

CENTER JOINT UNIFIED SCHOOL DISTRICT

www.centerusd.k12.ca.us

Students will realize their dreams by developing communication skills, reasoning, integrity, and motivation through academic excellence, a well-rounded education, and being active citizens of our diverse community.

BOARD OF TRUSTEES REGULAR MEETING

◆ Global Youth Charter School - Multipurpose Room
3243 Center Court Lane, Antelope, CA 95843

Wednesday, November 4, 2009 - 6:00 p.m.

STATUS

- I. CALL TO ORDER & ROLL CALL - 5:30 p.m.
- II. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
 - 1. Student Expulsions/Readmissions (G.C. §54962)
 - 2. Conference with Labor Negotiator, George Tigner, Re: CSEA and CUTA (G.C. §54957.6)
 - 3. Public Employee Performance Evaluation (Certificated) Superintendent (G.C. §54957)
- III. PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION
- IV. CLOSED SESSION - 5:30 p.m.
- V. OPEN SESSION - CALL TO ORDER - 6:00 p.m.
- VI. FLAG SALUTE
- VII. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION Info/Action
- VIII. ADOPTION OF AGENDA Action
- IX. STUDENT BOARD REPRESENTATIVE REPORTS (3 minutes each) Info
 - 1. Center High School - Christine Sung
 - 2. McClellan High School - Deanna Gonzales
 - 3. Antelope View Charter School - Raymond Houston
 - 4. Global Youth Charter School - Prentice Wysingle

Note: If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Superintendent's Office at (916) 338-6409 at least 48 hours before the scheduled Board meeting. [Government Code §54954.2] [Americans with Disabilities Act of 1990, §202.]

NOTICE: The agenda packet and supporting materials, including materials distributed less than 72 hours prior to the scheduled meeting, can be viewed at Center Joint Unified School District, Superintendent's Office, located at 8408 Watt Avenue, Antelope, CA. For more information please call 916-338-6409.

- | | | |
|------------|---|------|
| | X. REPORTS/PRESENTATIONS (8 minutes each) | Info |
| Governance | 1. Feeder Programs | |
| Curriculum | 2. Budget Committee Meeting Report - Jeanne Bess | |

XI. COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA	Public Comments Invited
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Anyone may address the Board regarding any item that is within the Board's subject matter jurisdiction. However, the Board may not discuss or take action on any item which is not on this agenda except as authorized by Government Code Section 5495.2. A speaker shall be limited to 3 minutes (Board Policy 9323). All public comments on items listed on this agenda will be heard at the time the Board is discussing that item.

XII. BOARD / SUPERINTENDENT REPORTS (10 minutes)	Info
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XIII. CONSENT AGENDA (5 minutes)	Action
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NOTE: The Board will be asked to approve all of the following items by a single vote, unless any member of the Board asks that an item be removed from the consent agenda and considered and discussed separately.

- | | |
|------------|--|
| Governance | 1. Approve Adoption of Minutes from October 21, 2009 Regular Meeting |
| ↓ | 2. Approve Resolution Authorizing Payment to Board Member For Missed Meeting |
| Personnel | 3. Approve Classified Personnel Transactions |
| Curriculum | 4. Approve Professional Service Agreement: Jorgensen's Sport Service |

XIV. BUSINESS ITEMS

Governance	A. <u>Second Reading: Board Policies/Regulations/Exhibits</u>	Action
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Add	BP	3110	Transfer of Funds
Delete	AR	3110	Transfer of Funds
Replace	AR	3440	Inventories
Replace	BP/AR	3515.4	Recovery for Property Loss or Damage
Replace	BP	4119.21/4219.21/4319.21	Professional Standards
Replace	BP/AR	4154/4254/4354	Health and Welfare Benefits
Replace	BP	5021	Noncustodial Parents
Replace	BP/AR	5121	Grades/Evaluation of Student Achievement
Replace	BP	5131.5	Vandalism and Graffiti
Replace	BP/AR	5131.62	Tobacco
Replace	BP/AR	5141.52	Suicide Prevention
Replace	BP	5145.9	Hate-Motivated Behavior
Replace	BP	6011	Academic Standards
Delete	BP	6116	Classroom Interruptions
Replace	AR	6116	Classroom Interruptions
Add	BP	6120	Response to Instruction and Intervention
Delete	BP	6141.6	Multicultural Education
Add	BP	6142.94	History-Social Science Instruction

B. <u>First Reading: Board Policies/Regulations/Exhibits (Significant Changes)</u>	Action
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BP 3510 Green School Operations
Add BP. New optional policy expresses the Board's intent to integrate green school practices into district operations to conserve natural resources and contribute to healthy school environments. Policy includes sample strategies (e.g., environmentally preferable purchasing, green cleaning, sustainable building practices) and links to other related policies and regulations.

BP/AR 5142.2 Safe Routes to School Program
Add BP/AR. New optional policy and regulation include strategies for making it safer and easier for students to walk or bicycle to and from school in order to promote the benefits of active transport. Policy and regulation reflect goals and purposes of state and federal grant programs for Safe Routes to School.

- | | | |
|--------------|---|--------|
| C. | <u>First Reading: Board Bylaw 7310 - Naming of Facility</u> | Action |
| | We are adding to this policy a section on Commemorative Markers/Structure. | |
| XV. | ADVANCE PLANNING | Info |
| a. | <i>Future Meeting Dates:</i> | |
| i. | <i>Wednesday, November 18, 2009 @ 6:00 p.m. - Global Youth Charter School Cafeteria</i> | |
| b. | <i>Suggested Agenda Items:</i> | |
| XVI. | CONTINUATION OF CLOSED SESSION (Item IV) | Action |
| XVII. | ADJOURNMENT | Action |

Center Joint Unified School District

AGENDA REQUEST FOR:	
Dept./Site: Superintendent's Office	Action Item _____
To: Board of Trustees	Information Item <u> X </u>
Date: November 4, 2009	# Attached Pages _____
From: Scott A. Loehr, Superintendent	
Principal/Administrator Initials: _____	

SUBJECT: Feeder Programs

At the October 21, 2009 Board Meeting Trustee Anderson requested that the Board discuss some ways that we can acknowledge the working relationship and the guidelines for our athletic feeder programs.

RECOMMENDATION: Discussion item only.

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Business Department

Date: 11/04/09

To: Board of Trustees 

From: Jeanne Bess
Director of Fiscal Services

Action Item

Information Item X

Attached Page

SUBJECT:

Budget Committee Meeting Update

The budget committee met on November 3rd to continue the process of planning for budget cuts for the 2010/11 school year. The budget shortfall is currently estimated at \$1.8 million.

The attached list contains items and cost analysis calculated as of printing and prior to the November 3rd meeting. Up-dated material will be available at the meeting on November 4th.

ALL Generated Budget Savings IDEAS (In progress)

Idea		Savings
1	Charge \$1 per day up to capacity on existing routes;	21,600.00
2	\$0.50 reduced lunch, \$0.00 free lunch & Special Education	
3	Economic reserve from 3% to 1.5%	562,296.00
4	Eliminate remaining 3 club advisor stipends	2,250.00
5	Eliminate remaining 6 department chairs at CHS	10,500.00
6	Eliminate transportation supervisor and dispatcher; create co-ordinator	144,173.00
7	Cost of co-ordinator/lead driver	TBD
8	Establish Athletic Fees (CHS = \$75/sport, \$150 cap/yr; WCR = \$50/sport, \$100 cap/yr; Family cap \$400/yr)	
9	Maintain 1 principal for 2 elementary schools	110,200.00
10	Maintain 3 Elementary Schools	250,000.00
11	Maintain 34:1 class size	
12	Propose Certificated & Classified retirement programs with two year freeze on rehire	
13	Reduce site/department budgets by an additional 15%	35,281.00
14	Routine Maintenance from 2% to 1%	382,700.00
15	Staff K at 33, 1-3 at 30	
16	Cahsee award - sweepable	144,000.00

17	Sp Ed mandated settlement -- sweepable	24,000.00
18	PAR -- sweepable	17,000.00
19	Professional Development -- sweepable	14,679.00
20	Pupil Retention -- sweepable	17,000.00
21	Math/Reading Professional Development -- sweepable	20,000.00
22	Counseling 9-12 -- sweepable	19,000.00
23	Move McClellan to old CJHS;combine services with Charter campuses	
24	One Year Parcel Tax (7,886 parcels @ \$558.20)	
25	Five Year (7,886 parcels @\$558.20/5 years)	
26	Take percentage of budget from each area; no "sacred cows"	
27	Across the board pay reductions	
28	Consolidate elementary schools	250,000.00
29	Maximize class size enrollment	
30	Review admin staff for reductions	
31	Charge fees for sports	
32	Charge fees for transportation	
33	Contract transportation	
34	Delay Language/Arts K-5 adoption; sweep balance of money in IMF	201,564.00

35	CSR K-3; Investigate reduction to program vs. eliminate program	
36	Increase class size at 6-12	
37	Golden handshake/Incentive	
38	House ED/Autistic programs	
39	Sale of facilities/land	
40	Eliminate summer school	
41	Shorten 261 day employees by 7 days	
42	Contract landscaping services for weekends	
43	Satelite in lunches from contractor	
44	Shared teaching	
45	Ask for classroom supply list donations	
46	Parking permits at CHS & McClellan	
47	Use of Overhead projectors/ UnitedStreaming for video/textbook on-line adoptions	
48	Rent out kitchen facilities at McClellan to a caterer	
49	Have a penny drive at each site/ winner to receive half of amt raised	
50	ARRA Stimulus 2nd Round	452,251.00
51	Hiring freeze	
52	Staffing ratios	

53	DO Admin Furloughs	18,359.00
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Subject to Negotiation

54	Establish furlough for all District employees for 7 days at winter break	
55	Establish furlough for all District Employees 5 days at spring break	
56	Establish 2 day furlough (1% reduction in annual salary)	
57	Freeze Administrator Steps (50% at top step)	17,738.00
58	Maintain 95% salary for cabinet/superintendent	24,925.00
59	Maintain employees at current salary schedule column only (freeze column)	
60	Maintain employees at current salary schedule step only (freeze step)	
61	Pay 99% of salary (cut 1% salary)	
62	Pay employee Health & Welfare premium only	
63	Reduce school year to 175 days; reduce all staff by 5 days	

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Superintendent's Office

Action Item X

To: Board of Trustees

Information Item

Date: November 4, 2009

#Attached Pages

From: Scott A. Loehr, Superintendent

Principal's Initials:

SUBJECT: Adoption of Minutes

The minutes from the following meeting are being presented:

October 21, 2009 Regular Meeting

RECOMMENDATION: CJUSD Board of Trustees approve presented minutes.

CONSENT AGENDA

CENTER JOINT UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES REGULAR MEETING

Spinelli Elementary School - Cafeteria
3401 Scotland Drive, Antelope, CA 95843

Wednesday, October 21, 2009

MINUTES

CALL TO ORDER - President Wilson called the meeting to order at 5:30 p.m.

ROLL CALL - Trustees Present: Mrs. Anderson, Mr. Blenner, Mr. Friedman, Mrs. Williams

Trustee Absent: Mr. Wilson

Administrators Present: Scott Loehr, Superintendent
George Tigner, Chief Administrative Officer
Craig Deason, Assist. Supt., Operations & Facilities
Jeanne Bess, Director of Fiscal Services

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

1. Student Expulsions/Readmissions (G.C. §54962)
2. Conference with Labor Negotiator, George Tigner, Re: CSEA and CUTA (G.C. §54957.6)
3. Anticipated Litigation (1 Case) (G.C. §54956.9(b))
4. Public Employee Performance Evaluation (Certificated) - Principal (G.C. §54957)
5. Public Employee Performance Evaluation (Certificated) Superintendent (G.C. §54957)

It was announced that Closed Session Item 3, Anticipated Litigation, was taken off of the list for discussion tonight.

PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION - none

CLOSED SESSION - 5:30 p.m.

OPEN SESSION - CALL TO ORDER – 6:03 p.m.

Trustee Williams led the meeting and announced that Trustee Wilson was missing the meeting due to illness.

FLAG SALUTE - led by Raymond Houston.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Trustee Williams announced that there was no action taken in Closed Session. The following items had action taken during Open Session:

1. Student Expulsions/Readmissions (G.C. §54962)

Student Expulsion #09-10.03 – There was a motion to reject the recommendation, and then made a recommendation for a one year expulsion.

Motion: Anderson
Second: Friedman

Ayes: Anderson, Blenner, Friedman, Williams
Noes: None
Absent: Wilson

Student Expulsion #09-10.05 - Recommendation approved.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Anderson	Noes:	None
		Absent:	Wilson

Student Expulsion #09-10.06 - Recommendation approved.

Motion:	Anderson	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

Student Expulsion #09-10.08 - Recommendation approved.

Motion:	Anderson	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

Student Expulsion #09-10.12 - Recommendation approved.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Anderson	Noes:	None
		Absent:	Wilson

ADOPTION OF AGENDA - approved adoption of agenda as stated.

Motion:	Friedman	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

1. Student Expulsions/Readmissions (G.C. §54962)

Student Readmission #07-08.13 - Recommendation approved.

Motion:	Anderson	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

STUDENT PERFORMANCE: The Spinelli Tiger Choir performed under the direction of Lura Anderson.

STUDENT / STAFF RECOGNITIONS

1. Recognition of Spinelli Staff for Raising Their API 54 Points and Meeting All Growth Targets - Kris Schmieder, Principal at Spinelli Elementary School, recognized all of the staff at Spinelli for their hard work and noted that the employees equally share in the efforts to help the students and the school no matter what their job is.

Student Expulsion #09-10.05 - Recommendation approved.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Anderson	Noes:	None
		Absent:	Wilson

Student Expulsion #09-10.06 - Recommendation approved.

Motion:	Anderson	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

Student Expulsion #09-10.08 - Recommendation approved.

Motion:	Anderson	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

Student Expulsion #09-10.12 - Recommendation approved.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Anderson	Noes:	None
		Absent:	Wilson

ADOPTION OF AGENDA - approved adoption of agenda as stated.

Motion:	Friedman	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

1. Student Expulsions/Readmissions (G.C. §54962)

Student Readmission #07-08.13 - Recommendation approved.

Motion:	Anderson	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

STUDENT PERFORMANCE: The Spinelli Tiger Choir performed under the direction of Lura Anderson.

STUDENT / STAFF RECOGNITIONS

1. Recognition of Spinelli Staff for Raising Their API 54 Points and Meeting All Growth Targets - Kris Schmieder, Principal at Spinelli Elementary School, recognized all of the staff at Spinelli for their hard work and noted that the employees equally share in the efforts to help the students and the school no matter what their job is.

STUDENT BOARD REPRESENTATIVE REPORT

1. Center High School - Christine Sung
 - had the opening of new stadium with the first football game on October 2; everyone was involved and it was an amazing turn out.
 - on September 3 CHS held a Blood Drive and received 120 pints; the next Blood Drive will be on November 4.
 - this week is Homecoming Week, with activities and dress up days; the Homecoming Football game is this Friday night and Powder Puff Game is tomorrow night.
 - the CHS Future Business Leaders of America will host the Sections Conference next year.
 - noted that the new principal, Mr. Jordan, is doing a great job.
2. McClellan High School - Deanna Gonzales
 - at the assembly on September 18 they held their first rally.
 - the next assembly is Monday, October 26 and will recognize honor roll students.
 - Monday, October 19 MHS hosted an Alcohol Tolerance Assembly.
 - Western Career College will be speaking to students on Monday, October 26 about goals and to help students realize what career choices they have.
 - first school newspaper handed out tonight; will print monthly.
3. Antelope View Charter School - Raymond Houston
 - starting a yearbook this year.
 - creating a student government later on this year.
 - school Advisory Board has a meeting tomorrow (looking at new policy changes).
 - had a fire earlier this week, but has not affected anything at the school.
4. Global Youth Charter School - Prentice Wysingle
 - had their first rally.
 - a parent group is working on a student store to raise money for sports equipment, books, trips and other activities.
 - they are currently in the soccer and volleyball season; boys soccer has a chance to make the playoffs.
 - basketball will begin next month.
 - they have college seminars at ARC every Friday.
 - October 29 they will be going to the San Francisco Academy of Arts.
 - they are publishing a school newspaper (coming soon).
 - there is a Harvest Dance this Friday.

ORGANIZATION REPORTS

1. CUTA - Douglas Higgins, President, returned from a Rep. meeting before the Board meeting where there was a lot of questions about the state of the state. He said they were questions that he could answer due to the communication he has had with the district, including Scott Loehr and Jeanne Bess. There has been very open communication between the union and the district. Things have been going well and hopes that this continues.
2. CSEA - Marie Huggins, President, noted that it was pleasant to hear the elementary students singing this evening. Thanked Kris for recognizing her staff tonight. They are continuing to work with the district in an attitude of cooperation on the budget challenges coming up. She offered the Board the opportunity to attend a CSEA Chapter meeting.

REPORTS/PRESENTATIONS

1. **Williams Uniform Complaint Quarterly Reporting** - George Tigner, Chief Administrative Officer, announced that there were no complaints to report.
2. **Budget Committee Update** - Jeanne Bess, Director of Fiscal Services, noted that they held their first meeting on October 13; there were employees that represented many different areas of the district. That meeting was a brainstorming meeting. She gave a brief explanation of the lists provided in the packet. She noted that she will recalculate each item on the list. November 3 will be the next committee meeting and ideas will be gathered for presenting to the Board for consideration. Ideas will be brought to the Board in November.

Trustee Anderson asked that the list be filtered to only contain realistic ideas for presenting to the Board.

Jeanne noted that she has thought about changing the name to the "Budget Meeting", not "Budget Committee". There should not be a limit of who can attend.

COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA

Claudia Buderer expressed her concern with the relationship between CSEA and the district. She asked that the Board look at what the difference is that is making these items of concern happen. She did note that the atmosphere at Dudley and Oak Hill is positive.

BOARD/SUPERINTENDENT REPORTS

Mrs. Anderson

- stated that it was a wonderful grand opening of the stadium at the high school.
- noted that Mr. Jordan and his staff has done a wonderful job.
- noted that all sites are doing a wonderful job.
- commented on the amount of money taken in for tickets and snack bar on opening night of the stadium. She recommended that another ice machine be purchased for the visitor's side snack bar. She also recommended that a BBQ be purchased for the stadium; the previous one brought in a lot of money.
- inquired on Mr. Jordan's TV time.
- inquired on when the Board can discuss the Junior Cougars working with our program.

Mr. Blenner

- extended thanks for the wonderful opening ceremony for the stadium.
- thanked Ms. Anderson and the Spinelli Tiger Choir for their performance tonight.
- thanked his students for coming tonight.
- mentioned that on September 28 he toured McClellan High School.
- noted that he is not happy with a bill that was just passed that ties teachers performance with student performance.

Mr. Friedman

- noted that the Center Endowment for Educational Excellence had a meeting last week; they are looking at holding a fundraiser in March; they are also looking at a co-sponsorship with a golf tournament.
- congratulated everyone on the opening of the stadium; noted that the stadium was full and enjoyed the music.
- congratulated Spinelli on their API score.
- complimented the staff throughout the district for working toward meeting goals and going higher.
- complimented his daughter for being so good during the meeting.

BOARD/SUPERINTENDENT REPORTS (continued)

Mr. Loehr

- congratulated Spinelli and all of the other schools on their fantastic API scores.
- thanked everyone for their help with the fire at Antelope View (Metro Fire, Twin Rivers, and our own district staff).
- thanked Craig for his efforts on the opening of the stadium.
- thanked Kris Hays and the staff on putting it all together.
- noted that Craig attended a meeting with him on the Sierra Vista area, where homes will be built in our district.
- noted that the Budget is a challenge, but we will work through it.

Mrs. Williams

- stated that she was happy with the opening of the stadium; enjoyed having Dr. Tree with the bands at the event.
- also noted that she would like to see a BBQ or grill at the stadium snack bar.
- noted that she visited Riles Middle School with Mr. Loehr: saw a couple of classrooms and the cafeteria.
- inquired on the accident at Riles.

