

CENTER JOINT UNIFIED SCHOOL DISTRICT

www.centerusd.org

Local Control Accountability Plan Goals:

1. CJUSD Students will be challenged and supported to achieve academic success in a clean, safe environment
2. CJUSD students will be College and Career ready
3. CJUSD students and families will be engaged and informed regarding the educational process and opportunities

BOARD OF TRUSTEES REGULAR MEETING

**District Board Room, Room 503
Wilson C. Riles Middle School
4747 PFE Road, Roseville, CA 95747**

Wednesday, May 17, 2017 - 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. Public Employee Performance Evaluation (Certificated) - Superintendent (G.C.554957)
 2. Conference with Labor Negotiator, (David Grimes), Re: CSEA, CUTA and Confidential (G.C. §54957.6)
 3. Public Employee Discipline/Dismissal/Release (G.C. §54957) - Certificated
 4. Student Expulsions/Readmissions (G.C. §54962)
- 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 - Millennium Chaovong
 2. McClellan High School - Tristan Wallenmeyer
 3. Global Youth Charter School -

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 schedule 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. ORGANIZATION REPORTS (3 minutes each)		Info
1. CUTA - Venessa Mason, President		
2. CSEA - Marie Huggins, President		
XI. COMMITTEE UPDATES (8 minutes each)		Info
Facilities & Op.	1. Facilities Committee Update - Craig Deason	
XII. COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA		Public Comments Invited
<p><i>Anyone may address the Board regarding any item that is within the Board's subject matter jurisdiction. However, the Board <u>may not</u> discuss or take action on any item which is not on this agenda except as authorized by Government Code Section 54954.2. 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.</i></p>		
XIII. BOARD / SUPERINTENDENT REPORTS (10 minutes)		Info
XIV. CONSENT AGENDA (5 minutes)		Action
<p><i>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.</i></p>		
Governance	1. Approve Adoption of Minutes from April 19, 2017 Regular Meeting	
↓	2. Approve Adoption of Minutes from May 1, 2017 Special Meeting	
Personnel	3. Approve Classified Personnel Transactions	
↓	4. Approve Certificated Personnel Transactions	
↓	5. Approve 2016/2017 Salary Schedule - Confidential Employees	
↓	6. Approve Resolution #14/2016-17: Non-reelection of Probationary Certificated Employee	
↓	7. Approve Resolution #15/2016-17: Non-reelection of Probationary Certificated Employee	
↓	8. Approve Resolution #16/2016-17: Non-reelection of Probationary Certificated Employee	
↓	9. Approve Resolution #17/2016-17: Non-reelection of Probationary Certificated Employee	
↓	10. Approve Declaration of Hard-to-Fill Positions	
Curr & Instr	11. Approve Recycle or Disposal of Surplus Books	
↓	12. Approve OdysseyWare Online Licenses for CJUSD 2016/17 Summer School	
↓	13. Approve MOU Between Los Rios Community College District and McClellan High School for "Get Focused...Stay Focused" Program	
↓	14. Approve Addendum to Sacramento County Office of Education MOU #15-C-CJ	
↓	15. Ratify Field Trip: Engineering Students to California State Design Championship in San Diego, CA - CHS	
↓	16. Approve Field Trip: Future Business Leaders of America to the Leadership Summit in Visalia, CA - CHS	
↓	17. Approve 2017-18 Designation of CIF Representative to League	
Facilities & Op.	18. Approve 2016-2017 Safe School and Emergency Preparedness Plan - Dudley	
↓	19. Approve Professional Services Agreement: Loy Mattison	
↓	20. Approve Letter for Child Development Inc. for Reimbursement of Funds	
↓	21. Approve Agreement between Center Joint Unified School District and NFB Engineering for the Wilson C. Riles Site Access Upgrade Project	
↓	22. Approve Agreement for Legal Services between the Center Joint Unified School District and Kingsley Bogard LLP	
Business	23. Approve Payroll Orders: July 2016 - April 2017	
↓	24. Approve Supplemental Agenda (Vendor Warrants): April 2017	
XV. INFORMATION ITEMS		
1. LCAP Template		

XVI. BUSINESS ITEMS

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|--------------|-----------|---|--------|
| Governance | A. | <u>Global Youth Charter School Closure</u>
As a result of a continued decline in student enrollment over the past few years, staff has continued to review school finances. Staff now believes we are at a crucial point to make the decision to close the school. Based on financial implications, it is recommended that the Board approve the closure of Global Youth Charter School and surrender the charter to the state at the end of the 2016-2017 school year. | Action |
| Personnel | B. | <u>Declaration of Need for Fully Qualified Educators 2017/18 SY</u>
The Department of Education and the Commission on Teacher Credentialing regulations for the issuance of emergency teaching credentials require individual districts to submit a "Declaration of Need for Fully Qualified Educators" each year for any anticipated certificated positions that may need to be filled with an individual holding an emergency credential. | Action |
| Curr & Instr | C. | <u>Instructional Materials Adoption Grades 9-12 English Language Arts Language Development Textbooks</u>
The English Department at Center High School (grades 9-12) reached agreement in recommending the textbooks My Perspective published by Pearson. The department further recommended that be our 9th-12th grade adopted English Language Arts/English Language Development curriculum. With the adoption of these materials, we will have completed our adoption cycle for English Language Development materials. | Action |
| Governance | D. | <u>First Reading: Board Policies/Regulations/Exhibits</u>

BP 0410 - Nondiscrimination in District Programs and Activities
(BP revised)
Policy updated to reflect NEW LAW (AB 30, 2015) which, effective January 1, 2017, prohibits the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname. Policy also adds language regarding the use of uniform complaint procedures to investigate and resolve any allegation of unlawful discrimination, expands the means by which notice of the district's nondiscrimination policy will be distributed, reflects NEW LAW (SB 1375, 2016) which requires districts to post specified information regarding Title IX on their web site by July 1, 2017, and adds the district's responsibility to make its web site accessible to individuals with disabilities.

BP 0420.41 - Charter School Oversight
(BP revised)
Policy updated to reflect a recommendation in the 2016 edition of CSBA's <u>Charter Schools: A Guide for Governance Teams</u> that the district not appoint a representative to serve on the board of directors of a nonprofit public benefit corporation that operates a charter school, but rather implement other means of fulfilling its oversight responsibilities. Section on "Monitoring Charter School Performance" updated to delete references to the Academic Performance Index and federal measure of Adequate Yearly Progress, and to reflect NEW LAW (SB 828, 2016) which requires charter schools to submit an annual update of their local control and accountability plan. Policy also revised to reflect the Every Student Succeeds Act (P.L. 114-95) which provides for a new system of school support and improvement for Title I schools, including charter schools, beginning in the 2017-18 school year.

