (cf. 5117 - Interdistrict Attendance) (cf. 5125 - Student Records) (cf. 5141.3 - Health Examinations)

#### **Mandatory Exclusions**

Note: Education Code 48216 requires that a student who has not met immunization requirements be excluded from school attendance until he/she meets those requirements. However, pursuant to Health and Safety Code 120335 and 120370, as amended by SB 277 (Ch. 35, Statutes of 2015), a student may be exempted from one or more immunizations for medical reasons or because his/her parent/guardian submits a letter or affidavit by January 1, 2016, stating that he/she objects to immunizations based on his/her personal beliefs. Students who are granted an exemption on the basis of their parent/guardian's personal beliefs must be immunized when they enter the next grade span as defined (birth to preschool, grades K-6, or grades 7-12). The new law specifies that its provisions do not prohibit a student who qualifies for an individualized education program (IEP) from "accessing any special education and related service" required by his/her IEP. See BP/AR 5141.31 - Immunizations for further information about immunization requirements and exemptions.

The Superintendent or designee shall not unconditionally admit any student to an elementary or secondary school, preschool, or child care and development program for the first time, nor, after July 1, 2016, admit or advance any student to grade 7 unless the student has been fully immunized in accordance with Health and Safety Code 120335 and BP/AR 5141.31 - Immunizations or is exempted by law.

If a conditionally admitted student has not received required immunizations within 10 days after his/her parent/guardian has been notified of the need to do so, the student shall be excluded until he/she provides written evidence that he/she has received the vaccines due at that time. (Education Code 48216; Health and Safety Code 120335, 120370; 17 CCR 6055)

(cf. 5141.31 - Immunizations) (cf. 5141.22 - Infectious Diseases)

The Superintendent or designee shall not admit a student who is reasonably suspected of having active tuberculosis. He/she shall be denied admission until the local health officer or licensed medical practitioner informs the district, in writing, that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 121485, 121495, 121505)

(cf. 5141.26 - Tuberculosis Testing)

# EXCLUSIONS FROM ATTENDANCE (continued)

The Superintendent or designee shall exclude a student who is infected with any contagious or infectious disease. The student shall be permitted to return to school when a medical provider informs the Superintendent or designee in writing that he/she is satisfied that the contagious or infectious disease no longer exists. (Education Code 49451; 5 CCR 202)

The Superintendent or designee shall exclude a student who resides where any contagious, infectious, or communicable disease subject to quarantine exists or has recently existed and who is subject to strict isolation or quarantine of contacts, unless written permission of the health officer is provided. (Health and Safety Code 120230)

#### **Permissive Exclusions**

A student may be excluded from attendance at a district school under either of the following circumstances:

- 1. If there is good cause to believe that the student has been exposed to any disease stated in Health and Safety Code 120335 and his/her documentation of immunization does not show proof of immunization against that disease, the student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120335, 120370)
- 2. If the student has not had the health screening specified in Health and Safety Code 124040 before or within the first 90 days of attending first grade, he/she may be excluded for up to five days unless the parent/guardian has presented a waiver or the district has exempted the student from this requirement in accordance with law. (Health and Safety Code 124105)

(cf. 5141.32 - Health Screening for School Entry)

# Notifications to Parents/Guardians

The Superintendent or designee may exclude a student without prior notice to the parent/guardian if the student is excluded for any of the following reasons: (Education Code 48213)

- 1. He/she resides in an area subject to quarantine pursuant to Health and Safety Code 120230.
- 2. He/she is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to Education Code 49451.

# EXCLUSIONS FROM ATTENDANCE (continued)

 $\checkmark$  3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent or designee shall send a notice as soon as reasonably possible after the exclusion. (Education Code 48213)

(cf. 5145.6 - Parental Notifications)

In all other cases, the Superintendent or designee shall send a notice to the student's parent/guardian stating the facts leading to the exclusion, prior to excluding the student from attendance.

#### **Appeals from Exclusion**

Note: The following section is optional and should be modified to reflect district practice.

Upon exclusion of his/her child, a parent/guardian may meet with the Superintendent or designee to discuss the exclusion. If the parent/guardian disagrees with the decision of the Superintendent or designee to exclude his/her child, he/she may appeal the decision to the Governing Board.

The parent/guardian shall have an opportunity to inspect all documents upon which the district is basing its decision, to challenge any evidence and question any witness presented by the district, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

Legal Reference: (see next page)

# EXCLUSIONS FROM ATTENDANCE (continued)

#### Legal Reference:

EDUCATION CODE 48210-48216 Persons excluded 49076 Access to records by persons without written consent or under judicial order 49408 Information of use in emergencies 49451 Parent's refusal to consent <u>HEALTH AND SAFETY CODE</u> 120230 Exclusion of persons from school 120325-120380 Educational and child care facility immunization requirements 121475-121520 Tuberculosis tests for students 124025-124110 Child Health and Disability Prevention Program <u>CODE OF REGULATIONS, TITLE 5</u> 202 Exclusion of students with a contagious disease CODE OF REGULATIONS, TITLE 17 6055 Exclusion for failure to obtain required immunizations

Management Resources:

<u>CSBA PUBLICATIONS</u> <u>Recent Legislation on Vaccines: SB 277</u>, Fact Sheet, August 2015 <u>WEB SITES</u> CSBA: http://www.csba.org California Department of Public Health, Immunization Branch: http://www.cdph.ca.gov/programs/immunize California Healthy Kids Resource Center: http://www.californiahealthykids.org Centers for Disease Control and Prevention: http://www.cdc.gov

Regulation approved:

# CSBA Sample | BP 5131.62 Students

#### Tobacco

Note: The following optional policy may be revised to reflect district practice. Education Code 48901 requires any district maintaining a high school to take all steps deemed practical to discourage high school students from smoking. Tobacco-use prevention resources generally encourage prevention efforts to begin as early as possible, including in the middle or elementary grades.

\*

Note: The state's Tobacco-Use Prevention Education (TUPE) competitive grant program for grades 6-12 (Health and Safety Code 104350-104495) provides support for local tobacco-use prevention and intervention programs.

The Governing Board recognizes the serious health risks presented by tobacco use and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

#### (cf. 5141.23 - Asthma Management)

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco products.

Prohibition Against Tobacco Use

Note: Education Code 48900 and 48901 prohibit students from possessing, smoking, or using tobacco on school grounds, as provided in the following paragraph. Pursuant to Education Code 48900, students who violate this prohibition may be subject to discipline, including suspension or expulsion. However, pursuant to Education Code 48900.5, it is recommended that other means of correction that address the student's conduct be implemented instead of suspension or expulsion; see the section "Intervention/Cessation Services" below and AR 5144 - Discipline. In addition, Health and Safety Code 104420 mandates that any district receiving funding through the TUPE program adopt and enforce a tobacco-free schools policy which prohibits the use of tobacco products in district buildings, on district property, and in district vehicles by any person at any time; see BP 3513.3 - Tobacco-Free Schools for language implementing this mandate.

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900, 48901)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

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

Note: Although state law does not define "tobacco products," the California Department of Education (CDE) recommends that districts define "tobacco products" to include electronic cigarettes, electronic hookahs, and other vapor-emitting devices. According to the CDE, districts are increasingly reporting student possession of these nicotine delivery devices for purposes of prohibited drug use (i.e., as drug paraphernalia).

Students' possession or use of electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

└─Prevention Instruction

\*

Note: The following optional section may be revised to reflect district practice and the grade levels offered by the district. Education Code 51202 requires the district to offer a course of study at the appropriate elementary and secondary grade levels that includes the effects of tobacco upon the human body. Education Code 51202 also requires that the course of study in secondary grades include instruction on the effects of tobacco upon prenatal development. See AR 6143 - Courses of Study. The state's content standards for health education include a number of standards at selected grade levels from K-12 related to the health consequences of tobacco use.

Note: The TUPE program provides resources for supplemental instruction in grades 6-12 that addresses specified topics; see the accompanying administrative regulation. CDE's Guidelines for Tobacco Prevention, contained in its Getting Results publication, recommend developmentally appropriate instruction in grades K-12, with instruction that is especially intensive in grades 6-9 (particularly the transition year from elementary to middle school/junior high) and is reinforced in high school.

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code 51202. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Intervention/Cessation Services

Note: The following optional section may be revised to reflect district practice. Pursuant to Health and Safety Code 104420 and 104460, districts receiving TUPE funds must provide students with access to intervention and cessation services and must provide pregnant and parenting minors with access to designated services. The district may fulfill these requirements either through the direct provision of services or through referrals to available services. See the accompanying administrative regulation. Pursuant to Education Code 48900.5, such intervention should be implemented to correct student behavior rather than suspension or other measures that may exclude a student from instruction.

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. Such intervention services shall be provided as an alternative to suspension for tobacco possession.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

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

(cf. 6164.2 - Guidance/Counseling Services)

Program Planning

Note: The following optional section may be revised to reflect district practice.

\*

Note: Health and Safety Code 104420 requires the CDE to give priority for TUPE funding to programs that, in addition to targeting current tobacco users, target students most at risk for beginning to use tobacco. Student populations considered to be "most at risk" are to be identified by the district through a local needs assessment, as provided in the following paragraph.

The district's tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

Note: The following optional paragraph may be revised to reflect district practice. Health and Safety Code 104420 and 104435 require districts receiving TUPE funds, with assistance from the county office of education, to coordinate efforts with the "lead local agency" in the community, defined in Health and Safety Code 104400 as the county or city health department.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council

including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

(cf. 1220 - Citizen Advisory Councils)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The Superintendent or designee also shall coordinate the district's tobacco-use prevention and intervention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

Note: The following paragraph is for use by districts that receive TUPE funds and may be used by other districts at their discretion.

The Superintendent or designee shall select tobacco-use prevention programs based on the model program designs identified by the California Department of Education (CDE) and may adapt the model to meet district needs. (Health and Safety Code 104420)

Note: Pursuant to TUPE Acceptance of Funds Guidance on the CDE's web site, TUPE grant funding will not be awarded to an applicant that receives any funding or educational materials from the tobacco industry, or from any agency which has received funding from the tobacco industry, for the purpose of implementing tobacco-use prevention or intervention programs.

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which is known to have received funding from the tobacco industry.

(cf. 1325 - Advertising and Promotion)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

**Program Evaluation** 

Note: The following optional section may be revised to reflect district practice. Districts that accept TUPE funds are required by the CDE to administer the core California Healthy Kids Survey in the first year of funding and at least every other year thereafter to assess the health-related behavior of a representative sample of students in grades 7, 9, and 11. In addition, districts that receive funding through TUPE are required to complete the TUPE Annual Report by June 30 of each year.

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

(cf. 0500 - Accountability)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6162.8 - Research)

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

51202 Instruction in personal and public health and safety

60041 Instructional materials, portrayal of effects of tobacco use

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education

119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment

6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

## ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 8 (2005)

Management Resources:

## CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

TUPE Acceptance of Funds Guidance

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003

Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000

WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey

WEB SITES

CSBA: http://www.csba.org

California Department of Education, Tobacco-Use Prevention Education: http://www.cde.ca.gov/ls/he/at/tupe.asp

California Department of Public Health, Tobacco Control: http://www.cdph.ca.gov/programs/tobacco

California Healthy Kids Resource Center: http://www.californiahealthykids.org

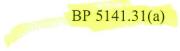
California Healthy Kids Survey: http://www.wested.org/hks

Centers for Disease Control and Prevention, Smoking and Tobacco Use: http://www.cdc.gov/tobacco

U.S. Surgeon General: http://www.surgeongeneral.gov

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#### Students



### IMMUNIZATIONS

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 6142.8 - Comprehensive Health Education)

Note: The following **optional** paragraph should be revised to reflect the grade levels and programs offered by the district.

Health and Safety Code 120335 requires districts to ensure that students are fully immunized prior to admission. In addition, beginning July 1, 2016, Health and Safety Code 120335, as amended by SB 277 (Ch. 35, Statutes of 2015), requires districts to ensure that students are fully immunized against all specified diseases before advancing to grade 7. See the accompanying administrative regulation for requirements pertaining to the immunization record, including the diseases for which students must be immunized.

Health and Safety Code 120335, as amended by SB 277, further provides that students must be exempted from immunizations for any one of the following reasons: (1) a licensed physician indicates that a student should be exempted for medical reasons, (2) a parent/guardian files a letter or affidavit prior to January 1, 2016 stating his/her personal beliefs opposed to immunization (effective only until the student enters the next grade span), or (3) a student is enrolled in independent study and does not receive classroom-based instruction. See the accompanying administrative regulation for further information about exemptions.

✓ Each student enrolling for the first time in a district elementary or secondary school, preschool, or child care and development program or, after July 1, 2016, enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that he/she has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: 17 CCR 6070 allows a transfer student to be conditionally admitted for up to 30 days while waiting for the transfer of immunization records from his/her previous school; see the accompanying administrative regulation. However, the California Department of Public Health's <u>California Immunization Handbook for Child Care Programs and Schools</u> recommends that schools request parents/guardians to bring their child's personal immunization record from his/her health care provider to registration, rather than waiting for the cumulative file, especially if the student's former school is located outside the United States. In this way, districts would only need to request the record from the previous district for those students who could not present an adequate record at the time of entry.

Pursuant to 42 USC 11431 and Education Code 48853.5, homeless children and foster youth must be immediately enrolled even if they are unable to produce records normally required for enrollment, including medical records. See AR 6173 - Education for Homeless Children and AR 6173.1- Education for Foster Youth. In addition, pursuant to Education Code 49701, children of military families must be allowed 30 days from the date of enrollment to obtain required immunizations; see AR 6173.2 - Education of Children of Military Families. These exceptions are also addressed in the accompanying administrative regulation.

Each transfer student shall be requested to present his/her immunization record, if possible, upon registration at a district school.

(cf. 6173 - Education for Homeless Children) (cf. 6173.1 - Education for Foster Youth) (cf. 6173.2 - Education of Children of Military Families)

Note: The following **optional** paragraph is for use by districts that permit medical personnel to administer immunizations at school as authorized by Education Code 49403. Pursuant to Education Code 49403, immunizations may be provided by a licensed physician or, if acting under the direction of a supervising physician, a registered nurse (including a school nurse), physician assistant, nurse practitioner, licensed vocational nurse, or nursing student acting under the supervision of a registered nurse. The authority of any health care practitioner, other than a licensed physician, to administer immunizations in a school immunization program is limited to immunizations for annual seasonal influenza, influenza pandemic episodes, and other diseases that represent a current or potential outbreak as declared by a federal, state, or local public health officer. Whenever a health care provider is authorized to administer immunizations at school, the school nurse must be notified and must maintain control, as necessary, as the supervisor of health in accordance with Education Code 44871 and other statutes.

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (Education Code 49403)

(cf. 5141.3 - Health Examinations) (cf. 5141.6 - School Health Services) (cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

#### Legal Reference:

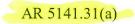
EDUCATION CODE 44871 Qualifications of supervisor of health 46010 Total days of attendance 48216 Immunization 48853.5 Immediate enrollment of foster youth 48980 Required notification of rights 49403 Cooperation in control of communicable disease and immunizations 49426 Duties of school nurses 49701 Flexibility in enrollment of children of military families 51745-51749.6 Independent study HEALTH AND SAFETY CODE 120325-120380 Immunization against communicable disease, especially: 120335 Immunization requirement for admission 120395 Information about meningococcal disease, including recommendation for vaccination 120440 Disclosure of immunization information CODE OF REGULATIONS, TITLE 5 430 Student records CODE OF REGULATIONS, TITLE 17 6000-6075 School attendance immunization requirements UNITED STATES CODE, TITLE 20 1232g Family Educational Rights and Privacy Act UNITED STATES CODE, TITLE 42 11432 Immediate enrollment of homeless children CODE OF FEDERAL REGULATIONS, TITLE 34 99.1-99.67 Family Educational Rights and Privacy

Management Resources:

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH California Immunization Handbook for Child Care Programs and Schools, August 2015 Guide to Immunizations Required for Child Care Guide to Immunizations Required for School Entry Parents' Guide to Immunizations Required for Child Care Parents' Guide to Immunizations Required for School Entry EDUCATION AUDIT APPEALS PANEL PUBLICATIONS Guide for Annual Audits of Local Education Agencies and State Compliance Reporting, July 2015 U.S. DEPARTMENT OF EDUCATION GUIDANCE Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009 WEB SITES California Department of Education: http://www.cde.ca.gov California Department of Public Health, Immunization Branch: http://www.cdph.ca.gov/programs/immunize California Department of Public Health, Shots for Schools: http://shotsforschools.org Centers for Disease Control and Prevention: http://www.cdc.gov Education Audit Appeals Panel: http://www.eaap.ca.gov

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

#### Students



## **IMMUNIZATIONS**

## **Required Immunizations**

Note: The following **optional** paragraph may be revised to reflect district practice. The California Department of Public Health's (CDPH) <u>California Immunization Handbook for Child Care Programs and Schools</u> recommends that districts provide parents/guardians with a written notice of immunization requirements. The CDPH's <u>Parents' Guide to Immunizations Required for School Entry</u> and <u>Parents' Guide to Immunizations Required for Child Care</u> may be used for this purpose.

The Superintendent or designee shall provide parents/guardians, upon school registration, a written notice summarizing the state's immunization requirements.

Note: The following paragraph should be revised to reflect the grade levels and programs offered by the district. Health and Safety Code 120335 requires districts to ensure that students are fully immunized prior to admission. See 17 CCR 6020 and the CDPH's <u>California Immunization Handbook for Child Care</u> <u>Programs and Schools</u> for details regarding the ages/grades at which specific immunizations are required and the doses needed.

Pursuant to Health and Safety Code 120335, districts must ensure that students entering grade 7 are fully immunized against pertussis. Beginning July 1, 2016, Health and Safety Code 120335, as amended by SB 277 (Ch. 35, Statutes of 2015), also requires districts to ensure that students are fully immunized against all specified diseases before advancing to grade 7.

The Superintendent or designee shall not unconditionally admit any student to a district elementary or secondary school, preschool, or child care and development program for the first time nor, after July 1, 2016, admit or advance any student to grade 7 unless the student has been fully immunized. The student shall present documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6020)

- 1. Measles, mumps, and rubella (MMR)
- 2. Diphtheria, tetanus, and pertussis (whooping cough) (DTP, DTaP, or Tdap)
- 3. Poliomyelitis (polio)
- 4. Hepatitis B
- 5. Varicella (chickenpox)
- 6. Haemophilus influenza type b (Hib meningitis)
- 7. Any other disease designated by the CDPH

(cf. 5141.22 - Infectious Diseases) (cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education) (cf. 6170.1 - Transitional Kindergarten)

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

Note: State law does not exempt from vaccination requirements students who qualify for an individualized education program (IEP). However, Health and Safety Code 120335, as amended by SB 277 (Ch. 35, Statutes of 2015), specifies that its provisions do not prohibit a student who qualifies for an IEP from "accessing any special education and related service" required by his/her IEP. The district should consult legal counsel if it has questions about how to ensure compliance with vaccination requirements consistent with a student's IEP. The district may want to consider holding an IEP meeting to resolve any potential conflicts with the IEP.

A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the district shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related service required by his/her IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

#### (cf. 6159 - Individualized Education Program)

Note: According to the CDPH's <u>California Immunization Handbook for Child Care Programs and Schools</u>, the immunization record must be either a personal record with entries made by the physician or agency performing the immunization or a school immunization record from the student's previous school (either the California School Immunization Record or another state's school record). 17 CCR 6070 specifies the information that must be included in the record.

The student's immunization record shall be provided by the student's health care provider or from the student's previous school immunization record. The record must show at least the month and year for each dose, except that the day, month, and year must be shown for the MMR doses given during the month of the first birthday and for the Tdap dose given during the month of the seventh birthday. (17 CCR 6070)

### Exemptions

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. The parent/guardian files with the district a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances

relating to the child are such, that immunization is not considered safe. The statement shall indicate the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization. (Health and Safety Code 120370; 17 CCR 6051)

Note: Health and Safety Code 120365, which exempted a student from one or more immunization requirements if his/her parent/guardian stated in writing that the immunizations are contrary to his/her beliefs, was repealed by SB 277 (Ch. 35, Statutes of 2015). However, SB 277 also amended Health and Safety Code 120335 to provide that a personal beliefs exemption may be granted for any student whose parent/guardian files a letter or affidavit prior to January 1, 2016 stating his/her beliefs opposed to immunization, and that such exemption shall be effective until he/she enters the next grade span. For this purpose, Health and Safety Code 120335 defines three grade spans: birth through preschool, grades K-6 (including TK), and grades 7-12. For example, a student granted a personal beliefs exemption in preschool must be immunized when entering kindergarten, and a student granted such an exemption in grade 4 must be immunized when entering grade 7. The district may revise item #2 to reflect grade levels offered by the district.