Mr. Jordan thanked everyone who helped with the snack bar on opening night.

CONSENT AGENDA

1. Approved Adoption of Minutes from September 12, 2009 Board Workshop
2. Approved Adoption of Minutes from September 16, 2009 Regular Meeting
3. Approved Adoption of Minutes from September 30, 2009 Special Meeting
4. Approved Certificated Personnel Transactions
5. Approved Classified Personnel Transactions
6. Approved Certificated Managers 2009/2010 Health & Welfare Benefits
7. Approved Classified Managers/Confidential Employees 2009/2010 Health & Welfare Benefits
8. Approved CSEA Employees 2009/2010 Health & Welfare Benefits
9. Approved CUTA Employees 2009/2010 Health & Welfare Benefits
10. Ratified Consultant Service Agreement with VSP Consulting Services
11. Ratified GATE Field Trip to Black Chasm Cavern and Sutter Gold Mine - Riles
12. Approved Reaching Resolution Program Field Trip to Youth Action Leadership Camp in La Honda, CA - Riles
13. Approved FBLA Field Trip to 2009 California Leadership Development Institute-North, CHS
14. Approved Professional Service Agreement: Dennis Loomis
15. Approved Agreement Between Child Development Centers and Center Unified School District
16. Approved Disposal of Surplus Equipment
17. Approved Payroll Orders: July 2009 - September 2009
18. Approved Supplemental Agenda (Vendor Warrants)

Motion: Friedman
Second: Blenner

Ayes: Anderson, Blenner, Friedman, Williams
Noes: None
Absent: Wilson

INFORMATION ITEMS

1. Facilities & Security Update

BUSINESS ITEMS

A. APPROVED - First Reading: Board Policies/Regulations/Exhibits (No Significant Changes)

There was a motion to bring BP 3110, AR 3110, AR 3440, BP/AR 3515.4, BP 4119.21/4219.21/4319.21, and BP/AR 4154/4254/4354 to the floor.

Motion: Friedman
Second: Blenner

There was a motion to approve BP 3110, AR 3110, AR 3440, BP/AR 3515.4, BP 4119.21/4219.21/4319.21, and BP/AR 4154/4254/4354

Motion: Blenner
Second: Anderson
Ayes: Anderson, Blenner, Friedman, Williams
Noes: None
Absent: Wilson

There was a motion to approve BP/AR 5121, BP 5131.5, and BP/AR 5131.62

Motion: Friedman
Second: Blenner
Ayes: Anderson, Blenner, Friedman, Williams
Noes: None
Absent: Wilson

There was a motion to bring BP 5145.9 to the floor.

Motion: Anderson
Second: Blenner

There was a motion to approve BP 5145.9

Motion: Blenner
Second: Friedman
Ayes: Anderson, Blenner, Friedman, Williams
Noes: None
Absent: Wilson

There was a motion to bring BP 6011, BP 6116, AR 6116, BP 6120, BP 6141.6 and BP 6142.94 to the floor.

Motion: Friedman
Second: Blenner

There was a revised motion was to exclude BP 6142.94 from this batch and be discussed separately.

Motion: Friedman
Second: Blenner
Ayes: Anderson, Blenner, Friedman, Williams
Noes: None
Absent: Wilson

There was a motion to bring BP 6142.94 to the floor.

Motion: Anderson
Second: Blenner

There was a motion to approve BP 6142.94

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Anderson	Noes:	None
		Absent:	Wilson

B. SEE ITEMS - First Reading: Board Policies/Regulations/Exhibits (Significant Changes)

There was a motion to bring BP 3510 to the floor.

Motion:	Anderson
Second:	Blenner

There was a motion to Table BP 3510.

Motion:	Friedman	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Blenner	Noes:	None
		Absent:	Wilson

There was a motion to approve BP 5021.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Friedman	Noes:	None
		Absent:	Wilson

There was a motion to approve BP/AR 5141.52.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Anderson	Noes:	None
		Absent:	Wilson

There was a motion to bring BP/AR 5142.2 to the floor.

Motion:	Blenner
Second:	Friedman

There was a motion to Table BP/AR 5142.2.

Motion:	Blenner	Ayes:	Anderson, Blenner, Friedman, Williams
Second:	Friedman	Noes:	None
		Absent:	Wilson

ADVANCE PLANNING

a. Future Meeting Dates:

I. Regular Meeting: Wednesday, November 4, 2009 @ 6:00 p.m. - Global Youth Charter School – Multi Purpose Room

b. Suggested Agenda Items: Feeder programs

CONTINUATION OF CLOSED SESSION – 7:55 p.m.

There was a motion to return to Closed Session.

Motion: Blenner

Second: Anderson

Ayes: Anderson, Blenner, Friedman, Williams

Noes: None

Absent: Wilson

OPEN SESSION – the Board returned to Open Session at 8:46 p.m.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Trustee Williams announced that there was no action taken in Closed Session.

ADJOURNMENT – 8:47 p.m.

Motion: Anderson

Second: Blenner

Ayes: Anderson, Blenner, Friedman, Williams

Noes: None

Absent: Wilson

Respectfully submitted,

Scott A. Loehr, Superintendent
Secretary to the Board of Trustees

Libby A. Williams, Clerk
Board of Trustees

Adoption Date

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Superintendent's Office	Action Item _____ X
To:	Board of Trustees	Information Item _____
Date:	November 4, 2009	# Attached Pages _____ 1
From:	Scott A. Loehr, Superintendent	
Principal/Administrator Initials: _____		

SUBJECT: Resolution #9/2009-10: Resolution Authorizing Payment To Board Member For Missed Meeting

This resolution is to authorize payment to Trustee Wilson for the missed meeting on October 21, 2009.

RECOMMENDATION: CUSD Board of Trustees approve Resolution #9/2009-10: Authorizing Payment to Board Member For Missed Meeting.

CONSENT AGENDA

CENTER JOINT UNIFIED SCHOOL DISTRICT

Resolution # 9/2009-10

Resolution Authorizing Payment To Board Member For Missed Meeting Due To Performance Of Service For The District, Illness Or Jury Duty, Or Due To A Hardship Deemed Acceptable

WHEREAS, Board Bylaw 9250 provides for compensation for board members in accordance with law; and

WHEREAS, said Bylaw provides that members may be paid for meetings missed when the Board, by resolution, finds that at the time of the meeting he or she is performing services outside the meeting for the school district or districts, he or she was ill or on jury duty, or the absence was due to a hardship deemed acceptable by the board.

IT IS HEREBY RESOLVED, that:

1. The Governing Board hereby finds that Trustee Wilson was performing services outside the meeting for the school district or districts, he or she was ill or on jury duty, or the absence was due to a hardship deemed acceptable at the time of the Board meeting.

2. The Governing Board directs that Trustee Wilson shall be paid full compensation for the month of October, 2009 as provided for in board Bylaw 9250.

PASSED AND ADOPTED by the Governing Board of the Center Joint Unified School District at a duly noticed Board meeting on November 4, 2009, within the district boundaries, in Antelope, California.

Ayes:

Noes:

Absent:

Abstentions:

Nancy Anderson, Member

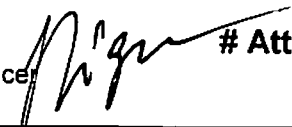
Gary Blenner, Member

Matthew L. Friedman, Member

Libby A. Williams, Clerk

Donald E. Wilson, President

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Personnel Department	
Date:	November 4, 2009	Action Item <u> X </u>
To:	Board of Trustees	Information Item <u> </u>
From:	George Tigner, Chief Administrative Officer 	# Attached Pages <u> 1 </u>
 SUBJECT: CLASSIFIED PERSONNEL TRANSACTIONS PROMOTED: April Bishop, Central Office Clerk/Personnel Debra Cribbs, Administrative Secretary Hilda Nevarez, Cafeteria Manager 6-12 NEW HIRE: Anthony Cozzi, Bus Driver Jessica Henry, Child Aide Jessica Brott, Instructional Asst & Noon Duty Jitka Kubik, Food Service Worker & Cashier RECOMMENDATION: Approve Classified Personnel Transactions as Submitted		

CONSENT AGENDA

April Bishop has been promoted to Central Office Clerk, Personnel, effective October 12, 2009.

Debra Cribbs has been promoted to Administrative Secretary, Personnel, effective October 12, 2009.

Hilda Nevarez has been promoted to Cafeteria Manager 6-12, Antelope View Charter School, effective October 26, 2009.


Anthony Cozzi has been hired as a Bus Driver effective September 23, 2009.

Jessica Henry has been hired as a Child Aide, Dudley Elementary School, effective October 12, 2009.

Jessica Brott has been hired as an Instructional Assistant and Noon Duty Aide, North Country Elementary School, effective 10/19/09.

Jitka Kubik has been hired as a Food Service Worker and Food Service Cashier, Antelope View Charter School, effective October 26, 2009.

Center Joint Unified School District

AGENDA REQUEST FOR:	
Dept./Site: Global Youth	Action Item <u> X </u>
To: Board of Trustees	Information Item <u> </u>
Date: 10-19-09	# Attached Pages <u> </u>
From: Global Youth	
Principal/Administrator Initials: 	

SUBJECT:

CONSULTANT=S NAME: Jorgensen's Sport Service

COMPANY NAME (if applicable): Jorgensen's Sport Service

SERVICES TO BE RENDERED: Referee's for sport's program

DATES OF SERVICE: August 2009 – May 2010

PAYMENT PER DAY:

TOTAL AMOUNT OF CONTRACT: \$8,000

FUNDING SOURCE: 09-0700-0-5800-503-1100-1000-018-000

RECOMMENDATION: CJUSD Board of Trustees Approve Professional Services Agreement as presented.

CONSENT AGENDA



Center Unified School District
8408 Watt Avenue
Antelope, California 95843

PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this _____ day of _____ by and between the Center Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

Contractor Name: JORGENSEN SPORTS SERVICE

Address: 4735 WHITNEY BLVD ROCKLIN CA 95677

Phone: (916) 624 4243

Taxpayer ID # 68-0422434

Full description of services to be provided:

provide & assign sports officials

Payment \$ _____ per _____. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

Beginning Date of Service: 08/18/2009 Frequency of Service: home games

Ending Date of Service: 05/27/2010

Method of Payment and Tax Reporting: (check one)

- ☐ Variable Payroll - W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)
☐ Accounts Payable - 1099 Generated (Requires completion of W-9 on back of this form).

Total amount of this contract \$ 8,000 Budget # 090700058005031100100001800

Reason service cannot be provided by a District employee:

per CIF must be through official sports organization

Signature of CONTRACTOR: [Signature]

Date: 9/28/09

Signature of District employee requesting service: [Signature]

Date: 10/21/09

Signature of Accounting Supervisor: [Signature]

Date: _____

Date Board of Trustees Approved (If over \$500.00): _____

Signature of Authorized Contracting Official: _____

Date: _____

*** CONTRACT NOT VALID WITHOUT AUTHORIZED DISTRICT SIGNATURE ***

Form **W-9**
(Rev. January 2002)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name JORGENSEN SPORTS	
Business name, if different from above	
Check appropriate box: <input checked="" type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ <input type="checkbox"/> Exempt	
Address (number, street, and apt. or suite no.) 4735 WHITNEY BLVD	
City, state, and ZIP code ROCKLIN CA 95677	
List account number(s) here (optional)	
Requester's name and address (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 2.

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Social security number								
OR								
Employer identification number								
6	1	8	1	0	4	2	2	4
3	1	4						

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here	Signature of U.S. person ▶ <i>James P. Jorgensen</i>	Date ▶ <i>9/28/09</i>
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Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments after December 31, 2001 (29% after December 31, 2003). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

- You do not furnish your TIN to the requester, or
- You do not certify your TIN when required (see the Part II instructions on page 2 for details), or
- The IRS tells the requester that you furnished an incorrect TIN, or
- The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

8. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the Part II instructions and the separate instructions for the Requester of Form W-9.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

Form W-4 (2002)

Purpose. Complete Form W-4 so your employer can withhold the correct Federal income tax from your pay. Because your tax situation may change, you may want to refigure your withholding each year.

Exemption from withholding. If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2002 expires February 18, 2003. See Pub. 505, Tax Withholding and Estimated Tax.

Note: You cannot claim exemption from withholding if (a) your income exceeds \$750 and includes more than \$250 of unearned income (e.g., interest and dividends) and (b) another person can claim you as a dependent on their tax return.

Basic instructions. If you are not exempt, complete the Personal Allowances Worksheet below. The worksheets on page 2 adjust your withholding allowances based on itemized deductions, certain credits, adjustments to

income, or two-earner/two-job situations. Complete all worksheets that apply. However, you may claim fewer (or zero) allowances.

Head of household. Generally, you may claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependent(s) or other qualifying individuals. See line E below.

Tax credits. You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the Personal Allowances Worksheet below. See Pub. 919, How Do I Adjust My Tax Withholding? for information on converting your other credits into withholding allowances.

Nonwage income. If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax.

Two earners/two jobs. If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others.

Nonresident alien. If you are a nonresident alien, see the instructions for Form 8233 before completing this Form W-4.

Check your withholding. After your Form W-4 takes effect, use Pub. 919 to see how the dollar amount you are having withheld compares to your projected total tax for 2002. See Pub. 919, especially if you used the Two-Earner/Two-Job Worksheet on page 2 and your earnings exceed \$125,000 (Single) or \$175,000 (Married).

Recent name change? If your name on line 1 differs from that shown on your social security card, call 1-800-772-1213 for a new social security card.

Personal Allowances Worksheet (Keep for your records.)

A Enter "1" for yourself if no one else can claim you as a dependent **A** _____

B Enter "1" if:
 • You are single and have only one job; or
 • You are married, have only one job, and your spouse does not work; or
 • Your wages from a second job or your spouse's wages (or the total of both) are \$1,000 or less. **B** _____

C Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.) **C** _____

D Enter number of dependents (other than your spouse or yourself) you will claim on your tax return **D** _____

E Enter "1" if you will file as head of household on your tax return (see conditions under Head of household above) **E** _____

F Enter "1" if you have at least \$1,500 of child or dependent care expenses for which you plan to claim a credit **F** _____
 (Note: Do not include child support payments. See Pub. 503, Child and Dependent Care Expenses, for details.)

G Child Tax Credit (including additional child tax credit):
 • If your total income will be between \$15,000 and \$42,000 (\$20,000 and \$65,000 if married), enter "1" for each eligible child plus 1 additional if you have three to five eligible children or 2 additional if you have six or more eligible children.
 • If your total income will be between \$42,000 and \$80,000 (\$65,000 and \$115,000 if married), enter "1" if you have one or two eligible children, "2" if you have three eligible children, "3" if you have four eligible children, or "4" if you have five or more eligible children.

H Add lines A through G and enter total here. Note: This may be different from the number of exemptions you claim on your tax return. **H** _____

For accuracy, complete all worksheets that apply.
 • If you plan to itemize or claim adjustments to income and want to reduce your withholding, see the Deductions and Adjustments Worksheet on page 2.
 • If you have more than one job or are married and you and your spouse both work and the combined earnings from all jobs exceed \$35,000, see the Two-Earner/Two-Job Worksheet on page 2 to avoid having too little tax withheld.
 • If neither of the above situations applies, stop here and enter the number from line H on line 5 of Form W-4 below.

Cut here and give Form W-4 to your employer. Keep the top part for your records.

Form W-4 Department of the Treasury Internal Revenue Service		Employee's Withholding Allowance Certificate		OMB No. 1545-0010 2002
1 Type or print your first name and middle initial Last name JAMES P JORGENSEN			2 Your social security number [REDACTED]	
Home address (number and street or rural route) 4735 WHITNEY BLVD			3 <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate. Note: If married, but legally separated, or spouse is a nonresident alien, check the "Single" box.	
City or town, state, and ZIP code ROCKLIN CA 95677			4 If your last name differs from that on your social security card, check here. You must call 1-800-772-1213 for a new card. <input type="checkbox"/>	
5 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2)			5	
6 Additional amount, if any, you want withheld from each paycheck			6 \$	
7 I claim exemption from withholding for 2002, and I certify that I meet both of the following conditions for exemption: • Last year I had a right to a refund of all Federal income tax withheld because I had no tax liability and • This year I expect a refund of all Federal income tax withheld because I expect to have no tax liability. If you meet both conditions, write "Exempt" here			7	
Under penalties of perjury, I certify that I am entitled to the number of withholding allowances claimed on this certificate, or I am entitled to claim exempt status.				
Employee's signature (Form is not valid unless you sign it.) [Signature]			Date 9/28/09	
8 Employer's name and address (Employer: Complete lines 8 and 10 only if sending to the IRS.)			9 Office code (optional)	
			10 Employer identification number	

INDEPENDENT CONTRACTOR OR EMPLOYEE? DISTRICT GUIDELINES

PART I

	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.		✓
2. Is the individual working as an employee prescribed by the Education Code? Education Code sections 45100-45451/88000-88263 define what constitutes classified service and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.		✓
3. Is the individual already an employee of the district in another capacity?		✓
4. Has the individual performed substantially the same services for the district as an employee in the past? Is the individual retired, returning to substitute, or train, etc.?		✓
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?		✓
6. Does the district have the legal right to control the method of performance by this individual? Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is <u>not necessary</u> that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.		✓
7. Are the services, as being provided, an integral part of school operations? Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance and implies the maintenance of legal control.		✓

If the answer to any of the above questions is "YES",

STOP HERE

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If all of the above are "NO", continue...

PART II

	YES	NO
8. Must the required service be performed by this individual? Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval		✓
9. Does the district have a continuing relationship with this individual? Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.		✓
10. Can this relationship be terminated without the consent of <u>both</u> parties?		✓

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue...

PART II - continued

	YES	NO
11. Does the individual operate an <u>independent</u> trade or business that is available to the general public? <i>A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is <u>not</u> available to the general public. NOTE: Possession of a business license or incorporation does <u>not</u> automatically satisfy this requirement. The determination <u>must</u> be made on the actual <u>relationship</u> between the district and the individual performing services.</i>	✓	
12. Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.? <i>This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.</i>		✓

If either 11 or 12 are "NO", the individual is a district employee

STOP HERE

and process the individual through payroll.

If 11 and 12 are both "YES", continue

	YES	NO
13. Does the individual provide all materials and support services necessary for the performance of this service? <i>The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeraxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.</i>	✓	
14. Is this paid by the job or on a commission?	✓	
15. Does the individual bear the cost of any travel and business expenses incurred to perform this service? <i>Generally, these types of expenses are paid by an employer, however, some contracts provide for payment of airfare, mileage, etc. for consultants.</i>	✓	

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Superintendent's Office

Action Item X

To: Board of Trustees

Information Item

Date: November 4, 2009

Attached Pages

From: Scott A. Loehr, Superintendent

Principal/Administrator Initials:

SUBJECT: Second Reading: Board Policies/Regulations/Exhibits

Add	BP	3110	Transfer of Funds
Delete	AR	3110	Transfer of Funds
Replace	AR	3440	Inventories
Replace	BP/AR	3515.4	Recovery for Property Loss or Damage
Replace	BP	4119.21/4219.21/4319.21	Professional Standards
Replace	BP/AR	4154/4254/4354	Health and Welfare Benefits
Replace	BP	5021	Noncustodial Parents
Replace	BP/AR	5121	Grades/Evaluation of Student Achievement
Replace	BP	5131.5	Vandalism and Graffiti
Replace	BP/AR	5131.62	Tobacco
Replace	BP/AR	5141.52	Suicide Prevention
Replace	BP	5145.9	Hate-Motivated Behavior
Replace	BP	6011	Academic Standards
Delete	BP	6116	Classroom Interruptions
Replace	AR	6116	Classroom Interruptions
Add	BP	6120	Response to Instruction and Intervention
Delete	BP	6141.6	Multicultural Education
Add	BP	6142.94	History-Social Science Instruction

RECOMMENDATION: CJUSD Board of Trustees approve the second reading of presented policies/regulations/exhibits.

Add

CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3110(a)

TRANSFER OF FUNDS

Note: The following board policy is optional.