BP 0460 - Local Control and Accountability Plan
(BP revised)
Policy updated to reflect NEW LAW (Proposition 58, 2016) which requires the local control and accountability plan (LCAP) development process to include solicitation of parent/guardian and community input on effective and appropriate instructional methods, including language acquisition programs. Policy also reflects the State Board of Education's (SBE) adoption of evaluation rubrics (the "California School Dashboard") that will assist districts in evaluating progress toward their LCAP goals. | Action |

First Reading: Board Policies/Regulations/Exhibits (continued)

AR 1340 - Access to District Records

(AR revised)

Regulation updated to reflect NEW LAW (AB 2843, 2016) which prohibits disclosure of employees' personal cell phone numbers and birth dates, and NEW LAW (AB 2853, 2016) which authorizes the district, in response to a public records request, to post public records on its web site and refer the requesting member of the public to the location of the records on the web site. Regulation also revised to clarify access to documents containing names, salaries, and pension benefits of district employees and to records pertaining to claims and litigation against the district.

BP/AR 3260 - Fees and Charges

(BP/AR revised)

Policy reorganized and updated to reflect a California Department of Education (CDE) management advisory regarding the prohibition against requiring parent/guardian volunteer hours or payment as a condition of the student's enrollment or participation in educational activities. Regulation updated to reflect NEW LAW (AB 2615, 2016) which permits districts to charge a fee for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Center (21st CCLC) programs, and 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for a homeless or foster youth. Regulation also clarifies the permissibility of charging a fee for in-state field trips in accordance with CDE's interpretation of law, provided that no student is prevented from participating based on a lack of funds.

BP/AR 3311 - Bids

(BP/AR revised)

Policy and regulation updated to move some material into new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment. Regulation also revises section on "Award of Contract" to expand the exceptions to awarding contracts based on lowest responsible bidder to include lease-leaseback contracts, which are based on "best value" as defined.

BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures

(BP/AR added)

New policy and regulation include material formerly in BP/AR 3311 - Bids pertaining to requirements of the Uniform Public Construction Cost Accounting Act (UPCCAA). Policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding, and legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency. Regulation also clarifies the requirement to disseminate the bid notice to the district's list of contractors.

AR 3311.2 - Lease-Leaseback Contracts

(AR added)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding lease-leaseback contracts. Material significantly revised to reflect NEW LAW (AB 2316, 2016) which no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process.

AR 3311.3 - Design-Build Contracts

(AR added)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding design-build contracts. Minor editorial changes made to clarify the process and more directly reflect law.

First Reading: Board Policies/Regulations/Exhibits (continued)

AR 3311.4 - Procurement of Technological Equipment

(AR added)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for the "competitive negotiation" process authorized for procurement of computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus.

BP 3470 - Debt Issuance and Management

(BP added)

New policy reflects NEW LAW (SB 1029, 2016) which mandates that boards adopt a debt management policy prior to issuing any debt, including, but not limited to, general obligation bonds, tax and revenue anticipation notes, and certificates of participation. Policy addresses the components mandated by law, including (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

AR 3543 - Transportation Safety and Emergencies

(AR revised)

Regulation updated to reflect NEW LAW (SB 1072, 2016) which (1) expands the required components of the transportation safety plan to include procedures to ensure that a student is not left unattended on the bus and procedures for designating an adult chaperone to accompany students on a student activity bus, and (2) requires installation of a child safety alert system on school buses by the beginning of the 2018-19 school year. Regulation also reflects NEW LAW (AB 1785, 2016) which prohibits a bus driver from using any electronic wireless communications device while driving, except when the device is voice-operated and used in hands-free mode or with a function that requires only a single swipe or tap of the driver's finger.

BP/AR 4030 - Nondiscrimination in Employment

(BP/AR revised)

Policy and regulation updated to reflect NEW STATE REGULATIONS (Register 2015, No. 50), as renumbered, which specify certain requirements to be included in district policy or regulation and extend protections against discrimination to unpaid interns and volunteers. Policy also adds requirement to post the California Department of Fair Employment and Housing publication on workplace discrimination and harassment, and reflects NEW LAW (SB 1063, 2016) which prohibits the payment of different wage rates based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation. Regulation reflects provisions of new state regulations regarding training of supervisors and dissemination of the district's nondiscrimination policy to all employees.

AR 4112.22 - Staff Teaching English Learners

(AR revised)

Regulation updated to revise definition of "English learner" pursuant to Proposition 58 (2016). Regulation also deletes material regarding the Certificate of Staff Development issued by the Commission on Teacher Credentialing and provides a general paragraph applicable to multiple types of authorizations to teach English learners. Title of regulation updated to reflect current terminology.

E 4112.9/4212.9/4312.9 - Employee Notifications

(E revised)

Exhibit updated to add notice seeking volunteers to administer opioid antagonist pursuant to NEW LAW (AB 1748, 2016), delete notice seeking volunteers to administer anti-seizure medication as the requirement self-repealed on January 1, 2017, add notice informing new employees of their right to purchase Public Employment Retirement Service credit for certain active military service, and update legal citations.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment

(BP/AR revised)

Policy and regulation updated to reflect **NEW STATE REGULATIONS** (Register 2015, No. 50), as renumbered, which extend protections against sexual harassment to unpaid interns and volunteers, require districts to instruct supervisors to report complaints, and revise requirements pertaining to the training of supervisory employees.

BP 4151/4251/4351 - Employee Compensation

(BP revised)

Policy updated to add new section on "Overtime Compensation" and to reflect **NEW FEDERAL REGULATIONS** (81 Fed. Reg. 32391) which adjust the salary level at which employees become eligible to receive overtime pay. Policy also revised to reflect the requirement to classify nonadministrative, nonsupervisory certificated employees on the salary schedule based on years of training and experience, the prohibition against paying certificated employees different salaries solely on the basis of the grade levels they teach, the board's authority to determine the frequency and schedule of salary payments for employees who work less than 12 months per year, and the requirement to post a notice of federal minimum wage provisions.

BP/AR 4157.1/4257.1/4357.1 - Work-Related Injuries

(BP deleted; AR added)

Policy moved to administrative regulation and updated to clarify notification requirements, including requirements related to (1) the method and timeline for notifications; (2) availability of notifications in both English and Spanish; (3) notice to an employee who is a victim of crime at the workplace that he/she may be potentially eligible for workers' compensation benefits; (4) the filing of a report of work-related injury or illness with the district's insurer or, if the district is self-insured, with the Department of Industrial Relations (DIR); (5) notice to the DIR's Division of Occupational Safety and Health of any work-related death or serious injury/illness; and (6) the posting of workers' compensation information in a conspicuous location frequented by employees.