2. The student's parent/guardian files with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to his/her personal beliefs, in which case the student shall be exempted from the immunization until he/she enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12). (Health and Safety Code 120335)

#### (cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Note: The following paragraph reflects the CDPH's <u>Senate Bill 277 Frequently Asked Questions</u>, which indicate that a personal beliefs exemption filed before January 1, 2016 may be transferred to another school or child care facility within the same district or in another school district within California. The CDPH's position is that a personal beliefs exemption from another state or country is not valid. The district should consult legal counsel if any question arises regarding the validity of a student's personal beliefs exemption.

When a student transfers to a different school within the district or transfers into the district from another school district in California, his/her personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.

Note: Health and Safety Code 120335, as amended by SB 277 (Ch. 35, Statutes of 2015), exempts certain students enrolled in independent study, as provided below.

3. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction.

(cf. 6158 - Independent Study)

## **Conditional Enrollment**

- The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340; 17 CCR 6000, 6035)
  - 1. The student has not received all the immunizations required for his/her age group, but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission.
  - 2. The student has a temporary exemption from immunization for medical reasons pursuant to item #1 in the section "Exemptions" above.

The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035.

### (cf. 5145.6 - Parental Notifications)

In addition, a transfer student may be conditionally admitted for up to 30 school days while his/her immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6070)

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6070)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that he/she is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

(cf. 6173 - Education for Homeless Children) (cf. 6173.1 - Education for Foster Youth) (cf. 6173.2 - Education of Children of Military Families)

### **Exclusions Due to Lack of Immunizations**

✓ Any student without the required evidence of immunization may be excluded from school until the immunization is obtained or an exemption is granted in accordance with the section "Exemptions" above.

(cf. 5112.2 - Exclusions from Attendance) (cf. 6183 - Home and Hospital Instruction)

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days to supply evidence of proper immunization or an appropriate exemption. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

#### (cf. 5141.6 - School Health Services)

The Superintendent or designee shall exclude from further attendance any already admitted student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school until he/she provides written evidence that he/she has received a dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

### **Exclusion Due to Exposure to Disease**

✓ If the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and his/her documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer informs the district in writing that he/she is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

#### Records

Note: The CDPH requires that school staff record all immunization dates from each student's personal immunization record onto the California School Immunization Record (often referred to as the "blue card") and then complete the documentation section of the card which includes the type of record provided and the status of the student's immunizations. The record also may be maintained electronically.

An immunization record that is directly related to a student is an "education record" subject to the Family Educational Rights and Privacy Act (20 USC 1232g; 34 CFR 99.1-99.67) and therefore generally requires parent/guardian consent to be lawfully disclosed. However, pursuant to 20 USC 1232g and 34 CFR 99.31 and 99.36, an exception exists when knowledge of the information is necessary to address an articulable and significant threat to the health or safety of the student or other individuals.

The Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

(cf. 5125 - Student Records)

The district shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

### Audits

Note: The Education Audit Appeals Panel's <u>Guide for Annual Audits of Local Education Agencies and State</u> <u>Compliance Reporting</u> requires an audit of the immunization records for any school which, in the previous year, (1) failed to submit immunization assessment reports to the CDPH for kindergarten or grade 7 or (2) reported a conditional admission rate greater than 25 percent in kindergarten. The CDPH's web site contains information as to whether a school meets either of these conditions.

✓ If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

Regulation approved:

## CSBA Sample | BP 5144 Students

## Discipline

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Note: The following policy is optional. Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), the Governing Board is required to adopt, for the district and each school under its jurisdiction, a local control and accountability plan (LCAP) that includes a description of the specific actions that the district intends to take in order to achieve its annual goals in specific priority areas, including student engagement and school climate. See BP/AR 0460 - Local Control and Accountability Plan.

Note: Since a district's ability to meet its goals around these priorities is impacted by its student discipline policies and practices, the Board must be careful to enact rules that are effective in maintaining safety and order on campus and in correcting student misbehavior without unnecessarily excluding students from school or participation in instruction. Education Code 48900 specifies behaviors for which a student may be suspended and/or recommended for expulsion (see BP/AR 5144.1 - Suspension and Expulsion/Due Process) and authorizes the use of age-appropriate alternatives designed to address a student's specific misbehavior, including those listed in Education Code 48900.5 and 48900.6.

Note: In addition, the U.S. Department of Justice's Civil Rights Division and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, state that studies have suggested a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance, diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior.

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

- (cf. 5137 Positive School Climate)
- (cf. 5138 Conflict Resolution/Peer Mediation)
- (cf. 5145.9 Hate-Motivated Behavior)
- (cf. 6020 Parent Involvement)
- ✓ The Superintendent or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

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

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

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

Note: The following optional paragraph may be revised to reflect district practice. According to Public Counsel's model policy issued as part of the Fix School Discipline Project, a discipline matrix that lists violations and consequences could be a useful guide to school site administrators with regard to when suspension or expulsion referrals should be utilized.

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

Note: Education Code 35291.5 authorizes, but does not require, school sites to adopt rules and procedures for student discipline. Pursuant to Education Code 32282, any adopted site-level discipline rules must be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan. The following paragraph is optional.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level

disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 35291.5, 32282)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

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

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

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), the district must annually adopt an LCAP that includes a description of district goals for improving school climate, as provided in the following paragraph.

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

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

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

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

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

CSBA: http://www.csba.org

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

Public Counsel: http://www.fixschooldiscipline.org

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

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CSBA Sample | AR 5144 Students

## Discipline

### Site-Level Rules

Note: The following section is optional. Pursuant to Education Code 35291.5, schools are authorized, but not required, to adopt site-level student discipline rules and procedures. Schools that choose to adopt student discipline rules, or that are directed by the Governing Board to do so, must solicit input from groups specified in items #1-5 below. Such site-level rules must be consistent with law, Board policy, and district regulations. If the school develops student discipline rules, Education Code 32282 requires that they be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan.

Note: In addition, pursuant to Education Code 52060, the district is required to adopt a local control and accountability plan (LCAP) that includes a description of the specific actions that it intends to take achieve its annual goals in specified priority areas, including student engagement and school climate. In the development of the LCAP, the district is required to involve and/or consult with parents/guardians, employees, employee organizations, and students in accordance with law. See BP/AR 0460 - Local Control and Accountability Plan.

Site-level rules shall be consistent with district policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

- 1. Parents/guardians
- 2. Teachers
- 3. School administrators
- 4. School security personnel, if any
- (cf. 3515.3 District Police/Security Department)

Note: Item #5 below may be deleted by elementary districts.

5. For junior high and high schools, students enrolled in the school

Note: The following optional paragraph may be revised to reflect district practice. Education Code 35291.5 authorizes, but does not require, each school site to adopt school rules every four years. However, it is recommended that the timelines for the review of school rules be aligned with those for the review and updating of the comprehensive safety plan, since the school rules must, by law, be included in the plan. Pursuant to Education Code 32286, the comprehensive safety plan must be reviewed and updated every year by March 1; see BP/AR 0450 - Comprehensive Safety Plan. Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

✓ School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

## **Disciplinary Strategies**

Note: Education Code 48900.5 lists means of correction of student behavior that a district may use as an alternative to suspension. The district should select those strategies that are appropriate for its student population. The following strategies may be modified or expanded to reflect district practice.

✓ To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to himself/herself or others or he/she commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management

6. Participation in a restorative justice program

7. A positive behavior support approach with tiered interventions that occur during the school day on campus

8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably

Note: The Public Counsel's Fix School Discipline Project recognizes that exposure to chronic violence and other family or community traumas, such as serious accidents and life-threatening illnesses involving loved ones, and to conditions such as homelessness, may affect students' ability to learn and function well in school, and urges schools to adopt policies that recognize those factors and provide appropriate support to students.

9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner

10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11. Recess restriction as provided in the section below entitled "Recess Restriction"

12. Detention after school hours as provided in the section below entitled "Detention After School"

13. Community service as provided in the section below entitled "Community Service"

14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Cocurricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

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

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

- 16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation
- (cf. 5144.1 Suspension and Expulsion/Due Process)

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

Note: Pursuant to Education Code 48900.5, when a student's misbehavior may result in a referral for suspension or expulsion after other means of correction have failed, the district may document and place in the student's record any other means of correction used to address the behavior. The following optional paragraph may be revised to reflect district practice.

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

## Recess Restriction

Note: The following optional section should be revised to reflect district practice. Although Education Code 44807.5 authorizes the district to adopt reasonable regulations allowing a teacher to restrict recess time for disciplinary purposes, it is recommended that districts discourage its use since it could limit students' opportunity to engage in physical activity which is inconsistent with district goals for student wellness. Studies have shown that, apart from its multiple health benefits, physical activity can help students improve their academic performance, attention, and behavior. Useful resources, including policy briefs and fact sheets that provide more information about the links between physical activity and student health and learning, are available on the CSBA web site.

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

2. The student shall remain under a certificated employee's supervision during the period of restriction.

3. Teachers shall inform the principal of any recess restrictions they impose.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

## ✓ Detention After School

Note: 5 CCR 353 limits after-school detention to one hour after the close of the maximum school day or until the departure of the school transportation to which the student has been assigned pursuant to 5 CCR 307. For safety purposes, when a student will miss his/her transportation due to detention, the school should notify the parent/guardian at least one day in advance so that alternative arrangements may be made.

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

Note: The following paragraph should be modified to reflect district practice.

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Note: The following optional paragraph is offered for districts that use Saturday classes for purposes of detention. Education Code 37223 authorizes the use of Saturday classes; however, except in the case of truants, attendance at such classes must be at the election of the student or parent/guardian.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

✓ Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

Note: Education Code 48900.6 provides that the community service option is not available for those students who have been suspended, pending expulsion, for acts qualifying for either "mandatory recommendation for expulsion" or "mandatory expulsion" pursuant to Education Code 48915. See AR 5144.1 - Suspension and Expulsion/Due Process.

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

## / Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

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## CSBA Sample | BP 5144.1 Students

## **Suspension And Expulsion/Due Process**

Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. In addition, Education Code 48918 mandates the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

Note: While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, would not exclude students from school or limit their ability or opportunity to learn. Pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel and the student and his/her parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. Education Code 48900.5 also authorizes a district to document in a student's records the alternative means of correction used to address the student's behavior. For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline.

Note: In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, state that studies have suggested a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehaviors.

Note: The need to implement means of correction other than suspension and expulsion is underscored by Education Code 52060-52077, which require districts to adopt and annually update a local control and accountability plan (LCAP) including descriptions of the district's and each school's goals for improving student engagement and school climate, as measured by rates of student absenteeism, suspension and expulsion, and other relevant measures identified by the Board.

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

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

Note: Pursuant to Education Code 48900(s), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for violations committed away from school if it is related to a school activity or to school attendance. For example, Education Code 48900 defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; see BP/AR 5145.7 - Sexual Harassment.

- Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))
  - 1. While on school grounds
  - 2. While going to or coming from school
  - 3. During the lunch period, whether on or off the school campus
  - (cf. 5112.5 Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

Note: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, the DOJ and OCR noted that, based on the civil rights data collection conducted by OCR, students of certain racial or ethnic groups tended to be disciplined more, and sometimes more harshly, than their similarly situated peers in violation of federal nondiscrimination laws. The letter warned that any district determined to have engaged in unlawful discrimination could be subject to OCR investigation and significant remedial action.

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

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

/Appropriate Use of Suspension Authority

Note: Education Code 48900.5 requires districts to use other means of correction instead of suspension or expulsion except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

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

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

Note: The following optional paragraph may be revised to reflect district practice.

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

Note: Education Code 48900(k), as amended by AB 420 (Ch. 660, Statutes of 2014), prohibits a district from suspending students in grades K-3 for disruption or willful defiance. As amended, Education Code 48900(k) authorizes but does not require a district to suspend students in grades 4-12 for disruption or willful defiance. Even with this authority, districts should be careful in using these grounds, as available data have indicated a disproportionate use with certain student subgroups. Option 1 below is for use by any district that chooses to suspend students in grades 4-12 for disruption and/or willful defiance as authorized pursuant to Education Code 48900(k). Any district that chooses to eliminate disruption and willful defiance as reasons for suspending any of its students from school should select Option 2 below. Such districts should also delete the first paragraph in the section titled "Additional Grounds for Suspension and Expulsion: Grades 4-12," in the accompanying administrative regulation.

Note: Each option below reflects an exception granted to teachers pursuant to Education Code 48910 to suspend students, including a K-3 student, from class; see section "Suspension from Class by a Teacher" in the accompanying administrative regulation.

OPTION 1: No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Note: The following optional paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students. Since these are not enumerated offenses, a district does not have the authority to suspend or expel students for committing any of these acts.

- Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.
  - (cf. 5113 Absences and Excuses)
  - (cf. 5113.1 Chronic Absence and Truancy)

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Note: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code 48911.2 states that, if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another program of on-campus progressive discipline. However, Education Code 48900.5 requires a district to try other means of correction and document that those means have failed to bring about proper conduct before imposing a supervised suspension.

Note: The following optional section is for use by districts implementing a supervised suspension classroom program. Such districts may continue to claim funding apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation. A district does not receive funding for off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

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

## ✓ Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

 $\checkmark$  A vote to expel a student shall be taken in a public session.

Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion as long as a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. Legal counsel should be consulted as appropriate.

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

Note: Education Code 48900(k), as amended by AB 420 (Ch. 660, Statutes of 2014), prohibits a district from expelling any student for disruption or willful defiance.

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

✓ Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee

shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

Note: Pursuant to Education Code 48900.8 and 48916.1, the district is required to maintain data related to suspensions and expulsions and to report such data to the Superintendent of Public Instruction. In addition, pursuant to Education Code 52060, a district is required to address school climate in its LCAP, by including an assessment of baseline data regarding suspension and expulsion rates by student subgroups and schools and setting goals for improving those rates and other related factors. The DOJ and OCR, in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, recommend that districts maintain disaggregated discipline information to ensure transparency and facilitate community discussion.

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors, or stun guns
868.5 Supporting person; attendance during testimony of witness
WELFARE AND INSTITUTIONS CODE
729.6 Counseling
UNITED STATES CODE, TITLE 18
921 Definitions, firearm
UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7151 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

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

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

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

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

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

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

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

WEB SITES

CSBA: http://www.csba.org

California Attorney General's Office: http://www.oag.ca.gov

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

U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf

U.S. Department of Education, Office of Safe and Drug-Free Schools: http://www.ed.gov/about/offices/list/osdfs

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## CSBA Sample | AR 5144.1 Students

## **Suspension And Expulsion/Due Process**

Note: CSBA recommends that this administrative regulation be approved by the Governing Board, regardless of district practice.

Note: Education Code 35291 requires the Board to adopt rules and regulations, which are not inconsistent with law or rules adopted by the State Board of Education, for the government and discipline of the schools under its jurisdiction. In addition, Education Code 48918 and 48918.5 mandate that districts adopt rules concerning the due process rights of students in expulsion situations, and Education Code 48916 mandates procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.

Note: The acts for which students may be suspended or expelled are specified in law and in the sections below titled "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12." The Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code 52060. In addition, pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

### └ Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level

2. Referral to a certificated employee designated by the principal to advise students

3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

## ✓ Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

Note: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code 48900 and 48915) or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. Note that "firearm" does not include "imitation firearm" which is listed separately in item #12 below. See BP 5131.7 - Weapons and Dangerous Instruments.

Note: Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See BP 5131 - Conduct.

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))

7. Stole or attempted to steal school property or private property (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))

11. Knowingly received stolen school property or private property (Education Code 48900(l))

12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900 (n))

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

Note: Education Code 48900(r) defines "bullying" as "any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act," which is directed toward a student and which would have serious detrimental consequences upon a reasonable student. Pursuant to Education Code 48900, a student may be disciplined for bullying by means of electronic act even when the act originated off campus. See also BP 5131.2 - Bullying.

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Note: "Bullying" also would include any act of sexual harassment, hate violence, or harassment, threat, or intimidation committed by a student of any grade level, as set forth in Education Code 48900.2, 48900.3, or 48900.4, when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may be disciplined for the "bullying" but not for the underlying act of sexual harassment, hate violence, or harassment, threat, or intimidation as specified below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12."

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

- (cf. 6163.4 Student Use of Technology)
- (cf. 6164.4 Identification and Evaluation of Individuals for Special Education)

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

Note: Education Code 48900 allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. The term "aiding or abetting," is a complex legal term and requires that, at the time he/she committed the crime, the aider or abettor was aware

of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, legal counsel should be consulted as appropriate.

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))

19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

✓ Additional Grounds for Suspension and Expulsion: Grades 4-12

Note: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

Note: Education Code 48900, as amended by AB 420 (Ch. 667, Statutes of 2014), prohibits the use of disruption and/or willful defiance as reasons for expelling any student. As amended, Education Code 48900 also restricts their use as a basis for suspending students in grades 4-12 from school. Since districts are authorized but not required to suspend students in grades 4-12 based on these grounds, a district may choose, consistent with Option 2 in accompanying Board policy, to prohibit the use of these reasons for suspending its students. Any district that chooses to do so should delete the following paragraph.

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

Note: As discussed in item #17 of "Grounds for Suspension and Expulsion: Grades K-12" above, although Education Code 48900(r) defines bullying to include acts involving items #1-3 below, only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment. The interplay between "bullying" and items #1-3 can raise complex legal issues. Districts should consult legal counsel as appropriate.

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

✓ Suspension from Class by a Teacher

Note: The following section is optional and may be revised to reflect district practice. While Education Code 48900(k), as amended by AB 420 (Ch. 660, Statutes of 2014), prohibits a district from suspending students in grades K-3 for disruption or willful defiance, it still allows for a teacher to suspend a K-3 student on these grounds.

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

# Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

Note: Education Code 48900.5 limits situations warranting suspension for a first offense to when the violation involves Education Code 48900(a)-(e) or the student's presence causes a danger to persons.

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

Note: Pursuant to Education Code 48900 and 48915, except for certain egregious acts or offenses for which suspension is permissible or mandatory, as specified above pursuant to Education Code 48915(a) or (c), the Superintendent or principal is authorized to use his/her discretion to provide an alternative, age-appropriate disciplinary measure that is tailored to correct a student's specific misbehavior. In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, recommend that effective alternatives to suspension and expulsion be implemented for correcting student misbehavior. For a list of appropriate alternatives, see AR 5144 - Discipline.

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

### └─ Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

✓ Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the available evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

Note: Item #2 below should be revised to reflect the district's processing and reporting procedures.

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

Note: The following optional paragraph may be revised to reflect district practice.

In addition, the notice may state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Note: When the student being considered for expulsion is a foster youth, Education Code 48911 and 48918.1 require the district to invite the student's attorney and an appropriate county child welfare agency representative to the meeting specified above. To ensure such invitation, the following paragraph provides that the district liaison for foster youth be notified. However, any district that has designated another position to carry out this responsibility may modify the paragraph to specify that position. For designation of the liaison for foster youth, see AR 6173.1 - Education for Foster Youth.

c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

Note: Pursuant to Education Code 48918.1, as amended by AB 1806 (Ch. 767, Statutes of 2014), the district's liaison for homeless students must be notified when the student being considered for expulsion is a homeless student. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students."

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

Note: The following optional paragraph may be revised to reflect district practice. Since Education Code 48900 and 48900.5 require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

Suspension by the Board

Note: The following optional section reflects the Board's authority to suspend students from school pursuant to Education Code 48912. In practice, it is impractical for boards to directly exercise this authority since circumstances warranting suspension usually require quick and sometimes immediate action which may not be possible for a board due to legal requirements for taking board actions, such as having a meeting.

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

### ✓On-Campus Suspension

Note: The following optional section is for use by any district establishing an on-campus suspension program pursuant to Education Code 48911.1. However, pursuant to Education Code 48900.5, such a district is required to use other means of correcting a student's behavior before imposing a supervised suspension, unless such a supervised suspension is otherwise permitted by law for a student's first offense. Use of a supervised suspension classroom program does not in any way limit the district's ability to transfer a

student to an opportunity school or class or a continuation education school or class in accordance with law.

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.