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

(cf. 3100 - Budget)

(cf. 3400 - Management of District Assets/Accounts)

Note: Education Code 42600 specifies that the total amount budgeted by the district for each major classification of expenditures, as listed in the California Department of Education's (CDE) budget forms, shall be the maximum amount which the district may expend for that classification for the school year. However, the Governing Board may adopt a resolution authorizing (1) a transfer from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications (Education Code 42600); (2) a temporary loan between funds (Education Code 42603); or (3) an end-of-year transfer to allow the payment of obligations (Education Code 42601). In some cases, the transfer must be approved by the County Superintendent of Schools.

The Board may also adopt a resolution to authorize the permanent transfer of monies between certain funds, including to the special reserve fund from the general fund (Education Code 42841), to the general fund from the special reserve fund (Education Code 42842-42843), to the deferred maintenance fund from the general fund (Education Code 17582-17592), and to the state school building lease-purchase fund from all other district funds (Education Code 16095). Pursuant to Education Code 52616.4, districts are authorized to spend adult education funds only for direct instructional charges and direct support charges of adult education programs and specific methods are required for the transfer of funds for these costs.

The Board may transfer funds during or at the end of the fiscal year in accordance with law as necessary to meet district needs or to permit the payment of district obligations. (Education Code 16095, 17582-17592, 42600-42603, 42605, 42841-42843, 52616.4)

Tier 3 Categorical Flexibility

Note: As added and amended by SBX3 4 (Ch. 12, Statutes of 2009) and ABX4 2 (Ch. 2, Statutes of 2009), the 2009-10 budget trailer bills, Education Code 42605 grants districts flexibility to transfer funds received for 39 "Tier 3" categorical programs for any "educational purpose" for the 2008-09 through the 2012-13 fiscal years.

As a condition of receipt of the categorical funds, Education Code 42605 requires the Board to first hold a public hearing in order to take testimony from the public and to discuss and approve or disapprove the proposed use of the funding. ABX4 2, signed by the Governor on July 28, 2009, further amended Education Code 42605 to require the Board to make explicit for each categorical budget item the purposes for which the funds will be used and to require the district to report expenditure of the funds to the CDE using the Standardized Account Code Structure.

TRANSFER OF FUNDS (continued)

According to the CDE, the required hearing is merely a condition for the receipt of funds in the future and not a condition of the transformation of the funds to unrestricted status or of the ability of the district to transfer funds from one use to another. The hearing may be part of the district's regular budget hearing process or a separate hearing. In either case, the hearing should be a separate agenda item. Although the law does not require that the hearing to be held annually, CSBA recommends an annual hearing in order to ensure compliance with accounting procedures. For further information about the public hearing and the categorical programs affected, as well as a sample resolution, see CSBA's Budget Advisory, Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams.

The following section is optional and should be modified to reflect district practice. Districts that have not accepted this flexibility should delete this section.

From the 2008-09 through 2012-13 fiscal years, the Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. Funds received for programs identified by law as Tier 3 categoricals may be expended for any educational purpose.

The Board shall hold a public hearing to take testimony from the public, discuss, and approve or disapprove the proposed use of the funding, and shall make explicit for each of the categorical budget items the purposes for which the funds will be used. (Education Code 42605)

Note: The following paragraph is optional. Education Code 42605, as added by SBX3 4 (Ch. 12, Statutes of 2009) and amended by ABX4 2 (Ch. 2, Statutes of 2009), specifies that districts accepting flexibility shall be deemed in compliance with the program and funding requirements contained in state law or regulation for each of the Tier 3 categorical programs. Therefore, aside from the exceptions specified in Education Code 42605(e), the funds are unrestricted and districts have discretion whether to follow legal requirements for those programs during the period of flexibility. According to the CDE, restrictions associated with the funding (e.g., expenditure reports or compliance reviews) no longer exist. See CSBA's Budget Advisory for further information regarding the programs affected and exceptions.

During the hearing, the Board shall consider the district's goals for student learning and determine funding priorities and program focus. The Board may also discuss statutory constraints, available resources, and whether program modifications might improve educational outcomes.

The Superintendent or designee shall regularly report to the Board regarding how the district is exercising the flexibility and whether the desired results are being achieved. He/she shall also complete any necessary reports required by the California Department of Education.

(cf. 0420 - School Plans/Site Councils)
 (cf. 0420.1 - School-Based Program Coordination)
 (cf. 0440 - District Technology Plan)
 (cf. 0520.1 - High Priority Schools Grant Program)
 (cf. 1312.4 - Williams Uniform Complaint Procedures)
 (cf. 3111 - Deferred Maintenance Funds)
 (cf. 3530 - Risk Management/Insurance)

TRANSFER OF FUNDS (continued)

(cf. 4111 - Recruitment and Selection)
(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4113 - Assignment)
(cf. 4131 - Staff Development)
(cf. 4131.1 - Beginning Teacher Support/Induction)
(cf. 4138 - Mentor Teachers)
(cf. 4139 - Peer Assistance and Review)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5136 - Gangs)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5145.6 - Parental Notifications)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 5148.1 - Childcare Services for Parenting Students)
(cf. 5149 - At-Risk Students)
(cf. 6111 - School Calendar)
(cf. 6141.5 - Advanced Placement)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6151 - Class Size)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6162.52 - High School Exit Examination)
(cf. 6163.1 - Library Media Centers)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6179 - Supplemental Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)
(cf. 6200 - Adult Education)
(cf. 9323.2 - Actions by the Board)

Legal Reference: (see next page)

TRANSFER OF FUNDS (continued)

Legal Reference:

EDUCATION CODE

- 78 Definition governing board*
- 5200 Districts governed by boards of education*
- 16095 Transfer of district funds to district state school building fund*
- 17582 Deferred maintenance fund; establishment; purpose*
- 17583 Deferred maintenance fund; transfer*
- 17584 Budgeting certification deferred maintenance fund; apportionment*
- 17585 Applications for deferred maintenance funding*
- 41301 Section A state school fund allocation schedule*
- 42125 Designated and unappropriated fund balances*
- 42600 District budget limitation on expenditure*
- 42601 Transfers between funds to permit payment of obligations at close of year*
- 42603 Transfer of monies held in any fund or account to another fund; repayment*
- 42605 Tier 3 categorical flexibility*
- 42840-42843 Special reserve fund*
- 52616.4 Expenditures from adult education fund*

Management Resources:

CSBA PUBLICATIONS

Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Fiscal Issues Relating to Budget Reductions and Flexibility Provisions, April 2009

WEB SITES

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

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

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Board Policy

Transfer of Funds between Categories; Amendments

BP 3110

Business and Noninstructional Operations

Transfers may be made from the undistributed reserve to any expenditure classification at any time by the Governing Board by a two-thirds (2/3) majority vote when it is approved by the County Superintendent of Schools. Transfers may be made at any time between expenditure classifications by a majority vote of the members of the Board when it is approved by the County Superintendent of Schools.

At the close of the school year the County Superintendent may, with the consent of the Board previously given, make transfers between the undistributed reserve and any expenditure classification or classifications or balance any expenditure classifications of the budget as are necessary to permit the payment of obligations of the district incurred during the school year.

The Board may by written resolution and majority vote transfer funds between expenditure classifications.

Temporary Transfers between Classifications

The Board may direct that monies held in any fund or account may be temporarily transferred from one or more of these accounts to another fund to be used for the payment of obligations of the district, with limitations as set by Education Code 42603.

Legal Reference:

EDUCATION CODE

42125 Undistributed reserve

42600 District budget limitation on expenditure

42601 Transfers between funds to permit payment of obligations at close of year

42603 Transfer of monies held in any fund or account to another fund; repayment

Policy
adopted: April 16, 1986

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

Delete

Administrative Regulation

Transfer Of Funds

AR 3110

Business and Noninstructional Operations

Transfers may be made from the designated fund balance or the unappropriated fund balance to any expenditure classification or between expenditure classifications by the Governing Board on adoption of a resolution by a majority vote. The resolution must be approved by the County Superintendent of Schools and filed with the county auditor. (Education Code 42600)

End-of-the-Year Procedures

At the close of the school year, the Superintendent or designee may, with Board approval, identify and request the County Superintendent of Schools to make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s) or balance any budget expenditure classifications as necessary to permit the payment of obligations incurred by the district during that school year. (Education Code 42601)

Temporary Transfers between Classifications

The Board may direct that monies held in any fund or account may be temporarily transferred from one or more of these accounts to another fund or account to be used for the payment of obligations of the district, with limitations as set by Education Code 42603. The transfer shall be accounted for as temporary borrowing and shall not be available for appropriation or be considered income to the borrowing fund or account.

Special Reserve Funds

Any money in a special reserve fund that is maintained for purposes other than capital outlay must be transferred into the district's general fund before it is expended. (Education Code 42842)

Legal Reference:

EDUCATION CODE

41301 Section A state school fund allocation schedule

42125 Designated and unappropriated fund balances

42600 District budget limitation on expenditure

42601 Transfers between funds to permit payment of obligations at close of year

42603 Transfer of monies held in any fund or account to another fund; repayment

42840-42843 Special reserve fund

52616.4 Expenditures from adult education fund

Regulation
approved: May 19, 1993

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California.

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3440(a)

INVENTORIES

Note: Education Code 35168 requires the Governing Board to establish and maintain an inventory of all items of equipment with a current market value above \$500, as provided in item #1 below. Generally, the Board delegates this authority to the Superintendent or designee.

For equipment purchased with federal funds, unless the program is specifically exempted, 34 CFR 80.3 and 80.32 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." However, in the state's Categorical Program Monitoring (CPM) process, the California Department of Education (CDE) reviews whether the district maintains an inventory record for each item of equipment with an acquisition cost of \$500 or more per unit that is purchased with state and/or federal categorical funds. Thus, it is recommended that districts maintain inventories of equipment with an acquisition cost of \$500 or more per unit, as provided in item #2 below.

The district may specify lower amounts for items #1 and #2 below.

Note that the acquisition cost threshold amount established for the equipment inventory need not be the same as the threshold amount established for identifying capital assets for accounting purposes; see BP 3400 - Management of District Assets/Accounts. As explained in the CDE's California School Accounting Manual, all capitalized items should be inventoried, but not all inventoried items should be capitalized.

In order to provide for the proper tracking and control of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All equipment items currently valued in excess of \$500 (Education Code 35168)
2. All equipment items purchased with state and/or federal categorical funds that have a useful life of more than one year with an acquisition cost of \$500 or more per unit

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3512 - Equipment)

Note: The following optional paragraph may be revised to reflect district practice. According to the California School Accounting Manual, some districts choose to inventory certain items, such as computers, audiovisual equipment, and furniture, even if their cost is lower than the threshold defined by law.

In addition, the Superintendent or designee may maintain a list of specific items which shall be inventoried for internal control purposes regardless of their initial cost or current value.

The inventory shall contain a record of the following information: (Education Code 35168; 5 CCR 3946)

INVENTORIES (continued)

1. Name and description of the property
2. Identification number
3. Original cost of the item of equipment or a reasonable estimate if the original cost is unknown
4. Date of acquisition
5. Location of use
6. The date and method of disposal

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

Note: Items #1-5 below are for use by districts that have used state and/or federal categorical funds to purchase equipment with an initial cost over the threshold established by law or the district. The district may merge this list into the list above in order to provide consistent procedures for all district equipment.

In addition to the information specified in items #1-6 above, the following information shall be recorded for equipment acquired with state and/or federal categorical funds unless otherwise specified in law: (34 CFR 80.32; 5 CCR 3946)

1. Source of the property (funding source)
2. Titleholder
3. Percentage of federal participation in the cost of the property
4. Use and condition of property
5. Sale price of the property upon disposition and method used to determine current fair market value

At the time of purchase, the Superintendent or designee shall affix a label to the equipment containing the identification number and the district name. Equipment items purchased with categorical program funds shall also be labeled with the name of the project in accordance with 5 CCR 3946.

Note: The following optional paragraph provides for tracking of items that are moved from their original location. For additional requirements regarding safeguards for equipment purchased with categorical program funds, see AR 3512 - Equipment.

INVENTORIES (continued)

Whenever an equipment item is moved to a new location or the equipment is used for a new purpose, the new location or purpose shall be recorded in the inventory.

Note: 5 CCR 3946 requires that the inventory of equipment purchased with state and/or federal categorical funds be maintained at the district office and appropriate school site. The following **optional** paragraph has been expanded to apply to all inventories conducted by the district and may be revised to reflect district practice.

A copy of the inventory shall be kept at the district office and at the appropriate school site.

(cf. 3580 - District Records)

Physical Inventory

Note: The CPM process for both state and federal categorical programs includes a determination as to whether the district has conducted a physical inventory of equipment within the past two years in accordance with 34 CFR 80.32, as provided below. The California School Accounting Manual recommends that districts conduct a physical inventory at least once a year. The district may revise the following paragraph to specify a timeline shorter than two years.

At least once every two years, a physical inventory of equipment shall be conducted and the results reconciled with the property records. (34 CFR 80.32)

Note: The following two paragraphs are optional. The California School Accounting Manual includes recommended procedures for conducting a physical inventory, including procedures for preparing for the inventory, conducting the inventory count, and recounting. The following paragraph may be revised to reflect any specific district procedures for the physical inventory.

The Superintendent or designee shall establish procedures for conducting the physical inventory which shall include, but not be limited to, designation of person(s) responsible for coordinating and conducting the inventory, preparation and distribution of count sheets, procedures for implementing the inventory, and procedures for conducting a recount to substantiate the validity of the inventory.

The Superintendent or designee shall investigate any differences between the quantities determined by the physical inspection and those in the accounting records.

Legal Reference: (see next page)

INVENTORIES (continued)

Legal Reference:

EDUCATION CODE

35168 *Inventory of equipment*

CODE OF REGULATIONS, TITLE 5

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

16022-16023 *Classification of records*

16035 *Historical inventory of equipment*

UNITED STATES CODE, TITLE 20

2301-2414 *Carl D. Perkins Career and Technical Education Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

80.1-80.52 *Uniform administrative requirements for grants to state and local governments*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual, 2008

OFFICE OF MANAGEMENT AND BUDGET COMMUNICATIONS

Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, rev. May 10, 2004

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

School Services of California, Inc.: <http://www.sscal.com>

White House, Office of Management and Budget: <http://www.omb.gov>

Administrative Regulation

Inventories

AR 3440

Business and Noninstructional Operations

In order to provide for the proper control and conservation of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All items currently valued in excess of \$500 (Education Code 35168)
2. All items purchased with federal funds that have a useful life of more than one year with an acquisition cost per unit of \$5,000 or more (34 CFR 80.3)

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3512 - Equipment)

The Superintendent or designee shall maintain an inventory of all property. The following information must be recorded: (Education Code 35168)

1. Name and description of the property
2. Name of titleholder
3. Serial number or other identification number
4. Cost of the property (a reasonable estimate may be used if original cost is unknown)
5. Acquisition date
6. Location of use
7. Any ultimate disposition data including the date and method of disposal and sale price

The following information must also be recorded for items acquired with federal funds: (34 CFR 80.32)

1. Source of the property (funding source)
2. Use and condition of property

3. Percentage of federal participation in the cost of the property

At least once every two years, a physical inventory shall be conducted and the results reconciled with the property records. (34 CFR 80.32)

Each school shall maintain a copy of its inventory and provide a copy of this inventory to the district office. Copies of all district inventories shall be kept at the district office.

Legal Reference:

EDUCATION CODE

35168 Inventory of equipment

CODE OF REGULATIONS, TITLE 5

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

16023 Class 1 - Permanent records

16035 Historical inventory of equipment

UNITED STATES CODE, TITLE 20

2301-2471 Carl D. Perkins Vocational Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

80.1-80.52 Uniform administration requirements for grants to state and local governments

Management Resources:

OFFICE OF MANAGEMENT AND BUDGET

Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, May 17, 1995

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: October 21, 1998 Antelope, California

CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3515.4(a)

RECOVERY FOR PROPERTY LOSS OR DAMAGE

Note: Pursuant to Education Code 48904, parents/guardians are liable for the costs of damages caused by the willful misconduct of their minor children (1) that results in damage to school property, an employee's personal property, or injury or death of a district student, employee, or volunteer, and (2) for any reward paid by the district; see section below entitled "Rewards." The liability of a parent/guardian shall not exceed \$16,650 for damages and \$16,650 for the reward. This amount is adjusted annually for inflation by the Superintendent of Public Instruction. For situations not addressed by the Education Code, Civil Code 1714.1 provides for parent/guardian liability for the willful misconduct of their minor child which results in injury, death, or property damage. The limit under this statute is currently \$37,100 and is adjusted every two years for cost-of-living.

Pursuant to Penal Code 640.5 and 640.6, an individual who has been found to have defaced district property with graffiti may be fined or ordered by a court to perform community service. Depending on the amount of damage, Penal Code 594 also specifies that an individual, or the parent/guardian of a minor, who has been convicted of vandalism may be ordered to clean up and repair the property and to keep the property free from graffiti for one year.

The following optional policy may be modified to reflect district practice.

The Governing Board desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. To discourage such acts, the district shall seek reimbursement of damages, within the limitations specified in law, from any individual, or from the parent/guardian of any minor, who has committed theft or has willfully damaged district or employee property.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5131 - Conduct)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Rewards

Note: Government Code 53069.5 authorizes the Governing Board to offer rewards for information leading to the identification and apprehension of persons who willfully damage or destroy property.

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

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

Note: The Board may set any amount for the reward it deems to be appropriate; however, as detailed above, Education Code 48904 specifies a limit on the amount of parent/guardian liability for repayment of the reward.

Option 1 below allows the Superintendent or designee to offer a reward up to \$2,500 without Board approval. Option 2 provides that the Board will determine the amount of any reward offered. Both options may be revised, including the specified reward amount, to reflect district practice.

OPTION 1: The Board authorizes the Superintendent or designee to offer a reward in any amount he/she deems appropriate, not exceeding \$2,500. A reward in excess of \$2,500 shall be authorized in advance by the Board.

~~**OPTION 2:** The Board shall determine the appropriate amount for the reward.~~

Note: The following paragraph applies to all districts.

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

Legal Reference:

EDUCATION CODE

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

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent/guardian for willful misconduct

CIVIL CODE

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

GOVERNMENT CODE

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

53069.6 Actions to recover damages

54951 Local agency, definition

PENAL CODE

484 Theft defined

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

Management Resources:

WEB SITES

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

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

(2/95 10/97) 7/09

Board Policy

Recovery For Property Loss Or Damage

BP 3515.4

Business and Noninstructional Operations

The Governing Board shall seek reimbursement of damages and rewards from any individual or from the custodial parent guardian of any minor who commits any act of theft or vandalism.

Parental liability limits for reimbursement of property loss and/or damages shall be \$27,013 pursuant to SB 1779. In cases of graffiti, a fine of up to \$11,670 is authorized to be collected by the district pursuant to Penal Code 640.5 and 640.6.

(cf. 4156.3/4256.3/4356.3 - Reimbursement, Uniforms and Allowances)

(cf. 4158/4258/4358 - Employee Security)

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

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

Rewards

If law enforcement officials are unable to fix responsibility for the theft or vandalism, the Superintendent or designee is authorized to offer a reward in any amount he/she deems appropriate, not exceeding \$2,500, for information leading to the identification and apprehension of the guilty party. A reward in excess of \$2,500 must be authorized in advance by the Board.

Legal Reference:

EDUCATION CODE

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

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent or guardian for willful misconduct; withholding of grades, diplomas and transcripts

CIVIL CODE

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

GOVERNMENT CODE

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

53069.6 Actions to recover damages

54951 Local agency, definition

61601.1 Graffiti abatement district

PENAL CODE

484 Theft defined

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: March 18, 1998 Antelope, California

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3515.4(a)

RECOVERY FOR PROPERTY LOSS OR DAMAGE

Note: The following administrative regulation is optional and should be modified to reflect district practice.

Reports by Staff

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

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.5 - Vandalism and Graffiti)

Investigation

Note: Certain acts of graffiti or vandalism may trigger the need for an investigation pursuant to the district's sexual harassment or nondiscrimination grievance procedures (e.g., graffiti that is sexual in nature or disparaging to a class of individuals protected by the district's nondiscrimination policies). See BP 5131.5 - Vandalism and Graffiti.