AR 4161.1/4361.1 - Personal Illness/Injury Leave

(AR revised)

Regulation updated to add new section on "Additional Leave for Disabled Military Veterans" reflecting **NEW LAW** (SB 1180, 2016) which entitles eligible certificated employees to receive an additional 10 days of sick leave with pay during the first year of employment for the purpose of undergoing medical treatment for a military service-connected disability. Regulation reflects **NEW LAW** (AB 2393, 2016) which clarifies differential pay for parental leave ("baby bonding" leave), including clarifying that such leave will run concurrently with parental leave taken under the California Family Rights Act, but, unlike the CFRA, does not require an employee to have at least 1,250 hours of service with the district in the previous 12-month period. Regulation also clarifies applicability of law requiring a reemployment list for employees who are not medically able to resume duties after a specified period of time.

AR 4261.1 - Personal Illness/Injury Leave

(AR revised)

Regulation updated to add new section on "Additional Leave for Disabled Military Veterans" reflecting **NEW LAW** (SB 1180, 2016) which entitles eligible classified employees to receive an additional 12 days of sick leave with pay during the first year of employment for the purpose of undergoing medical treatment for a military service-connected disability. Regulation also updated to reflect **NEW LAW** (AB 2393, 2016) which extends to classified employees the same provisions related to differential pay for parental leave that were previously granted only to certificated employees.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP 5030 - Student Wellness

(BP revised)

Policy updated to reflect **NEW FEDERAL REGULATIONS** (81 Fed. Reg. 50151) which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. Policy also reflects **NEW STATE LAW** (SB 1169, 2016) which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

BP 5111 - Admission

(BP revised)

Policy updated and released on GAMUT in February, in conjunction with new CSBA Legal Guidance, to clarify that, under state compulsory education laws and the U.S. Supreme Court decision in Plyler v. Doe, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. Policy includes direction not to inquire into a student's citizenship or immigration status nor deny enrollment on the basis of citizenship or immigration status. Policy also reflects **NEW LAW** (AB 2308, 2016) which extends the requirement that the district's enrollment forms include an informational item about affordable health care options and available enrollment assistance through the 2020-21 school year.

BP 5111.1 - District Residency

(BP revised)

Policy updated and released on GAMUT in February, in conjunction with new CSBA Legal Guidance, to clarify that, under state compulsory education laws and the U.S. Supreme Court decision in Plyler v. Doe, districts cannot deny enrollment on the basis of citizenship or immigration status and therefore should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school.

AR 5111.1 - District Residency

(AR revised)

Policy updated to reflect **NEW LAW** (SB 1455, 2016) which establishes residency within the district for enrollment purposes to students whose parent/guardian is transferred or pending transfer into a military installation within district boundaries. Policy also reflects **NEW LAW** (AB 2537, 2016) which indefinitely extends district authority to grant Allen Bill transfers for students whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week.

BP/AR 5113 - Absences and Excuses

(BP/AR revised)

Policy updated to reflect the requirement for a board resolution approving reasonable methods by which students can verify absences due to illness or quarantine. Policy also deletes section on "Effect of Absence on Grades/Credits," as that material is covered in BP/AR 5121 - Grades/Evaluation of Student Achievement and BP 6154 - Homework/Makeup Work. Regulation updated to reflect **NEW LAW** (AB 1593, 2016) which provides that a student's attendance at his/her own naturalization ceremony constitutes an excused absence. Regulation also includes parent notification requirement formerly in BP, and adds notifications that a student may be excused for religious exercises or instruction and that a student's grade will not be lowered following an excused absence provided that missed schoolwork is completed within a reasonable period of time.

BP 5116.2 - Involuntary Student Transfers

(BP added)

New policy reflects **NEW LAW** (SB 1343, 2016) which authorizes districts to involuntarily transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he/she was convicted. In order to exercise this authority, the district is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.

First Reading: Board Policies/Regulations/Exhibits (continued)

AR 5125.3 - Challenging Student Records

(AR revised)

Regulation reorganized and updated to reflect the requirement to notify a parent/guardian when the superintendent corrects or removes a student record following an appeal in which the board grants the parent/guardian's request. Regulation also adds material on the composition and conduct of the hearing panel that may be established to assist in making determinations regarding challenges to student records.

BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions

(BP/AR revised)

Policy and regulation updated to delete requirements related to the administration of medication in cases of epileptic seizures, as Education Code 49414.7 repeals by its own terms on January 1, 2017, and to clarify that districts may continue to administer such medication under the general authority in state law. Policy and regulation also reflect NEW LAW (AB 1748, 2016) which authorizes districts to stock and administer medication in cases of opioid overdose. Regulation also revises definition of epinephrine auto-injector pursuant to NEW LAW (AB 1386, 2016).

BP/AR 5141.52 - Suicide Prevention

(BP/AR revised)

Policy and regulation substantially revised to reflect NEW LAW (AB 2246, 2016) which mandates districts serving grades 7-12 to adopt policy on suicide prevention, intervention, and postvention by the beginning of the 2017-18 school year. Policy and regulation reflect the mandate to address any related staff development to be provided to teachers in grades 7-12 and to address the needs of specified high-risk student populations. In addition, policy and regulation add best practices in prevention, intervention, and postvention, including, but not limited to, student instruction, crisis intervention procedures, follow-up care for a student who threatens or attempts suicide, and the provision of counseling and other postvention strategies to reduce suicide contagion.

E 5145.6 - Parental Notifications

(E revised)

Exhibit updated to reflect NEW LAWS adding parental notifications related to language acquisition programs (Proposition 58, 2016), involuntary transfer of a student convicted of violent felony or firearms-related misdemeanor (SB 1343, 2016), enrollment priorities for homeless and foster youth in before/after school programs (AB 2615, 2016), and exemption from local graduation requirements for former juvenile court school students (AB 2306, 2016). Exhibit also deletes notification related to structured English immersion programs pursuant to Proposition 58, and updates legal citations and referenced CSBA sample policies/regulations.