2. The student shall have access to appropriate counseling services.

3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

✓ Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense

2. Possession of any knife or other dangerous object of no reasonable use to the student

3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician

4. Robbery or extortion

5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

✓ Student's Right to Expulsion Hearing

Note: Education Code 48918 mandates that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code

48918 must be strictly followed; failure to do so may result in loss of the district's power to act (Garcia v. Los Angeles Board of Education). In calculating timelines, the district should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918.

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

└─ Stipulated Expulsion

Note: The following section is optional and may be revised to reflect district practice. "Stipulated expulsion" is for districts that have adopted an expedited procedure which allows a student to waive his/her right to a pre-expulsion hearing in exchange for an agreement as to the terms of the expulsion. Such waivers are not specifically addressed in law and districts should ensure that the due process rights of students are included in the stipulated agreement and are clearly explained to them before the agreement is signed. Districts should consult legal counsel as appropriate.

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

✓ Rights of Complaining Witness

Note: Education Code 48918.5 mandates the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing

2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Note: Education Code 48918 mandates the Board to adopt procedures that include the following items.

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing

2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based

3. A copy of district disciplinary rules which relate to the alleged violation

4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing

7. The opportunity to confront and question all witnesses who testify at the hearing

8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

Note: Prior to conducting an expulsion hearing to determine whether a foster youth should be expelled, Education Code 48918.1 requires the district to notify the student's attorney and a representative of an appropriate county child welfare agency, provided that the violation does not require a mandatory recommendation for expulsion. Pursuant to Education Code 48918.1, as amended by AB 1806 (Ch. 767, Statutes of 2014), such additional notice must be given to the district liaison for homeless students when the student involved is a homeless child or youth and the violation does not require a mandatory recommendation for expulsion, it is not require a mandatory recommendation for expulsion, it is not required if the offense requires a mandatory recommendation for expulsion, it is not required in the following section reflects this recommendation.

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

✓ Conduct of Expulsion Hearing

Note: Education Code 48918 mandates that the Board adopt procedures that include the following items.

Note: Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all expulsion hearings in this manner, the requirements of Education Code 48918 pertaining to the conduct of the hearing must be met.

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

Note: Education Code 48918 authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In Woodbury v. Dempsey, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of subpoenas in all cases.

Note: In accordance with Code of Civil Procedure 1987, the subpoena must be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage; these fees and mileage must be paid by the party requesting the subpoena.

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel

may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above. (Education Code 48918(h))

Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code; the district should consult legal counsel as appropriate.

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

Note: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b).

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

a. Any complaining witness shall be given five days' notice before being called to testify.

b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours

(c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

/ Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Note: For districts that use a hearing officer or administrative panel, Education Code 48918 mandates that the Board adopt procedures that include the following section.

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

Note: Pursuant to Education Code 48918, as amended by SB 1111 (Ch. 837, Statutes of 2014), if the hearing officer or administrative panel does not recommend expulsion, a student must be permitted to return to the classroom instructional program from which the expulsion referral was made, unless the student's parent/guardian requests a different placement. As amended, Education Code 48918 also states that a student who is found to have committed any of the violations listed in "Authority to Expel" in the accompanying Board policy but for whom expulsion is not recommended may be referred to his/her prior school. However, the hearing officer or administrative panel, like the Board, must recommend expulsion or a suspended expulsion under Education Code 48915, if it finds that a student committed any such violation that mandates expulsion. District should consult legal counsel to resolve this apparent discrepancy.

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

### ✓ Final Action by the Board

Note: Education Code 48918 mandates that the Board adopt procedures that include the following paragraph.

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

#### (cf. 9321.1 - Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Note: The Gun-Free Schools Act, 20 USC 7151, requires that information in the following paragraph be sent to the California Department of Education (CDE) for assurances of compliance with federal and state law. For other language that must be submitted to the CDE, see section below entitled "Notifications to Law Enforcement Authorities."

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission

2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

Note: The following paragraph is optional. Education Code 48916.5 authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

# Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)

2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)

3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)

4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

✓ Decision to Suspend Expulsion Order

Note: Pursuant to Education Code 48917, the Board's criteria for suspending the enforcement of expulsions must be applied uniformly to all students. Items #1-3 below are optional and should be revised to reflect district criteria.

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior

2. The seriousness of the misconduct

3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the

student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

✓ Notification to Law Enforcement Authorities

Note: The Gun-Free Schools Act, 20 USC 7151, requires that information in the following two paragraphs be sent to the CDE for assurances of compliance with federal and state law.

Note: In addition, Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student or nonstudent possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code 49076 requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right; see AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities).

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

Note: Education Code 48915 requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code 48900(f) through (m) or Education Code 48900.2, 48900.3, or 48900.4 may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.

Note: Education Code 48915.01 states that if the Board has established a community day school pursuant to Education Code 48661 on the same site as an elementary, middle, junior, or senior high school, expelled students may be referred to the community day school at that site. Although Education Code 48663 prohibits the use of independent study in community day schools, Education Code 48916.1 does not in any way restrict the district from offering independent study as a voluntary alternative placement option for expelled students.

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems

2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these

3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

V Readmission After Expulsion

Note: Education Code 48916 mandates that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and a process for Board review of all expelled students for readmission. Items #1-2 below should be revised to reflect district practice.

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or

designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.

4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

Note: Education Code 48915.1 requires that, when an expelled student asks to enroll in another district, the receiving district must hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days.

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

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CSBA Sample | E 5145.6 Students

## **Parental Notifications**

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2015 (AB 93, Ch. 10, Statutes of 2015) extends the suspension of these requirements through the 2015-16 fiscal year.

Note: The following exhibit lists notices which the law requires be provided to parents/guardians. However, there are other notices that districts are recommended to distribute (e.g., the notice included in AR 5145.3 - Nondiscrimination/Harassment regarding the rights of transgender and gender-nonconforming students and the opportunity for a student to inform the district whenever his/her participation is a sex-segregated program or activity with a student of the opposite biological sex would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy).

Note: See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

I. Annually

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3

Board Policy/Administrative Regulation #: See AR 3514.2

Subject: Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Annually by February 1

Education or Other Legal Code: Education Code 35256, 35258

Board Policy/Administrative Regulation #: See BP 0510

Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 35291, 48980

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

Subject: District and site discipline rules

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 46010.1

Board Policy/Administrative Regulation #: See BP 5113

Subject: Absence for confidential medical services

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980

Board Policy/Administrative Regulation #: See BP 6111

Subject: Schedule of minimum days

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917

Board Policy/Administrative Regulation #: See AR 5145.7

Subject: Sexual harassment policy as related to students

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 32255-32255.6

Board Policy/Administrative Regulation #: See AR 5145.8

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

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361

Board Policy/Administrative Regulation #: See AR 5111.1, See AR 5116.1, See AR 5117

Subject: All statutory attendance options, available local attendance options, options for meeting residency

When to Notify: Beginning of each school year, if Board allows such absence

Education or Other Legal Code: Education Code 48980, 46014

Board Policy/Administrative Regulation #: See BP 5113, See AR 5113

Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 48205

Board Policy/Administrative Regulation #: See BP 5113, See AR 5113, See AR 6154

Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48206.3, 48207, 48208
Board Policy/Administrative Regulation #: See AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49403
Board Policy/Administrative Regulation #: See BP 5141.31
Subject: Consent to school immunization program
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49423, 49480
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Administration of prescribed medication
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49451; 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Right to refuse consent to physical examination
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49471, 49472
Board Policy/Administrative Regulation #: See BP 5143
Subject: Availability of insurance
When to Notify: Annually
Education or Other Legal Code: 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies
When to Notify: Beginning of each school year

GAMUT Online : CSBA Sample : Parental Notifications E 5145.6	Page 4 of
Education or Other Legal Code: Education Code 49063	
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3	
Subject: Challenge, review and expunging of records	
When to Notify: Beginning of each school year	
Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CF	R 99.7
Board Policy/Administrative Regulation #: See AR 5125	
Subject: Student records: inspect and review, access, types, location, persons responsib log, access criteria, cost of copies, amendment requests, criteria to determine legitimate interest, course prospectus availability	
When to Notify: Beginning of each school year	
Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CF.	R 99.37
Board Policy/Administrative Regulation #: See AR 5125.1	
Subject: Release of directory information	
When to Notify: Beginning of each school year	
Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 2	245.5
Board Policy/Administrative Regulation #: See AR 3553	
Subject: Free and reduced price meals	
When to Notify: Beginning of each school year	
Education or Other Legal Code: Education Code 51513, 20 USC 1232h	
Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8	
Subject: Notice of privacy policy and dates of activities re: survey, health examination, of personal information for marketing; process to opt out of such activities	or collection
When to Notify: Beginning of each school year	
Education or Other Legal Code: Education Code 56301	
Board Policy/Administrative Regulation #: See BP 6164.4	

Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 58501, 48980

Board Policy/Administrative Regulation #: See AR 6181

Subject: Alternative schools

When to Notify: Beginning of each school year

Education or Other Legal Code: Health and Safety Code 104855

Board Policy/Administrative Regulation #: See AR 5141.6

Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When/Whom to Notify: Annually

Legal Code: 5 CCR 852; Education Code 60615

Board Policy/Administrative Regulation #: AR 6162.51

Subject: Student's participation in state assessments; option to request exemption from testing

When to Notify: Beginning of each school year, if district receives Title I funds

Education or Other Legal Code: 20 USC 6311; 34 CFR 200.61

Board Policy/Administrative Regulation #: See AR 4112.24, See AR 4222

Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to Notify: Beginning of each school year, if any district school has been identified for program improvement or corrective action

Education or Other Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: See AR 0520.2

Subject: Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers

When to Notify: Beginning of each school year

Education or Other Legal Code: 34 CFR 104.8,106.9

Board Policy/Administrative Regulation #: See BP 0410, See BP 6178

Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals

Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93

Board Policy/Administrative Regulation #: See AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. At Specific Times During the Student's Academic Career

When to Notify: Begininning in grade 7, at least once prior to course selection and career counseling

Education or Other Legal Code: Education Code 221.5; 48980

Board Policy/Administrative Regulation #: See BP 6164.2

Subject: Course selection and career counseling

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program

Education or Other Legal Code: Education Code 32390, 48980

Board Policy/Administrative Regulation #: See AR 5142.1

Subject: Fingerprinting program

When/Whom to Notify: When participating in driver training courses under the jurisdiction of the district

Legal Code: Education Code 35211

Board Policy/Administrative Regulation #: None

Subject: Civil liability, insurance coverage

When to Notify: Upon registration in K-6, if students have not previously been transported

Education or Other Legal Code: Education Code 39831.5

Board Policy/Administrative Regulation #: See AR 3543

Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year for high school students, if high school is open campus

Education or Other Legal Code: Education Code 44808.5, 48980

Board Policy/Administrative Regulation #: See AR 5112.5

Subject: Open campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement

Education or Other Legal Code: Education Code 48980, 51225.3

Board Policy/Administrative Regulation #: See AR 6146.1

Subject: How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of districts CTE courses that satisfy a-g course criteria

When to Notify: Beginning of each school year, for high school students

Education or Other Legal Code: Education Code 48980, 52244

Board Policy/Administrative Regulation #: See AR 6141.5

Subject: Availability of state funds to cover costs of advanced placement exam fees

When to Notify: Beginning each school year in grades 9-12 and when high school student transfers into the district

Education Code 48980, 60850

Board Policy/Administrative Regulation #: See AR 6162.52

Subject: Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation

When to Notify: When students entering grade 7

Education or Other Legal Code: Education Code 49452.7

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten, or first grade if not previously enrolled in public school

Education or Other Legal Code: Education Code 49452.8

Board Policy/Administrative Regulation #: See AR 5141.32

Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12

Education or Other Legal Code: Education Code 51229, 48980

Board Policy/Administrative Regulation #: See AR 6143

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III. When Special Circumstances Occur

When to Notify: Upon receipt of a complaint alleging discrimination

Education or Other Legal Code: Education Code 262.3

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Civil law remedies available to complainants

When to Notify: When student has been placed in structured English immersion program

Education or Other Legal Code: Education Code 310-311; 5 CCR 11309

Board Policy/Administrative Regulation #: See AR 6174

Subject: Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient

Education or Other Legal Code: Education Code 313; 5 CCR 11303

Board Policy/Administrative Regulation #: See AR 6174

Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Title III funds, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year

Education or Other Legal Code: Education Code 440; 20 USC 7012

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, exit requirements of program

When to Notify: Before high school student attends specialized secondary program on a university campus

Education or Other Legal Code: Education Code 17288

Board Policy/Administrative Regulation #: None

Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list

Education or Other Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: See AR 3514.2 Subject: Intended use of pesticide product When to Notify: To members of athletic teams Education or Other Legal Code: Education Code 32221.5 Board Policy/Administrative Regulation #: See AR 5143 Subject: Offer of insurance; no-cost and low-cost program options When to Notify: If school has lost its WASC accreditation status Education or Other Legal Code: Education Code 35178.4 Board Policy/Administrative Regulation #: See BP 6190 Subject: Loss of status, potential consequences When/Whom to Notify: When district has contracted for electronic products or services that disseminate advertising Legal Code: Education Code 35182.5 Board Policy/Administrative Regulation #: BP 3112 Subject: Advertising will be used in the classroom or learning center When to Notify: At least six months before implementing a schoolwide uniform policy Education or Other Legal Code: Education Code 35183 Board Policy/Administrative Regulation #: See AR 5132 Subject: Dress code policy requiring schoolwide uniform When to Notify: Before implementing a year-round schedule Education or Other Legal Code: Education Code 37616 Board Policy/Administrative Regulation #: See BP 6117 Subject: Public hearing on year-round schedule When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days Education or Other Legal Code: Education Code 46601 Board Policy/Administrative Regulation #: See AR 5117 Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered

Education or Other Legal Code: Education Code 48000

Board Policy/Administrative Regulation #: See AR 5111

Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention

Education or Other Legal Code: Education Code 48070.5

Board Policy/Administrative Regulation #: See AR 5123

Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health

Education or Other Legal Code: Education Code 48213

Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33

Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization

Education or Other Legal Code: Education Code 48216; 17 CCR 6040

Board Policy/Administrative Regulation #: See AR 5141.31

Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify: When a student is classified a truant

Education or Other Legal Code: Education Code 48260.5, 48262

Board Policy/Administrative Regulation #: See AR 5113.1

Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

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

Education or Other Legal Code: Education Code 48263

Board Policy/Administrative Regulation #: See AR 5113.1

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

When to Notify: When a school is identified on the state's Open Enrollment List

Education or Other Legal Code: Education Code 48354; 5 CCR 4702

Board Policy/Administrative Regulation #: See AR 5118

Subject: Student's option to transfer to another school

When to Notify: Within 60 days of receiving application for transfer out of open enrollment school

Education or Other Legal Code: Education Code 48357; 5 CCR 4702

Board Policy/Administrative Regulation #: See AR 5118

Subject: Whether student's transfer application is accepted or rejected; reasons for rejection

When/Whom to Notify: When student requests to voluntarily transfer to continuation school

Legal Code: Education Code 48432.3

Board Policy/Administrative Regulation #: AR 61884

Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school

Education or Other Legal Code: Education Code 48432.5

Board Policy/Administrative Regulation #: See AR 6184

Subject: Right to request meeting prior to involuntary transfer to continuation school

When/Whom to Notify: To person holding educational rights, prior to recommending placement of foster youth outside school of origin

Legal Code: Education Code 48853.5

Board Policy/Administrative Regulation #: AR 6173.1

Subject: Basis for the placement recommendation

When to Notify: When student is removed from class and teacher requires parental attendance at school

Education or Other Legal Code: Education Code 48900.1

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Parental attendance required; timeline for attendance

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

Education or Other Legal Code: Education Code 48904

Board Policy/Administrative Regulation #: See AR 5125.2

Subject: Damaged school property

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

Education or Other Legal Code: Education Code 48904.3

Board Policy/Administrative Regulation #: See AR 5125.2

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

When to Notify: When student is released to peace officer

Education or Other Legal Code: Education Code 48906

Board Policy/Administrative Regulation #: See BP 5145.11

Subject: Release of student to peace officer for the purpose of removing minor from school premises

When to Notify: At time of suspension

Education or Other Legal Code: Education Code 48911

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

Subject: Notice of suspension

When to Notify: When original period of suspension is extended

Education or Other Legal Code: Education Code 48911

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom

Education or Other Legal Code: Education Code 48911.1

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: The student's assignment to a supervised suspension classroom

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

Education or Other Legal Code: Education Code 48912

Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission Education or Other Legal Code: Education Code 48915.1, 48918 Board Policy/Administrative Regulation #: See BP 5119 Subject: Hearing re: possible danger presented by expelled student When to Notify: When readmission is denied Education or Other Legal Code: Education Code 48916 Board Policy/Administrative Regulation #: See AR 5144.1 Subject: Reasons for denial; determination of assigned program When to Notify: When expulsion occurs Education or Other Legal Code: Education Code 48916 Board Policy/Administrative Regulation #: See AR 5144.1 Subject: Description of readmission procedures When to Notify: At least 10 calendar days before expulsion hearing Education or Other Legal Code: Education Code 48918 Board Policy/Administrative Regulation #: See AR 5144.1 Subject: Notice of expulsion hearing When to Notify: When expulsion or suspension of expulsion occurs Education or Other Legal Code: Education Code 48918 Board Policy/Administrative Regulation #: See AR 5144.1 Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status When to Notify: One month before the scheduled minimum day Education or Other Legal Code: Education Code 48980 Board Policy/Administrative Regulation #: See BP 6111 Subject: When minimum days are scheduled after the beginning of the school year When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site Education or Other Legal Code: Education Code 48987

Board Policy/Administrative Regulation #: See AR 5141.4

Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course

Education or Other Legal Code: Education Code 49067

Board Policy/Administrative Regulation #: See AR 5121

Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school

Education or Other Legal Code: Education Code 49068

Board Policy/Administrative Regulation #: See AR 5125

Subject: Right to receive copy of student's record and to challenge its content

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity

Legal Code: Education Code 49073.6

Board Policy/Administrative Regulation #: BP 5125

Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter

Legal Code: Education Code 49073.6

Board Policy/Administrative Regulation #: AR 5125

Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer

Education or Other Legal Code: Education Code 49076

Board Policy/Administrative Regulation #: See AR 5125

Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena

Education or Other Legal Code: Education Code 49077

Board Policy/Administrative Regulation #: See AR 5125

Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis

Education or Other Legal Code: Education Code 49452.5

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects

Education or Other Legal Code: Education Code 49456; 17 CCR 2951

Board Policy/Administrative Regulation #: See AR 5141.3

Subject: Vision or hearing test results

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition

Education or Other Legal Code: Education Code 49475

Board Policy/Administrative Regulation #: See AR 6145.2

Subject: Information on concussions and head injuries

When/Whom to Notify: To person holding educational rights, within 30 days of foster youth's transfer between high schools

Legal Code: Educational Code 51225.1

Board Policy/Administrative Regulation #: AR 6173.1

Subject: Exemption from local graduation requirements, effect on college admission, option for fifth year of high school

When to Notify: Before any test/survey questioning personal beliefs

Education or Other Legal Code: Education Code 51513,

Board Policy/Administrative Regulation #: See AR 5022

Subject: Permission for test, survey questioning personal beliefs

When to Notify: Within 14 days of instruction if arrangement made for guest speaker after beginning of school year

Education or Other Legal Code: Education Code 51938

Board Policy/Administrative Regulation #: See AR 6142.1

Subject: Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12

Education or Other Legal Code: Education Code 51938

Board Policy/Administrative Regulation #: See AR 5022

Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency

Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5

Board Policy/Administrative Regulation #: See AR 6174

Subject: Results of state test of English proficiency

When to Notify: When migrant education program is established

Education or Other Legal Code: Education Code 54444.2

Board Policy/Administrative Regulation #: See BP 6175, See AR 6175

Subject: Parent advisory council membership composition

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

Education or Other Legal Code: Health and Safety Code 1596.857

Board Policy/Administrative Regulation #: See AR 5148

Subject: Parent/guardian right to enter facility

When/Whom to Notify: When district receives Tobacco-Use Prevention Education Funds

Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: AR 3513.3

Subject: The district's tobacco-free schools policy and enforcement procedures

When to Notify: When sharing student immunization information with an immunization system