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

(cf. 3515.3 - District Police/Security Department)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Recovery of Damages

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

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

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

Payment of Reward

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

(12/91 10/97) 7/09

Administrative Regulation

Recovery For Property Loss Or Damage

AR 3515.4

Business and Noninstructional Operations

Reports

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

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

Investigation

The Superintendent or designee shall ensure that a complete investigation is conducted at the site where the vandalism occurred.

The principal or designee shall conduct a complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

(cf. 3515.3 - District Police Department)

Recovery of Damages

When the person causing the damage or loss has been identified and the costs of repair, replacement or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover these costs, including consulting district's legal counsel if necessary. Reasonable steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person.

If the responsible person is a minor, recovery may be sought from the minor's custodial parent/guardian in accordance with Education Code 48904.

Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs, and all other damages as provided by law.

Payment of Reward

When authorized according to Governing Board policy, the reward shall be paid to the

party who provides information sufficient to identify and apprehend the person or persons subsequently found responsible for the damage or loss. If more than one informant provides information, the reward shall be divided among the informants. The Superintendent or designee shall determine who is entitled to what portion of the reward. The identity of the informant shall be considered confidential and shall not be made public by the district.

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: March 18, 1998 Antelope, California

CSBA Sample

Board Policy

All Personnel

BP 4119.21(a)

4219.21

PROFESSIONAL STANDARDS

4319.21

Note: The following policy is optional. Many district collective bargaining agreements address employee standards and negotiation may be necessary prior to adoption of this policy. In addition, because employee standards are more effective when they reflect local conditions and circumstances, this policy should be modified to reflect district practice. Legal counsel should also be consulted as necessary.

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the district and advance the goals of the district's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

(cf. 0200 - Goals for the School District)

(cf. 4112.2 - Certification)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: The following optional paragraph encourages district employees to abide by standards developed by their professional associations. These standards are reproduced at E 4119.21 (certificated), E 4219.21 (classified), and E 4319.21 (administrative and supervisory).

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

Staff Conduct with Students

Note: The following section is optional and should be modified to reflect district practice.

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

PROFESSIONAL STANDARDS (continued)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4040 - Employee Use of Technology)
(cf. 5131 - Conduct)
(cf. 6163.4 - Student Use of Technology)

An employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Any employee who is found to have engaged in inappropriate conduct with a student in violation law or this policy shall be subject to disciplinary action.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80331-80338 Rules of conduct for professional educators

Management Resources:

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Standards for School Leaders, 1996

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

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

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

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

Council of Chief State School Officers: <http://www.ccsso.org>

(3/91 11/01) 7/09

Board Policy

Code of Ethics

BP 4119.21 4219.21,4319.21

Personnel

The Governing Board expects its employees to maintain the highest code of ethics and behave in a professional manner commensurate with their position. An employee's code of ethics should respect the policies and regulations of the district and state and national laws, and should enhance the image of the district and the goals of its educational programs.

Employees are expected to make every effort to maintain a safe, positive school environment that promotes student welfare and academic achievement. Student safety in the areas of physical, emotional, mental and social well-being are of paramount interest and concern to the Board.

Employees shall not fraternize with students outside of bonafide school activities, e.g., taking students to activities that are not sanctioned by the site administrator, interacting with students in ways that would be considered inappropriate, or dating students. Any adult who victimizes a student, regardless of grade level, shall be dealt with to the fullest extent of the law.

Legal Reference:

CODE OF REGULATIONS, TITLE 5

80331-80338 Rules of Conduct for Professional Educators

Policy CENTER UNIFIED SCHOOL DISTRICT

adopted: May 17, 2000 Antelope, California

CSBA Sample

Board Policy

All Personnel

BP 4154(a)

4254

HEALTH AND WELFARE BENEFITS

4354

Note: The following optional policy may be revised to reflect district practice.

Districts contracting to participate in 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 district shall provide health and welfare benefits for certificated and classified employees in bargaining units in accordance with state and federal law and subject to negotiated employee agreements.

(cf. 4140/4240 - Bargaining Units)

(cf. 4141/4241 - Collective Bargaining Agreement)

Note: Districts 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.

~~**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.

Note: Pursuant to Family Code 297.5, registered domestic partners have the same rights, protections, and benefits as spouses under California law. This law was not affected by the passage of Proposition 8 (2008). 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.

However, the federal Defense of Marriage Act (1 USC 7) defines marriage for purposes of benefits under federal law as a "union between a man and a woman." Thus, in those cases where federal law grants greater benefits than state law, it is questionable whether those greater benefits also extend to registered domestic partners. Districts with questions about the status of benefits for registered domestic partners or spouses of same-sex marriages should consult legal counsel as appropriate.

HEALTH AND WELFARE BENEFITS (continued)

For purposes of granting benefits pursuant to state law, 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)

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 medical information the district possesses pertaining to an employee 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 Records)

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, while major program requirements are summarized in the accompanying administrative regulation.

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: Covered employees and their qualified beneficiaries who elect continuation coverage may be required to pay all costs of the insurance plan as provided in Option 1 below (Education Code 7000; Health and Safety Code 1366.26; Insurance Code 10128.56; 26 USC 4980B). Either Option 1 or Option 2 may be revised to reflect district practice. The district contribution to retired employee health costs is a negotiable item.

HEALTH AND WELFARE BENEFITS (continued)

The American Recovery and Reinvestment Act of 2009 (26 USC 6432, as amended by P.L. 111-5) establishes a subsidy to cover 65 percent of the premium for health care continuation coverage for "assistance eligible individuals" who were involuntarily terminated between September 1, 2008 and December 31, 2009; see the section "Temporary Subsidized Premium for COBRA/Cal-COBRA" in the accompanying administrative regulation.

OPTION 1: To receive continuation coverage, covered employees and their qualified beneficiaries shall pay the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering this program.

~~**OPTION 2:** The district contribution toward continuation health coverage for covered employees and their qualified beneficiaries shall be the same as for current employees participating in the group health plan.~~

Note: 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.

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

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 over 18 who are full-time students

1373.621 Continuation coverage, age 60 or older after five years with district

Legal Reference continued: (see next page)

HEALTH AND WELFARE BENEFITS (continued)

Legal Reference: (continued)

HEALTH AND SAFETY CODE (continued)

1374.58 Coverage for registered domestic partners, health service plans and health insurers

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

139C COBRA premium assistance, elimination of subsidy for high-income individuals

4980B COBRA continuation coverage

6432 COBRA premium assistance

6720C COBRA premium assistance, failure to notify health plan of cessation of eligibility

UNITED STATES CODE, TITLE 29

1161-1168 COBRA continuation coverage

UNITED STATES CODE, TITLE 42

1395-1395g Medicare benefits

CODE OF FEDERAL REGULATIONS, TITLE 26

54.4980B-1-54.4980B-10 COBRA continuation coverage

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

Management Resources:

INTERNAL REVENUE SERVICE GUIDANCE

Premium Assistance for COBRA Benefits, Notice 2009-27

WEB SITES

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

California Department of Industrial Relations: <http://www.dir.ca.gov>

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.hhs.gov>

U.S. Department of Labor: <http://www.dol.gov>

(7/04 3/05) 7/09

Board Policy

Health And Welfare Benefits

BP 4154 4254,4354

Personnel

The district shall provide health and welfare benefits for certificated and classified employees in bargaining units in accordance with state and federal law and subject to negotiated employee agreements.

(cf. 4140/4240 - Bargaining Units)

(cf. 4141/4241 - Collective Bargaining Agreement)

Employees who are not in bargaining units shall receive health and welfare benefits as specified in Board policy and administrative regulation.

To the extent that benefits are granted to spouses of employees, domestic partners registered in accordance with Family Code 297 shall have the same benefits. (Family Code 297.5)

The Superintendent or designee shall maintain the confidentiality of employee health records in accordance with law.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Retired Employees

Retired employees and other qualified persons may continue to participate in the district's group health and welfare benefit plan and dental care benefit plan in accordance with state and federal law.

To receive continuation coverage under this program, covered employees and qualified beneficiaries shall pay the premiums, dues and other charges, including any increases in premiums or dues, and costs incurred by the district in administering this program.

Legal Reference:

EDUCATION CODE

7000-7008 Health and welfare benefits, retired certificated employees

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

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

22750-22944 Public Employees' Medical and Hospital Care Act, especially:

22931 Application of education code provisions relating to inclusion of certain retirees in local health and welfare benefit plans

53200-53210 Group insurance

HEALTH AND SAFETY CODE

1366.20-1366.29 Cal-COBRA program, health insurance

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

INSURANCE CODE

10116.5 Continuation coverage, age 60 or older after five years with district

10128.50-10128.59 Cal-COBRA program, disability insurance

12670-12692.5 Conversion coverage

LABOR CODE

2800.2 Notification of conversion and continuation coverage

UNEMPLOYMENT INSURANCE CODE

2613 Education program; notice of rights and benefits

UNITED STATES CODE, TITLE 26

4980B COBRA continuation coverage

UNITED STATES CODE, TITLE 29

1161-1168 COBRA continuation coverage

UNITED STATES CODE, TITLE 42

1395-1395g Medicare benefits

CODE OF FEDERAL REGULATIONS, TITLE 26

54.4980B-1-54.4980B-10 COBRA continuation coverage

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

Management Resources:

WEB SITES

California Department of Industrial Relations: <http://www.dir.ca.gov>

California Employment Development Department: <http://www.edd.ca.gov>

U.S. Department of Labor: <http://www.dol.gov>

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: May 18, 2005 Antelope, California

CSBA Sample

Administrative Regulation

All Personnel

AR 4154(a)

4254

HEALTH AND WELFARE BENEFITS

4354

Note: The following administrative regulation is optional and may be deleted if addressed in the district's collective bargaining agreements.

Pursuant to Family Code 297.5, registered domestic partners have the same rights, protections, and benefits as spouses under California law. Therefore, to the extent that the district provides health benefit coverage under state law to spouses of employees, the same coverage must be provided to registered domestic partners. However, the federal Defense of Marriage Act (1 USC 7) defines marriage for purposes of benefits under federal law as a "union between a man and a woman." Thus, in those cases where federal law grants greater benefits than state law, it is questionable whether those greater benefits also extend to registered domestic partners. Districts with questions about the status of benefits for registered domestic partners or spouses of same-sex marriages should consult legal counsel as appropriate. Also see the accompanying Board policy.

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.

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 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. (Education Code 7000)

Note: The following paragraph is optional. Education Code 7000 authorizes, but does not require, districts to deny coverage to persons who fail to enroll during the initial enrollment period or who voluntarily terminate coverage.

If a retired certificated employee or surviving spouse/domestic partner fails to enroll during the initial enrollment period, further opportunity to do so shall be denied. A person who has previously received but then voluntarily terminated coverage also shall be excluded from obtaining further coverage.

HEALTH AND WELFARE BENEFITS (continued)

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 certain group health coverage 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. 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. 4117.4 - Dismissal)

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

3. Divorce or legal separation of the covered employee
4. Covered employee's becoming entitled to Medicare benefits

Note: COBRA and Cal-COBRA extend the opportunity to continue coverage to a person who would otherwise lose coverage when he/she ceases to be a dependent child of a covered employee, as provided in item #5 below. In addition, Health and Safety Code 1373 requires a health services plan or insurer to continue coverage for a dependent child who attains the limiting age specified in the plan if the child is incapable of self-sustaining employment by reason of a physically or mentally disabling injury, illness, or condition and the child is chiefly dependent on the subscriber or insured for support and maintenance. As amended by SB 1168 (Ch. 390, Statutes of 2008), Health and Safety Code 1373 also requires continued coverage for a dependent child over age 18 if the child is enrolled at a secondary or postsecondary educational institution and takes a medical leave of absence as specified.

HEALTH AND WELFARE BENEFITS (continued)

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: Option 1 below reflects federal COBRA requirements for districts with 20 or more employees. Option 2 reflects Cal-COBRA requirements for districts with 2-19 employees. Districts should select the appropriate option.

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)

Continuation coverage shall be terminated in accordance with the district's insurance plan and in accordance with 26 USC 4980B and 26 CFR 54.4980B-6.

~~OPTION 2: (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 in accordance with Health and Safety Code 1366.22 and 1366.27 and Insurance Code 10128.52 and 10128.57.~~

HEALTH AND WELFARE BENEFITS (continued)

Note: The remainder of this section applies to all districts.

Health and Safety Code 1373.621 allows former employees who meet certain eligibility criteria to continue benefits beyond the date that coverage under COBRA or Cal-COBRA would end for themselves and their spouse/registered domestic partner, as provided below.

However, a former employee who, prior to January 1, 2005, worked for the district for at least five years and who was age 60 or older on the date employment ended, or his/her qualified beneficiaries which includes dependent children or spouse/former spouse/domestic partner, may continue benefits until the earlier of any of the following events: (Health and Safety Code 1373.621; Insurance Code 10116.5)

1. The date the individual reaches age 65
2. The date the individual is covered under any other group health plan not maintained by the district, regardless of whether that coverage is less valuable
3. The date the individual becomes entitled to Medicare benefits
4. For a qualified beneficiary, five years from the date on which continuation coverage was scheduled to end for the qualified beneficiary
5. The date on which the district terminates its agreement with the health service plan and ceases to provide coverage for any active employees through that plan, in which case the former employee and/or his/her qualified beneficiary shall have a right to a conversion plan

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)

Temporary Subsidized Premium for COBRA/Cal-COBRA

Note: The following optional section applies to districts that participate in either COBRA or Cal-COBRA for health care continuation coverage. The American Recovery and Reinvestment Act of 2009 (26 USC 6432, as amended by P.L. 111-5) provides for a temporary reduction in the premium otherwise payable by involuntarily terminated individuals who elect continuation coverage and their qualified beneficiaries.

"Assistance eligible individuals" are those who are involuntarily terminated (other than by reason of gross

HEALTH AND WELFARE BENEFITS (continued)

misconduct) between September 1, 2008 and December 31, 2009. In addition, the law provided a "second chance" to individuals who were terminated between September 1, 2008 and February 17, 2009 (the date that the law was enacted), who either failed to elect COBRA at that time or elected COBRA but were no longer covered as of February 17, 2009. For further information about the circumstances that constitute "involuntary termination" for purposes of the premium subsidy, see Internal Revenue Service guidance Premium Assistance for COBRA Benefits.

Assistance eligible individuals pay 35 percent of the premium amount they would be required to pay for continuation coverage if they were not eligible for the subsidy, and the remaining balance of the premium is reimbursable to the employer, insurer, or health plan as a credit against payroll taxes as provided below. Thus, if employees normally pay the full premium for continuation coverage, an assistance eligible individual would be required to pay 35 percent of the full premium. However, if the district normally contributes a portion of the premium, then the assistance eligible individual would pay 35 percent of the normal employee share and the district would be reimbursed for 65 percent of the employee share.

If subsidized coverage is denied by the health plan, an individual may appeal to the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and shall receive a decision regarding his/her eligibility within 15 business days after receipt of the individual's application for review.

AB 23 (Ch. 3, Statutes of 2009) amended various sections of the Health and Safety Code and Insurance Code to make the subsidy applicable to eligible individuals through the Cal-COBRA program.

Employees whose employment is involuntarily terminated, other than by reason of gross misconduct, between September 1, 2008 and December 31, 2009, and their qualified beneficiaries shall pay 35 percent of the premium amount they would otherwise be required to pay for health care continuation coverage, with the remainder to be subsidized through the American Recovery and Reinvestment Act. (26 USC 6432; Health and Safety Code 1366.25; Insurance Code 10128.55)

Note: Pursuant to 26 USC 6432 Note, assistance eligible individuals are eligible for up to nine months of subsidy. However, coverage can end earlier under the circumstances specified below, including new coverage that is available because of new employment or through a spouse's employer. For further information about continued eligibility for premium reduction, see Internal Revenue Service guidance Premium Assistance for COBRA Benefits.

The premium reduction shall apply until one of the following dates, whichever comes first: (26 USC 6432 Note)

1. Nine months after the first day of the first month for which the premium reduction applies to the assistance eligible individual
2. The first date that the assistance eligible individual becomes eligible for Medicare coverage or other group health plan coverage, with certain exceptions specified in law

HEALTH AND WELFARE BENEFITS (continued)

3. The date the assistance eligible individual ceases to be eligible for continuation coverage for other reasons as noted in the section "Continuation of Coverage" above

Because the premium reduction will be offset by an increase in income tax liability for individuals who earn more than \$125,000 for the tax year (or \$250,000 for married couples filing a joint federal income tax return), such individuals may choose to permanently waive their right to the subsidy. (26 USC 139C)

Note: In addition to the general notice to qualified beneficiaries described above in the section "COBRA/Cal-COBRA Continuation Coverage," 20 USC 6432 Note contains specific requirements for notifications to eligible individuals regarding the premium subsidy. Model notices have been prepared by the U.S. Department of Labor and are available on its web site. Health and Safety Code 1366.25 and Insurance Code 10128.55 contain similar notice requirements for participants in the Cal-COBRA program.

The Superintendent or designee shall, within 14 days of receiving notice of the qualifying event, notify assistance eligible individuals of the availability of the subsidy and the option to enroll in different coverage if the district permits assistance eligible individuals to elect enrollment in different coverage. Assistance eligible individuals shall have 60 days from the date the notice is provided to elect coverage. (26 USC 6432 Note; Health and Safety Code 1366.24, 1366.25; Insurance Code 10128.55)

Note: Pursuant to 26 USC 6432, the district's payment of 65 percent of the normal employee share of the premium will be recovered from the federal government through a credit on its payroll tax return or, if the district participates in Cal-COBRA, through the district's insurance carrier. If the district participates in a multiemployer group health plan, the insurer will instead pay the subsidy and receive the reimbursement.

In order to receive reimbursement of district payments toward the normal employee share of the premium as allowed by law, the Superintendent or designee shall maintain records regarding assistance eligible individuals and the amounts paid by the district in accordance with 26 USC 6432.

Disability Insurance

Note: The following notice is provided by the California Employment Development Department pursuant to Unemployment Insurance Code 2613.

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, or 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)

HEALTH AND WELFARE BENEFITS (continued)

(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: Education Code 7008, reflected below, 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 resulting from a violent act sustained while performing his/her job duties, 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)

(3/05 3/06) 7/09

Administrative Regulation

Health And Welfare Benefits

AR 4154 4254,4354

Personnel

Retired Certificated Employees

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 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. (Education Code 7000)

If a retired certificated employee or surviving spouse/domestic partner fails to enroll during the initial enrollment period, further opportunity to do so shall be denied. A person who has previously received but then voluntarily terminated coverage also shall be excluded from obtaining further coverage.

Continuation of Coverage

Qualified district employees, their spouses/domestic partners, and/or their dependent children 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 1366.23; Insurance Code 10128.53; 26 USC 4980B; 26 CFR 54.4980B-4)

1. The death of the covered employee
2. The termination, other than by reason of the employee's gross misconduct or reduction in hours, of the covered employee's employment

(cf. 4117.4 - Dismissal)

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

3. The divorce or legal separation of the covered employee
4. The covered employee's becoming entitled to Medicare benefits

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)

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 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)

Continuation coverage shall be terminated in accordance with the district's insurance plan and in accordance with 26 USC 4980B and 26 CFR 54.4980B-6.