AR 5148 - Child Care and Development

(AR revised)

Regulation updated to reflect NEW LAW (SB 792, 2015) which requires employees and volunteers at a child care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Regulation revised to reflect NEW LAW (SB 277, 2015) which eliminates the personal beliefs exemption for immunization of enrolled children unless a letter or affidavit was submitted by January 1, 2016, in which case the exemption will only be effective until the child reaches the next grade span. Regulation also reflects NEW LAW (AB 982, 2015) which authorizes the district liaison for homeless students, a Head Start program, or a transitional shelter to identify a child in need of subsidized child care services.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP/AR 5148.2 - Before/After School Programs

(BP/AR revised)

Policy and regulation updated to reflect NEW LAW (AB 2615, 2016) which permits districts to charge a family fee for participation in an ASES, 21st CCLC, or ASSETs program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for a homeless or foster youth. Policy also links program content with goals in the district's LCAP, and includes material formerly in AR related to priorities for establishing district programs consistent with state and federal priorities for funding programs. Regulation also reflects provisions of AB 2615 which require first priority for enrollment, beginning July 1, 2017, to be given to students identified as homeless or foster youth and require ASSETs programs to provide for access to computers and technology.

AR 5148.3 - Preschool/Early Childhood Education

(AR revised)

Regulation updated to reflect NEW LAW (SB 792, 2015) which requires employees and volunteers at a preschool to be immunized against influenza, pertussis, and measles, with specified exemptions. Regulation also reflects NEW LAW (AB 982, 2015) which expands the list of entities that can identify a child in need of subsidized preschool to include the district liaison for homeless children and youth, a Head Start program, or a transitional shelter.

BP 6111 - School Calendar

(BP revised)

Policy updated to clarify that a district must offer a minimum of 175 instructional days per school year until it meets or exceeds its funding target under the local control funding formula, at which time the minimum required number of instructional days is 180. Policy also adds reference to the requirement for a minimum of 163 instructional days per year for multitrack year-round schools.

BP 6117 - Year-Round Schedules

(BP revised)

Policy updated to clarify that a year-round school is generally required to offer a minimum of 175 instructional days per school year until the district meets or exceeds its funding target under the local control funding formula, at which time the minimum required number of instructional days is 180. Policy adds conditions under which a multitrack year-round school may instead offer a minimum of 163 instructional days.

BP/AR 6142.2 - World/Foreign Language Instruction

(BP/AR revised)

Policy and regulation updated to reflect NEW LAW (Proposition 58, 2016) which authorizes the establishment of dual-language immersion programs that provide integrated language learning and academic instruction for English learners and native speakers of English. Policy also reflects NEW LAW (AB 2290, 2016) which requires the SBE to consider revisions to the state content standards for world languages by March 31, 2019. Regulation reflects provisions of Proposition 58 which (1) delete the requirement that a parent/guardian request a waiver of structured English immersion instruction so that an English learner may participate in a dual-language immersion program, (2) require dual-language immersion programs in grades K-3 to meet class size requirements, and (3) require a parental notice with information on the district's dual-language and other language acquisition programs.

BP 6142.4 - Service Learning/Community Service Classes

(BP revised)

Policy updated to emphasize the academic benefits of service learning or community service classes, reflect the inclusion of service learning in the History-Social Science Framework for California Public Schools adopted by the State Board of Education in July 2016, reflect the elimination of state and federal sources of funding for service learning, and delete material on the development of a plan for service learning.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP 6142.94 - History-Social Science Instruction

(BP revised)

Policy updated to reflect key concepts in the History-Social Science Framework for California Public Schools adopted by the State Board of Education in July 2016, including, but not limited to, a new emphasis on developing student's literacy skills within the context of history-social science instruction. Policy also reflects law that encourages the use of personal testimony through oral history, videos, or other multimedia formats and establishes requirements for personal testimony provided through oral histories.

AR 6143 - Courses of Study

(AR revised)

Regulation updated to add comprehensive sexual health education as a required course of study for grades 7-12 and to add optional topics of instruction authorized by law, including instruction on violence awareness and prevention, the Bracero program, and genocide. Regulation also reflects NEW LAW (AB 2016, 2016) which encourages a course in ethnic studies based on a model curriculum to be adopted by the State Board of Education by March 31, 2020 and NEW LAW (AB 1719, 2016) which requires instruction in cardiopulmonary resuscitation beginning in 2018-19 school year for any district that has established health education as a high school graduation requirement.

BP 6144 - Controversial Issues

(BP revised)

Policy updated to provide that parents/guardians may be given an opportunity to opt out of instruction on controversial issues only when required by law, not at the discretion of a teacher or administrator. Policy also clarifies the district's right to limit teacher expressions of personal opinion when teachers are in the classroom and therefore acting on behalf of the district.

BP 6146.1 - High School Graduation Requirements

(BP revised)

Policy updated to reflect NEW LAW (AB 2306, 2016) which generally exempts from district-established graduation requirements any student who transfers into a district school from a juvenile court school after the second year of high school, unless it is determined that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school.

BP/AR 6154 - Homework/Makeup Work

(BP revised; AR deleted)

Policy updated for consistency with BP 5121 - Grades/Evaluation of Student Achievement and research on effective grading practices, as summarized in recent CSBA governance brief, including optional language providing for full credit to be given for makeup work satisfactorily completed within a reasonable time, regardless of whether the absence is due to an excused or unexcused absence. Policy also addresses guidelines for the assignment of homework, communication of homework expectations to students and parents/guardians, and resources to assist students in completing homework and developing good study habits. Regulation deleted and key concepts moved to BP.

BP/AR 6164.6 - Identification and Education Under Section 504

(BP/AR revised)

Policy updated to add requirement to address the needs of students with disabilities in the district's local control and accountability plan. Regulation updated to reflect NEW FEDERAL REGULATIONS (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP/AR/E 6173 - Education for Homeless Children

(BP/AR/E revised)

Policy, regulation, and exhibits updated to reflect the federal McKinney-Vento Homeless Assistance Act as amended by the Every Student Succeeds Act (P.L. 114-95), as well as updated U.S. Department of Education non-regulatory guidance. Policy includes new material on the designation of a district liaison for homeless children and youth, identification of homeless students, confidentiality of student records containing information about a homeless student's living situation, and coordination of services with other entities. Policy also reflects new mandate to adopt policy to ensure participation by district liaisons and other appropriate staff in professional development and other technical assistance activities, and NEW LAW (SB 1068, 2016) which requires the California Department of Education (CDE) to provide specified informational and training materials to district liaisons. Regulation revises the definitions of "homeless student" and "school of origin," revises the duties of the district liaison, reflects requirement to provide the district liaison's contact information to the CDE and other specified persons, provides that a homeless student will be immediately enrolled even if he/she misses application or enrollment deadlines, and revises the content of the written explanation of the district's decision related to eligibility, school selection, or enrollment. Exhibits updated to revise the content of the district's explanation of its decision(s) related to eligibility, school selection, or enrollment and to revise the dispute form for use by parents/guardians who choose to appeal the district's decision.