Education or Other Legal Code: Health and Safety Code 120440

Board Policy/Administrative Regulation #: See AR 5125

Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer Legal Code: Penal Code 626.81 Board Policy/Administrative Regulation #: See AR 1240, See BP 1250 Subject: Dates and times permission granted; obtaining information from law enforcement When to Notify: When hearing is requested by person asked to leave school premises Education or Other Legal Code: Penal Code 627.5 Board Policy/Administrative Regulation #: See AR 3515.2 Subject: Notice of hearing When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law Legal Code: 5 CCR 4631 Board Policy/Administrative Regulation #: See AR 1312.3 Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures When to Notify: When child participates in licensed child care and development program Education or Other Legal Code: 5 CCR 18066 Board Policy/Administrative Regulation #: See AR 5148 Subject: Policies re: unexcused absences When to Notify: When district substantively changes policy on student privacy rights Education or Other Legal Code: 20 USC 1232h Board Policy/Administrative Regulation #: See AR 5022 Subject: Notice of any substantive change in policy or regulation When to Notify: For districts receiving Title I funds, when a child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified" Education or Other Legal Code: 20 USC 6311 Board Policy/Administrative Regulation #: See AR 4112.24 Subject: Timely notice to parent/guardian of child's assignment

When to Notify: When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress, to parents/guardians of English learners

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 0520.2

Subject: Notice of failure to make adequate yearly progress

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners

Education or Other Legal Code: 20 USC 6312

Board Policy/Administrative Regulation #: See AR 6174

Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to Notify: When school identified for program improvement or corrective action

Education or Other Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: See AR 0520.2, See AR 5116.1

Subject Explanation of identification, reasons, how problem will be addressed, how parents/guardians can become involved, transfer option, availability of supplemental services

When to Notify: When district identified for program improvement

Education or Other Legal Code: 20 USC 6316

Board Policy/Administrative Regulation #: See AR 0520.3

Subject: Explanation of status, reasons for identification, how parents/guardians can participate in upgrading district

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy

Education or Other Legal Code: 20 USC 6318

Board Policy/Administrative Regulation #: See AR 6020

Subject: Notice of policy

When to Notify: For districts receiving Title III funds, within 30 days of the release of state Title III accountability report

Education or Other Legal Code: 20 USC 7012

Board Policy/Administrative Regulation #: See AR 6174

Subject: Notification of any failure to make progress on state's annual measurable achievement objectives for English learners

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals

Education or Other Legal Code: 42 USC 1758; 7 CFR 245.6a

Board Policy/Administrative Regulation #: See AR 3553

Subject: Notice of need to submit verification information; any subsequent change in benefits; right to appeal

When/Whom to Notify: When student is homeless or unaccompanied minor

Legal Code: 42 USC 11432

Board Policy/Administrative Regulation #: AR 6173

Subject: Educational and related opportunities; transportation services; placement decision and right to appeal

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

Education or Other Legal Code: 34 CFR 99.34

Board Policy/Administrative Regulation #: See AR 5125

Subject: Right to review records

IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation

Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503

Board Policy/Administrative Regulation #: See BP 6159.1, See AR 6159.1, See AR 6164.4

Subject: Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

When/Whom to Notify: Before functional behavioral assessment begins

Legal Code: Education Code 56321

Board Policy/Administrative Regulation #: See AR 6159

Subject: Notification and consent

When to Notify: 24 hours before IEP when district intending to record

Education or Other Legal Code: Education Code 56341.1

Board Policy/Administrative Regulation #: See AR 6159

Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting

Education or Other Legal Code: Education Code 56341.5; 34 CFR 300.322

Board Policy/Administrative Regulation #: See AR 6159

Subject: Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent/guardian orally requests review of IEP

Education or Other Legal Code: Education Code 56343.5

Board Policy/Administrative Regulation #: See AR 6159

Subject: Need for written request

When to Notify: Within one school day of emergency intervention or serious property damage

Education or Other Legal Code: Education Code 56521.1

Board Policy/Administrative Regulation #: See AR 6159.4

Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services

Education or Other Legal Code: 20 USC 1415(c); 34 CFR 300.300, 300.503

Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1

Subject: Prior written notice

When/Whom to Notify: Upon filing of state complaint

Legal Code: 20 USC 1415 (d), 34 CFR 300.504

Board Policy/Administrative Regulation #: AR 6159.1

Subject: Procedural safeguards notice

When/Whom to Notify: When disciplinary measures are taken or change in placement

Legal Code: 20 USC 1415 (k); 34 CFR 300.530

Board Policy/Administrative Regulation #:AR 5144.2

Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing

Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.508

Board Policy/Administrative Regulation #: See AR 6159.1

Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504

Education or Other Legal Code: 34 CFR 104.32, 104.36

Board Policy/Administrative Regulation #: See AR 6164.6

Subject: District responsibilities, district actions, procedural safeguards

V. Classroom Notices

When to Notify: In each classroom in each school

Education or Other Legal Code: Education Code 35186

Board Policy/Administrative Regulation #: See AR/E 1312.4

Subject: Complaints re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, right of students who did not pass the exit exam to receive intensive instruction after grade 12

(4/13 4/14) 4/15

CSBA Sample | BP 6141.5 Instruction

# **Advanced Placement**

Note: The following optional policy is for use by districts that maintain high schools and may be revised to reflect district practice. Students who participate in Advanced Placement (AP) courses and pass AP examinations conducted by the College Board may receive college credit for those courses when allowed by the postsecondary institution.

✓ To encourage district students to challenge themselves academically, develop college-level skills, and be more competitive when applying for admission to postsecondary institutions, the Governing Board shall offer opportunities to high school students to take Advanced Placement (AP) courses and pass AP examinations.

(cf. 0200 - Goals for the School District)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

Note: The following paragraph may be modified to reflect district practice.

The Board desires to provide at least four AP courses at each high school. The Superintendent or designee shall recommend subject areas for AP courses at each school based on student interest and the availability of qualified certificated staff, instructional materials, and other resources. The Superintendent or designee shall also explore alternative methods of delivering AP courses, such as online courses or distance learning.

The Superintendent or designee may consult and collaborate with feeder schools to ensure that students are offered the opportunity to take coursework that will prepare them for AP courses.

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6143 - Courses of Study)

(cf. 6146.11 - Alternative Credits Toward Graduation)

All students who meet course prerequisites shall have equal access to AP courses.

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

Grades for AP courses shall be assigned in accordance with Board policy and administrative regulation.

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

The Superintendent or designee shall make efforts to encourage students to participate in AP courses and to take end-of-course AP exams by creating support systems for AP students, such as resource centers and programs to recognize student accomplishments. In addition, the Superintendent or designee may explore partnerships with colleges and universities to help encourage students to pursue postsecondary education.

(cf. 5126 - Awards for Achievement)

(cf. 6164.2 - Guidance/Counseling Services)

To increase the capacity of district schools to offer AP courses, the Superintendent or designee shall provide staff development and support to teachers of such courses. This professional development may include, but is not limited to, opportunities for teachers to obtain information on the curriculum of specific courses, instructional methods, and data-driven decision making; mentoring for prospective teachers of AP courses; and opportunities for staff within the district to share course syllabi and practices.

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4113 - Assignment)

(cf. 4131 - Staff Development)

Note: The College Board has created a voluntary audit process to provide guidelines for administrators and AP teachers regarding the curricular and resource requirements of AP courses. The AP audit specifies a set of expectations established by college and university faculty for college-level courses. Courses that meet or exceed these expectations will be authorized to use the "AP" designation on students' transcripts. In addition, approved courses are listed in the AP Course Ledger, which is used by colleges to confirm high school course content. Schools that offer the AP exam without labeling the school's courses as AP on students' transcripts do not need to participate in the audit.

Note: The following optional paragraph is for use by districts that wish to participate in the AP audit.

The Board desires that every district AP course receive authorization to use the AP designation by the College Board. To that end, the Superintendent or designee shall coordinate the process for submitting courses for approval as part of the College Board AP course audit.

# ✓ Examination Fee

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Note: The following optional section is for use by districts that receive federal funding distributed by the California Department of Education pursuant to 20 USC 6534, or choose to use district funds, to assist economically disadvantaged students in paying the cost of AP examination fees. Education Code 52244, which awarded state grants for this purpose, self-repealed on January 1, 2013, and the funding was redirected into the local control funding formula pursuant to AB 97 (Ch. 47, Statutes of 2013).

To the extent feasible, the district shall reduce the cost of AP examination fees for eligible lowincome students. At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the availability of funds for this purpose and shall provide information on how income-eligible students may apply for funding. (cf. 3100 - Budget)

Legal Reference:

EDUCATION CODE

52240-52243 Advanced Placement program

CODE OF REGULATIONS, TITLE 5

3840 Advanced Placement as program option for gifted and talented students

UNITED STATES CODE, TITLE 20

6534 Advanced Placement exam fee program

Management Resources:

WEB SITES

CSBA: http://www.csba.org

Advancement Via Individual Determination: http://www.avid.org

California Colleges.edu: http://californiacolleges.edu

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

College Board: http://www.collegeboard.org/ap

International Baccalaureate: http://www.ibo.org

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

(3/02 7/08) 4/14

## CSBA Sample | BP 6142.92 Instruction

#### **Mathematics Instruction**

Note: The following optional policy may be revised to reflect district practice and the grade levels offered by the district. Education Code 51210 and 51220 require that mathematics, including mathematical concepts and understandings, operational skills, and problem solving, be included in the course of study offered in grades 1-12; see BP 6143 - Courses of Study. In addition, Education Code 51224.5 specifies that the adopted course of study for grades 7-12 must include algebra and that, as part of the two courses in mathematics required for high school graduation pursuant to Education Code 51225.3, students must complete coursework that meets or exceeds the rigor of the content standards for Algebra I adopted by the State Board of Education (SBE); see BP 6146.1 - High School Graduation Requirements.

The Governing Board desires to offer a rigorous mathematics program that progressively develops the knowledge and skills students will need to succeed in college and career. The district's mathematics program shall be designed to teach mathematical concepts in the context of real-world situations and to help students gain a strong conceptual understanding, a high degree of procedural skill and fluency, and ability to apply mathematics to solve problems.

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

Note: The Common Core State Standards (CCSS) for mathematics, modified in January 2013, are based on the three principles of (1) focus, placing strong emphasis on the concepts in the standards so that students have sufficient time to think about, practice, and integrate new ideas; (2) coherence, linking topics across grade levels and establishing connections with other topics; and (3) rigor, requiring that conceptual understanding, procedural skills and fluency, and applications be pursued with equal intensity.

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Note: All California schools are expected to implement the CCSS in the 2014-15 school year. In November 2013, the SBE adopted the Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve which was updated to reflect these standards. In addition, the state assessment system is transitioning to the California Assessment of Student Performance and Progress which is aligned with the CCSS; see BP/AR 6162.51 - State Academic Achievement Tests. The CCSS and state curriculum framework are available on the California Department of Education's web site. For further information about the CCSS and recommendations for implementation, see CSBA's Governing to the Core series of governance briefs.

Note: Education Code 51284, as amended by AB 166 (Ch. 135, Statutes of 2013), requires that, concurrent with the next revision of textbooks or the curriculum framework in mathematics, the SBE ensure the integration of financial literacy, including, but not limited to, budgeting and managing credit, student loans, consumer debt, and identity

theft security. An appendix to the 2013 curriculum framework provides examples and resources to assist in incorporating problems or exercises that teach financial literacy concepts and skills.

✓ For each grade level, the Board shall adopt academic standards for mathematics that meet or exceed the Common Core State Standards. The Superintendent or designee shall develop or select curricula that are aligned with these standards and the state curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

Note: The CCSS for mathematics include two types of standards: mathematical practice standards (identical for each grade level) and mathematical content standards (different at each grade level). The eight practice standards are grouped into four categories as reflected in items #1-4 below.

The district's mathematics program shall address the following standards for mathematical practices which are the basis for mathematics instruction and learning:

1. Overarching habits of mind of a productive mathematical thinker: Making sense of problems and persevering in solving them; attending to precision

2. Reasoning and explaining: Reasoning abstractly and quantitatively; constructing viable arguments and critiquing the reasoning of others

3. Modeling and using tools: Modeling with mathematics; using appropriate tools strategically

4. Seeing structure and generalizing: Looking for and making use of structure; looking for and expressing regularity in repeated reasoning

Note: The following three paragraphs reflect the mathematic content standards of the CCSS and may be revised to reflect district practice. The district should select the paragraph(s) applicable to the grade levels offered by the district.

In addition, the program shall be aligned with grade-level standards for mathematics content.

For grades K-8, content shall address, at appropriate grade levels, counting and cardinality, operations and algebraic thinking, number and operations in base ten, fractions, measurement and data, geometry, ratios and proportional relationships, functions, expression and equations, the number system, and statistics and probability. Students shall learn the concepts and skills that prepare them for the rigor of higher mathematics.

Note: The following paragraph is for use by districts that maintain secondary grades. As revised in January 2013, the CCSS for higher mathematics replace the unique Grade 8 Algebra course with an Algebra I course that covers the same content regardless of the grade level of the student taking the course. Thus, students who are not ready to take algebra in grade 8 may take an alternate path. As revised, the higher mathematics standards are organized into both conceptual categories and model courses, which may be delivered using a traditional pathway (i.e., Algebra I, Geometry, Algebra II) or an integrated pathway (i.e., Mathematics I, II, and III) in which each course contains

standards from all six conceptual categories. The CCSS also provide for two advanced courses: (1) Advanced Placement Statistics and Probability and (2) Calculus. For further information, see the state curriculum framework or the Common Core State Standards Initiative's guidance, Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards, available on its web site.

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Note: The district may revise the following paragraph to reflect the pathway(s) used in the district and/or the grade levels at which higher mathematics shall be offered.

For higher mathematics, the district shall offer a pathway of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling, geometry, and statistics and probability.

Note: AB 97 (Ch. 47, Statutes of 2013) eliminated the Professional Development Block Grant (Education Code 41530-41532) and the Mathematics and Reading Professional Development Program (Education Code 99230-99242) and redirected that funding into the local control funding formula. At their discretion, districts may provide professional development opportunities to meet the purposes of those programs or other local needs.

The Superintendent or designee shall ensure that certificated staff have opportunities to participate in professional development activities designed to increase their knowledge and skills in effective mathematics teaching practices.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

Note: As a condition of receiving funds for instructional materials from any state source, Education Code 60119 requires the Governing Board to annually hold a public hearing to determine whether each student in the district has sufficient standards-aligned textbooks or instructional materials in mathematics and other specified subjects to use in class and to take home. For a definition of "sufficiency" for this purpose and a sample Board resolution, see BP/E 6161.1 - Selection and Evaluation of Instructional Materials.

The Superintendent or designee shall ensure that students have access to sufficient instructional materials, including manipulatives and technology, to support a balanced, standards-aligned mathematics program.

- (cf. 0440 District Technology Plan)
- (cf. 1312.2 Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

- (cf. 6161.1 Selection and Evaluation of Instructional Materials)
- (cf. 6161.11 Supplementary Instructional Materials)
- (cf. 6163.1 Library Media Centers)

The Superintendent or designee shall provide the Board with data from state and district mathematics assessments and program evaluations to enable the Board to monitor program effectiveness.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

51210 Areas of study, grades 1-6

51220 Areas of study, grades 7-12

51224.5 Algebra in course of study for grades 7-12

51225.3 High school graduation requirements

51284 Financial literacy

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

Management Resources:

CSBA PUBLICATIONS

Governing to the Core, Governance Briefs

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013

California Common Core State Standards: Mathematics, rev. January 2013

COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS

Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards

WEB SITES

CSBA: http://www.csba.org

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

Common Core State Standards Initiative: http://www.corestandards.org/math

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#### CSBA Sample | BP 6151 Instruction

#### **Class Size**

Note: The following optional policy should be revised to reflect the grade levels offered by the district and any related provisions found in collective bargaining agreements.

Note: AB 97 (Ch. 47, Statutes of 2013) eliminated the Class Size Reduction program for grades K-3 (Education Code 52120-52128) and the Morgan-Hart Class Size Reduction program for grades 9-12 (Education Code 52080-52090) and redirected the funding for both programs into the local control funding formula (LCFF).

Note: In place of the K-3 Class Size Reduction program, AB 97 added Education Code 42238.02 which creates what is now referred to as the K-3 Grade Span Adjustment (GSA) program. The GSA program requires districts, as a condition of receiving an additional adjustment to the K-3 base grant under the LCFF, to make progress toward maintaining an average class size of 24 students in those grades and achieve that level by the time the LCFF is fully implemented (estimated by the Department of Finance to be the 2020-21 fiscal year). An exception exists for districts that have negotiated a different ratio for each school site. Pursuant to Education Code 42238.02, the average class enrollment requirement cannot be waived by the Superintendent of Public Instruction.

Note: Districts that choose to reduce class size in any of grades 4-12 may do so at their discretion and may establish priorities for smaller class size aligned with the goals in their local control and accountability plan developed pursuant to Education Code 52060-52077, as added by AB 97.

The Governing Board recognizes that smaller classes may contribute to student learning by allowing teachers to better identify and respond to individual student needs. In accordance with negotiated employee agreements and state law, the Board shall establish class size limits appropriate for each grade level or subject taught and conducive to the effective use of teaching staff.

(cf. 4141/4241 - Collective Bargaining Agreement)

The highest priority for maintaining small class sizes shall be in the primary grades in order to support young students as they acquire the basic skills that serve as the foundation for subsequent learning. Other priorities shall be established in accordance with the goals and strategies identified in the district's local control and accountability plan (LCAP).

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

Note: As noted above, Education Code 42238.02, as added by AB 97 (Ch. 47, Statutes of 2013), requires districts to make progress each year toward maintaining an average class enrollment of not more than 24 students by the time the LCFF is fully implemented. Average class enrollment must be determined and annual progress must be made pursuant to 5 CCR 15498-15498.3, as added by Register 2014, No. 14. Failure to make annual progress at every school site will result in the loss of the adjustment for the entire district, unless the district has negotiated an alternative average class size enrollment. If

the district has negotiated an alternative average class enrollment, it may revise the following paragraph accordingly.

For grades K-3, the district shall annually make progress toward maintaining an average class of not more than 24 students, unless an alternative annual average class size for each school site is collectively bargained. (Education Code 42238.02; 5 CCR 15498-15498.3)

Note: According to the California Department of Education, transitional kindergarten classes are also subject to class size requirements under the LCFF and will be included in kindergarten class size calculations.

Transitional kindergarten classes established pursuant to Education Code 48000 shall be included in the calculation of average class enrollment for kindergarten.

(cf. 6170.1 - Transitional Kindergarten)

Note: The following optional paragraph is for use by districts that maintain secondary grades and should be revised to reflect district priorities for class size reduction.

At the secondary level, district priorities for class size reduction shall focus on English language arts, mathematics, science, social studies, and other courses that are necessary for completion of graduation requirements and shall be aligned with student needs as identified in the district's LCAP.

(cf. 6143 - Courses of Study)

(cf. 6146.1 - Graduation Requirements)

Note: Education Code 56441.5 addresses appropriate ratios of instructional adults to students for students who are receiving group services for special education or related services. As amended by SB 436 (Ch. 386, Statutes of 2015), Education Code 56441.5 provides that, for special education students ages 3-5 years, this ratio must be lower than the ratio for children in a regular preschool program as set forth in Education Code 8264.8. Education Code 8264.8 sets the teacher-student ratio as 1:24 and the adult-student ratio as 1:8.

For students who require special education and related services, the ratio of instructional adults to students in group services shall be dependent on the needs of the students. However, for children ages 3-5 years who are placed in group services, the teacher-child ratio shall be less than 1:24 and the adult-child ratio shall be less than 1:8. For children ages 3-5 years who are identified as severely disabled, the ratio of instructional adults to children shall not exceed 1:5. (Education Code 8264.8, 56441.5)

(cf. 4112.23 - Special Education Staff)

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall provide the Board with an analysis of staffing and school facilities needs and other costs related to class size reduction proposals.

(cf. 3100 - Budget)

(cf. 6117 - Year-Round Schedules)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall annually report to the Board regarding the impact of the class size reduction program on student achievement and other outcomes such as changes in school climate and student engagement.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

17042 Rules for determining area of adequate school construction; exceptions

17042.7 Formula for calculation

33050 Nonwaivable provisions

35160 Authority of the board

42238.02 Local control funding formula, including adjustment for class size reduction

42280 Necessary small schools

46205 Computation for early-late programs

51225.3 Graduation requirements

52060-52077 Local control and accountability plan

GOVERNMENT CODE

3543.2 Scope of representation

Management Resources:

WEB SITES

CSBA: http://www.csba.org

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

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http://gamutonline.net/DisplayPolicy/909493/

CSBA Sample | BP 6162.5 Instruction

# Student Assessment

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Note: The following optional policy may be revised to reflect district practice.