However, a former employee who, prior to January 1, 2005, worked for the district for at least five years and who was age 60 or older on the date employment ended, or his/her spouse/domestic partner or former spouse/domestic partner, may continue benefits until the earlier of any of the following events: (Health and Safety Code 1373.621; Insurance Code 10116.5)

1. The date the individual reaches age 65
2. The date the individual is covered under any other group health plan, regardless of whether that coverage is less valuable
3. The date the individual becomes entitled to Medicare benefits
4. For a spouse/domestic partner, five years from the date on which continuation coverage was scheduled to end for the spouse/domestic partner
5. The date on which the district terminates its agreement with the health service plan and ceases to provide coverage for any active employees through that plan, in which case the former employee and/or his/her spouse/domestic partner shall have a right to a conversion plan

The Superintendent or designee shall notify 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

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 - 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)

(cf. 4361 - Leaves)

When disabled by an injury resulting from a violent act sustained while performing his/her job duties, 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 CENTER UNIFIED SCHOOL DISTRICT
approved: August 16, 2006 Antelope, California

CSBA Sample

Board Policy

Students

BP 5021(a)

NONCUSTODIAL PARENTS

Note: Family Code 3002 defines "joint custody" as joint legal and joint physical custody. Under a joint legal custody arrangement, both parents/guardians share the right and responsibility to make decisions relating to their child's health, education, and welfare. When one parent/guardian has "sole legal custody," then, pursuant to Family Code 3006, only that parent has the right to make such decisions for the child.

The Governing Board recognizes the right of parents/guardians to be involved in the education of their children and desires to balance that right with the district's need to ensure the safety of students while at school.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: Education Code 49069 provides that all parents/guardians, regardless of custody, have absolute access to a student's record. However, pursuant to Education Code 49061, a parent without legal custody does not have the right to challenge the content of a student record, provide a written response to the record, or consent to its release to third parties. See AR 5125 - Student Records. Only a parent/guardian as defined in Education Code 56028 is entitled to make educational decisions regarding a student with disabilities; see BP/AR 6159 - Individualized Education Program.

The parent/guardian who enrolls a child in a district school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

(cf. 6159 - Individualized Education Program)

Note: A court order binds only the parties to the order, not the district or its staff. However, if school officials have been provided a certified copy of such a court order, then they have a responsibility to abide by any terms of the order applicable to situations arising at school. For example, if a court order conflicts with Education Code statutes that give noncustodial parents the right to access student records, the district should seek legal counsel to determine whether the court order or the statutes should prevail. If a court order restricts access to the child, it is recommended that staff contact the custodial parent and local law

NONCUSTODIAL PARENTS (continued)

enforcement officials in the event of an attempted violation of the order. If a court order restricting access to a child is not issued by a California court, staff should consult with legal counsel and local law enforcement officials to determine its validity.

In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Legal Reference:

EDUCATION CODE

48204 Residency requirements

49061 Definitions

49069 Absolute right to access

49091.10-49091.19 Parental review of curriculum and instruction

49408 Emergency information

56028 Definition, parent for special education

51100-51102 Parent/guardian rights

FAMILY CODE

3002 Joint legal custody, definition

3006 Sole legal custody, definition

3025 Parental access to records

6550-6552 Caregivers

GOVERNMENT CODE

810-996.6 Government Claims Act

6205-6211 Confidentiality of residence for victims of domestic violence

Management Resources:

WEB SITES

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

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

(6/95 10/95) 7/09

Board Policy

Noncustodial Parents

BP 5021
Students

Noncustodial parents generally retain the same rights as custodial parents unless a court order restricts the rights of the noncustodial parent. These rights include but are not limited to accessing his/her child's student records, participating in school activities and visiting the child at school. If a completed or pending legal action curtails the noncustodial parent's rights, the parent/guardian with custody shall provide evidence of this action to the Superintendent or designee.

(cf. 5125 - Student Records)
(cf. 5142 - Safety)
(cf. 6020 - Parent Involvement)

Upon request, the district shall provide noncustodial parents with announcements and notices that are sent to the custodial parent.

While both parents can visit the child at school, only the custodial parent has the right to remove the child from school property. Only a verified note or an emergency card from the custodial parent will be cause for exception to this provision.

(cf. 5141 - Health Care and Emergencies)

In the event of an attempted violation of a court order that restricts access to a student, staff shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Legal Reference:
EDUCATION CODE
49061 Definitions
49069 Absolute right to access
FAMILY CODE
3025 Parental access to records

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: June 19, 1996 Antelope, 1996

CSBA Sample

Board Policy

Students

BP 5121(a)

GRADES/EVALUATION OF STUDENT ACHIEVEMENT

Note: The following optional policy may be revised to reflect district practice.

The Governing Board believes that grades serve a valuable instructional purpose by helping students and parents/guardians understand performance expectations and identifying the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's achievement.

(cf. 5020 - Parent Rights and Responsibilities)

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

The Superintendent or designee shall establish a uniform grading system based on standards that apply to all students in that course and grade level. Principals and teachers shall ensure that student grades conform to this system. Teachers shall inform students and parents/guardians how student achievement will be evaluated in the classroom.

A teacher shall base a student's grades on impartial, consistent observation of the quality of the student's work and his/her mastery of course content and district standards. Students shall have the opportunity to demonstrate this mastery through a variety of methods such as classroom participation, homework, tests, and portfolios.

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

Note: Education Code 49066 provides that the grade assigned by a teacher is final, absent any clerical or mechanical mistake, fraud, bad faith, or incompetency. Pursuant to Education Code 49066, the Governing Board and Superintendent cannot order a student's grade changed unless the teacher, to the extent practicable, is given an opportunity to state the reasons why the grade was given and to be included in all discussions regarding the changing of the grade; see AR 5125.3 - Challenging Student Records. In Las Virgenes Educators Association v. Las Virgenes Unified School District, the court determined that a citizenship mark is a "grade" within the meaning of Education Code 49066 and upheld a teacher's right to make the final decision regarding a citizenship mark.

The teacher of each course shall determine the student's grade. The grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy, or administrative regulation. (Education Code 49066)

(cf. 5125.3 - Challenging Student Records)

Note: The following optional paragraph is for use by districts that maintain elementary schools and should be revised to reflect district practice.

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

Students in grades K-3 shall receive progress reports rather than letter grades.

When reporting student performance to parents/guardians, teachers may add narrative descriptions, observational notes, and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

Note: The following optional paragraph reflects correspondence issued by the U.S. Department of Education's Office for Civil Rights, Report Cards and Transcripts for Students with Disabilities, which clarifies that, because report cards are intended for parents/guardians and not for persons outside the district, they may contain information about a student's disability without violating the Family Educational Rights and Privacy Act (20 USC 1232g; 34 CFR 99.1-99.67). However, transcripts may not provide information about a student's disability because there is an expectation that these documents could be shared with persons other than the student and his/her parents/guardians. See BP/AR 5125 - Student Records for further information regarding the confidentiality of student records.

A report card for a student with a disability may contain information about his/her disability, including whether that student received special education or related services, provided that the report card informs parents/guardians about their child's progress or level of achievement in specific classes, course content, or curriculum. However, transcripts that may be used to inform postsecondary institutions or prospective employers of the student's academic achievements shall not contain information disclosing the student's disability.

(cf. 5125 - Student Records)

(cf. 6159 - Individualized Education Program)

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

Effect of Absences on Grades

If a student misses class without an excuse and does not subsequently turn in homework, take a test, or fulfill another class requirement which he/she missed, the teacher may lower the student's grade for nonperformance.

(cf. 6154 - Homework/Makeup Work)

Note: Pursuant to Education Code 49067, the Board may authorize teachers to assign failing grades to students with excessive unexcused absences, the number to be set by the Board.

Districts using the following optional paragraph should fill in the blank to specify the number of unexcused absences for which students may receive a failing grade.

The Board believes that 10 unexcused absences per grading period constitute excessive unexcused absences. Students with excessive unexcused absences may receive a failing grade and not receive credit for the class(es).

(cf. 5113 - Absences and Excuses)

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

Grade Point Average

<p>Note: The following optional section is for use by districts that maintain secondary schools and may be revised to reflect district practice. Also see the accompanying administrative regulation.</p>

The Superintendent or designee shall determine the methodology to be used in calculating students' grade point averages (GPA), including the courses to be included within the GPA and whether extra grade weighting shall be applied to Advanced Placement, honors, and/or concurrent postsecondary courses.

(cf. 6141.5 - Advanced Placement)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

Legal Reference: (see next page)

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

Legal Reference:

EDUCATION CODE

41505-41508 Pupil Retention Block Grant

48070 Promotion and retention

48205 Excused absences

48800-48802 Enrollment of gifted students in community college

48904-48904.3 Withholding grades, diplomas, or transcripts

49066 Grades; finalization; physical education class

49067 Mandated regulations regarding student's achievement

49069.5 Students in foster care, grades and credits

51242 Exemption from physical education based on participation in interscholastic athletics

76000-76002 Enrollment in community college

CODE OF REGULATIONS, TITLE 5

10060 Criteria for reporting physical education achievement, high schools

30008 Definition of high school grade point average for student aid eligibility

UNITED STATES CODE, TITLE 20

1232g Family Education Rights and Privacy Act (FERPA)

6101-6251 School-to-Work Opportunities Act of 1994

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

COURT DECISIONS

Owasso Independent School District v. Falvo, (2002) 534 U.S. 426

Las Virgenes Educators Association v. Las Virgenes Unified School District, (2001) 86 Cal.App.4th 1

Swany v. San Ramon Valley Unified School District, (1989) 720 F.Supp. 764

Johnson v. Santa Monica-Malibu Unified School District Board of Education, (1986) 179 Cal.App.3d 593

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Aiming High: High Schools for the 21st Century, 2002

Taking Center Stage: A Commitment to Standards-Based Education for California's Middle Grades Students, 2001

Elementary Makes the Grade!, 2000

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS CORRESPONDENCE

Report Cards and Transcripts for Students with Disabilities, October 17, 2008

WEB SITES

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

California Student Aid Commission: <http://www.csac.ca.gov>

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

(3/02 11/03) 7/09

Board Policy

Grades/Evaluation Of Student Achievement

BP 5121

Students

The Governing Board believes that grades serve a valuable instructional purpose by helping students and parents/guardians identify the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's achievement.

(cf. 5020 - Parent Rights and Responsibilities)

The teacher of each course shall determine the student's grade. The grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy and administrative regulation. (Education Code 49066)

(cf. 5125.3 - Challenging Student Records)

Teachers shall evaluate a student's work in relation to standards which apply to all students at his/her grade level. The Superintendent or designee shall establish and regularly evaluate a uniform grading system, and principals shall ensure that student grades conform to this system. Teachers shall inform students and parents/guardians how student achievement will be evaluated in the classroom.

(cf. 5124 - Communication with Parents/Guardians)

(cf. 6011 - Academic Standards)

Grades should be based on impartial, consistent observation of the quality of the student's work and his/her mastery of course content and objectives. Students shall have the opportunity to demonstrate this mastery through a variety of methods such as classroom participation, homework, tests and portfolios.

When reporting student grades to parents/guardians, teachers may add narrative descriptions, observational notes and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

Unexcused Absences

Students with excessive absences may be given a failing grade and not receive credit for the class(es). Fifteen percent absences per grading period shall constitute excessive absences for this purpose in grades K-8. At the comprehensive high school level, after 10 absences in any class, a student may lose credit for that class. At the continuation high school, the student is expected to make up all "unexcused" absences and all "excused"

absences after the fourth absence each trimester.

Grade Point Average (GPA)

The Superintendent or designee shall recommend to the Board whether extra grade weighting will be assigned for honors courses that are substantially similar in depth, breadth and rigor to an Advanced Placement course, an entry-level college course or a community college level course.

(cf. 6141.5 - Advanced Placement)

Legal Reference:

EDUCATION CODE

41505-41508 Pupil Retention Block Grant

48070 Promotion and retention

48205 Excused absences

49066 Grades; finalization; physical education class

49067 Mandated regulations regarding student's achievement

49069.5 Students in foster care, grades and credits

CODE OF REGULATIONS, TITLE 5

10060 Criteria for reporting physical education achievement, high schools

UNITED STATES CODE, TITLE 20

1232g Family Education Rights and Privacy Act (FERPA)

6101-6251 School-to-Work Opportunities Act of 1994

COURT DECISIONS

Owasso Independent School District v. Falvo (2002) 122 S.Ct. 934

Las Virgenes Educators Association v. Las Virgenes Unified School District (2nd Appellate District 2001) 86 Cal.App.4th 1

Swany v. San Ramon Valley Unified School District (N.D.Cal. 1989) 720 F.Supp. 764

Johnson v. Santa Monica-Malibu Unified School District Board of Education (App. 2 Dist. 1986) 224 Cal. Rptr. 885, 179 C.A. 3d 593

Management Resources:

CDE PUBLICATIONS

Elementary Makes the Grade!, 2001

WEB SITES

CDE: <http://www.cde.ca.gov>

Advanced Placement Challenge Project: <http://www.apchallenge.net>

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: March 3, 2004 Antelope, California

CSBA Sample

Administrative Regulation

Students

AR 5121(a)

GRADES/EVALUATION OF STUDENT ACHIEVEMENT

Note: Education Code 49067 mandates the Governing Board to prescribe regulations requiring the evaluation of each student's achievement for each grading period. The following administrative regulation should be revised to reflect district practice and the grade levels offered by the district.

Written report cards displaying students' grades in each subject or course shall be distributed to parents/guardians at the end of each grading period. Parents/guardians shall be offered an opportunity to meet with their child's teacher(s) to discuss the grades and strategies to improve their child's performance.

(cf. 6020 - Parent Involvement)

Note: Education Code 49067 mandates that the Board prescribe regulations requiring either a conference with the parent/guardian or a written report sent to the parent/guardian whenever a student is in danger of failing a course. Pursuant to Education Code 49067, the refusal of a parent/guardian to attend the conference or to respond to the written report shall not preclude failing the student at the end of the grading period.

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code 49067)

(cf. 5123 - Promotion/Acceleration/Retention)

Note: The following optional paragraph is for use by districts that maintain high schools.

For each student in grades 9-12, the Superintendent or designee shall maintain a transcript recording the courses taken, the term that each course was taken, credits earned, final grades, and date of graduation.

(cf. 5125 - Student Records)

(cf. 6146.1 - High School Graduation Requirements)

Grades for Achievement

Note: The following optional section may be revised to reflect district practice, including plus/minus signs if appropriate.

For grades K-3 5, students' level of progress shall be reported as follows:

- O — Outstanding
- S — Satisfactory
- N — Needs Improvement

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)**Progress Towards Standard (Academic Grades)**

5 - Advanced

4 - Proficient

3 - Basic

2 - Below Basic

1 - Far Below Basic

For grades 4-12, grades for achievement shall be reported for each grading period as follows:

A	(90-100%)	Outstanding Achievement	4.0 grade points
B	(80-89%)	Above Average Achievement	3.0 grade points
C	(70-79%)	Average Achievement	2.0 grade points
D	(60-69%)	Below Average Achievement	1.0 grade points
F	(0-59%)	Little or No Achievement	0 grade points
I		Incomplete	0 grade points

An Incomplete shall be given only when a student's work is not finished because of illness or other excused absence. If not made up within six weeks, the Incomplete shall become an F.

Note: The following optional paragraph is for use by districts that maintain high schools and choose to assign extra grade weighting to Advanced Placement, honors, or concurrent postsecondary courses.

Districts should be aware that, in determining college admissions eligibility, the extra grade weighting will be factored into university admissions only if the courses have been certified as honors courses by the University of California and are in the following "a-g" subjects: history-social science, English, advanced mathematics, laboratory science, language other than English, and visual and performing arts.

Because of the more rigorous nature of Advanced Placement, honors, and concurrent postsecondary courses, students receiving a grade of A, B, or C in those courses shall receive extra grade weighting as follows:

A	(90-100%)	Outstanding Achievement	5.0 grade points
B	(80-89%)	Above Average Achievement	4.0 grade points
C	(70-79%)	Average Achievement	3.0 grade points

(cf. 6141.5 - Advanced Placement)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

Grades for Physical Education

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

No grade of a student participating in a physical education class may be adversely affected due to the fact that the student, because of circumstances beyond his/her control, does not wear standardized physical education apparel. (Education Code 49066)

(cf. 6142.7 - Physical Education)

Note: The following paragraph is for use by districts that maintain high schools and may be revised to reflect additional grade levels at the district's discretion. 5 CCR 10060 lists criteria by which districts must appraise the quality of high school physical education programs, including criteria for reporting student achievement in physical education.

Student performance in high school physical education courses shall be based upon evaluation of the student's individual progress, attainment of goals in each instructional area, tests designed to determine skill and knowledge, and physical performance tests. (5 CCR 10060)

Note: The following optional paragraph may be used by districts that allow high school students to fulfill physical education credits through interscholastic athletics carried on wholly or partially after regular school hours pursuant to Education Code 51242; see BP 6142.7 - Physical Education.

High school students using interscholastic athletic participation to fulfill physical education requirements, as authorized by Education Code 51242, may be graded on this participation provided that a teacher credentialed to teach physical education supervises this participation and assigns the grade.

(cf. 6145.2 - Athletic Competition)

Grades for College Courses

Note: The following optional section is for use by districts maintaining grades 9-12 that choose to grant district credit for completion of postsecondary courses pursuant to Education Code 48800-48802 and 76000-76002; see BP/AR 6172.1 - Concurrent Enrollment in College Classes.

When the district has approved a student to receive district credit for coursework completed at a community college or four-year college, he/she shall receive the same letter grade as is granted by the college.

Grades for Citizenship, Study Skills, and Effort

Grades for citizenship, study skills, and effort shall be reported as follows:

- O Outstanding
- S Satisfactory
- N Needs Improvement

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

U Unsatisfactory

Pass/Fail Grading

Note: The district may choose to expand the following optional section to identify specific courses or programs for which students may elect a pass/fail grade rather than an A-F grade (e.g., alternative education program, non-college-preparatory summer school courses, etc.).

The Superintendent or designee may identify courses or programs for which students may, with parent/guardian permission, elect to earn a Pass or Fail grade instead of a letter grade.

Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or membership in the California Scholarship Federation. Students who receive a Fail grade shall not receive credit for taking the course.

Peer Grading

Note: In Owasso Independent School District v. Falvo, the U.S. Supreme Court held that students' grades on assignments and tests are not "education records" until the teacher records them, and therefore the practice of peer grading does not violate the Family Educational Rights and Privacy Act of 1974 (FERPA) (20 USC 1232g); see BP/AR 5125 - Student Records. Furthermore, for the same reason, the Supreme Court did not prohibit the practice of having students report the grades aloud so that the teacher may record them. The following section is optional.

At their discretion, teachers may use peer grading of student tests, papers, and assignments as appropriate to reinforce lessons.

Repeating Classes

Note: The following optional section is for use by districts that maintain high schools.

With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. Both grades received shall be entered on the student's transcript, but the student shall receive credit only once for taking the course.

Note: Options 1 and 2 below provide two methods for recording the grade of a student who has repeated a class. Districts selecting Option 2 must be cautious to report both grades on the transcript rather than reporting an "averaged" grade on the transcript since reporting an averaged grade might be construed as a change of grade, which is prohibited pursuant to Education Code 49066. However, an averaged grade may be used in determining the student's overall grade point average (GPA).

OPTION 1: The highest grade received shall be used in determining the student's overall grade point average (GPA).

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

~~**OPTION 2:** The two grades shall be averaged in determining the student's overall grade point average (GPA).~~

Withdrawal from Classes

Note: The following optional section is for use by districts maintaining secondary grades and should be revised to reflect district practice.

A student who drops a course during the first six weeks of the grading period may do so without any entry on his/her permanent record card. A student who drops a course after the first six weeks of the grading period shall receive an F grade on his/her permanent record, unless otherwise decided by the principal or designee because of extenuating circumstances.

Effect of Absences on Grades

Note: Education Code 49067 mandates districts that authorize teachers to assign failing grades to students who have excessive unexcused absences (see the accompanying Board policy) to establish regulations which include, but are not limited to, providing (1) a reasonable opportunity for the student or parent/guardian to explain the absences and (2) a method for identifying in the student's record the failing grades assigned on the basis of unexcused absences.

Teachers who withhold class credit because of excessive unexcused absences shall so inform students and parents/guardians at the beginning of the school year or semester. When a student reaches the number of unexcused absences defined as excessive in Board policy, the student and parent/guardian shall again be notified of the district's policy regarding excessive unexcused absences.