AR 6173.3 - Education for Juvenile Court School Students

(AR added)

New regulation reflects educational rights of former juvenile court school students who transition into a district school, pursuant to NEW LAW (AB 2306, 2016). These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions.

BP/AR/E 6174 - Education for English Learners

(BP/AR revised; E deleted)

Policy and regulation substantially revised to reflect NEW LAW (Proposition 58) which authorizes parents/guardians to select a language acquisition program that best suits their child and eliminates the requirement for parents/guardians to request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. Policy reflects provisions of Proposition 58 that require districts to (1) offer, at a minimum, a structured English immersion program; (2) seek parent/guardian and community input on language acquisition programs during development of the district's LCAP; and (3) to the extent possible, offer a language acquisition program requested by parents/guardians of 30 or more students at a school or 20 or more students in any grade level at the school. Policy and regulation also reflect revisions in Title III English learner programs, including renumbering of accountability requirements and changes in the required parental notification, pursuant to the Every Student Succeeds Act. Title of policy and regulation updated to reflect current terminology. Exhibit deleted as districts no longer need a sample form for the parental exception waiver.

BP 6176 - Weekend/Saturday Classes

(BP revised)

Policy updated to reflect NEW LAW (AB 2659, 2016) which authorizes makeup classes for any type of absence, including excused absences, to be offered during the weekend. Policy also adds material regarding the circumstances under which teachers cannot be assigned to work on a weekend.

BP/AR 6185 - Community Day School

(BP/AR revised)

Policy updated to expand material related to program goals, collaboration with county offices of education and other districts in the development of a plan related to services for expelled students, and program evaluation. Material on location of the community day school moved from AR to BP and clarified. Regulation updated to streamline the process for involuntarily transferring a student into a community day school and to delete unnecessary details regarding facilities which reflected requirements applicable to all school facilities.

First Reading: Board Policies/Regulations/Exhibits (continued)

BB 9240 - Board Training

(BB revised)

Bylaw retitled and updated to address the purposes and importance of board training, recommended topics of training for new and first-term board members, and the district's process for selecting board training activities. The bylaw also reinforces the prohibition against a majority of the board members discussing district business of a specific nature while attending a conference or similar public gathering.

BB 9323 - Meeting Conduct

(BB revised)

Bylaw updated to reflect NEW LAW (AB 1787, 2016) which requires the board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. Bylaw also clarifies that the board may refer a member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs, or policies during a board meeting.

E 9323.2 - Actions by the Board

(E revised)

Minor revision made in E(1) to add requirement for two-thirds vote of the board when a K-8 district chooses to establish a community day school.

XVII. ADVANCE PLANNING

Info

a. Future Meeting Dates:

i. Special Meeting: Wednesday, June 7, 2017 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747

ii. Regular Meeting: Wednesday, June 14, 2017 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747

b. Suggested Agenda Items:

XVIII. CONTINUATION OF CLOSED SESSION (Item IV)

Action

XIX. ADJOURNMENT

Action

CJUSD Mission:

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.

Center Joint Unified School District

Dept./Site: Superintendent's Office
 To: Board of Trustees
 Date: May 17, 2017
 From: Scott A. Loehr, Superintendent
 Principal's Initials: _____

AGENDA REQUEST FOR:

Action Item X

Information Item

Attached Pages

SUBJECT: Adoption of Minutes

The minutes from the following meeting are being presented:

April 19, 2017 Regular Meeting

RECOMMENDATION: The CJUSD Board of Trustees approve the presented minutes.

CONSENT AGENDA

CENTER JOINT UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES REGULAR MEETING

District Board Room, Room 503
Wilson C. Riles Middle School
4747 PFE Road, Roseville, CA 95747

Wednesday, April 19, 2017

MINUTES

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

ROLL CALL - Trustees Present: Mrs. Anderson, Mr. Hunt, Mrs. Pope, Mr. Wilson
Trustees Absent: Mrs. Kelley
Administrators Present: Scott Loehr, Superintendent
Lisa Coronado, Director of Fiscal Services
David Grimes, Director of Personnel/Student Services
Administrators Absent: Craig Deason, Assist. Supt., Operations & Facilities

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

1. Public Employee Performance Evaluation (Certificated) - Superintendent (G.C.554957)
2. Conference with Labor Negotiators, (Scott Loehr & David Grimes), Re: CSEA, CUTA, Certificated Management, Classified Management, and Confidential (G.C. §54957.6)
3. Student Expulsions/Readmissions (G.C. §54962)

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

CLOSED SESSION - 5:30 p.m.

OPEN SESSION - CALL TO ORDER – 6:00 p.m.

FLAG SALUTE - led by David Grimes

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION – the Board met in Closed Session and no action was taken. During Open Session the Board took the following action:

3. Student Expulsions/Readmissions (G.C. §54962)
Student Expulsion 16-17.08 – Recommendation approved.

Motion: Wilson
Second: Anderson

Ayes: Anderson, Hunt, Pope, Wilson
Noes: None
Absent: Kelley

Student Expulsion 16-17.09 – Recommendation approved.

Motion: Wilson
Second: Anderson

Ayes: Anderson, Hunt, Pope, Wilson
Noes: None
Absent: Kelley

Student Expulsion 16-17.10 – Recommendation approved.

Motion: Wilson
Second: Hunt

Ayes: Anderson, Hunt, Pope, Wilson
Noes: None
Absent: Kelley

ADOPTION OF AGENDA - There was a motion to approve the adoption of the agenda as amended: move Business Item in front of the Information Item.

Motion: Anderson
Second: Wilson

Ayes: Anderson, Hunt, Pope, Wilson
Noes: None
Absent: Kelley

It was noted that Trustee Kelley was out tonight due to illness.

STUDENT BOARD REPRESENTATIVE REPORTS

1. Center High School – Camila Rosas
 - Sports-O-Rama is coming up
 - Staff Appreciation Week theme will be “Pieces”
 - Senior Ball is this coming up weekend
2. McClellan High School - Tristan Wallenmeyer
 - April 3rd was the Honor Roll assembly for the 5th grading period; 20 students made honor roll and 10 were recognized for outstanding attendance
 - will begin coed volleyball real soon
 - Terry Mc treated the athletic league participants and staff to a BBQ
 - almost finished with technology upgrades on campus
 - leadership class continues to plan events for the students
3. Global Youth Charter School - was not available to report.