Note: The following paragraph addresses potential uses of student assessment data. Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), applicable statewide student assessments must be used as one of the measures of the district's annual goals for student achievement included in its local control accountability plan; see AR 0460 - Local Control and Accountability Plan. In addition, pursuant to Education Code 44662, evaluations of certificated staff must include an assessment of students' progress toward meeting district standards of expected student achievement at each grade level in each area of study and, if applicable, toward state standards as measured by state criterion-referenced assessments (i.e., assessments that test students' mastery of the content). However, Education Code 44662 prohibits the use of publishers' norms established by standardized tests (i.e., assessments that compare students' performance to a representative sample of students) for the purpose of evaluating and assessing certificated staff performance. The use of student assessment results in staff evaluations may also be addressed in collective bargaining agreements or employment contracts. See BP/AR 4115 - Evaluation/Supervision and BP 4315 -Evaluation/Supervision.

The Governing Board recognizes that student assessments are an important instructional and accountability tool. Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance.

- (cf. 0460 Local Control and Accountability Plan)
- (cf. 0500 Accountability)
- (cf. 2140 Evaluation of the Superintendent)
- (cf. 4115 Evaluation/Supervision)
- (cf. 4315 Evaluation/Supervision)
- (cf. 5121 Grades/Evaluation of Student Achievement)
- (cf. 5123 Promotion/Acceleration/Retention)
- (cf. 6011 Academic Standards)
- (cf. 6142.7 Physical Education and Activity)

(cf. 6162.51 - State Academic Achievement Tests)

## (cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

Note: Education Code 52052, as amended by AB 97 (Ch. 47, Statutes of 2013), requires that schools and districts demonstrate comparable improvement in academic achievement by all "numerically significant" student subgroups, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth. A "numerically significant" subgroup is one that consists of at least 30 students, or 15 foster youth, with a valid test score. To evaluate the extent to which the district fulfills this responsibility, it will be important to examine disaggregated student assessment results as provided below.

Note: As a condition of using individual applications or records from the free and reduced-price meal program to identify students for the purpose of disaggregating student achievement data, Education Code 49558 requires the Governing Board to adopt policy allowing such use of individual records and requires that confidentiality be ensured to the extent possible; see AR 3553 - Free and Reduced Price Meals.

✓ To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments. As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

(cf. 3553 - Free and Reduced Price Meals)

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In selecting or developing any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and the test publisher's directions and that test administration procedures are fair and equitable for all students.

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

(cf. 6162.54 - Test Integrity/Test Preparation)

The Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

When districtwide and school-level results of student assessments are published by the state, the Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

(cf. 0510 - School Accountability Report Card)

Individual Record of Accomplishment

Note: The following optional section is for use by districts that maintain high schools.

The Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the following: (Education Code 60607)

Note: Pursuant to Education Code 60607, as amended by AB 484 (Ch. 489, Statutes of 2013), the individual record of accomplishment must include results of the state assessments established pursuant to Education Code 60640-60649 (the California Assessment of Student Performance and Progress) or any predecessor assessments (i.e., the Standardized Testing and Reporting Program).

1. The results of the state achievement tests administered pursuant to Education Code 60640-60649 or any predecessor assessments

- 2. The results of any end-of-course examinations taken
- 3. The results of any vocational education certification examinations taken

(cf. 6178 - Career Technical Education)

No individual record of accomplishment shall be released to any person, other than the student's parent/guardian or a teacher, counselor, or administrator directly involved with the student, without the written consent of the student's parent/guardian, or the student if he/she is an adult or emancipated minor. The student or his/her parent/guardian may authorize the release of the record of accomplishment to a postsecondary educational institution for the purposes of credit, placement, or admission. (Education Code 60607)

(cf. 5125 - Student Records)

Legal Reference:

# EDUCATION CODE

313 Assessment of English language development

10600-10610 California Education Information System

44660-44665 Evaluation and assessment of performance of certificated employees (Stull Act)

49558 Free and reduced-price meals; use of individual applications and records

51041 Evaluation of educational program

51450-51455 Golden State Seal Merit Diploma

52052 Academic Performance Index; numerically significant student subgroups

- 52060-52077 Local control and accountability plan
- 60600-60649 Assessment of academic achievement, especially:
- 60640-60649 California Assessment of Student Performance and Progress
- 60800 Physical fitness testing
- 60810-60812 Assessment of English language development
- 60850-60859 High school exit examination
- 60900 California Longitudinal Pupil Achievement Data System
- CODE OF REGULATIONS, TITLE 5
- 850-864 California Assessment of Student Performance and Progress
- 1200-1225 High School Exit Examination
- UNITED STATES CODE, TITLE 20
- 9622 National Assessment of Educational Progress
- Management Resources:
- CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
- Key Elements of Testing, May 2004
- U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
- Teachers' Use of Student Data Systems to Improve Instruction, 2007
- WEB SITES
- CSBA: http://www.csba.org
- California Department of Education, Testing and Accountability: http://www.cde.ca.gov/ta
- Smarter Balanced Assessment Consortium: http://www.smarterbalanced.org
- U.S. Department of Education: http://www.ed.gov
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CSBA Sample | BP 6162.54 Instruction

# **Test Integrity/Test Preparation**

Note: The following optional policy may be revised to reflect district practice.

The Governing Board desires to protect the integrity of student assessments in order to obtain accurate and reliable student achievement data and to ensure accountability to the community and state. Staff and students shall maintain a high level of integrity in the completion and handling of student assessments.

(cf. 0500 - Accountability)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5131 - Conduct)

(cf. 5131.9 - Academic Honesty)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

In administering standardized tests, staff shall not engage in any acts that could result in the invalidation of test results, such as:

1. Providing inappropriate test preparation

2. Modifying test administration procedures, except as allowed by law

3. Providing inappropriate assistance to students during test administration

4. Changing or filling in answers on student answer sheets

5. Providing inaccurate data on student header sheets

6. Discouraging or excluding certain students from taking the test

7. Engaging in any other practice to artificially raise student scores without actually improving underlying student achievement

Appropriate Test Preparation

Note: Pursuant to Education Code 60640-60649, as amended by AB 484 (Ch. 489, Statutes of 2013), beginning in the 2013-14 school year, the state assessment system is transitioning from the Standardized Testing and Reporting program to the California Assessment of Student Performance and Progress (CAASPP); see BP/AR 6162.51 - State Academic Achievement Tests. AB 484 also amended Education Code 60611 to prohibit districts from implementing any program for the sole purpose of test preparation for state

assessments, as provided below. The district may revise the following paragraph to be applicable to other assessments, such as district or national tests.

The Superintendent or designee, principals, and teachers shall not implement any program for the sole purpose of test preparation of students for the statewide assessment system or a particular test used in the statewide assessment system. (Education Code 60611)

Note: AB 484 (Ch. 489, Statutes of 2013) amended Education Code 60611 to clarify that districts are not prohibited from using materials to familiarize students with item types or the computer-based testing environment used in the CAASPP. The Smarter Balanced Assessment Consortium provides a practice and training test site which offers opportunities for administrators, students, and others to become familiar with the online testing environment before taking an actual online assessment. Additional guidance on appropriate test preparation is available in the California Department of Education's (CDE) Guidelines on Academic Preparation for State Assessments. 5 CCR 854, which addressed the limited use of practice tests provided by the publisher of the state assessments, was repealed by Register 2014, No. 6.

The primary preparation for assessments shall be high-quality instruction in the content specified in state and district academic standards. In addition, staff may prepare students for assessments by teaching general test-taking strategies and familiarizing them with item types or the computer-based testing environment used in state assessments.

(cf. 6011 - Academic Standards)

Investigation and Consequences of Testing Irregularities

Note: The following optional section establishes a process for investigating reports of testing irregularities and may be revised to reflect district practice. If the CDE concludes that, due to testing irregularities, the integrity of the Academic Performance Index (API) has been jeopardized, a school's or district's API may be invalidated.

Reports of cheating on assessments shall be submitted to the Superintendent or designee. The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.

(cf. 5144 - Discipline)

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, applicable collective bargaining agreements, Board policy, and administrative regulations.

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

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

If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.

Legal Reference:EDUCATION CODE60611 Inappropriate test preparation60640-60649 California Assessment of Student Performance and Progress60850-60859 California High School Exit ExaminationGOVERNMENT CODE54957 Complaints against employees, closed sessionCODE OF REGULATIONS, TITLE 5850-864 California High School Exit Examination, especially:1200-1225 California High School Exit Examination, especially:1220 Cheating on the high school exit examinationManagement Resources:CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSGuidelines on Academic Preparation for State Assessments, December 2009

WEB SITES:

CSBA: http://www.csba.org

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

Smarter Balanced Assessment Consortium: http://www.smarterbalanced.org

(3/01 11/05) 4/14

CSBA Sample | BP 6163.1 Instruction

#### Library Media Centers

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Note: Education Code 18100 requires the Governing Board to provide library services for students and teachers by maintaining school libraries or contracting with another public agency. The following optional policy is intended for use by districts that maintain their own school libraries, but may be modified to meet the needs of districts that enter into an arrangement to receive services from either a county or city library pursuant to Education Code 18130 or 18134; also see BP 1330.1 - Joint Use Agreements.

Note: The State Board of Education (SBE) has adopted model program standards for school libraries which describe staffing, resources, and infrastructure recommended for effective school library programs. The following policy may be modified to reflect state program standards that the district chooses to implement.

✓ The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can help raise the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, and prepare students to become lifelong learners.

(cf. 0440 - District Technology Plan)

(cf. 1330.1 - Joint Use Agreements)

(cf. 6011 - Academic Standards)

(cf. 6163.4 - Student Use of Technology)

(cf. 7110 - Facilities Master Plan)

Note: The following optional paragraph may be revised to reflect district practice. AB 97 (Ch. 47, Statutes of 2013) eliminated the School and Library Improvement Block Grant (Education Code 41570-41573), which could be used to purchase school library resources and equipment conditional upon the adoption of a single plan for student achievement that incorporated a districtwide library plan. AB 97 also eliminated separate categorical funding for the State Instructional Materials Fund (Education Code 60240-60251.5), which could be used for the purchase of classroom library materials for grades K-4 provided that the district developed a districtwide plan for classroom libraries. Thus, districts may determine whether or not to develop a districtwide library plan and the process for developing such a plan.

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and how funds will be distributed to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries,

prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

- (cf. 0200 Goals for the School District)
- (cf. 0400 Comprehensive Plans)
- (cf. 0420 School Plans/Site Councils)
- (cf. 0460 Local Control and Accountability Plan)
- (cf. 5125.2 Withholding Grades, Diploma or Transcripts)
- (cf. 6161.2 Damaged or Lost Instructional Materials)
- Staffing

Note: The following optional section may be revised to reflect district practice. Pursuant to Education Code 18120, the Board may appoint one or more librarians to staff school libraries, provided they possess an appropriate credential issued by the Commission on Teacher Credentialing (CTC) as required by Education Code 44868 and 5 CCR 80053. This may include a teacher librarian services credential issued since January 1, 2008 or a library media teacher services credential issued prior to that date. In addition, 5 CCR 80024.6 establishes requirements for an emergency teacher librarian services permit that may be issued when there is an insufficient number of qualified certificated persons to fill available positions.

Note: SBE model program standards recommend a ratio of one full-time teacher librarian per 785 students, plus assignment of a classified paraprofessional (e.g., library technician, library aide) at least 34 hours per week.

\*

Note: If the district does not employ any teacher librarians, it should modify this policy to reflect the position(s) that are assigned to fulfill the related duties.

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868; 5 CCR 80024.6, 80053)

(cf. 4112.2 - Certification)

#### (cf. 4113 - Assignment)

Note: 5 CCR 80053 specifies the duties that any teacher librarian who possesses an appropriate credential or emergency permit from the CTC is authorized to perform. 5 CCR 80053.1 establishes a special class authorization which authorizes the holder to provide departmentalized instruction in information literacy, digital literacy, and digital

citizenship. The district may revise items #1-8 below to reflect the duties of teacher librarians included in district job descriptions.

# library clerks

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship

2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers

3. Select materials for school and district libraries

4. Develop and deliver staff development programs for school library services-

4. 5. Coordinate or supervise library programs at the school or district level

6. Plan and conduct a course of instruction for students who assist in the operation of school libraries

7. Supervise classified personnel assigned school library duties

5.8. Develop procedures for and management of the school and district libraries

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 35021, the district may not use volunteer aides in lieu of classified employees whose positions were abolished.

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

(cf. 1240 - Volunteer Assistance)

(cf. 4222 - Teachers Aides/Paraprofessionals)

Hours of Operation

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

Note: The following paragraph is optional.

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18/03)

Selection and Evaluation of School Library Materials

Note: The following optional section may be revised to reflect district practice. At its discretion, the Board may establish selection criteria that exclude all materials of a sectarian, partisan, or denominational character as authorized by Education Code 18111.

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive or language needs.

Library materials shall be evaluated and selected through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

(cf. 6144 - Controversial Issues)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

(cf. 1260 - Educational Foundation)

(cf. 3290 - Gifts, Grants and Bequests)

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

## ✓ Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

(cf. 3260 - Fees and Charges)

Note: Pursuant to 5 CCR 16042, the district shall not charge students for the late return of library materials unless authorized to do so by the Board. The district should select the option below that reflects district practice. Option 2 may be modified to include the amount that will be charged.

OPTION ): Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.

OPTION 2: To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

#### Library Instruction

Note: In September 2010, the SBE adopted model academic standards for library instruction which address what students should know and be able to do at each grade level or grade span in terms of information literacy skills. The introduction to the standards expresses the intent that the standards be taught collaboratively by the classroom teacher and the teacher librarian within the context of the curriculum. The following optional section reflects the four major categories addressed in the state standards and may be revised to reflect district practice.

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Note: The SBE has also developed a document identifying examples of where the library instruction standards are aligned with Common Core State Standards. See the California Department of Education's (CDE) web site.

Library Clerks Teacher librarians and/or classroom teachers shall provide library instruction to develop students' information literacy skills. Such instruction shall be aligned with state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources

2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry

3. Organize, synthesize, create, and communicate information

4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

## Library Clerks

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6141 - Curriculum Development and Evaluation)

## × leave this Program Evaluation

Note: The following optional section may be revised to reflect district practice. The district may use an assessment tool such as the CDE's Looking at the School Library: An Evaluation Tool or may develop its own program evaluation indicators or checklist.

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum.

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day

2. The process and frequency by which students are allowed to check out library materials

3. Staffing levels, qualifications, and number of hours worked

4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year

5. Any special programs offered at the school to encourage reading and/or library use

6. The adequacy of the facility space and equipment designated for the school library

7. The source(s) and adequacy of funding for school libraries

Note: Education Code 18122 requires districts to annually report to the CDE on the condition of their school libraries. This survey is conducted online via the CDE's web site.

The district shall, on or before August 31 each year, report to the CDE on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

Legal Reference:

EDUCATION CODE

1703 Coordination of district library services by county superintendent

1770-1775 Provision of library services by county superintendent

18100-18203 School libraries

18300-18571 Union high school district/unified school district library district

19335-19336 Reading Initiative Program; recommended books

35021 Volunteer aides

44868-44869 Qualifications and employment of library media teachers

45340-45349 Instructional aides

CODE OF REGULATIONS, TITLE 5

16040-16043 School libraries

80023-80023.2 Emergency permits, general requirements

80024.6 Emergency teacher librarian services permit

80026-80026.6 Emergency permits

80053-80053.1 Teacher librarian services credential

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. February 2012

Model School Library Standards for California Public Schools: Kindergarten Through Grade Twelve, 2010 (includes standards for student instruction as well as program standards)

Looking at the School Library: An Evaluation Tool, 2003

Recommended Literature: Kindergarten Through Grade Twelve

CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS

Standards and Guidelines for Strong School Libraries, 2004

WEB SITES

American Association of School Libraries: http://www.ala.org/aasl

California Department of Education, School Libraries: http://www.cde.ca.gov/ci/cr/lb

California School Library Association: http://www.csla.net

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# **CSBA Sample** Board Policy

#### Instruction

BP 6170.1(a)

# TRANSITIONAL KINDERGARTEN

Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, any child whose birthday is between September 2 and December 2 must be offered a transitional kindergarten (TK) program.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

For guidance on implementing TK programs, see the <u>Transitional Kindergarten Implementation Guide: A</u> <u>Resource for California Public School District Administrators and Teachers</u>, published by the California Department of Education (CDE).

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The program shall assist TK children in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation.

(cf. 1220 - Citizen Advisory Committees) (cf. 6020 - Parent Involvement)

#### Eligibility

Note: Pursuant to Education Code 48200, each person between the ages of 6 and 18 years is subject to compulsory full-time education, unless otherwise exempted by law. Thus, parents/guardians are not required to enroll children in TK or kindergarten but, if they do so, are subject to the age criteria specified below.

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Note: The CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.

#### TRANSITIONAL KINDERGARTEN (continued)

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

Note: The following paragraph is **optional**. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying that he/she agrees to have the child continue in kindergarten the following year; see section "Continuation in Kindergarten" below.

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

Note: The following paragraph is **optional**. Pursuant to Education Code 48000, as amended by AB 104 (Ch. 13, Statutes of 2015), the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after December 2. Such students may be admitted at any time during the school year, including at the beginning of the year.

The district may, at any time during the school year, admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

#### **Curriculum and Instruction**

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development and Evaluation) (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

#### TRANSITIONAL KINDERGARTEN (continued)

Note: As amended by SB 858 (Ch. 32, Statutes of 2014), Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by the CDE. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education) (cf. 6011 - Academic Standards) (cf. 6174 - Education for English Language Learners)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 37202 requires that all elementary schools in the district be maintained for an equal length of time during the school year. In its "Transitional Kindergarten FAQs," the CDE has interpreted this to mean that the district's annual instructional minutes offered to TK students should be the same as the number of instructional minutes offered to kindergarten students, as reflected in its annual audit. Pursuant to Education Code 46111 and 46117, at the kindergarten level the minimum school day is three hours (180 minutes) and the maximum school day is four hours (240 minutes), unless the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, it may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, taught on the same day by the same teacher. Also see AR 6112 - School Day.

The Board shall fix the length of the school day in the district's TK program, which shall be at least three hours but no more than four hours.

(cf. 6111 - School Calendar) (cf. 6112 - School Day)

Note: The following **optional** paragraph may be revised to reflect district practice. According to the CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

#### Staffing

Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early child education credential issued by the Commission on Teacher Credentialing (CTC) authorizing instruction in TK. As amended by SB 876 (Ch. 687, Statutes of 2014), Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.

# TRANSITIONAL KINDERGARTEN (continued)

TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

#### **Continuation to Kindergarten**

Note: The following section is consistent with guidance in the CDE's "Transitional Kindergarten FAQs."

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

Note: The following **optional** paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see section "Eligibility" above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in a combination of TK and kindergarten.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

#### TRANSITIONAL KINDERGARTEN (continued)

#### (cf. 5123 - Promotion/Acceleration/Retention)

#### Assessment

Note: The following section may be revised to reflect district practice. One assessment resource for TK students is the CDE's <u>Desired Results Developmental Profile</u>, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

(cf. 0500 - Accountability) (cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE 8973 Extended-day kindergarten 37202 School calendar; equivalency of instructional minutes 44258.9 Assignment monitoring by county superintendent of schools 46111 Kindergarten, hours of attendance 46114-46119 Minimum school day, kindergarten 46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten 48000 Age of admission, kindergarten and transitional kindergarten 48002 Evidence of minimum age required to enter kindergarten or first grade 48200 Compulsory education, starting at age six

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS Transitional Kindergarten FAOs Desired Results Developmental Profile, 2015 Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013 California Preschool Curriculum Framework, Vol. 1, 2010 California Preschool Learning Foundations, Vol. 1, 2008 WEB SITES CSBA: http://www.csba.org California Department of Education: http://www.cde.ca.gov California Kindergarten Association: http://www.ckanet.org Commission on Teacher Credentialing: http://www.tkcalifornia.org

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Policy Reference UPDATE Service

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# CSBA Sample | BP 6184 Instruction

## ✓Continuation Education

Note: The following policy and accompanying administrative regulation are for use by districts that maintain high schools. High school and unified districts are required by Education Code 48432 to establish and maintain continuation education schools or classes whenever there are any students residing in the district who are subject to compulsory continuation education; see the accompanying administrative regulation for conditions of compulsory continuation education.