(cf. 5113 - Absences and Excuses)

The student and parent/guardian shall have a reasonable opportunity to explain the absences. (Education Code 49067)

If a student receives a failing grade because of excessive unexcused absences, the student's record shall specify that the grade was assigned because of excessive unexcused absences. (Education Code 49067)

Grades for a student in foster care shall not be lowered if the student is absent from school due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

GRADES/EVALUATION OF STUDENT ACHIEVEMENT (continued)

(cf. 6173.1 - Education for Foster Youth)

Grade Point Average

Note: The following optional section should be revised to reflect the district's methodology for calculating GPA. Districts may calculate multiple GPAs for a single student (e.g., academic GPA, total GPA) for different purposes (e.g., eligibility for extracurricular activities, athletic programs, honors at graduation, or other district programs that use GPA as a criterion). Districts should be aware that, in determining college admissions eligibility, the California State University and the University of California consider students' GPA in the "a-g" subjects required for college entry based on grades recorded in their high school transcripts.

The Superintendent or designee shall calculate each student's GPA using the grade points assigned to each letter grade in accordance with the scale described in the section "Grades for Achievement" above. The grade points for all applicable coursework shall be totaled and divided by the number of courses completed.

(cf. 5126 - Awards for Achievement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

OPTION 1: When plus and minus designations are added to letter grades, they shall not be considered in determining GPA.

~~**OPTION 2:** When plus and minus designations are added to letter grades, a plus shall be computed by adding 0.3 to the value assigned the letter grade and a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade.~~

(7/02 11/03) 7/09

Administrative Regulation

Grades/Evaluation Of Student Achievement

AR 5121
Students

Grades for Achievement

Grades for achievement shall be reported for each marking period as follows:

A	(90-100%)	Outstanding Achievement	4.0 grade points
B	(80-89%)	Above Average Achievement	3.0 grade points
C	(70-79%)	Average Achievement	2.0 grade points
D	(60-69%)	Below Average Achievement	1.0 grade points
F	(0-59%)	Little or No Achievement	0 grade points
I		Incomplete	0 grade points

A 5.0 grade point scale exists for honors and AP coursework that is UC recognized.

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code 49067)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 5124 - Communication with Parents/Guardians)

An Incomplete is given only when a student's work is not finished because of illness or other excused absence. If not made up within two weeks, the Incomplete shall become an F.

Grades for Physical Education

No grade of a student participating in a physical education class may be adversely affected due to the fact that the student, because of circumstances beyond his/her control, does not wear standardized physical education apparel. (Education Code 49066)

Grades for Citizenship and Effort

Grades for citizenship and effort shall be reported each marking period as follows:

O	Outstanding
S	Satisfactory
N	Needs Improvement

Pass/Fail Grading

The Superintendent or designee may identify courses or programs for which students may, with parent/guardian permission, elect to earn a Pass or Fail grade instead of an A-F grade.

Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or membership in the California Scholarship Federation. Students who receive an F grade shall not receive credit for taking the course.

Peer Grading

At their discretion, teachers may use peer grading of student tests, papers and assignments as appropriate to reinforce lessons.

(cf. 5125 - Student Records)

Repeating Classes

With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. Both grades received shall be entered on the student's transcript, but the student shall receive credit only once for taking the course.

The highest grade received shall be used in determining the student's overall grade point average. Failing grades, however, are always a part of a student's GPA.

Withdrawal from Classes

After the 10th class period, withdrawals must be staff initiated and approved by an administrator. After the 10th class period, but before the end of the first or third quarter report period, students will be subject to a "WP" (Withdraw-Pass) or "WF" (Withdraw-Fail) grade. A "WF" will affect the GPA. No credit is awarded and the WP/WF will appear on the semester transcript. There will be no class withdrawals during the final quarter in either semester.

Absences from School

If a student receives a failing grade because of unexcused absences, the student's record shall specify that the grade was assigned because of excessive unexcused absences. (Education Code 49067)

(cf. 5125 - Student Records)

Grades for a student in foster care shall not be lowered if the student is absent from school due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: March 3, 2004 Antelope, California

CSBA Sample Board Policy

Students

BP 5131.5(a)

VANDALISM AND GRAFFITI

Note: The following **optional** policy may be modified to reflect district practice. Strategies regarding graffiti prevention and removal may be included as part of a school's comprehensive safety plan (see BP/AR 0450 - Comprehensive Safety Plan), campus security procedures (see BP/AR 3515 - Campus Security), or gang prevention techniques (see BP/AR 5136 - Gangs). Government Code 53069.5 authorizes districts to create a reward program to encourage the identification of individuals who have committed vandalism (see BP/AR 3515.4 - Recovery for Property Loss or Damage).

The Governing Board desires to enhance student learning by striving to provide an environment where students and staff can feel safe and secure and can take pride in their school. To that end, the Superintendent or designee shall develop strategies for preventing graffiti and vandalism on school grounds, including collaborating with local law enforcement and city and county officials, as appropriate, to help develop a coordinated response to graffiti and vandalism in the community.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 5131.7 - Positive School Climate)
(cf. 5136 - Gangs)
(cf. 5138 - Conflict Resolution/Peer Mediation)

Note: Certain acts of graffiti or vandalism may trigger the need for an investigation pursuant to the district's sexual harassment or nondiscrimination grievance procedures (e.g., graffiti that is sexual in nature or disparaging to a class of individuals protected by the district's nondiscrimination policies).

Students and staff are encouraged to report any graffiti or vandalism to the principal or designee for investigation. The principal or designee shall determine whether the incident necessitates an investigation pursuant to the district's sexual harassment, hate-motivated behavior, or nondiscrimination grievance procedure.

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

Note: Pursuant to Penal Code 594 and 594.1, any person who commits vandalism, defaces property with graffiti, or possesses certain tools or objects (e.g., spray paint cans, markers) with the intent to commit vandalism or deface property with graffiti may be guilty of a misdemeanor and punished by a fine and/or community service. Other local laws may apply since many cities and counties have adopted ordinances prohibiting vandalism and graffiti within their boundaries. In addition, some types of graffiti or vandalism may be evidence of a hate crime.

VANDALISM AND GRAFFITI (continued)

As appropriate, the principal or designee may contact local law enforcement in instances when the graffiti is repetitive, identifies particular targets or groups, identifies the perpetrator, and/or contains incitements to violence, threats, or intimidation. Photographs or other evidence of the vandalism or graffiti shall be preserved as necessary for investigation by the district or law enforcement and as evidence in any district disciplinary proceedings.

The principal or designee shall ensure that graffiti on school grounds is removed and covered as soon as possible, and if practicable before the beginning of the school day.

Note: Education Code 48904 and Civil Code 1714.1 specify that a parent/guardian may be liable for damages to school property resulting from the willful misconduct of his/her minor child; see BP/AR 3515.4 - Recovery for Property Loss or Damage.

A student who commits an act of vandalism or graffiti on school grounds shall be subject to disciplinary action, including, but not limited to, suspension or expulsion in accordance with Board policy and administrative regulation. If reparation for damages is not made, the district also may withhold the student's grades, diploma, and/or transcripts in accordance with law.

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Legal Reference: (see next page)

VANDALISM AND GRAFFITI (continued)

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension or expulsion

48904 Willful misconduct, limit of liability of parent or guardian

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury

CIVIL CODE

51.7 Right to be free from violence

52.1 Discrimination liability

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

GOVERNMENT CODE

53069.5 Reward for information

PENAL CODE

594 Vandalism

594.1 Aerosol containers of paint

594.2 Intent to commit vandalism or graffiti

594.6 Vandalism or graffiti, community service

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

CODE OF REGULATIONS, TITLE 5

305 Student responsible for care of property

Management Resources:

WEB SITES

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

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

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Board Policy

Vandalism

BP 5131.5

Students

Students and their parents shall be responsible for all damage to equipment or school property. This responsibility applies in the matter of books and supplies of all kinds, as well as equipment, buildings and grounds.

Legal Reference:

EDUCATION CODE

44810 Willful interference with classroom conduct (minors over 16 years of age or adults not pupils of school)

48900 Grounds for suspension (or expulsion)

48904 Willful misconduct, limit of liability of parent or guardian

CODE OF REGULATIONS, Title 5

305 Pupil responsible for care of property

CIVIL CODE

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

GOVERNMENT CODE

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

Policy

adopted: October 1, 1986

CENTER UNIFIED SCHOOL DISTRICT

Antelope, California

CSBA Sample

Board Policy

Students

BP 5131.62(a)

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.

The state's Tobacco-Use Prevention Education (TUPE) grant program (Health and Safety Code 104350-104495) provides support for local tobacco-use prevention and intervention programs. Effective July 1, 2009, the portion of the TUPE program that provided an annual entitlement for grades 4-8 was eliminated, but districts may still apply for competitive grants for programs for grades 6-12. In addition, the federal Safe and Drug-Free Schools and Communities (SDFSC) program (20 USC 7111-7117) provides funding for tobacco-use prevention (together with alcohol and other drug and violence prevention) for grades K-12; see BP/AR 5131.6 - Alcohol and Other Drugs.

During the Categorical Program Monitoring process, the California Department of Education (CDE) will review whether the district has met the major requirements of the program(s) for which it receives funding.

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Superintendent or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco-use prevention education, and intervention and cessation activities and/or referrals.

Prohibition Against Tobacco Use

Note: Pursuant to Penal Code 308, persons under age 18 years are prohibited from possessing tobacco. Education Code 48900 and 48901 prohibit students from 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 suspension or expulsion; see AR 5144.1 - Suspension and Expulsion/Due Process.

In addition, Health and Safety Code 104420 mandates that any district receiving funding through the state's TUPE program adopt and enforce a tobacco-free campus policy which prohibits the use of tobacco products in district buildings, on district property, and in district vehicles by anyone at any time; see BP 3513.3 - Tobacco-Free Schools for language implementing this mandate.

Students shall not 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. This prohibition does not include students' possession or use of their own prescription products. (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))

TOBACCO (continued)

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 through either the direct provision of services or through referrals to available services. See the accompanying administrative regulation.

The CDE defines "intervention programs" as programs used to provide further intensive education as an alternative to suspension for tobacco possession.

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

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 (and other drugs and alcohol) 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 grades from K-12 related to the health consequences of tobacco use.

The TUPE program provides resources for supplemental instruction in grades 6-12 that address specified topics; see the accompanying administrative regulation. The 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. 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. 5146 - Married/Pregnant/Parenting Students)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

TOBACCO (continued)

Program Planning

Note: The following optional section 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. Health and Safety Code 104420 also gives priority for funding to districts that design their projects to coordinate with other community services. According to the CDE, districts should work with a broad-based advisory council in the development of the TUPE grant application. This advisory body may be a regional council or district council and may be the same advisory council used to receive input for multiple district projects.

For districts participating in the federal SDFSC program, 20 USC 7114 requires ongoing consultation with specified stakeholders.

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 program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

(cf. 1325 - Advertising and Promotion)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

Note: Optional items #1-4 below reflect the federal Principles of Effectiveness described in 20 USC 7115, which SDFSC programs are required to meet. The CDE has determined that programs qualifying for state TUPE funds also must align with these Principles of Effectiveness as well as with the CDE guidelines contained in its Getting Results publication and in the program application.

The district's program shall be aligned with guidelines issued by the California Department of Education (CDE) and with federal Principles of Effectiveness described in 20 USC 7115. The Superintendent or designee shall:

1. Base the district's program on a thorough assessment of objective data regarding tobacco-use problems in district schools and the community

TOBACCO (continued)

This assessment shall include an analysis of data regarding the incidence and consequences of tobacco use, an examination of existing efforts and activities in the community, and a determination of high-priority groups that are most in need of district services.

2. Establish a set of measurable goals and objectives and design the program to meet those goals and objectives

Note: The federal Principles of Effectiveness require programs to be based on scientifically based research, as provided in item #3 below. Pursuant to Health and Safety Code 104420, programs funded by TUPE must be based on model program design(s) approved by the CDE. Approved programs are those designated as "research validated" on the California Healthy Kids Resource Center's web site.

3. Design and implement the program based on scientific research or evaluation that provides evidence that the strategies will prevent or reduce tobacco use
4. Use the results of ongoing program evaluations to strengthen the program and refine program goals and objectives

Program Evaluation

Note: The following optional section may be revised to reflect district practice. According to the CDE, districts that accept TUPE funds are required 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 either TUPE or SDFSC are required to complete the Safe and Healthy Kids Annual Report by June 30 of each year.

Randomly selected grantees and schools participate in the California Student Tobacco Survey biennially administered by the California Department of Public Health. In 88 Ops.Cal.Atty.Gen. 8, the Attorney General opined that districts are required to participate in evaluations of their tobacco-use prevention programs as a condition of receiving funds and that the CDE must withhold funds from any district that refuses to participate in evaluations conducted by the Department of Public Health.

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey to students 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 the CDE on program activities, program expenditures, the number of individuals receiving each type of service or training, progress toward program goals and objectives, and other data required pursuant to Health and Safety Code 104450.

(cf. 0500 - Accountability)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6162.8 - Research)

Legal Reference: (see next page)

TOBACCO (continued)

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

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

ATTORNEY GENERAL OPINIONS

88 *Ops. Cal. Atty. Gen.* 8 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994

WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey: 2008-2009 Edition, 2008

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>

Safe and Healthy Kids Annual Report: <http://hk.duerrevaluation.com>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

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Board Policy

Tobacco

BP 5131.62

Students

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in the prevention and intervention of tobacco use among youth.

(cf. 5131.6 - Alcohol and Other Drugs)

Students shall not 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. (Education Code 48901)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5144 - Discipline)

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

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

The Superintendent or designee also may provide students with counseling and other support services to assist in the prevention or reduction of tobacco use.

(cf. 6164.2 - Guidance/Counseling Services)

Information about smoking cessation programs shall be made available and encouraged for students and staff. (Health and Safety Code 104420)

(cf. 4159/4259/4359 - Employee Assistance Programs)

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

HEALTH AND SAFETY CODE

104350-104495 Tobacco use prevention education

PENAL CODE

308 Minimum age for tobacco possession

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

Management Resources:

CDE PUBLICATIONS

Getting Results: Developing Safe and Healthy Kids, 1998-99

CENTERS FOR DISEASE CONTROL PUBLICATIONS

Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000

WEB SITES

CDE: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Association of State Boards of Education: <http://www.nasbe.org>

Policy CENTER UNIFIED SCHOOL DISTRICT

adopted: October 16, 2002 Antelope, California

CSBA Sample

Administrative Regulation

Students

AR 5131.62(a)

TOBACCO

Tobacco-Use Prevention Education Program

Note: The following **optional** administrative regulation reflects requirements of the state's Tobacco-Use Prevention Education (TUPE) program pursuant to Health and Safety Code 104350-104495 and may be adapted by other districts that do not receive TUPE funding.

Effective July 1, 2009, the TUPE program provides competitive grant funding for local programs targeting students in grades 6-12. The district may modify the following administrative regulation to reflect the grades at which the district's program is offered.

The district's tobacco-use prevention program shall provide students in grades 6-12 instruction which addresses the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiologic, cosmetic, and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Note: Health and Safety Code 104420 requires local TUPE programs to provide access to intervention and cessation services to high-risk groups in grades 7-12. The California Department of Education (CDE) has determined that these services should be directed toward current users and should be voluntary for students. The CDE's TUPE program application clarifies that districts are not required to directly provide the services, but may instead refer students to community services to satisfy this requirement.

As appropriate, the district shall provide or refer students in grades 7-12 to tobacco-use intervention and cessation activities. (Health and Safety Code 104420)

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

These services shall be directed toward current users and shall be voluntary for students who desire assistance in ceasing the use of tobacco.

TOBACCO (continued)

Note: The following paragraph is **optional**. In addition to targeting current tobacco users, Health and Safety Code 104420 requires the CDE to give funding priority to programs that 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; see the accompanying Board policy. On the TUPE application, the district must provide a description of the student population and the district's rationale for designating that population as "high risk." Examples of "high-risk" populations may include students whose parents/guardians smoke, students transitioning from one educational setting to another (e.g., middle school to high school), or students in continuation education or other nontraditional education settings.

In addition to targeting students who currently use tobacco, the district's program shall target students most at risk for beginning to use tobacco as identified through a local needs assessment.

Note: Health and Safety Code 104460 requires districts receiving TUPE funds to provide access to tobacco-use prevention and intervention services to pregnant and parenting students, as provided below. The TUPE application clarifies that districts are not required to directly provide the following services, but may instead refer students to community services.

The district shall provide or refer every pregnant and parenting minor enrolled in the district to tobacco-use prevention services. Such services may be integrated with existing programs for pregnant and parenting minors and shall include: (Health and Safety Code 104460)

1. Referral to perinatal and related support services
2. Outreach services and assessment of smoking status
3. Individualized counseling and advocacy services
4. Motivational messages
5. Cessation services, if appropriate
6. Incentives to maintain a healthy lifestyle
7. Follow-up assessment
8. Maintenance and relapse prevention services

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

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Administrative Regulation

Tobacco

AR 5131.62

Students

Tobacco Use Prevention Education

Instruction for students in grades 4 through 8 shall address the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiologic, cosmetic and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

The district's program for grades 9 through 12 shall:

1. Target current smokers and students who are most at risk for beginning to use tobacco, including young women, low-achieving students, students from families whose members include tobacco users, and students who associate with peers who use tobacco
2. Offer or refer students to precessation readiness classes or cessation classes for current smokers
3. Utilize existing antismoking resources

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: October 16, 2002 Antelope, California

New

CSBA Sample Board Policy

Students

BP 5141.52(a)

SUICIDE PREVENTION

Note: The Government Claims Act (Government Code 810-996.6) provides that a district may be liable for injuries on school grounds or for an employee's failure to exercise supervisory responsibility to use reasonable care to prevent foreseeable injuries resulting from school activities. **Therefore, it is strongly recommended that, before adopting the following optional policy and administrative regulation, districts carefully review all the elements, consider their staff capabilities and resources, and delete or modify them as necessary to ensure that all aspects will be adequately enforced. Districts should also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.**

The Governing Board recognizes that suicide is a major cause of death among youth and should be taken seriously. In order to attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop preventive strategies and intervention procedures.

The Superintendent or designee may involve school health professionals, school counselors, administrators, other staff, parents/guardians, students, local health agencies and professionals, and community organizations in planning, implementing, and evaluating the district's strategies for suicide prevention and intervention.

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

Prevention and Instruction

Note: The following optional section may be revised to reflect district practice. The California Department of Education's (CDE) Youth Suicide-Prevention Guidelines for California Schools identifies factors that may help build resiliency and protect against high-risk behaviors, including, but not limited to, emotional wellness, school engagement, self-perceived ability to cope with problems, and positive interpersonal relationships. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5145.3 - Nondiscrimination/Harassment, and BP 5145.9 - Hate-Motivated Behavior.

Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff and harmonious interrelationships among students.

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

SUICIDE PREVENTION (continued)

Note: The state's Health Education Content Standards for California Public Schools include voluntary content standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school. The district may revise the following **optional** paragraph to reflect grade levels offered by the district.

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self-destructive behaviors, including potential suicide, and to identify suicide prevention strategies.

(cf. 6142.8 - Comprehensive Health Education)

The Superintendent or designee may offer parents/guardians education or information which describes the severity of the youth suicide problem, the district's suicide prevention curriculum, risk factors and warning signs of suicide, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.

Staff Development

Note: The following **optional** section may be revised to reflect district practice. Pursuant to Education Code 41533, as added by SB 1378 (Ch. 143, Statutes of 2008), a district that receives funding through the Professional Development Block Grant may use a portion of those funds to provide each teacher up to two hours of training in the prevention of youth suicide. Such training may occur during a regularly scheduled inservice training day. In addition, Education Code 49604 encourages each district to provide suicide prevention training to each middle, junior high, and high school counselor.

Staff development may include training about risk factors associated with suicide, as provided in item #1 below. Information about research on risk factors is available in the CDE's Youth Suicide-Prevention Guidelines for California Schools as well as through the California Department of Mental Health, Centers for Disease Control and Prevention, American Association of Suicidology, and other health organizations.

Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies and may include information on:

1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors

(cf. 5131.6 - Alcohol and Other Drugs)

SUICIDE PREVENTION (continued)

2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior
3. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health
4. School and community resources and services

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

5. District procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Intervention

Note: The following **optional** section should be revised to reflect district practice. Education Code 49602, which requires confidentiality of information disclosed to a school counselor by students 12 years of age or older, specifically allows a counselor to disclose such information to the principal or parents/guardians of the student when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the student's health or safety. In addition, Education Code 49602 allows disclosure to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment.

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the principal or school counselor. The principal or counselor shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources in the school or community.

(cf. 5141 - Health Care and Emergencies)

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

(cf. 5138 - Conflict Resolution/Peer Mediation)

SUICIDE PREVENTION (continued)

Note: For sample procedures to be followed in the event of a suicide attempt on campus, see the accompanying administrative regulation.

The Superintendent or designee shall establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.

Legal Reference:

EDUCATION CODE

32280-32289 *Comprehensive safety plan*

41533 *Professional Development Block Grant, suicide prevention training for teachers*

49060-49079 *Student records*

49602 *Confidentiality of student information*

49604 *Suicide prevention training for school counselors*

GOVERNMENT CODE

810-996.6 *Government Claims Act*

WELFARE AND INSTITUTIONS CODE

5698 *Emotionally disturbed youth; legislative intent*

5850-5883 *Mental Health Services Act*

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Youth Suicide-Prevention Guidelines for California Schools, 2005

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS

California Strategic Plan for Suicide Prevention: Every Californian is Part of the Solution, 2008

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

National Strategy for Suicide Prevention: Goals and Objectives for Action, 2001

WEB SITES

American Psychological Association: <http://www.apa.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Mental Health, Children and Youth Programs:

http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Institute for Mental Health: <http://www.nimh.nih.gov>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services

Administration: <http://www.samhsa.gov>

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New

CSBA Sample Administrative Regulation

Students

AR 5141.52(a)

SUICIDE PREVENTION

Note: The Government Claims Act (Government Code 810-996.6) provides that a district may be liable for injuries on school grounds or for an employee's failure to exercise supervisory responsibility to use reasonable care to prevent foreseeable injuries resulting from school activities. Therefore, it is strongly recommended that, before adopting the following optional policy and administrative regulation, districts carefully review all the elements, consider their staff capabilities and resources, and delete or modify them as necessary to ensure that all aspects will be adequately enforced. Districts should also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.

Instruction

Note: The following optional section reflects topics of instruction recommended by suicide prevention resources and is consistent with the state's Health Education Content Standards for California Public Schools, which include standards pertaining to suicide prevention instruction at grade 7 or 8 and high school.

At appropriate secondary grades, the district's suicide prevention instruction shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Identify alternatives to suicide and develop coping and resiliency skills
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking mental health, substance abuse, and/or suicide prevention services

(cf. 1020 - Youth Services)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Guidance/Counseling Services)

Intervention

Note: The following optional section may be revised to reflect district practice. For additional information about steps that school personnel can take when a student threatens or attempts suicide, see the California Department of Education's Youth Suicide-Prevention Guidelines for California Schools.

SUICIDE PREVENTION (continued)

When a suicide attempt or threat is reported, the principal or designee shall:

1. Ensure the student's physical safety by one of the following, as appropriate:
 - a. Securing immediate medical treatment if a suicide attempt has occurred
 - b. Securing law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
 - c. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene

(cf. 5141 - Health Care and Emergencies)

2. Designate specific individuals to be promptly contacted, including the school counselor, psychologist, nurse, superintendent, and/or the student's parent/guardian, and, as necessary, local law enforcement or mental health agencies
3. Document the incident in writing as soon as feasible

(cf. 5125 - Student Records)

4. Follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed
5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at the school
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions

Note: The following optional paragraph may be revised to reflect district practice. Education Code 32280-32289 require schools to develop and implement comprehensive school safety plans; see BP/AR 0450 - Comprehensive Safety Plan. If the district's safety plan includes crisis intervention strategies, those strategies may encompass procedures that the district will use in the aftermath of a suicide or attempted suicide. Also see BP 6164.2 - Guidance/Counseling Services for policy language pertaining to crisis counseling.

In the event that a suicide occurs or is attempted on campus, the principal or designee shall follow the crisis intervention procedures contained in the school safety plan. After consultation with the Superintendent or designee and the student's parents/guardians about

SUICIDE PREVENTION (continued)

facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1112- Media Relations)

CSBA Sample

Board Policy

Students

BP 5145.9(a)

HATE-MOTIVATED BEHAVIOR

Note: The following optional policy is for use by districts in the implementation of a prevention strategy for hate-motivated incidents and should be modified to reflect district practice. Elements of this policy will also likely be integrated into existing school plans, such as school safety and staff development plans, as well as any policies developed by the district regarding school climate (see BP 5137 - Positive School Climate) and nondiscrimination (see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment).

In its publication entitled Hate-Motivated Behavior in Schools, the California Department of Education defines "hate-motivated behavior" as an act, or attempted act, motivated by hostility towards a victim's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. Some "hate-motivated behavior," including an assault, bomb threat, destruction of property, graffiti, and certain types of vandalism, may also be crimes under state or federal law.

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

Note: Local law enforcement agencies and human rights commissions have established countywide hate crimes networks aimed at responding to and preventing hate crimes. The California Association of Human Relations Organizations conducts activities designed to protect human and civil rights through networks of collaborations that reduce community tension and build intergroup relationships.

The following optional paragraph should be revised to reflect district practice.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

HATE-MOTIVATED BEHAVIOR (continued)

(cf. 1020 - Youth Services)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6020 - Parent Involvement)

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6141.94 - History-Social Science Instruction)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Grievance Procedures

Note: School-level grievance procedures for investigation of sexual harassment complaints are detailed in AR 5145.7 - Sexual Harassment. The following paragraph provides for the application of those procedures to the investigation of complaints regarding hate-motivated behavior. Districts that wish to use other procedures should modify the following paragraph accordingly.

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the ~~Coordinator for Nondiscrimination~~/Principal. Upon receiving such a complaint, the ~~Coordinator~~/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

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

(cf. 5145.7 - Sexual Harassment)

HATE-MOTIVATED BEHAVIOR (continued)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the ~~Coordinator~~/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

(cf. 3515.3 - District Police/Security Department)

(cf. 4158/4258/4358 - Employee Security)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention – Laws and Regulations, April 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

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

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

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

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

The Governing Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.1 - Crime Data Reporting)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6141.6 - Multicultural Education)

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 3515.3 - District Police Department)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5144 - Discipline)

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

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

In addition, the district shall provide counseling and appropriate sensitivity training and

diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900.3 Suspension for hate violence

PENAL CODE

186.21 Street terrorism; legislative findings and declarations

422.55-422.86 Hate crimes

11410-11414 Terrorism

13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

13519.6 Hate crimes, training courses and guidelines

UNITED STATES CODE, TITLE 18

245 Federally protected activities

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

**ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF
EDUCATION PUBLICATIONS**

Hate-Motivated Behavior in Schools: Response Strategies for School Boards,
Administrators, Law Enforcement and Communities, 1997

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL
ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS**

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

WEB SITES

CDE: <http://www.cde.ca.gov>

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR/index.html>

Policy CENTER UNIFIED SCHOOL DISTRICT

Adopted: December 15, 1999

Antelope, California

CSBA Sample Board Policy

Instruction

BP 6011(a)

ACADEMIC STANDARDS

Note: The following optional policy may be revised to reflect district practice.

Education Code 60605-60605.5 require the State Board of Education (SBE) to adopt statewide standards in specified core subject areas and authorize the SBE to adopt model standards in other subject areas. Statewide standards serve as the basis for the state's curriculum frameworks and state assessment of core curriculum areas. To date, the SBE has adopted content standards for English language arts, English language development, mathematics, science, health education, history-social science, physical education, visual and performing arts, world languages, and career technical education. Voluntary "preschool learning foundations," which describe the knowledge, skills, and competencies that children are expected to exhibit as they complete their first or second year of preschool, are under the jurisdiction of the State Superintendent of Public Instruction rather than the SBE; see BP 5148.3 - Preschool/Early Childhood Education.

Although the state standards are "models" rather than mandates, it is expected that districts will develop local standards that meet or exceed the state standards. In addition, districts may choose to adopt content standards in other subjects that are not addressed in the state standards.

The Governing Board shall adopt high academic standards for student achievement which challenge all students to reach their full potential and which clarify what students are expected to know and be able to do at each grade level and in each area of study.

The Superintendent or designee shall provide the Board with recommended standards. In developing these recommended standards, the Superintendent or designee shall use a process that involves teachers, school site and district administrators, students, parents/guardians, and community members. He/she shall ensure the alignment of the standards with the district's vision and goals and ensure the proper articulation of standards between grade levels.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Note: The following paragraph should be revised to reflect the courses of study offered by the district.

District standards for English language arts, English language development, mathematics, science, health education, history-social science, physical education, visual and performing arts, world languages, career technical education, and preschool education shall meet or exceed statewide model content standards adopted by the State Board of Education or the State Superintendent of Public Instruction as applicable.

(cf. 5148.3 - Preschool/Early Childhood Education)

ACADEMIC STANDARDS (continued)

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.7 - Physical Education)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6142.93 - Science Instruction)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6174 - Education for English Language Learners)
(cf. 6178 - Career Technical Education)

Teachers and school administrators shall receive professional development to ensure their understanding of the standards and to discuss effective instructional methods in preparing students to meet the standards.

(cf. 4131 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall annually communicate the applicable standards to students and their parents/guardians to inform them of the expectations for student learning at their grade level.

Staff shall continually assess students' progress toward meeting the standards, report each student's progress to the student and his/her parents/guardians, and offer remedial assistance in accordance with Board policy and administrative regulation.

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6177 - Summer School)
(cf. 6179 - Supplemental Instruction)

Note: In evaluating certificated employees, Education Code 44662 requires the Governing Board to use standards of expected student achievement at each grade level in each area of study; see BP/AR 4115 - Evaluation/Supervision.

District standards shall also provide a basis for evaluating the instructional program, making decisions about curriculum and assessment, and, in accordance with Education Code 44662, evaluating teacher performance.

(cf. 0500 - Accountability)
(cf. 4115 - Evaluation/Supervision)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6162.5 - Student Assessment)
(cf. 6190 - Evaluation of the Instructional Program)

ACADEMIC STANDARDS (continued)

The Superintendent or designee shall ensure that district standards are regularly reviewed and updated as necessary. At a minimum, district standards shall be reviewed whenever applicable statewide standards are revised and whenever data on student achievement demonstrate that students are not adequately achieving the standards in a particular grade level or subject area.

*Legal Reference:*EDUCATION CODE44662 *Evaluation of certificated employees*51003 *Statewide academic standards*60605-60605.5 *Adoption of statewide academically rigorous content and performance standards*UNITED STATES CODE, TITLE 206311 *State academic standards and accountability for Title I, Part A**Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, 2009*California Preschool Learning Foundations*, Vol. 1, 2008*Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, March 2008*California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve*, 2006*Physical Education Model Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, January 2005*Visual and Performing Arts Content Standards for California Public Schools, Prekindergarten Through Grade Twelve*, January 2001*English-Language Development Standards for California Public Schools, Kindergarten Through Grade Twelve*, July 1999*History-Social Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, October 1998*Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, October 1998*English-Language Arts Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, December 1997*Mathematics Content Standards for California Public Schools, Kindergarten Through Grade Twelve*, December 1997WEB SITESCSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>U.S. Department of Education: <http://www.ed.gov>

(6/96 3/00) 7/09

Board Policy

Academic Standards

BP 6011
Instruction

The Governing Board recognizes that content and performance standards are necessary to clarify for students, parents/guardians and staff what students are expected to know and be able to do at each grade level and in each area of study. The Board shall adopt high standards for student achievement that meet or exceed statewide standards and challenge all students to reach their full potential.

District standards shall be developed through a process that involves staff, students, parents/guardians and community members. Standards shall be based on a review of state model standards and an assessment of the skills that students will need in order to be successful in the workplace and in higher education, including basic skills, problem-solving abilities and conceptual thinking. Special care shall be taken to ensure the proper articulation of standards among district schools.

(cf. 6010 - Goals and Objectives)

Staff shall continually assess students' progress toward meeting the standards and shall offer remedial assistance in accordance with Board policy. The standards shall also provide a basis for evaluating the instructional program, making decisions about curriculum and assessment, and, as required by law, evaluating teacher performance.

(cf. 4115 - Evaluation/Supervision)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6162.5 - Student Assessment)
(cf. 6177- Summer School)
(cf. 6190 - Evaluation of the Instructional Program)

The Superintendent or designee shall ensure that district standards are regularly reviewed and updated as necessary.

Legal Reference:
EDUCATION CODE
44662 Evaluation of certificated employees

51003 Statewide academic standards

60605-60605.5 Adoption of statewide academically rigorous content and performance standards

Management Resources:

WEB SITES

CDE: <http://www.cde.ca.gov>

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: August 2, 2000 Antelope, California

Delete

Board Policy **Classroom Interruptions**

BP 6116
Instruction

The Governing Board recognizes that class time should be dedicated to student learning. The Board believes that classroom interruptions which are not related to the educational program should be kept at an absolute minimum.

The Superintendent or designee shall establish administrative regulations to govern classroom interruptions.

Legal Reference:
EDUCATION CODE
33212 Classroom interruptions

Policy
adopted: February 4, 1987
Revised: March 27, 1990

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample

Administrative Regulation

Instruction

AR 6116(a)

CLASSROOM INTERRUPTIONS

Note: The following optional administrative regulation may be revised to reflect district practice. Education Code 32212 expresses the Legislature's intent that all districts formally address the problem of classroom interruptions and adopt a policy to control them.

Also see related policies and administrative regulations addressing other forms of classroom interruptions, including students' use of cell phones and other mobile communications devices (BP 5131 - Conduct); employees' use of cell phones and other mobile communications devices (BP 4040 - Employee Use of Technology); and more serious disruptions of school operations caused by students (BP/AR 5131.4 - Student Disturbances) and nonstudents (BP/AR 3515.4 - Disruptions) which may threaten to disturb the peace, the health or safety of students or staff, or cause property damage.

In order to allow students to take full advantage of learning opportunities while in the classroom, school staff shall ensure that interruptions are kept to a minimum. Strategies to reduce classroom interruptions include, but are not limited to, the following:

1. Keep announcements made through intercom or public address systems to a minimum, limit announcements to specific times during the day, and only use the intercom or public address systems for announcements that apply to all students or groups of students. Announcements that apply to individual students or staff members should be distributed in writing.
2. Establish a fixed time for the delivery of written messages to students and staff, except in cases of emergencies.
3. Schedule school maintenance operations involving noise or classroom disruption, as well as deliveries of equipment and supplies, to classrooms before or after school hours whenever possible.

Note: Item #4 below addresses classroom interruptions caused by visitors. Also see BP/AR 1250 - Visitors/Outsiders, which specifies that individuals should arrange school visits with the teacher or principal in advance and that conferences with the teacher should be held during noninstructional time.

4. Inform school visitors that, whenever possible, they should make appointments in advance, in accordance with district policy.

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.4 - Disruptions)

5. Notify parents/guardians that they should go to the school office rather than the classroom when they are dropping off their child late, picking him/her up early, or bringing by any forgotten items from home.

CLASSROOM INTERRUPTIONS (continued)

6. Notify school staff that they should refrain from conducting personal business during instructional time.

(cf. 4040 - Employee Use of Technology)

7. Provide professional development in classroom management as needed to enable staff to more effectively reduce interruptions caused by inappropriate student conduct in the classroom.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 5131 - Conduct)

(cf. 5131.4 - Student Disturbances)

(cf. 5137 - Positive School Climate)

Legal Reference:

EDUCATION CODE

32211 Restricting access to school grounds based on threatened disruption or interference

32212 Classroom interruptions

44810-44811 Disruptions; misdemeanor

48901.5 Authority to regulate use of electronic devices

51512 Prohibited use of electronic listening or recording device

Management Resources:

CSBA PUBLICATIONS

Instructional Time Task Force Report, 2007

Administrative Regulation

Classroom Interruptions

AR 6116

Instruction

The principal or designee shall keep announcements made through intercom or public address systems to a minimum and limit announcements to specific times during the day. Announcements that apply only to teachers shall be distributed in writing whenever possible.

The principal shall establish a fixed time for the delivery of messages to students, except in the case of emergencies.

School maintenance operations involving noise or classroom disruption shall be performed before or after school hours whenever possible.

School visitors and observers shall be encouraged to make appointments in advance.

(cf. 1250 - Visits to the Schools)

Regulation

approved: February 4, 1987

Revised: March 27, 1990

CENTER UNIFIED SCHOOL DISTRICT

Antelope, California

Add

CSBA Sample Board Policy

Instruction

BP 6120(a)

RESPONSE TO INSTRUCTION AND INTERVENTION

Note: "Response to intervention" (RTI) is a strategy of organizing instruction and support resources in the general education program to help close the achievement gaps for all students, including students at risk, students with disabilities, and English language learners. In this strategy, a student who is suspected of having a learning disability or who is showing academic delays is provided intensive instruction and intervention for a specified period of time before the educational problems increase in intensity and special education seems the only viable option. During this period, the student's academic progress is frequently measured to see if the interventions are sufficient to help the student catch up with his/her peers. If the student fails to show significant progress, this failure to "respond to intervention" can be viewed as evidence of a specific learning disability, thus qualifying the student for evaluation of the need for special education services.

The California Department of Education (CDE) has expanded the term RTI to "response to instruction and intervention" (RtI²) to include the full spectrum of instruction to meet the academic and behavioral needs of students and as a method to reduce the disproportionate representation of certain subpopulations of students identified as needing special education. RtI² is consistent with the accountability goals of the No Child Left Behind Act (20 USC 6318, 6319) and the identification of students under the Individuals with Disabilities Education Act (20 USC 1400-1482). According to the CDE, RtI² integrates resources from general education, categorical programs, and special education into a comprehensive system of core instruction and interventions to benefit every student. As part of the state's Quality Assurance Process, the CDE will examine whether districts have a disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

The following policy is **optional** and should be modified to reflect district practice.

The Governing Board desires to provide a high-quality, data-driven educational program to meet the learning and behavioral needs of each student and to help reduce disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to district measures of performance shall receive intensive instruction and intervention supports designed to meet their individual learning needs.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

The Superintendent or designee shall convene a team of certificated personnel, other district staff, and parents/guardians, as appropriate, to assist in designing the district's Response to Instruction and Intervention (RtI²) system, based on an examination of indicators of district and schoolwide student achievement.

(cf. 0500 - Accountability)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 4115 - Evaluation/Supervision)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6179 - Supplemental Instruction)

The district's RtI² system shall include instructional strategies and interventions with demonstrated effectiveness and shall be aligned with the district curriculum and assessments.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.93 - Mathematics Instruction)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)
(cf. 6190 - Evaluation of the Instructional Program)

Note: The CDE has identified core components of the RtI² model. The remainder of this policy reflects these core components and should be modified to reflect district practice.

The district's RtI² system shall include research-based, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

When data from the RtI² system indicate that a student may have a specific learning disability, the student may be referred for evaluation for special education or other services.

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.5 - Student Success Teams)
(cf. 6164.6 - Identification and Evaluation Under Section 504)

The district shall provide staff development to teachers regarding the use of assessments, data analysis, and research-based instructional practices and strategies. In addition, the district's RtI² system shall emphasize a collaborative approach of professional learning communities among teachers within and across grade spans.

(cf. 4131 - Staff Development)
(cf. 4331 - Staff Development)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

Staff shall ensure that parents/guardians are involved at all stages of the instructional and intervention process. Parents/guardians shall be kept informed of their child's progress and provided information regarding the services that will be provided, the strategies being used to increase the student's rate of learning, and information about the performance data that will be collected.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

*Legal Reference:*EDUCATION CODE

56329 Assessment, written notice to parent

56333-56338 Eligibility for specific learning disabilities

56500-56509 Procedural safeguards

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:

1416 Monitoring, technical assistance, and enforcement

6316 School improvement

6318 Parent involvement

6319 Highly qualified teachers

CODE OF FEDERAL REGULATIONS, TITLE 34

300.307 Specific learning disabilities

300.309 Determining the existence of specific learning disabilities

300.311 Specific documentation for eligibility determination

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Response to Instruction and Intervention, 2008

WEB SITES

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

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

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

Delete

Board Policy **Multicultural Education**

BP 6141.6
Instruction

To foster intercultural understanding, communication and respect in an increasingly diverse society, curriculum and instruction at all grade levels shall reflect the perspective and experiences of various cultural, ethnic, racial and social groups. The Governing Board desires that multicultural education be integrated across the curriculum into as many subjects as possible rather than providing isolated lessons on different cultures.