ORGANIZATION REPORTS

1. CUTA - Venessa Mason, President, noted that they are happy that CESA negotiated their salary increase. They are also ecstatic that there are only 25 days left of school. The drug company Bayer came and did some science lessons at Dudley. North Country will have their Charlie and the Chocolate Factory play coming up next week. Also, students from North Country will be going to the CHS theater to watch the play. Oak Hill has the SEVA Awards tonight. The media class has a program called The Otter Outlet, which is pre-recorded newscasts. At Spinelli Jean Luigi and her crew has raised \$21,000 so far for the St. Baldrick's fundraiser. Spinelli's Sly Park trip was the only week that it was not a rain out. Spinelli's 3rd and 4th grade classes are having habitat credentialed teachers come out and teach courses. Riles has their Mystery at Shady Acres play coming up on May 11th and a Science Fair on May 8th. CHS play was a success and the Senior Ball is coming up. One thing that the members are asking is how the calendar is created; why are there 85 before and 95 after winter break. David Grimes noted that there are several factors, but did note that next year's calendar is a bit different because of where the holidays fall, but also noted that there is state testing in the spring that does take some instruction time away.

2. CSEA - Marie Huggins, President, thanked Donald Wilson for attending the chapter meeting. Noted that the Board will be considering the salary increase and some other agreements on the agenda tonight. She thanked the board for the opportunity to come to the Board and let them know that they appreciate the increase in salaries and the ability to have relationship with the Board and the school district. She noted that board members are welcome at the meetings; just let her know so she can add them to the agenda.

REPORTS/PRESENTATIONS

1. **Williams Uniform Complaint Quarterly Reporting** - David Grimes, Director of Personnel & Student Services, noted that the Williams legislation has to do with ensuring that schools are providing properly credential teachers for the subjects that they teach, curriculum and the supply of curriculum that they need to service all of our students. We are required to report to the board each quarter the nature of any complaints that we receive. He reported that there was nothing to report.

COMMITTEE UPDATES

1. **Facilities Committee Update** - Craig Deason, was not available to report. Scott Loehr, Superintendent, noted that the architect pool was established. The Riles Crossing Project went out for bid. Craig will have the Prop 39 Energy upgrades at the CHS campus and charter complex going. The fencing and beautification at Spinelli, Dudley, Oak Hill, and Riles are also on the agenda tonight. Hopefully that will go to bid on the 24th. The CHS entrance to the gymnasium area is not included because it will need to go to DSA first. Craig will be back next Monday and then Scott, Craig and Kushroo will discuss a funding model for that and then find out where the Board wants to go from there.

COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA –

Jennie Clark, staff member, thanked Trustee Wilson for coming to the chapter meeting yesterday. She noted that when things are explained that way he did it really matters. She asked for money to be allocated for an EL teacher to be at each site. She noted that at 2 of our schools there currently are part time EL teachers. Mr. Loehr noted that our LCAP plan, depending on funding, indicates that we would hire another EL teacher. We would over time have a full time EL teacher at each of those sites. Jennie asked if the way those students are tested would change. Venessa Mason asked if that meant that new students would be tested in the fall and continuing EL students would be tested in the spring. Mr. Loehr noted that it would. Jennie asked if the ELPAC test would be digital and no longer on paper. Mr. Loehr referred her to Rosina and Karen. Jennie noted that she saw that Wonders training is being offered and asked if she would be able to attend the training.

BOARD/SUPERINTENDENT REPORTS

Mr. Wilson

- noted that on Monday he attended a field trip with the Oak Hill 5th graders to Mars

Mrs. Kelley – was not available to report.

Mrs. Anderson – had nothing to report.

Mr. Hunt – had nothing to report.

Mrs. Pope – had nothing to report.

BOARD/SUPERINTENDENT REPORTS

Mr. Loehr

- noted the Riles and Dudley both submitted their MTSS grants; thanked Joyce and Steve and their teams for their efforts.
- attended the career college fair at CHS
- noted that in partnering with ARC, we had 80 students go over there to tour. They will be asked if they want to attend there and get priority registration.
- noted that Top Ten was great; looking forward to purple cord on the 28th.
- announced the sad news that Global Youth will be shutting it's doors at the end of the year.
- noted that Oak Hill has 12 students at the SEVA awards; the district has 45 students there.

CONSENT AGENDA

1. Approved Adoption of Minutes from March 15, 2017 Regular Meeting
2. Approved Classified Personnel Transactions
3. Approved Certificated Personnel Transactions
4. Approved CSEA/CJUSD Employee Salary & Benefit Compensation 2016/17 and AB 1200 Public Disclosure
5. Approved Memorandum of Understanding Regarding Certificated Professional Development Day for 2017/2018 School Year
6. Approved 2016/2017 Substitute Salary Schedules
7. Approved 2016/2017 Salary Schedules for Certificated Management and Classified Management
8. Approved CSEA Health and Welfare Benefits, Compensation and Salary Schedules 2016/2017
9. Approved CSEA New Contract Language: Article XIV - Leaves
10. Approved CSEA Revised Job Description: Technology Specialist
11. Approved CUTA Bargaining Agreement, 2016-2019
12. Approved Employment Agreement Amendment - Superintendent
13. Approved 2016/2017 Salary Schedules - Adult Education
14. Approved 2016/2017 Adult Education Off-Schedule Salary Payment
15. Approved Professional Services Agreement: Amber Fitzgerald, MA BCBA
16. Ratified 2016/2017 Master Contracts:
 - Northern California Preparatory School
 - Point Quest Education
 - Point Quest Pediatric
 - Hear Say
17. Ratified 2016/2017 Individual Services Agreements:
 - 2016/17-211-218 Melady McCarty
 - 2016/17-219 Amber Fitzgerald
 - 2016/17-220 Hear Say Speech
 - 2016/17-221 Occupational Therapy for Children
 - 2016/17-208 Point Quest Pediatric (*name correction*)
18. Approved Addendum to Sacramento County Office of Education MOU #16-B-CJ
19. Approved 2016-17 LEA Plan Addendum
20. Approved Amendment 2 to Agreement with CPM for Facility Needs Assessment and Implementation Planning Services for Modernization Projects
21. Approved Agreement Between Center Joint Unified School District and Nacht & Lewis Architects for Paint & Perimeter Fencing Upgrades - Wilson C. Riles Middle School, Spinelli Elementary, Oak Hill Elementary & Dudley Elementary
22. Approved Proposition 39 Funded Energy Efficiency and Conservation Lighting Projects: Project # 17-01
23. Approved Payroll Orders: July 2016 - March 2017

CONSENT AGENDA (continued)

24. Approved Supplemental Agenda (Vendor Warrants): March 2017

Motion: Wilson
Second: Hunt

Ayes: Anderson, Hunt, Pope, Wilson
Noes: None
Absent: Kelley

BUSINESS ITEMS

A. APPROVED - Modernization Scope Priorities

Motion: Wilson
Second: Hunt

Ayes: Anderson, Hunt, Pope, Wilson
Noes: None
Absent: Kelley

At 6:27 p.m. Trustee Wilson left the meeting.