Note: Pursuant to Education Code 48432 and 5 CCR 11010, a district may apply to the California Department of Education (CDE) for an annual exemption from the requirement to provide continuation education for a district school under either of the following circumstances: (1) there are fewer than 100 students enrolled in grade 12 in any high school in the district, or (2) the school has more than 100 students in grade 12 and the district has entered into an agreement with another high school district or unified district to maintain continuation education classes for minors residing in either district and such minors do not have to travel an excessive distance from their homes to the continuation education classes.

Note: AB 97 (Ch. 47, Statutes of 2013) eliminated the Pupil Retention Block Grant (Education Code 41505-41508), which included funding for the continuation high school foundation program, and redirected that funding into the local control funding formula.

Note: The following paragraph reflects the intended purposes of continuation schools and classes as expressed in Education Code 48430 and may be revised to reflect district practice.

The Governing Board shall provide a continuation education program as an option for at-risk students who may need a flexible educational environment. The continuation education program shall be designed to meet the educational needs of each student, provide an opportunity for participating students to complete the required course of instruction necessary to graduate from high school, emphasize occupational orientation or a work study schedule, and offer intensive guidance services.

(cf. 6146.1 - High School Graduation Requirements)

- (cf. 6146.11 Alternative Credits Toward Graduation)
- (cf. 6164.2 Guidance/Counseling Services)
- (cf. 6178 Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

The continuation education program shall be aligned with the goals identified in the district's local control and accountability plan, designed and implemented in collaboration with other high schools within the district, and coordinated with other educational options available to district students.

(cf. 0420.4 - Charter School Authorization)

(cf. 0460 - Local Control and Accountability Plan)

- (cf. 6158 Independent Study)
- (cf. 6172 Gifted and Talented Student Program)
- (cf. 6181 Alternative Schools/Programs of Choice)
- (cf. 6183 Home and Hospital Instruction)
- (cf. 6185 Community Day School)
- (cf. 6200 Adult Education)

The Superintendent or designee shall appoint a director of continuation education who shall be responsible for the organization and administration of the district's continuation education program and guidance, placement, and follow-up services for participating students. (5 CCR 11000, 11003)

Note: The following paragraph may be revised to reflect the school calendar adopted by the Governing Board for continuation high schools.

✓ The continuation high school shall be conducted for not less than 175 days during a school year. The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434; 5 CCR 11004)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Students eligible for continuation education classes shall be age 16 or 17 years at the time of their enrollment and shall not have graduated from high school. (Education Code 48400, 48413)

Note: Districts that assign students to continuation schools are mandated by Education Code 48432.5 to adopt rules and regulations governing procedures for involuntary transfer of students to continuation schools; also see the accompanying administrative regulation.

A student may be involuntarily transferred into a continuation education program in accordance with law and administrative regulation. (Education Code 48432.5)

Note: The following paragraph is for use by districts that choose to allow students to voluntarily enroll in a continuation school, with the approval of the Superintendent or designee, as authorized by Education Code 48432 and 48432.5. Such districts are mandated pursuant to Education Code 48432.3, as added by AB 570 (Ch. 365, Statutes of 2013), to adopt policy and procedures containing specified provisions and governing the identification, placement, and intake procedures for these students; also see the accompanying administrative regulation.

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

Note: Education Code 48432.3, as added by AB 570 (Ch. 365, Statutes of 2013), mandates that the district's policy and procedures ensure there is a clear criterion for determining which students may voluntarily transfer or be recommended for transfer to a continuation school and that this criterion is nonarbitrarily and consistently applied districtwide.

Note: The John W. Gardner Center for Youth and Their Communities, in its publication Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, notes that selection policies may range from providing open access to all interested students to establishing criteria that restrict enrollment to a subgroup of students based on academic and/or behavioral criteria. In determining student eligibility criteria, the district might consider (1) the goals and focus of each continuation high school in the district and (2) the availability of other educational options within the district or county and the student populations they are intended to serve.

Note: The following paragraph reflects types of students who frequently benefit from enrollment in continuation education, according to the CDE web site, and should be revised to reflect specific criteria established by the district.

Priority for voluntary enrollment in continuation classes shall be given to students who need credit recovery in order to graduate with their peers and to students who, due to employment, pregnancy, parenting responsibilities, or other circumstances, are unable to attend a comprehensive high school. A student with a disability shall be admitted only if his/her individualized education program specifically states that a continuation high school setting meets his/her needs.

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

(cf. 5147 - Dropout Prevention)

(cf. 6159 - Individualized Education Program)

✓ Enrollment criteria shall be applied consistently throughout the district. (Education Code 48432.3)

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

Note: The following paragraph is optional. If there is a regional occupational center or program (ROC/P) within the county, Education Code 48432 authorizes the district to enroll students in the ROC/P who would otherwise be subject to compulsory continuation education.

 Students may be enrolled in a regional occupational center or program within the county in lieu of, or in combination with, continuation education. (Education Code 48432)

(cf. 6178.2 - Regional Occupational Center/Program)

Note: Education Code 48410 specifies conditions under which students may be exempted from attendance in continuation education. These conditions are delineated in AR 5112.1 - Exemptions from Attendance.

- Students otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410 and AR 5112.1 -Exemptions from Attendance.
  - (cf. 5112.1 Exemptions from Attendance)
- V The Superintendent or designee shall regularly evaluate the effectiveness of district continuation education programs and report these evaluation results to the Board. Indicators may include, but not be limited to, disaggregated data on student enrollment, student assessment results, and graduation rates.
  - (cf. 0500 Accountability)
  - (cf. 6162.5 Student Assessment)
  - (cf. 6162.51 State Academic Achievement Tests)
  - (cf. 6162.52 High School Exit Examination)
  - (cf. 6190 Evaluation of the Instructional Program)
  - Legal Reference:
  - EDUCATION CODE
  - 46170 Minimum school day for continuation schools and classes
  - 48400-48454 Compulsory continuation education, especially:
  - 48400 Weekly minimum attendance requirement
  - 48402 Minors not regularly employed
  - 48410-48416 Compulsory continuation education
  - 48430-48438 Continuation classes
  - 48450-48454 Violation
  - 48900 Grounds for suspension and expulsion
  - 48900.5 Student discipline
  - 48903 Limitations on days of suspension
  - 51224-51225.3 Courses of study
  - 60850-60856 High school exit examination

FAMILY CODE

7000-7002 Emancipation of minors law

7050 Purposes for which emancipated minor considered an adult

CODE OF REGULATIONS, TITLE 5

11000-11010 Continuation education

COURT DECISIONS

Nathan G. v. Clovis Unified School District (2014) Cal.App.5th (No. F065485)

Management Resources:

JOHN W. GARDNER CENTER FOR YOUTH AND THEIR COMMUNITIES PUBLICATIONS

Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools, May 2012

Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, February 2011

WEB SITES

California Continuation Education Association: http://www.cceanet.org

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

John W. Gardner Center for Youth and Their Communities, Stanford School of Education: http://jgc.stanford.edu

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CSBA Sample | AR 6184 Instruction

## **Continuation Education**

Program Components

The district's continuation education program shall include the following components:

Note: 5 CCR 11004 requires students enrolled in a continuation education program to meet the course requirements for high school graduation pursuant to Education Code 51224-51225.3. In addition, continuation education students must pass the high school exit examination required of all high school students pursuant to Education Code 60850-60856; see BP/AR 6162.52 - High School Exit Examination.

1. Curriculum that prepares students to meet the course requirements for graduation prescribed in Education Code 51224-51225.3 (5 CCR 11004)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

(cf. 6178 - Career Technical Education)

2. A plan to coordinate instruction and training in the continuation education program with students' parents/guardians, employment, and other agencies (5 CCR 11003)

3. Instruction based on individual student needs as determined by counseling and coordination services (5 CCR 11002)

4. Personal guidance in matters affecting students' personal, social, and educational adjustment (5 CCR 11001)

(cf. 6164.2 - Guidance/Counseling Services)

5. Occupational guidance to prepare students for future employment opportunities (5 CCR 11001)

6. Placement in suitable employment whenever students can benefit from such employment, and follow-up visitations at places of employment to determine the effectiveness of the guidance and placement services (5 CCR 11001)

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

7. Regular home contacts and parent conferences when students are not succeeding in the continuation program (5 CCR 11001)

(cf. 6020 - Parent Involvement)

8. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education, with the intent of eventually returning them to the full-time continuation education program (5 CCR 11001)

Note: Items #9-13 are optional and may be revised to reflect district practice

9. Regular communication with all parents/guardians regarding their child's progress in the educational program

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

10. Opportunities for parent/guardian and community involvement in school activities and program planning

(cf. 1240 - Volunteer Assistance)

11. Student support services that may include, but are not limited to, academic support services, health services or referrals, child care and development services for the children of enrolled students, and/or prevention and intervention services for alcohol or substance abuse

(cf. 1020 - Youth Services)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

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

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6164.5 - Student Success Teams)

(cf. 6179 - Supplemental Instruction)

12. Professional development that includes opportunities for teachers to continually improve their instructional and classroom management skills

(cf. 4131 - Staff Development)

13. Efforts to ensure school safety and promote a positive school climate

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

// Involuntary Transfer

Note: Districts that assign students to continuation schools are mandated by Education Code 48432.5 to adopt rules and regulations governing procedures for involuntary transfer. Pursuant to Education Code 48432.5, districts may only involuntarily transfer students who meet one of the conditions specified in items #1-2 below and may not establish additional criteria for involuntary transfers. However, districts are not required to involuntarily transfer such students, and may delete item #1 or 2 below to reflect district practice.

A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student meets either of the following conditions: (Education Code 48432.5)

1. The student committed an act enumerated in Education Code 48900.

(cf. 5144 - Discipline)

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

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

(cf. 6185 - Community Day School)

2. The student has been habitually truant or irregular in attendance from instruction he/she is lawfully required to attend.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Note: Education Code 48432.5 requires that involuntary transfer to a continuation school be made only when other means fail to bring about student improvement, as provided below. In Nathan G. v. Clovis Unified School District, the appeals court upheld the district's decision to transfer a high school student to continuation school for an act

enumerated in Education Code 48900, rejecting the student's argument that the district was first required to exhaust all other means of correction to bring about student improvement and concluding that an involuntary transfer to continuation school does not substantially affect a student's fundamental right to an education.

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)

Note: Education Code 48432.5 mandates that the district's rules and regulations pertaining to involuntary transfer of students to continuation schools contain the following provision regarding notice to the student and parent/guardian.

Prior to an involuntary transfer, the student and parent/guardian shall be given written notice that they may request a meeting with the Superintendent or designee. (Education Code 48432.5)

(cf. 5145.6 - Parental Notifications)

At the meeting, the student or parent/guardian shall be informed of the specific facts and reasons for the proposed transfer. The student or parent/guardian shall have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting. (Education Code 48432.5)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and parent/guardian. It shall indicate whether the decision is subject to periodic review and the procedure for such review. (Education Code 48432.5)

The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time. (Education Code 48432.5)

Note: Pursuant to Education Code 48432.5, involuntary transfers cannot extend beyond the end of the semester following the semester in which the acts leading to the transfer occurred, unless the district adopts a procedure for conducting yearly review at the student's or parent/guardian's request. The following paragraph may be revised to reflect district practice.

No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester when the acts leading to the involuntary transfer occurred. (Education Code 48432.5)

# Voluntary Enrollment

Note: The following section is for use by districts that allow students to voluntarily enroll in continuation education classes; see the accompanying Board policy. Pursuant to Education Code 48432.3, as added by AB 570 (Ch. 365, Statutes of 2013), such districts are mandated to adopt policy and procedures governing the identification, placement, and intake procedures for students who voluntarily enroll. The district should revise the following section to reflect district practice.

As space permits, students who meet the eligibility criteria specified in Board policy may voluntarily enroll in a continuation school. A student may be considered for placement in the continuation school whenever his/her parent/guardian submits a written request to the Superintendent or designee or the student is referred by a counselor or school administrator.

Approval of a student's voluntary transfer shall be based on a finding that the placement will promote the educational interests of the student. (Education Code 48432.3)

Note: Education Code 48432.3, as added by AB 570 (Ch. 365, Statutes of 2013), mandates that the district's procedures ensure all of the conditions specified in items #1-6 below.

Voluntary enrollment shall be subject to the following conditions: (Education Code 48432.3, 48432.5)

1. A student's voluntary placement in continuation education shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Education Code 48900.5.

2. The district shall strive to ensure that no specific group of students, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation education within the district.

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

Note: The following optional paragraph implements the above requirement and may be revised to reflect district practice.

The Superintendent or designee shall annually review disaggregated student enrollment data and report such data to the Governing Board. If it is determined that one or more student groups are enrolled in continuation education at a significantly higher level than their proportional enrollment in the district, the Superintendent or designee shall conduct a review of enrollment criteria and procedures to determine the reason for the disproportionate enrollment.

3. A copy of this administrative regulation and accompanying Board policy shall be provided to a student whose voluntary transfer to a continuation school is under consideration and to his/her parent/guardian.

4. Before a student is transferred and upon request by his/her parent/guardian, the parent/guardian may meet with a counselor, principal, or administrator from both the school that the student is currently attending and the continuation school to determine if transferring is the best option for the student.

5. To the extent possible, voluntary transfer to a continuation school shall occur within the first four weeks of each semester.

6. A student who is voluntarily enrolled in continuation education may return to the regular high school at the beginning of the following school year, or at any other time with the consent of the Superintendent or designee.

Intake and Orientation

Note: Pursuant to Education Code 48432.3, as added by AB 570 (Ch. 365, Statutes of 2013), districts that allow students to voluntarily enroll in continuation education are mandated to adopt intake procedures for such students. The following section addresses intake and orientation for all students enrolled in continuation education and may be revised to reflect district practice.

Upon voluntary or involuntary transfer to a continuation education program, an intake meeting shall be conducted with each student and his/her parent/guardian. At this meeting, the principal or counselor shall provide information about each course and number of credits that the student needs to complete in order to graduate and shall develop an individualized academic plan for the student. The student, and his/her parent/guardian as appropriate, shall sign a contract indicating their commitment to these objectives.

In addition, at the beginning of each school year, the district coordinator for continuation education, school counselor(s), or other designee(s) shall provide an orientation session for all incoming students and their parents/guardians in order to help them understand the credit recovery process and establish expectations for student conduct and participation. As appropriate, extended orientation sessions may be provided to assist students in developing academic, social, communication, anger management, or other skills necessary to success in school.

V Minimum Attendance Requirement

Note: Pursuant to Education Code 46170, the minimum school day for continuation high schools and classes is 180 minutes and no student will be credited with more than 15 hours of attendance per school week for apportionment purposes. However, the California Department of Education's web site reports that many continuation high schools provide full-day programs that exceed the minimum daily requirement. The following section may be revised to reflect district practice.

In continuation high schools and classes, a day of attendance shall be at least 180 minutes. (Education Code 46170)

Each student shall attend classes for not less than 15 hours per week. However, if a student gives satisfactory proof of regular employment, he/she may attend classes for not less than four hours per week for the regular school term. These requirements may be met by any combination of attendance in a continuation education class and/or regional occupational center or program. (Education Code 46170, 48402, 48400)

#### Leaves of Absence

Note: Pursuant to Education Code 48416, students age 16-18 years may take leaves of absence in accordance with law provided that the Board has adopted policy allowing such leaves of absence; see BP/AR 5112.3 - Student Leave of Absence. The following optional section is for use by districts that allow such leaves of absence for students in compulsory continuation education classes.

A student enrolled in compulsory continuation education classes may take a leave of absence for up to two semesters for the purpose of supervised travel, study, training, or work in accordance with law, Board policy, and administrative regulation. (Education Code 48416)

(cf. 5112.3 - Student Leave of Absence)

Reenrollment

Any person age 16 or 17 years who terminated his/her enrollment in continuation school after obtaining a certificate of proficiency may reenroll in the district once without prejudice. If the student leaves a second time, the Superintendent or designee may deny reenrollment until the beginning of the next semester. (Education Code 48414)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

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#### Instruction

#### **EVALUATION OF THE INSTRUCTIONAL PROGRAM**

#### Note: The following policy may be revised to reflect district practice.

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to improve student achievement.

(cf. 0200 - Goals for the School District)
(cf. 0500 - Accountability)
(cf. 6000 - Concepts and Roles)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Note: The district may revise the following paragraph to specify the data and reports that will be used to evaluate the district's instructional program.

Historically, California's accountability system has been based on both federal and state requirements. Federal law requires a determination as to whether schools and districts make "adequate yearly progress" (AYP) pursuant to 20 USC 6311. The state accountability system is in a state of flux, with the Academic Performance Index (API) no longer being calculated and the State Board of Education likely to adopt a multiple-measures accountability system that is aligned with the state priority areas specified in Education Code 52060. Education Code 52060-52061 require that the district's local control and accountability plan (LCAP) establish goals for all students and for each numerically significant subgroup that are aligned with the state priorities, and that the district annually review progress toward the goals; see BP/AR 0460 - Local Control and Accountability Plan. Pursuant to Education Code 52052, numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and, as amended by AB 104 (Ch. 13, Statutes of 2015), homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster or homeless youth.

The Superintendent or designee shall provide the Board and the community with regular reports on student progress toward Board-established standards of expected achievement at each grade level in each area of study. In addition, he/she shall evaluate and report data for each district school and for every numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).

- (cf. 0460 Local Control and Accountability Plan)
- (cf. 0510 School Accountability Report Card)
- (cf. 6011 Academic Standards)
- (cf. 6162.5 Student Assessment)
- (cf. 6162.51 State Academic Achievement Tests)
- (cf. 6162.52 High School Exit Examination)
- (cf. 6173.1 Education for Foster Youth)
- (cf. 6174 Education for English Language Learners)

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education that district students receive.

# EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

#### Annual Monitoring of Consolidated Application Programs

Note: The following **optional** section should be revised to reflect district practice. Pursuant to Education Code 64000-64001, the consolidated application is used by the California Department of Education (CDE) to distribute funds from certain federal categorical programs. For 2015-16, these programs include (1) Title I, Part A basic grant (low-income students); (2) Title I, Part D (delinquent students); (3) Title II, Part A (teacher quality); (4) Title III, Part A (immigrant students); (5) Title III, Part A (English learners); and (6) Title VI, Part B (rural, low-income students). As a condition of receiving continued funding for these programs, the district must make certain general assurances and certifications, including an assurance that the district's annual evaluation of categorical programs demonstrates that each program is "not one of low effectiveness" (5 CCR 3942). The district does not need to sign or return the general assurances, but does need to keep them on file for compliance reviews, complaint investigations, or audits.

Pursuant to 5 CCR 3942, criteria for the annual program evaluation are to be established by the Governing Board. In order to consolidate the district's various evaluation processes, the district may consider the progress of numerically significant student groups, in addition to other measures of student progress contained in school plans or adopted by the Board.

The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students and of each numerically significant subgroup toward goals contained in the district's LCAP, the school's single plan for student achievement, Title I local educational agency plan, and/or other applicable district or school plans.

#### Federal Program Monitoring

Note: Pursuant to Education Code 64001, the CDE is required to monitor the district's compliance with legal requirements for categorical programs. This monitoring is accomplished through the Federal Program Monitoring (FPM) process, which is based on a combination of data and document reviews and on-site visits. Districts are assigned to one of four cycles, and may be selected for on-site or online monitoring every two years. Districts and school sites are selected based on criteria that include compliance history, academic achievement, program size, and fiscal analysis, with several districts being randomly selected for monitoring each year. During the FPM process, the CDE reviews school plans and may require a district to submit district policies, administrative regulations, or any other data necessary for the CDE to effectively monitor these programs. The CDE has developed monitoring instruments which contain major program legal requirements and are used by CDE staff to determine district compliance with the requirements. These instruments are available on the CDE's web site. Also, beginning in 2015, the CDE is transitioning to a new application, the California Monitoring Tool, to facilitate districts' response to state and federal requirements for program monitoring.

The following paragraph is **optional**. The CDE does not require districts to complete a self-review as part of the FPM process. However, the CDE emphasizes that compliance monitoring should be an ongoing responsibility of the district, not an event that occurs only when the CDE conducts its on-site monitoring. The FPM program instruments may be useful for this purpose.

## EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

- ✓ To ensure that the district's categorical programs comply with applicable legal requirements, the Superintendent or designee shall, on an ongoing basis, conduct a district self-evaluation which may utilize tools developed by the district or the California Department of Education (CDE).
- When the district is selected by the CDE for a Federal Program Monitoring (FPM) compliance review, the Superintendent or designee shall gather and submit all documentation and data required for the review and shall cooperate with CDE staff to facilitate program monitoring.
  - (cf. 0410 Nondiscrimination in District Programs and Activities)
  - (cf. 0420 School Plans/Site Councils)
  - (cf. 0520.2 Title I Program Improvement Schools)
  - (cf. 0520.3 Title I Program Improvement Districts)
  - (cf. 1312.3 Uniform Complaint Procedures)
  - (cf. 1312.4 Williams Uniform Complaint Procedures)
  - (cf. 4112.24 Teacher Qualifications Under the No Child Left Behind Act)
  - (cf. 4131 Staff Development)
  - (cf. 5020 Parent Rights and Responsibilities)
  - (cf. 5148 Child Care and Development Programs)
  - (cf. 5148.2 Before/After School Programs)
  - (cf. 5148.3 Preschool/Early Childhood Education)
  - (cf. 6020 Parent Involvement)
  - (cf. 6142.7 Physical Education and Activity)
  - (cf. 6171 Title I Programs)
  - (cf. 6173 Education for Homeless Children)
  - (cf. 6175 Migrant Education Program)
  - (cf. 6178 Career Technical Education)
  - (cf. 6178.1 Work-Based Learning)
  - (cf. 6200 Adult Education)

Note: According to the CDE's <u>FPM Frequently Asked Questions</u>, available on its web site, if the review results in a finding of noncompliance with legal requirements, the district must submit a Proposed Resolution of Findings through the CMT within 45 days of the date that the district was notified of the finding. The resolution agreement will specify a time period, not to exceed 225 calendar days from the last day of the review, to resolve the finding. The district may request additional resolution time if needed, and the CDE program monitor will determine whether to grant or adjust the request.

 $\checkmark$  In the event that the FPM review results in a finding of noncompliance in relation to any program, the Superintendent or designee shall submit a proposed resolution to the CDE within 45 days of the date the district was notified of the finding. The resolution shall be implemented in accordance with the terms and timeframe specified in the resolution agreement with the CDE.

The Superintendent or designee shall report to the Board regarding the results of the review process.

## EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

#### Western Association of Schools and Colleges (WASC) Accreditation

Note: The following **optional** section is for use by districts that participate in the evaluation process leading to accreditation by the Western Association of Schools and Colleges (WASC). WASC is a private, nonprofit organization whose Accrediting Commission for Schools provides regular assessments of public and private schools in order to support ongoing improvement of the educational program. The term of the accreditation process varies from one to six years, as determined by WASC. Districts may seek accreditation for both elementary and secondary schools and may revise the following section to specify schools that will seek accreditation (e.g., only secondary schools and/or middle schools). Districts also may revise the following section to apply to any other accrediting agency.

- The Board believes that accreditation by the Western Association of Schools and Colleges (WASC) can foster excellence and ongoing academic improvement in the district's schools. The results of the accreditation process also may demonstrate to parents/guardians and the community that the schools are meeting their goals and objectives and the WASC criteria for school effectiveness through a viable instructional program.
  - The Superintendent or designee shall undertake procedures whereby district schools may achieve and maintain full WASC accreditation status. The schools shall conduct a self-study in accordance with WASC requirements, cooperate with the WASC committee during a site visit, and develop and review action plans to increase the effectiveness of the instructional program for students. The Superintendent or designee shall regularly report to the Board on the status of district schools and any WASC recommendations for school improvement.

The results of any inspection of a school by WASC, or any other the accrediting agency, shall be published not later than 60 days after the results are made available to the school.

Publication shall be by notifying each parent/guardian in writing and/or by posting the information on the district's or school's web site, as determined by the Superintendent or designee. (Education Code 35178.4)

(cf. 1113 - District and School Web Sites) (cf. 5145.6 - Parental Notifications)

If any district school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. This notice shall also be posted on the district's web site and the school's web site. (Education Code 35178.4)

Legal Reference: (see next page)

#### BP 6190(e)

# EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Legal Reference:

EDUCATION CODE 33400-33407 Educational evaluations 35178.4 Notice of accreditation status 44662 Evaluation and assessment guidelines, certificated employee performance 48985 Compliance with translation of parental notifications 51041 Education program, evaluation and revisions 51226 Model curriculum standards 52052-52052.1 Academic Performance Index; numerically significant student subgroups 52060-52077 Local control and accountability plan 62005.5 Failure to comply with purposes of funds 64000-64001 Consolidated application process CODE OF REGULATIONS, TITLE 5 3930-3937 Program requirements 3942 Continuity of funding UNITED STATES CODE, TITLE 20 6311 Adequate yearly progress

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS FPM Frequently Asked Questions Federal Program Monitoring Instruments WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS Focus on Learning Joint WASC/CDE Process Guide, 2014 WEB SITES CSBA: http://www.csba.org California Department of Education, Testing and Accountability: http://www.cde.ca.gov/ta Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools: http://www.acswasc.org

Policy adopted: CSBA Sample | BB 9324 Board Bylaws

# **Minutes And Recordings**

Note: The following optional bylaw should be modified to reflect district practice.

The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public and helps foster public trust in Board governance.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9323 - Meeting Conduct)

The secretary of the Board shall keep minutes and record all official Board actions. The Board's minutes shall be public records and shall be made available to the public upon request. (Education Code 35145, 35163)

(cf. 1340 - Access to District Records)

(cf. 9122 - Secretary)

(cf. 9323.2 - Actions by the Board)

Note: Pursuant to Government Code 54952.2, a majority of the Governing Board must be present at a meeting in order to hear, discuss, or deliberate on any matter within the subject matter jurisdiction of the Board. Thus, the minutes should reflect any occasion on which a member is not present for the entire meeting in order to document that a majority of the Board remained in attendance throughout the meeting.

The minutes shall reflect which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

The minutes shall include the specific language of each motion and the names of the Board members who made and seconded the motion.

Note: Pursuant to Government Code 54953, as amended by SB 751 (Ch. 257, Statutes of 2013), in addition to publicly reporting any action taken, the minutes must note the vote or abstention of each member present for the action.

The minutes shall also report any action taken and the vote or abstention on that action of each member present. (Government Code 54953)

The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The Board shall approve the minutes as circulated or with necessary amendments.

Note: The following optional paragraph is for use by districts which have their approved minutes signed by a Board officer or designee and should be modified to reflect the appropriate position.

Upon approval by the Board, the minutes shall be signed by the superintendent.

Note: Pursuant to 5 CCR 16023, minutes and official actions of the Board must be classified and retained in accordance with 5 CCR 16022. See BP/AR 3580 - District Records.

\*

Note: CSBA's Agenda Online, an electronic board meeting agenda service, allows for the development, storage, and access to Board meeting agendas, supporting documents, and minutes from any computer with Internet access. Further information can be found on CSBA's web site.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

(cf. 3580 - District Records)

Note: Although Government Code 54957.2 permits keeping of minutes for closed sessions, districts should consult with legal counsel before making it a practice to do so. Should a court determine that a district has violated the Brown Act, Government Code 54960 allows the court to compel the Board to record its closed sessions. See BB 9323.2 - Actions by the Board.

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

(cf. 9321.1 - Closed Session Actions and Reports)

Recording or Broadcasting of Meetings

Note: The following optional section addresses the recording or broadcasting of meetings made by or directed by the district.

\*

Note: Pursuant to Government Code 54953.5 and 54953.6, any person attending an open meeting may record or broadcast the meeting, unless the Board makes a reasonable finding that the recording or broadcast cannot continue without noise, illumination, or

obstruction of view which would persistently disrupt the meeting. See BB 9323 - Meeting Conduct for language regarding recording by the public.

The district may tape, film, or broadcast any open Board meeting. The Board president shall announce that a recording or broadcasting is being made at the direction of the Board at the beginning of the meeting and, as practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any district recording may be erased or destroyed 30 days after the meeting. Recordings made at the direction of the Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on district equipment without charge. (Government Code 54953.5)

Legal Reference:

EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journals

35164 Vote requirements

GOVERNMENT CODE

54952.2 Meeting defined

54953 Meetings

54953.5 Audio or video recording of proceedings

54953.6 Broadcasting of proceedings

54957.2 Closed sessions; clerk; minute book

54960 Violations and remedies

PENAL CODE

632 Unlawful to intentionally record a confidential communication without consent

CODE OF REGULATIONS, TITLE 5

16020-16027 Classification and retention of records

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2009

Guide to Effective Meetings, rev. 2007

WEB SITES

CSBA, Agenda Online: http://www.csba.org

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### MINOR REVISIONS October 2015

#### **BP 0500 - Accountability**

Revise 4th paragraph to reflect Education Code 52052, as amended by AB 104 (Ch. 13, Statutes of 2015), as follows:

The district and each district school shall demonstrate comparable improvement in academic achievement, as measured by the API, for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth or homeless students. (Education Code 52052)

### AR 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave

Delete 7th paragraph to reflect Education Code 44984 and 45192, as amended by AB 915 (Ch. 58, Statutes of 2015), as follows:

Any employee-receiving benefits under this-leave shall, during periods of injury or illness, remain within California-unless the Governing Board authorizes travel outside the state. (Education Code 44984, 45192)

## AR 6145.2 - Athletic Competition

In section on "Parental Notifications," revise item #2 to reflect Education Code 221.8, as amended and renumbered by AB 1538 (Ch. 43, Statutes of 2015), as follows:

2. Includes a copy of the Athletes' Bill-of Rights students' Title IX rights pursuant to Education Code 271-221.8

# AR 6158 - Independent Study

In section on "Assignment and Responsibilities of Independent Study Teachers," revise 2nd paragraph of section to reflect Education Code 51745.6, as amended by AB 104 (Ch. 13, Statutes of 2015), as follows:

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs at the applicable grade span in the district, unless a new higher or lower grade span ratio for all other educational programs offered within the grade span is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative grade span ratio. (Education Code 51745.6)

# **CSBA Sample** Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0500(a)

#### ACCOUNTABILITY

Note: The following optional policy may be revised to reflect district practice.

The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 2140 - Evaluation of the Superintendent)
(cf. 3460 - Financial Accountability and Reports)
(cf. 4115 - Evaluation/Supervision)
(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9400 - Board Self-Evaluation)

Note: California's accountability system is based on both state and federal requirements, including the calculation of an Academic Performance Index (API) pursuant to Education Code 52052-52052.1 and a determination as to whether schools and districts make "adequate yearly progress" (AYP) pursuant to 20 USC 6311. Both the API and AYP incorporate multiple measures, including, but not limited to, student performance on statewide assessments. However, as amended by AB 484 (Ch. 489, Statutes of 2013), Education Code 52052 authorizes the State Board of Education to suspend the API in the 2013-14 and 2014-15 school years while the state assessment system is transitioning from the Standardized Testing and Reporting program to the California Measurement of Academic Performance and Progress.

Indicators of district progress in improving student achievement shall include, but are not limited to, the state Academic Performance Index (API) and the measures of "adequate yearly progress" (AYP) required under the federal accountability system.

(cf. 6162.5 - Student Assessment) (cf. 6162.51 - State Academic Achievement Tests) (cf. 6162.52 - High School Exit Examination)

Alternative schools serving high-risk student populations, including continuation high schools, opportunity schools, and community day schools, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction. (Education Code 52052)

# ACCOUNTABILITY (continued)

Note: Education Code 52052 requires that schools and districts demonstrate comparable improvement in academic achievement by all numerically significant student subgroups, as defined below. AB 104 (Ch. 13, Statutes of 2015) amended Education Code 52052 to add homeless students to the list of student subgroups.

V The district and each district school shall demonstrate comparable improvement in academic achievement, as measured by the API, for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth or homeless students. (Education Code 52052)

Note: The following **optional** paragraph may be revised to reflect district practice. AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 52056, which had required an annual discussion of the results of each school's API ranking at a regularly scheduled Governing Board meeting. Nevertheless, reporting to the public and receiving input from the public are key components of accountability.

Education Code 52060, as added by AB 97 and amended by SB 97 (Ch. 357, Statutes of 2013), requires that the district consult with parents/guardians, students, teachers, principals, administrators, other school personnel, and employee bargaining units in the development of the district's local control and accountability plan (LCAP); see BP 0460 - Local Control and Accountability Plan.

The Superintendent shall provide regular reports to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the local control and accountability plan (LCAP).

- (cf. 0460 Local Control and Accountability Plan)
- (cf. 0510 School Accountability Report Card)
- (cf. 1100 Communication with the Public)
- (cf. 1112 Media Relations)
- (cf. 1220 Citizen Advisory Committees)
- (cf. 6020 Parent Involvement)

Note: A school or district that receives federal Title I funds may be identified for program improvement if it does not meet AYP criteria for two consecutive years within specific areas; see BP/AR 0520.2 - Title I Program Improvement Schools and BP/AR 0520.3 - Title I Program Improvement Districts.

Pursuant to Education Code 52071, as added by AB 97 (Ch. 47, Statutes of 2013), a district will receive technical assistance whenever the County Superintendent of Schools does not approve the district's LCAP or annual update to the LCAP, the district fails to improve student achievement across more than one state priority identified in Education Code 52060, or the district requests technical assistance. AB 97 also added Education Code 52072 which provides that, under specified conditions, the Superintendent of Public Instruction may intervene to revise the district's LCAP or budget and/or to stay or rescind any district action that is preventing the district from improving outcomes for all student subgroups and is not required by a collective bargaining agreement. See BP/AR 0460 - Local Control and Accountability Plan.

#### ACCOUNTABILITY (continued)

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 4141/4241 - Collective Bargaining Agreement)

Legal Reference:

EDUCATION CODE 33127-33129 Standards and criteria for fiscal accountability 33400-33407 California Department of Education evaluation of district programs 44660-44665 Evaluation of certificated employees 51041 Evaluation of the educational program 52052-52052.1 Academic Performance Index 52055.57-52055.59 Districts identified or at risk of identification for program improvement 52060-52077 Local control and accountability plan CODE OF REGULATIONS, TITLE 5 1068-1074 Alternative schools accountability model, assessments 15440-15463 Standards and criteria for fiscal accountability UNITED STATES CODE, TITLE 20 6311 Accountability, adequate yearly progress 6312 Local educational agency plan 6316 School and district improvement CODE OF FEDERAL REGULATIONS, TITLE 34 200.13-200.20 Adequate yearly progress 200.30-200.53 Program improvement

Management Resources:

<u>WEB SITES</u> CSBA: http://www.csba.org California Department of Education, Accountability: http://www.cde.ca.gov/ta/ac U.S. Department of Education: http://www.ed.gov

(3/06 10/13) 10/15

# **CSBA Sample** Administrative Regulation

All Personnel

### AR 4161.11(a) 4261.11 4361.11

# INDUSTRIAL ACCIDENT/ILLNESS LEAVE

Note: Education Code 44984 and 45192 **mandate** that the Governing Board adopt rules and regulations providing industrial accident and illness leave for certificated and classified employees. The following regulation is subject to collective bargaining agreements.

For information about employees' rights related to workers' compensation benefits for industrial accidents or illnesses, see BP 4157.1/4257.1/4357.1 - Work-Related Injuries.

An eligible employee shall be entitled to a leave of absence for an industrial accident or illness arising in the course of his/her assigned duties. (Education Code 44984, 45192)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment) (cf. 4157/4257/4357 - Employee Safety) (cf. 4157.1/4257.1/4357.1 - Work-Related Injuries) (cf. 4157.2/4257.2/4357.2 - Ergonomics) (cf. 4161/4261/4361 - Leaves)

Note: Education Code 44984 and 45192 mandate that district rules and regulations specify the amount of allowable leave as provided in the following paragraph. The district should fill in the blank in the following paragraph to specify the maximum amount of leave allowed by the district which, pursuant to Education Code 44984 and 45192, must not be less than 60 working days in any one fiscal year for the same industrial accident or illness. In the absence of district rules and regulations, employees shall be entitled to industrial accident or illness leave, but without limitation as to the number of days of such leave.

For such leave, the employee shall be granted no more than  $\frac{1}{2}$  working days in any one fiscal year for the same industrial accident or illness.

Note: Pursuant to Education Code 45192, the Board may require that classified employees serve a specified period of time, not to exceed three years, before being eligible for industrial accident or illness leave. In addition, Education Code 45192 allows the Board, at its discretion, to require that the time be served continuously. The following **optional** paragraph should be revised to reflect district practice.

To be eligible for industrial accident or illness leave, a classified employee shall have served in the district continuously for at least three years.

Note: Education Code 44984 and 45192 **mandate** that district rules and regulations include the provisions in the following paragraph and items #1-4.

Allowable industrial accident or illness leave shall not be accumulated from year to year. (Education Code 44984, 45192)

When an employee is absent from his/her duties because of an industrial accident or illness:

(Education Code 44043, 44044, 44984, 45192)

### INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

- 1. The leave shall start on the first day of absence.
- 2. During the period of absence, the employee shall be paid such portion of his/her wage or salary that, when added to the award granted under state workers' compensation laws, will not exceed his/her normal wage or salary.
- 3. The leave shall be reduced by one day for each day of authorized absence, regardless of an award granted under workers' compensation laws.
- 4. When the leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury.

Note: Pursuant to Education Code 44043, a certificated or classified employee who uses a paid leave of absence while receiving temporary disability benefits under state workers' compensation laws must endorse his/her workers' compensation check payable to the district, and the district shall then issue a salary warrant to the employee after deducting retirement contributions and other appropriate deductions (see Option 1 below). However, Education Code 44044 authorizes the district to waive this requirement, thereby allowing an employee to retain the workers' compensation check and receive a salary payment from the district with the equivalent amount of the workers' compensation check deducted (see Option 2 below).

**OPTION 1.** During any paid leave of absence, the employee shall endorse to the district any workers' compensation checks received on account of an industrial accident or illness. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less any appropriate deductions, including, but not limited to, employee retirement contributions. (Education Code 44043)

**OPTION 2:** During any paid leave of absence, the employee shall retain any workers' compensation check received on account of an industrial accident or illness. The employee shall notify the Superintendent or designee that he/she has received such check. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less an amount equivalent to the face amount of the workers' compensation check and other appropriate deductions, including, but not limited to, employee retirement contributions. Employee benefits shall be computed on the basis of the employee's regular wage or salary prior to the deduction of any amounts for temporary disability payments. (Education Code 44044)

Note: Education Code 45192 specifies that classified employees may return to their position during the leave of absence without suffering any loss of status or benefits and that the absence will not be considered a break in service. The law does not expressly provide this benefit to certificated employees. The following paragraph extends these provisions to all employees and should be revised by districts that choose to limit these provisions to classified employees. If the district chooses to limit these provisions to classified employees, it is recommended that the district consult legal counsel regarding potential legal risks.

#### INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

Absence for industrial accident or illness shall not be considered a break in service of the employee. An employee using such leave shall retain all status and benefits to which he/she would otherwise be entitled.

(cf. 4116 - Probationary/Permanent Status) (cf. 4154/4254/4354 - Health and Welfare Benefits) (cf. 4216 - Probationary/Permanent Status)

Note: Education Code 45192 requires the district to notify classified employees in writing when their industrial accident or illness leave has been exhausted and to offer them an opportunity to request additional leave. Education Code 44984 authorizes certificated employees to use personal illness and injury leave upon expiration of the industrial accident or illness leave, but does not specifically require notification of the employee. The following paragraph extends this notification to all employees and should be revised by districts that choose to limit such notification to classified employees. If the district chooses to limit these provisions to classified employees, it is recommended that the district consult legal counsel regarding potential legal risks.

When available industrial accident or illness leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request any additional paid or unpaid leave available to the employee. (Education Code 45192)

#### (cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave provided pursuant to Education Code 44977, 44978, 44983, or 45191, as applicable, provided that such leave, when added to any continuing workers' compensation award, does not result in a payment to the employee of more than his/her full wage or salary. (Education Code 44984, 45192)

#### (cf. 4161.1/4361.1 - Personal Illness/Injury Leave) (cf. 4261.1 - Personal Illness/Injury Leave)

If a certificated employee is unable to resume the duties of his/her position after exhausting all accumulated sick leave, including the consecutive five-month period provided by Education Code 44977, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 24 months if he/she is a probationary employee or 39 months if he/she is a permanent employee. If the employee becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

#### INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

Note: While the Education Code allows probationary certificated employees to be placed on a 24-month reemployment list, there is no equivalent 24-month reemployment list for probationary classified employees. Pursuant to Education Code 45192, all classified employees, whether permanent or probationary, are placed on a 39-month reemployment list.