The district's comprehensive multicultural education program shall recognize the contributions of different groups of people to the history, life and culture of the local community, California, the United States and other nations. It may include but not be limited to instruction about the languages, cultural characteristics, significant events and individuals, and social, political and economic conditions of various ethnic groups.

While recognizing the unique aspects of different cultures and peoples, multicultural education shall also emphasize commonalities and challenge the stereotypes and biases that inhibit intergroup understanding. Multicultural education also shall be designed to contribute to the personal development of students through greater self-understanding, positive self-concept and pride in one's ethnic identity.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5137 - Positive School Climate)
(cf. 6115 - Ceremonies and Observances)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Legal Reference:
EDUCATION CODE
60040 Portrayal of cultural and racial diversity

Management Resources:
WEB SITES
California Arts Project: www.ucop.edu/tcap

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: December 6, 2000 Antelope, California

Add

CSBA Sample Board Policy

Instruction

BP 6142.94(a)

HISTORY-SOCIAL SCIENCE INSTRUCTION

Note: The following optional policy may be revised to reflect district practice. Education Code 51210 and 51220 require that social studies be included in the course of study offered in grades 1-12, including age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology. For specific topics that must be included in the history-social science curriculum, see BP 6143 - Courses of Study.

In addition, Education Code 51225.3 requires completion of three courses of social studies for high school graduation; see BP 6146.1 - High School Graduation Requirements.

The Governing Board believes that the study of history and other social sciences is essential to prepare students to engage in responsible citizenship, comprehend complex global interrelationships, and understand the vital connections among the past, present, and future. The district's history-social science education program shall be designed to develop students' knowledge of historical events within a chronological and geographic context and shall include, at appropriate grade levels, instruction in American and world history, geography, economics, political science, anthropology, psychology, and sociology.

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

Note: The State Board of Education (SBE) has adopted History-Social Science Content Standards for California Public Schools which covers grades K-12, with the exception of grade 9 which, in current California practice, is traditionally the year in which students choose a history-social science elective. In addition to core content knowledge, the standards describe intellectual reasoning, reflection, and research skills that should be learned through the content standards for grade ranges K-5, 6-8, and 9-12.

The Board shall adopt academic standards for history-social science which meet or exceed state content standards and describe the knowledge and skills that students shall be expected to achieve at each grade level.

(cf. 6011 - Academic Standards)

Note: The SBE's History-Social Science Framework for California Public Schools, updated in 2005, reflects the state content standards and is organized into three broad categories of curricular goals, each with several "basic learnings" or curriculum strands, as provided in items #1-3 below.

The Superintendent or designee shall develop a comprehensive, sequential curriculum that is aligned with the district standards and is consistent with the state's curriculum framework. At each grade level, the curriculum shall integrate age-appropriate instruction designed to develop student achievement in the following areas:

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

1. Knowledge and cultural understanding, including historical, ethical, cultural, geographic, economic, and sociopolitical literacy
2. Democratic understanding and civic values, including an understanding of national identity; constitutional heritage; and an individual's civic values, rights, and responsibilities
3. Skills attainment and social participation, including basic study skills, critical thinking skills, and participation skills that are essential for effective citizenship

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

The district's history-social science curriculum shall include a multicultural education component which is designed to teach students to respect and appreciate cultural diversity and different points of view while also developing their understanding of commonalities and collective experiences. The curriculum shall reflect the experiences of men and women and of various cultural, ethnic, racial, religious, and social groups and their contributions to the history, life, and culture of the local community, California, the United States, and other nations.

(cf. 6115 - Ceremonies and Observances)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Note: Instructional materials that will be used by the district must be adopted by the Governing Board in accordance with Education Code 60200-60206 for grades K-8 and Education Code 60400-60411 for grades 9-12.

Education Code 60119 requires the Board to hold a public hearing on the sufficiency of standards-aligned instructional materials in certain subjects, including history-social science; see BP 6161.1 - Selection and Evaluation of Instructional Materials. Also see BP 6161.1 for information about the Instructional Materials Funding Realignment Program (Education Code 60420-60424) which provides a block grant for instructional materials, with a priority on providing materials that are aligned to state standards in four core curriculum areas, including history-social science.

The state content standards for history-social science encourage schools to use supplementary materials as provided in the following paragraph.

The Board shall adopt standards-aligned instructional materials for history-social science in accordance with applicable law, Board policy, and administrative regulation. In addition, teachers are encouraged to supplement the curriculum through the use of biographies, original documents, diaries, letters, legends, speeches, other narrative artifacts, and literature from and about the period being studied.

(cf. 0400 - District Technology Plan)

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.1 - Library Media Centers)

Note: Education Code 99200-99206 establish the California History-Social Science Project, a statewide professional development project designed to develop and enhance teachers' knowledge and instructional strategies to improve student achievement in history-social science. Professional development resources also may be located through state and national professional associations, such as the California Council for the Social Studies or the National Council for History Education.

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of adopted instructional materials and instructional strategies for teaching history-social science.

(cf. 4131 - Staff Development)

Note: The following optional paragraph should be revised to reflect indicators that will be used to evaluate program effectiveness as agreed upon by the Board and Superintendent or designee. As part of the Standardized Testing and Reporting Program, Education Code 60642.5 requires the SBE to approve California Standards Tests in history-social science in at least one elementary or middle school grade level (currently grades 6 and 8) and in each of grades 9-11 (except currently not grade 9 because the SBE has not adopted content standards for grade 9 history-social science as noted above).

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation and effectiveness of the history-social science curriculum at each grade level, including, but not limited to, the extent to which the program is aligned with state standards, test results from the Standardized Testing and Reporting Program at applicable grade levels, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)
(cf. 6162.51 - Standardized Testing and Reporting Program)

Legal Reference: (see next page)

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

- 33540 History-social science curriculum framework
- 51204 Course of study designed for student's needs
- 51204.5 History of California; contributions of men, women, and ethnic groups
- 51210 Course of study, grades 1-6
- 51220 Course of study, grades 7-12
- 51220.2 Instruction in legal system; teen or peer court programs
- 51221 Social science course of study, inclusion of instruction in use of natural resources
- 51221.3-51221.4 Instruction on World War II and Vietnam War; use of oral histories
- 51225.3 High school graduation requirements
- 60040-60051 Criteria for instructional materials
- 60119 Public hearing on the sufficiency of instructional materials
- 60200-60206 Instructional materials, grades K-8
- 60400-60411 Instructional materials, grades 9-12
- 60420-60424 Instructional Materials Funding Realignment Program
- 60640-60649 Standardized Testing and Reporting Program
- 99200-99206 Subject matter projects

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

History-Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve, rev. 2005

Model Curriculum for Human Rights and Genocide, 2000

History-Social Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve, October 1998

WEB SITES

- CSBA: <http://www.csba.org>
- California Council for the Humanities: <http://www.calhum.org>
- California Council for the Social Studies: <http://www.ccss.org>
- California Department of Education: <http://www.cde.ca.gov>
- California History-Social Science Course Models: <http://www.history.ctaponline.org>
- California Subject Matter Project: <http://csmp.ucop.edu>
- National Association for Multicultural Education: <http://www.nameorg.org>
- National Council for History Education: <http://www.nche.net>

Center Joint Unified School District

AGENDA REQUEST FOR:	
Dept./Site: Superintendent's Office	Action Item <u> X </u>
To: Board of Trustees	Information Item <u> </u>
Date: November 4, 2009	# Attached Pages <u> </u>
From: Scott A. Loehr, Superintendent	
Principal/Administrator Initials: <u> </u>	

SUBJECT: First Reading: Board Policies/Regulations/Exhibits (Significant Changes)	
Add BP 3510	Green School Operations
Add BP/AR 5142.2	Safe Routes to School Program
RECOMMENDATION: CJUSD Board of Trustees approve the first reading of presented policies/regulations/exhibits.	

CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3510(a)

GREEN SCHOOL OPERATIONS

Note: The following **optional** policy may be revised to reflect district practice. Districts are encouraged to review CSBA's policy brief, Green Schools: An Overview of Key Policy Issues, when developing policy on this topic. In addition, to ensure consistency, districts may want to review other related policies and administrative regulations (e.g., BP/AR 3511 - Energy and Water Management, BP/AR 3511.1 - Integrated Waste Management, BP/AR 3514 - Environmental Safety, BP/AR 3514.1 - Hazardous Substances, AR 3514.2 - Integrated Pest Management, BP 6142.5 - Environmental Education, and BP/AR 7150 - Site Selection and Development).

The Governing Board believes that all citizens have a responsibility to be stewards of the environment and desires to integrate environmental accountability into all district operations. The Superintendent or designee shall promote green school practices that conserve natural resources, reduce the impact of district operations on the environment, and protect the health of students, staff, and community.

The Superintendent or designee may involve district and site administrators and operations and maintenance staff; representatives of local governmental agencies, utilities, solid waste and recycling companies, and community organizations; health professionals; and/or others as appropriate in the assessment of current district operations and the development of strategies to improve the environmental impact of district operations.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 7131 - Relations with Local Agencies)

In selecting and prioritizing strategies, the Superintendent or designee shall give consideration to the initial cost, long-term potential cost savings, quality and performance of the product or service, health impacts, and environmental considerations. **The District will also pursue LEED accreditation best practices when economically feasible, which may qualify the District for LEED accreditation status.**

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

Such strategies may include, but not be limited to:

1. Reducing energy and water consumption and exploring renewable and clean energy technologies
2. Retention of storm water runoff for landscaping irrigation
3. Drought resistant landscaping

GREEN SCHOOL OPERATIONS (continued)

(cf. 3511 - Energy and Water Management)

4. Establishing recycling programs in district facilities

(cf. 3511.1 - Integrated Waste Management)

5. Reducing the consumption of disposable materials, by reusing materials and by using electronic rather than paper communications when feasible

Note: The California Department of General Services, the Green Schools Initiative, the Healthy Schools Campaign, and other groups provide information on environmentally preferable purchasing, including sources of environmentally preferable products.

6. Purchasing and using environmentally preferable products and services whenever practical, **economically feasible and based upon merited research**, including, but not limited to, products that:

- a. Minimize environmental impacts, toxins, pollutants, odors, and hazards
- b. Contain postconsumer recycled content
- c. Are durable and long-lasting
- d. Conserve energy and water
- e. Produce a low amount of waste

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3514.2 - Integrated Pest Management)

(cf. 5141.23 - Asthma Management)

(cf. 6161.3 - Toxic Art Supplies)

7. Using least toxic, independently certified green cleaning products when feasible, as well as high-efficiency cleaning equipment that reduces the need to use chemicals
8. Providing professional development to maintenance staff in the proper use, storage, and disposal of cleaning supplies

(cf. 4231 - Staff Development)

GREEN SCHOOL OPERATIONS (continued)

Note: The Kindergarten-University Public Education Facilities Bond Act of 2006 (Proposition 1D) includes funding for High Performance Incentive grants to augment new construction and modernization projects that use designs and materials that promote energy and water efficiency, maximize the use of natural lighting, improve indoor air quality, use recycled materials and materials that emit a minimum of toxic substances, and use acoustics that are conducive to teaching and learning (Education Code 101012; 8 CCR 1859.70.4, 1859.71.6, 1859.77.4). Criteria for the incentive grants were modeled after standards developed by the nonprofit Collaborative for High Performance Schools (CHPS), but were modified to meet the purposes of the grant program. Sustainable designs can also be achieved through the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) standards or other high performance standards.

9. Focusing on green building standards, sustainability, **engagement in the planning process** and student health in facilities construction and modernization projects, including decisions about site selection, building design, and landscaping and grounds

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7150 - Site Selection and Development)

Note: **Optional** item #10 below should be revised by districts that do not provide home-to-school transportation.

10. Reducing vehicle traffic by encouraging students **and staff** to walk or bicycle to school or use district or public transportation

11. **Participation in Safe Routes to Schools and/or other related programs that enable and encourage students and staff to walk or bike to school.**

(cf. 3541 - Transportation Routes and Services)

(cf. 5142.2 - Safe Routes to School Program)

12. Providing fresh, unprocessed, organic food in the district's food services program

(cf. 3550 - Food Service/Child Nutrition Program)

13. Providing instruction to students on the importance of the environment and involving students in the implementation and evaluation of green school activities and projects as appropriate

(cf. 6142.5 - Environmental Education)

Legal Reference: (see next page)

GREEN SCHOOL OPERATIONS (continued)

Legal Reference:

EDUCATION CODE

8700-8707 Environmental education

17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards

17072.35 New construction grants; use for designs and materials for high performance schools

32370-32376 Recycling paper

33541 Environmental education

101012 Kindergarten-University Public Education Facilities Bond Act of 2006, allocations

PUBLIC CONTRACT CODE

12400-12404 Environmentally preferable purchasing

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

40050-40063 Integrated waste management act

42630-42647 Schoolsite source reduction and recycling

CODE OF REGULATIONS, TITLE 5

14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8

1859.70.4 Funding for high performance incentive grants

1859.71.6 Additional grant for high performance incentive, new construction

1859.77.4 Additional grants for high performance incentive, site and modernization

Management Resources:

CSBA PUBLICATIONS

Green Schools: An Overview of Key Policy Issues, Policy Brief, August 2009

CALIFORNIA DEPARTMENT OF GENERAL SERVICES PUBLICATIONS

Environmentally Preferable Purchasing Best Practices Manual

COLLABORATIVE FOR HIGH PERFORMING SCHOOLS PUBLICATIONS

CHPS Best Practices Manual, 2006

GLOBAL GREEN USA PUBLICATIONS

Healthier, Wealthier, Wiser: A Report on National Green Schools

GREEN SCHOOLS INITIATIVE PUBLICATIONS

Green Schools Buying Guide

HEALTHY SCHOOLS CAMPAIGN PUBLICATIONS

The Quick and Easy Guide to Green Cleaning in Schools, 2nd ed., 2008

WEB SITES

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

California Department of General Services, Green California: <http://www.green.ca.gov>

California Energy Commission: <http://www.energy.ca.gov>

Collaborative for High Performance Schools: <http://www.chps.net>

Global Green USA: <http://www.globalgreen.org>

Green Schools Initiative: <http://www.greenschools.net>

Healthy Schools Campaign: <http://www.healthyschoolscampaign.org/programs/gcs>

U.S. Environmental Protection Agency: <http://www.epa.gov>

U.S. Green Building Council, LEED Green Building Rating System: <http://www.usgbc.org>

CSBA Sample

Administrative Regulation

Students

AR 5142.2(a)

SAFE ROUTES TO SCHOOL PROGRAM

Note: The following optional administrative regulation should be revised to reflect district practice. The strategies listed below are organized around the "five E's" (education, encouragement, enforcement, engineering, and evaluation) recommended for inclusion in all local programs by the U.S. Department of Transportation's Federal Highway Administration and the National Center for Safe Routes to School's online resource guide, the Safe Routes to School Guide.

District strategies to improve student safety along routes to school and to promote walking, bicycling, and other forms of active transport to school by students may include:

1. Education activities that promote safety and awareness, such as:
 - a. Instructing students about pedestrian, bicycle, and personal safety
 - b. Instructing students about the health and environmental benefits of walking, bicycling, and other forms of active transport to school

(cf. 3510 - Green School Operations)

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education)

(cf. 6142.8 - Comprehensive Health Education)

- c. Offering driver safety education to high school students, parents/guardians, and the community
2. Encouragement strategies designed to generate interest in active transport to school, such as:
 - a. Organizing or facilitating "walking school buses" and/or "bicycle trains" whereby students walk or bike to school in groups escorted by parents/guardians or other volunteers as needed
 - b. Organizing special events and activities, such as Walk or Bike to School Day, International Walk to School Month, or year-round competitions
 - c. Publicizing the district's efforts in order to build support of parents/guardians and the community, including providing information about the district's safe routes to school program in parent/guardian communications and in any notifications about transportation options

(cf. 1112 - Media Relations)

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

SAFE ROUTES TO SCHOOL PROGRAM (continued)

3. Enforcement strategies to deter unsafe behaviors of drivers, pedestrians, and bicyclists, such as:

- a. Initiating or expanding crossing guard, student safety patrol, and/or parent/guardian safety patrol programs

(cf. 5142 - Safety)

- b. Partnering with local law enforcement to help ensure that traffic laws are obeyed in the vicinity of schools and to implement appropriate measures such as placement of speed feedback monitors, ticketing, and/or driver safety campaigns
- c. Monitoring to ensure that students who bicycle to school or who use skateboards, skates, or nonmotorized scooters wear helmets in accordance with Vehicle Code 21212

4. Engineering strategies that address the design, implementation, operation, and maintenance of traffic control devices or physical measures, such as:

- a. Working with local government agencies, parents/guardians, school staff, and others as appropriate to gather data about environmental conditions and hazards along routes to school

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

- b. Working with local government agencies to make operational and physical improvements that reduce or eliminate hazards, such as reducing motor vehicle traffic speeds in the area and establishing safer and fully accessible crosswalks, walkways, trails, and bikeways
- c. Assessing the adequacy, accessibility, and safety of bicycle parking at schools and making modifications as needed, such as increasing the number of or relocating bicycle racks and/or equipment storage areas

(cf. 7111 - Evaluating Existing Buildings)

SAFE ROUTES TO SCHOOL PROGRAM (continued)

- d. Considering safe routes to school when making decisions about siting and designing of new schools

(cf. 7110 - Facilities Master Plan)

(cf. 7150 - Site Selection and Development)

Note: See the accompanying Board policy for additional information about program evaluation, including examples of indicators that may be used to measure program implementation and effectiveness.

- 5. Evaluation to assess progress toward program goals, including:
 - a. Gathering and interpreting data based on indicators established by the Superintendent or designee and the Governing Board
 - b. Presenting data to the Board, program partners, and the public
 - c. Recommending program modifications as needed

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Superintendent's Office	Action Item <u> X </u>
To:	Board of Trustees	Information Item <u> </u>
Date:	November 4, 2009	# Attached Pages <u> </u>
From:	Scott A. Loehr, Superintendent	

SUBJECT: First Reading: BP 7310

We are adding to this policy a section on Commemorative Markers/Structure.

RECOMMENDATION: CJUSD Board of Trustees approve the First Reading of BP 7310.

Board Policy

Naming Of Facility

BP 7310
Facilities

The Governing Board shall name schools or individual facilities in recognition of:

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

The Board encourages community participation in the process of selecting names. A citizen advisory committee shall be appointed to review name suggestions and submit recommendations for the Board's consideration.

(cf. 1220 - Citizen Advisory Committees)

The renaming of existing schools or major facilities shall occur only under extraordinary circumstances and after thorough study.

Commemorative Markers/Structure

Single commemorative markers or structures (plaques, benches, dedicatory items) are reserved for current students, faculty, staff and board members, past board members, members of the Armed Services with a current or past affiliation with the district killed while in service to the United States, past superintendents, and, retirees and alumni who made significant contributions to the district or society at large.

All recognition must be approved by the superintendent or his/her designee before being placed within a school building or on school grounds. The location of all commemorative markers and structures on school grounds or in school facilities must be done in consultation with the district Facilities Department to ensure compliance and agreement with the district facility master plan.

To avoid unnecessary expense and possible disappointment, the district recommends that individuals refrain from purchasing or fabricating any type of commemorative items until it is approved.

The district can not be held liable for vandalism or destruction of any memorial and commemorative item.

The district and its Board retains the right for final approval of any commemorative items.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

Policy CENTER UNIFIED SCHOOL DISTRICT

adopted: June 19, 1996 Antelope, California

revised: May 2, 2007