INFORMATION ITEMS

1. LCAP Template

ADVANCE PLANNING

a. *Future Meeting Dates:*

- i. *Special Meeting: Monday, May 1, 2017 @ 6:00 p.m. - Center High School Theater, 3111 Center Court Lane, Antelope, CA 95843*
- ii. *Regular Meeting: Wednesday, May 17, 2017 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747*

b. *Suggested Agenda Items:*

ADJOURNMENT – 6:29 p.m.

Motion: Anderson
Second: Hunt

Ayes: Anderson, Hunt, Pope
Noes: None
Absent: Kelley, Wilson

Respectfully submitted,

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

Nancy Anderson, 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: May 17, 2017

Attached Pages

From: Scott A. Loehr, Superintendent

Principal's Initials: **SUBJECT: Adoption of Minutes****The minutes from the following meeting are being presented:**

May 1, 2017 Special Meeting

RECOMMENDATION: The CJUSD Board of Trustees approve the presented minutes.**CONSENT AGENDA**

CENTER JOINT UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES SPECIAL MEETING Center High School Theater 3111 Center Court Lane, Antelope, CA 95843

Monday, May 1, 2017

MINUTES

CALL TO ORDER - Trustee Pope called the meeting to order at 6:05 p.m.

ROLL CALL - Trustees Present: Mrs. Anderson, Mr. Hunt, Mrs. Kelley, Mrs. Pope, Mr. Wilson
Administrators Present: Scott Loehr, Superintendent
Craig Deason, Assist. Supt., Operations & Facilities
Lisa Coronado, Director of Fiscal Services
David Grimes, Director of Personnel/Student Services

FLAG SALUTE - led by Scott Loehr

ADOPTION OF AGENDA - the agenda was adopted as presented.

Motion: Wilson
Second: Hunt

Vote: General Consent

COMMENTS FROM THE AUDIENCE REGARDING ITEMS ON THE AGENDA - None

RECOGNITIONS

1. Staff and Student Recognitions from Various Sites – The retirees were recognized for their years of service with the district and were presented with a plaque. Students from each site were presented certificates for various academic and/or athletic accomplishments.

ADVANCE PLANNING

- a. **Future Meeting Dates:**
 - i. *Regular Meeting: Wednesday, May 17, 2017 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747*
- b. **Suggested Agenda Items:**

ADJOURNMENT – 7:01 p.m.

Motion: Wilson
Second: Kelley

Vote: General Consent

Respectfully submitted,

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

Nancy Anderson, Clerk
Board of Trustees

Adoption Date

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Action Item X

Date: May 17, 2017

Information Item -

To: Board of Trustees

Attached Pages 1

From:  David Grimes, Director of Personnel and Student Services

Subject: Classified Personnel Transactions

New Hire

Kira Jennings, School Secretary

Resignation

Coleman Newell, Instructional Specialist
Yaling Winfrey, Instructional Specialist PH/Autism

Release from Probation

Rhonda Carter, Cafeteria Worker

Recommendation: Approve Classified Personnel Transactions as Submitted

CONSENT AGENDA

Kira Jennings has been hired as a School Secretary at Oak Hill Elementary School effective July 1, 2017.

Coleman Newell will resign from his position as an Instructional Specialist at Dudley Elementary School effective May 25, 2017.

Yaling Winfrey resigned from her position as an Instructional Specialist PH/Autism at North Country Elementary School effective April 28, 2017.

Rhonda Carter has been released from her probationary position as a Cafeteria Worker at North Country Elementary School effective May 8, 2017.

Center Joint Unified School District

AGENDA REQUEST FOR:**Dept./Site:** Personnel Department**Action Item** X**Date:** May 17, 2017**Information Item** -**To:** Board of Trustees**# Attached Pages** 1**From:** David Grimes,  Director of Personnel and Student Services**Subject: Certificated Personnel Transactions****New Hires**

Michael Johnson, Wilson Riles Middle School
Kaitlin McLean, Oak Hill Elementary School

Resignation

Ashley Gorman, Dudley Elementary School

Retirements

Vivian Morris, Wilson Riles Middle School
Perry Weidman, Dudley Elementary School

CONSENT AGENDA**Recommendation: Approve Certificated Personnel Transactions as Submitted**

New Hires

Michael Johnson has been hired as a Music Teacher, Wilson Riles Middle School, effective August 1, 2017.

Kaitlin McLean has been hired as a Special Education Teacher, Oak Hill Elementary School, effective August 1, 2017.

Resignation

Ashley Gorman has submitted her intent to resign from her position as Third Grade Teacher, Dudley Elementary School, effective end of day on May 26, 2017.

Retirements

Vivian Morris has submitted her intent to retire from her position as Electives Teacher, Wilson Riles Middle School, effective end of day on May 26, 2017.

Perry Weidman has retired from his position as Fourth Grade Teacher, Dudley Elementary School, effective end of day on April 28, 2017.

AGENDA ITEM # XIV-5

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Date: May 17, 2017

Action Item X

To: Board of Trustees

Information Item

From: David Grimes, *DSG* Director of Personnel/Student Services

Attached Pages

SUBJECT: 2016/2017 SALARY SCHEDULE

CONFIDENTIAL EMPLOYEES

David Grimes, Director of Personnel, is requesting the approval of the Governing Board of the attached 2016/2017 salary schedule for Confidential district employees. Salary increases of 1.5% will be retroactive to July 1, 2016. In addition, a 1% off-schedule lump sum payment will be given retroactive to July 1, 2016.

RECOMMENDATION: Approve Salary Schedule

AGENDA ITEM # XIV-5

CONSENT AGENDA

CENTER JOINT UNIFIED SCHOOL DISTRICT

CONFIDENTIAL SALARY SCHEDULE

2016-2017

POSITION	WORK YEAR	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
Superintendent							
Secretary (SSEC)	261	\$25.34	\$26.61	\$27.94	\$29.34	\$30.82	\$32.36
Executive Asst (PSS)	261	\$20.01	\$21.01	\$22.07	\$23.17	\$24.33	\$25.55
Administrative Secretary (ADMN)	261	\$18.94	\$19.88	\$20.88	\$21.92	\$23.02	\$24.17
Personnel Tech (PTEC)	261	\$19.73	\$20.72	\$21.75	\$22.84	\$23.98	\$25.18
Lead Account Tech (LTEC)	261	\$20.79	\$21.82	\$22.92	\$24.07	\$25.27	\$26.54

Masters: \$500 Ed.D./Ph.D.: \$750

Longevity:

- +1.0% after 8 years District service**
- +2.0% after 10 years District service**
- +2.5% after 13 years District service**
- +3.0% after 15 years District service**
- +3.5% after 18 years District service**
- +4.0% after 20 years District service**

Vacation:

1 to 2 years	13 days
3 years	14 days
4 to 5 years	16 days
6 to 8 years	17 days
9 years	18 days
10 to 11 years	19 days
12 years	20 days
13 to 19 years	21 days
20 years +	22 days

Approved by Board May 17, 2017

AGENDA ITEM # XIV-6

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Date: May 17, 2017

Action Item X

To: Board of Trustees

Information Item
Attached Pages

From: David Grimes
Director of Personnel and Student Services

SUBJECT: RESOLUTION #14/2016-17

Attached for Board review and action is Resolution #14/2016-17,
nonreelection of probationary certificated employee.