If a classified employee has exhausted all available leaves of absence, paid or unpaid, and is not medically able to resume the duties of his/her position, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 39 months. If he/she becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other candidates except those on a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with seniority regulations. If the employee is medically released to return to duty but fails to accept an appropriate assignment, he/she shall be dismissed. (Education Code 45192)

(cf. 4217.3 - Layoff/Rehire) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

#### INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

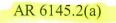
Legal Reference: <u>EDUCATION CODE</u> 44043 Temporary disability 44044 Temporary disability checks; waiver of endorsement to district 44977 Salary deductions during absence from duties 44978 Provisions for certificated employee sick leave 44978.1 Inability of certificated employee to return to duty; placement in another position or on reemployment list 44983 Exception to sick leave 44984 Industrial accident and illness leave, certificated employees 45191 Personal illness and injury leave, classified employees 45192 Industrial accident and illness leave, classified employees <u>LABOR CODE</u> 3200-6002 Workers' compensation

Management Resources:

<u>WEB SITES</u> Department of Industrial Relations: http://www.dir.ca.gov Copyright 2015 by California School Boards Association, West Sacramento, California 95691 All rights reserved.

# **CSBA Sample** Administrative Regulation

#### Instruction



### ATHLETIC COMPETITION

#### Nondiscrimination and Equivalent Opportunities in the Athletic Program

Note: The following section reflects pertinent provisions of federal and state law regarding nondiscrimination (Title IX, 20 USC 1681-1688; Education Code 200-262.4; 5 CCR 4900-4965). The Office for Civil Rights (OCR) in the U.S. Department of Education oversees complaints regarding violations of Title IX.

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or any other basis specified in law. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 5145.3 - Nondiscrimination/Harassment)

Note: 5 CCR 4921 and 34 CFR 106.41 authorize the establishment of separate teams for males and females where the selection of teams is based on competitive skills. 34 CFR 106.41 also authorizes single-sex teams for contact sports, as defined. Because state regulations do not address single-sex teams for contact sports, districts should consult legal counsel prior to establishing any such single-sex team for a contact sport for which selection is not based on competitive skills.

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

Note: Pursuant to Education Code 221.5, a district is required to permit a transgender student to participate in sex-segregated school programs and activities, including athletic teams and competitions, consistent with his/her gender identity, regardless of the gender listed in the student's records; see BP/AR 5145.3 -Nondiscrimination/Harassment. The California Interscholastic Federation's (CIF) bylaws and <u>Guidelines for Gender Identity Participation</u> contain procedures for addressing student complaints regarding gender identity-based participation in interscholastic sports. Also see CSBA's <u>Final Guidance: AB 1266</u>, <u>Transgender and Gender Nonconforming Students</u>, Privacy, Programs, Activities and Facilities. Districts should consult legal counsel about applicable standards for determining a student's gender identity.

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student's records. (Education Code 221.5)

## ATHLETIC COMPETITION (continued)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

Note: 5 CCR 4922 and 34 CFR 106.41, as reflected in items #1-11 below, list factors that districts must consider when determining whether equivalent opportunities are being provided. The CIF's <u>A Guide to</u> <u>Equity in Athletics</u> provides suggested actions that districts can take for each of the factors to help the district meet its equivalence goals. Any district with questions about equivalent athletic opportunities for its students should consult legal counsel.

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

Note: Education Code 230 provides the following three-part test to determine if a district has effectively accommodated the interests and abilities of both sexes in athletics. This test is the same three-part test that is used by OCR for helping to determine equivalent opportunities under Title IX.

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests: (Education Code 230)

Note: CIF's <u>A Guide to Equity in Athletics</u> advises that, in order to meet the criterion specified in item #a below, the ratio of male/female athletes should be within five percent of the ratio of male/female district enrollment.

- a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
- b. Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex

Note: OCR issued a letter in April 2010 withdrawing its earlier guidance which relied on a single survey instrument to demonstrate that an institution is accommodating student interests and abilities in compliance with item #c below. Although OCR's letter applies to intercollegiate athletic programs, OCR's web site clarifies that the general principles also apply to interscholastic and intramural programs at elementary and secondary schools.

# ATHLETIC COMPETITION (continued)

In evaluating whether there is an unmet interest in a particular sport and sufficient ability to sustain a team in the sport, OCR considers (1) whether an institution uses nondiscriminatory methods of assessment when determining the athletic interests and abilities of its students, (2) whether a viable team for the underrepresented sex was recently eliminated, (3) multiple indicators of interest, (4) multiple indicators of ability, and (5) frequency of conducting assessments. Thus, a student survey is one of multiple indicators that may be used. The OCR letter provides information that the district might consider in developing its own survey. In addition, CIF's <u>A Guide to Equity in Athletics</u> provides sample surveys.

- c. Where the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #1b above, whether the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program
- 2. The provision and maintenance of equipment and supplies
- 3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
- 4. Travel and per diem allowances
- 5. Opportunities to receive coaching and academic tutoring
- 6. Assignment and compensation of coaches and tutors
- 7. Provision of locker rooms, practice facilities, and competitive facilities
- 8. Provision of medical and training facilities and services
- 9. Provision of housing and dining facilities and services
- 10. Publicity

Note: 5 CCR 4922 clarifies that unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams shall not by itself constitute a failure to provide equivalent opportunities. However, the provision of necessary funding for teams of both sexes is a factor in the determination, as specified below.

11. Provision of necessary funds

Note: Education Code 221.9, as added by SB 1349 (Ch. 258, Statutes of 2014), requires each school that offers competitive athletics (i.e., any sport that has a coach and a governing organization, practices and competes during a defined season, and has competition as its primary goal) to post the following information on its school web site beginning in the 2015-16 school year and every year thereafter. If the

# ATHLETIC COMPETITION (continued)

school does not have its own web site, then the district must post that information on the district web site, disaggregated by school site. The following paragraph may be revised to reflect district practice.

Beginning with the 2015-16 school year and every year thereafter, each school that offers competitive athletics shall post the following information on its school web site, or on the district web site if the school does not have a web site, at the end of the school year: (Education Code 221.9)

- 1. The total enrollment of the school, classified by gender
- 2. The number of students enrolled at the school who participate in competitive athletics, classified by gender
- 3. The number of boys' and girls' teams, classified by sport and by competition level

(cf. 1113 - District and School Web Sites)

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site. (Education Code 221.9)

(cf. 3580 - District Records)

#### Health and Safety

Note: Education Code 49475 requires districts to distribute information on concussions and head injuries to student athletes and their parents/guardians. The district may use fact sheets developed by the Centers for Disease Control and Prevention, available on CIF's web site, or other resources to develop the information sheet.

The requirements of Education Code 49475 apply to any district that offers an athletic program at any grade level and for any sport. These requirements do not apply to students engaging in an athletic activity during the regular school day or as part of a physical education course.

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

Note: Education Code 49475 requires that an athlete at any grade level who is suspected of sustaining a concussion be immediately removed from the athletic activity and not allowed to return until a health care

# AR 6145.2(e)

# ATHLETIC COMPETITION (continued)

provider provides written clearance. CIF's web site includes an Acute Concussion Evaluation form which may be used to provide injured students and their parents/guardians with information about monitoring symptoms and the health care provider's recommendations regarding returning to daily activities, school, and sports.

As amended by AB 2127 (Ch. 165, Statutes of 2014), Education Code 49475 requires that, if the health care provider determines that the athlete sustained a concussion or head injury, the athlete must complete a graduated return-to-play protocol as described below.

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider. (Education Code 49475)

Note: The following optional paragraph may be revised to reflect district practice.

The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

Note: Education Code 35179.1 encourages the establishment of a California High School Coaching Education and Training Program for coaches' training including, but not limited to, CPR and a basic understanding of the signs and symptoms of concussions and appropriate response to them. CIF makes a free, online course available through its web site.

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response.

#### (cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

Note: The following paragraph is for use by districts that offer a football program and may be revised to reflect the grade levels offered by the district. AB 2127 (Ch. 165, Statutes of 2014) added Education Code 35179.5 to limit full-contact practices by a middle school or high school football team, as follows.

A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, *full-contact practice* means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game. (Education Code 35179.5)

# ATHLETIC COMPETITION (continued)

# Parental Notifications

Note: Education Code 33353 requires CIF to provide information to students and parents/guardians about procedures for discrimination complaints arising from interscholastic athletic activities. Education Code 33354 allows a complainant to file a discrimination complaint directly with the California Department of Education (CDE).

The following **optional** section lists notices that the district may send to parents/guardians of students participating in interscholastic athletics. This section should be revised to reflect district practice.

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

- 1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator
- (cf. 1312.3 Uniform Complaint Procedures)

Note: Education Code 221.6 and 221.8, as amended and renumbered pursuant to AB 1538 (Ch. 43, Statutes of 2015), require the CDE to post on its web site a list of student rights based on Title IX.

2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8

Note: In <u>Kahn v. East Side Union High School District</u>, the California Supreme Court analyzed the liability of a coach for an injury to a member of a high school diving team. The court acknowledged that some risk of injury is inherent in sports and part of a coach's job is to "push" a student athlete to advance his/her skill level and to undertake more difficult tasks. According to the court, a coach could be found liable only when he/she intentionally injures the student or engages in conduct that is so reckless that it is outside of the ordinary activity involved in teaching or coaching the sport.

The district may or may not wish to seek a waiver of liability for accidents or injuries resulting from participation in athletic activities. Whether a liability waiver is legally effective is likely to be determined on a case-by-case basis, and it is questionable whether a student's right to participate in extracurricular activities could be made contingent upon the submission of a waiver. Legal counsel should be consulted when addressing the complex issues related to liability waivers.

- 3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare
- (cf. 3530 Risk Management/Insurance)

Note: Education Code 32221.5 requires the district to provide information about insurance protection to each student participating on a school athletic team. For specific language that must be contained in this statement, see AR 5143 - Insurance.

# ATHLETIC COMPETITION (continued)

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions

#### (cf. 3541.1 - Transportation for School-Related Trips)

Note: Pursuant to Education Code 48900, a student may be subject to suspension or expulsion if he/she engages, or attempts to engage, in hazing.

6. States the district's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

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

7. Includes a copy of the local California Interscholastic Federation (CIF) league rules

Note: As required by Education Code 49033, CIF bylaws require any student participating in athletics and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance synephrine, unless the student has a written prescription from a licensed health care practitioner to treat a medical condition. See BP/AR/E 5131.63 - Steroids.

8. Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

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# **CSBA Sample** Administrative Regulation

# Instruction

AR 6158(a)

# **INDEPENDENT STUDY**

# **Educational Opportunities**

Note: The following section is **optional**. Education Code 51745 lists educational opportunities that may be provided through independent study. The district may revise or expand items #1-5 below to reflect district practice.

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction

(cf. 6143 - Courses of Study)

- 2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
- 3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
- 4. Continuing and special study during travel
- (cf. 5112.3 Student Leave of Absence)
- 5. Volunteer community service activities and leadership opportunities that support and strengthen student achievement

(cf. 0420.4 - Charter School Authorization)

(cf. 6142.4 - Service Learning/Community Service Classes)

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

In addition, when requested by a parent/guardian due to an emergency, vacation, or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes.

(cf. 5113 - Absences and Excuses)

Note: The following paragraph is for use by districts maintaining high schools.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

(cf. 6146.1 - High School Graduation Requirements)

#### Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

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

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. (Education Code 46300.6, 51747.3)

#### **Eligibility for Independent Study**

Note: The following optional paragraph may be revised to reflect district practice.

Provided that experienced certificated staff are available to effectively supervise students in independent study, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

Note: The following paragraph limits eligibility for independent study to those students for whom state apportionments can be claimed. Education Code 46300.2 provides that districts will receive state funding for independent study for students who are residents of the county or an adjacent county. Pursuant to Education Code 51747.3, students whose residency status is based on parent/guardian employment within district boundaries (Education Code 48204(b)) are not eligible for funds apportioned for average daily attendance (ADA).

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

For a student with disabilities, as defined in Education Code 56026, participation in independent study shall be approved only if his/her individualized education program specifically provides for such participation. (Education Code 51745)

#### (cf. 6159 - Individualized Education Program)

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

#### (cf. 6183 - Home and Hospital Instruction)

Note: Education Code 46300.1 provides that the district may not receive apportionments pursuant to Education Code 42238 for independent study for students age 21 or older, or for students 19 or older who have not been continuously enrolled in grades K-12 since their 18th birthday. However, pursuant to Education Code 46300.4, these students may be eligible for independent study through the adult education program for courses required for high school graduation; see BP/AR 6200 - Adult Education.

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

(cf. 6200 - Adult Education)

Note: The following paragraph limits enrollment in independent study to those students for whom state apportionments can be claimed. Pursuant to Education Code 51745, no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program are eligible for apportionment credit for independent study. A pregnant student or a parenting student who is the primary caregiver for his/her child(ren) are not included in this cap.

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

(cf. 5146 - Married/Pregnant/Parenting Students) (cf. 6184 - Continuation Education)

#### Master Agreement

Note: Education Code 51747 mandates that, in order for the district to receive apportionments for independent study, the district must adopt and implement policy providing for a signed written independent study agreement which contains the components listed in the following section. Because apportionments are provided only for independent study of five or more consecutive school days pursuant to Education Code 46300, written agreements are required only in such instances.

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

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

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

- 1. The manner, time, frequency, and place for submitting the student's assignments and for reporting his/her progress
- 2. The objectives and methods of study for the student's work and the methods used to evaluate that work
- 3. The specific resources, including materials and personnel, that will be made available to the student

Note: Pursuant to Education Code 51747, the written agreement must contain statements reflecting Board policy pertaining to (1) the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment and (2) the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. See the accompanying Board policy.

4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion and the number of missed assignments, by grade level and type of program, which will trigger an evaluation of whether the student should be allowed to continue in independent study

Note: SB 858 (Ch. 32, Statutes of 2014) amended Education Code 51747 to change the maximum duration of the agreement from one semester to one school year.

- 5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
- 6. A statement of the number of course credits or, for an elementary student, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
- 7. A statement that independent study is an optional educational alternative in which no student may be required to participate

8. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

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

Note: Education Code 46300.7 states that apportionments shall be received for a student in independent study only if the district receives written permission from the parent/guardian, before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. Since all these components are included in the written agreement which the parent/guardian must sign, the parent/guardian's signature on the agreement satisfies the requirement to obtain his/her written permission.

9. Signatures of the student, the parent/guardian or caregiver of the student if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student

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

Note: Education Code 51747, as amended by SB 858 (Ch. 32, Statutes of 2014), provides that the agreement may be maintained on file electronically.

The signed, dated agreement may be maintained on file electronically. (Education Code 51747)

#### **Course-Based Independent Study**

Note: Education Code 51749.5-51749.6, as added by SB 858 (Ch. 32, Statutes of 2014), establish a coursebased independent study option that may be offered beginning with the 2015-16 school year if certain requirements are met, as described below. As a condition of offering this option, Education Code 51749.5 **mandates** that the district adopt policy or regulations that comply with the legal requirements listed in the following section and any applicable regulations adopted by the State Board of Education.

The following paragraph may be revised to reflect the grade levels offered by the district.

The district shall offer a course-based independent study program for students in grades K-12 subject to the following requirements: (Education Code 51749.5)

1. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential, meet the requirements for highly qualified teachers pursuant to 20 USC 6301, and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.

#### (cf. 4112.2 - Certification) (cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

- 2. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality as equivalent classroom-based courses and shall be aligned to all relevant local and state content standards. This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses.
- 3. Students enrolled in these courses shall meet the applicable age requirements established pursuant to Education Code 46300.1 and 46300.4 and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 48204, and 51747.3.
- 4. Teachers shall communicate with each student in person, by telephone, or by any other live visual or audio connection at least twice per calendar month to assess whether the student is making satisfactory educational progress. For this purpose, satisfactory educational progress includes, but is not limited to, applicable statewide accountability measures and the completion of assignments, examinations, or other indicators that the student is working on assignments, learning required concepts, and progressing toward successful completion of the course, as determined by the teacher providing instruction.

Written or computer-based evidence of satisfactory educational progress shall be retained for each course and student, including, at a minimum, a grade book or summary document that lists all assignments, examinations, and associated grades for each course.

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

#### (cf. 5125 - Student Records)

5. Examinations shall be administered by a proctor.

6. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

# (cf. 6162.51 - State Academic Achievement Tests)

- 7. A student shall not be required to enroll in courses included in this program.
- 8. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
- 9. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.

(cf. 6111 - School Calendar) (cf. 6112 - School Day)

- 10. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
- 11. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.

(cf. 3260 - Fees and Charges)

12. A student shall not be prohibited from participating in independent study solely on the basis that he/she does not have the materials, equipment, or Internet access necessary to participate in the course.

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

- 1. A summary of the district's policies and procedures related to this program
- 2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #2 above

- 3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
- 4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
- 5. The specific resources, including materials and personnel, that will be made available to the student
- 6. A statement that the student is not required to enroll in courses in this program
- 7. Signatures of the student, the student's parent/guardian if the student is under age 18 years, and all teachers providing instruction

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

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

#### **Monitoring Student Progress**

Note: The following optional section may be revised to reflect district practice.

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:

- 1. A letter to the student and/or parent/guardian
- 2. A meeting between the student and the teacher and/or counselor
- 3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
- 4. An increase in the amount of time the student works under direct supervision

When the student has missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

Note: The CDE, in its Frequently Asked Questions available on its web site, clarifies that students in independent study are not subject to truancy laws. The determination of excused and unexcused absences is irrelevant because independent study students may complete assignments at any time and attendance is not the basis for credit.

Independent study students who are late, miss scheduled conferences, or do not submit assigned work on time shall not be reported as tardy or truant.

#### **Responsibilities of Independent Study Administrator**

Note: The following optional section may be revised to reflect district practice.

The responsibilities of the independent study administrator include, but are not limited to:

- 1. Recommending certificated staff to be assigned as independent study teachers and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
- 2. Approving or denying the participation of students requesting independent study
- 3. Facilitating the completion of written independent study agreements
- 4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
- 5. Approving all credits earned through independent study
- 6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

#### Assignment and Responsibilities of Independent Study Teachers

Note: The federal No Child Left Behind Act (20 USC 6319, 7801; 34 CFR 200.55-200.57; 5 CCR 6100-6126) requires teachers to demonstrate subject matter competency for each core academic subject they teach. Thus, middle and high school independent study programs may choose to assign subject matter specialists to oversee student work related to their subject, while assigning supervising teachers to oversee matters of student attendance, work samples, parent/guardian communications, and other duties of "homeroom" teachers. Districts that implement such a model may revise the following section to specify the duties of both supervising teachers and subject matter specialists assigned to work with independent study students.

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a certificated employee who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

Note: Pursuant to Education Code 51745.6, the equivalency of teacher-student ratios as described below is a necessary condition for the district to receive apportionments for independent study. The district may exceed these ratios, but those additional units of independent study ADA would not be funded. AB 104 (Ch. 13, Statutes of 2015) amended Education Code 51745.6 to eliminate grade span as a factor in the computation of the ratios.

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

Note: The remainder of this section is optional and may be revised to reflect district practice.

The responsibilities of the supervising teacher shall include, but are not limited to:

- 1. Completing designated portions of the written independent study agreement
- 2. Supervising and approving coursework and assignments
- 3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
- 4. Maintaining a daily or hourly attendance register in accordance with item #4 in the section on "Records" below
- 5. Providing direct instruction and counsel as necessary for individual student success
- 6. Regularly meeting with the student to discuss the student's progress

Note: Pursuant to Education Code 51747.5, the district may only claim apportionment credit for independent study based on the time value of student work products as personally judged in each instance by a certificated teacher. SB 858 (Ch. 32, Statutes of 2014) amended Education Code 51747.5 to clarify that the teacher is not required to sign and date the work products.

7. Determining the time value of assigned work or work products completed and submitted by the student

8. Assessing student work and assigning grades or other approved measures of achievement

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

(cf. 4131 - Staff Development)

#### Records

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

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

#### (cf. 3580 - District Records)

The Superintendent or designee also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.

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