**This item has been
removed from the
agenda.**

Recommendation: Approve Resolution #14/2016-17 as Submitted

AGENDA ITEM # XIV-6

AGENDA ITEM # XIV-7

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Date: May 17, 2017

Action Item X

To: Board of Trustees

Information Item
Attached Pages

From: David Grimes
Director of Personnel and Student Services

SUBJECT: RESOLUTION #15/2016-17

Attached for Board review and action is Resolution #15/2016-17,
nonreelection of probationary certificated employee.

**This item has been
removed from the
agenda.**

Recommendation: Approve Resolution #15/2016-17 as Submitted

AGENDA ITEM # XIV-7

CONSENT AGENDA

AGENDA ITEM # XIV-8

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Date: May 17, 2017

Action Item X

To: Board of Trustees

Information Item
Attached Pages

From: David Grimes
Director of Personnel and Student Services

SUBJECT: RESOLUTION #16/2016-17

Attached for Board review and action is Resolution #16/2016-17,
nonreelection of probationary certificated employee.

**This item has been
removed from the
agenda.**

Recommendation: Approve Resolution #16/2016-17 as Submitted

AGENDA ITEM # XIV-8

CONSENT AGENDA

AGENDA ITEM # XIV-9

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Date: May 17, 2017

Action Item X

To: Board of Trustees

Information Item
Attached Pages

From: David Grimes
Director of Personnel and Student Services

SUBJECT: RESOLUTION #17/2016-17

Attached for Board review and action is Resolution #17/2016-17,
nonreelection of probationary certificated employee.

Recommendation: Approve Resolution #17/2016-17 as Submitted

AGENDA ITEM # XIV-9

CONSENT AGENDA

MEMORANDUM

TO: Governing Board
FROM: Scott Loehr
DATE: May 17, 2017
SUBJECT: Non-reelection of Probationary Employee

Pursuant to Education Code Section 44929.21, a decision either to reelect or not to reelect a probationary certificated employee for the next succeeding school year must be made on or before March 15 of the employee's second complete consecutive school year of employment.

I hereby recommend that the following probationary certificated employee of the Center Joint Unified School District not be reelected for the 2017/18 school year.

Steven Westbrook

Probationary 1

I further recommend that the attached Resolution of Non-reelection be adopted and that the employee named be given notice of this decision in accordance with Education Code Section 44929.21.

BEFORE THE GOVERNING BOARD OF
CENTER JOINT UNIFIED SCHOOL DISTRICT
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

RESOLUTION #17/2016-17

WHEREAS, the Superintendent has recommended that Steven Westbrook, probationary certificated teacher of the Center Joint Unified School District, not be reelected for the 2017-18 school year.

IT IS HEREBY RESOLVED that the Governing Board of the Center Joint Unified School District, County of Sacramento, State of California, not reelect Steven Westbrook for the 2017-18 school year.

IT IS FURTHER RESOLVED that the Governing Board give the aforementioned employee Notice of Non-reelection pursuant to Education Code 44929.21.

IT IS FURTHER RESOLVED that the aforementioned employee is released from employment effective the last work day of the 2016-17 school year.

PASSED AND ADOPTED by the following vote called on this seventeenth day of May 2017.

AYES: _____

NOES: _____

ABSTENTIONS: _____

ABSENT: _____

President, Governing Board

Date

CERTIFICATION

State of California)
)
County of Sacramento) ss.

I, Scott Loehr, Superintendent of the Center Joint Unified School District, do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Governing Board of the Center Joint Unified School District at a meeting of said Board duly and regularly called at 8408 Watt Avenue, Antelope, California, on the 17th day of May 2017.

By: _____
 Scott A. Loehr
 Superintendent

Dated: _____

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel

Date: May 5, 2017

Action Item X

To: Board of Trustees

From: David Grimes, Director of Personnel

Director's Initials: DAG

SUBJECT: DECLARATION OF HARD-TO-FILL POSITIONS

As outlined in BP 4111, Director of Personnel David Grimes is requesting approval from the Governing Board to designate the certificated positions listed below as "Hard-to-Fill" for the 2017/18 school year. Such designation authorizes the District to provide recruiting incentives in alignment with currently negotiated agreements with CUTA.

Grades PreK-12

School Psychologist

Speech and Language Pathologist

Special Education

Career Tech Education (CTE credentials)

CONSENT AGENDA

Center Joint Unified School District

Dept./Site:	Instructional Services	AGENDA REQUEST FOR:
Date:	May 17, 2017	Action Item
To:	Board of Trustees	Information Item <u> X </u>
From:	Rebecca Lawson <i>RL</i> Coordinator of C&I	# Attached Pages <u> 1 </u>

SUBJECT: Surplus Books

The following books are to be recycled and/or disposed of due to information no longer current:

General Science #0-130-23434-6	28 books
Biology #0-8224-6890-5	8 books
Health #0-8224-6892-1	1 book
Health Workbook #0-8224-6991-x	1 book
Social Studies # 0-8224-0852-x	1 book
Social Studies #0-13-024410-4	3 books
Math #978-0-07-877848-3	1 book

Total books: 43 books

These books were offered to Follett Educational Services 10/14/2016. They are not interested in these books or materials.

RECOMMENDATION: The Center Joint Unified School District Board of Trustees approves the above listed books to be recycled/discarded.

From:

[illegible]**District Administrator Approval:**

Date:

4/6/17

4-11-17

4-19-17

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Instructional Services

Date: May 17, 2017

To: Board of Trustees

From: Scott Loehr, Superintendent

Initials: S.L.

Action Item X

Information Item

Attached Pages

SUBJECT: OdysseyWare Online

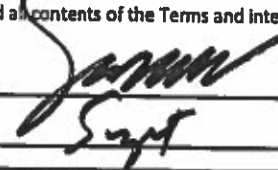
Please approve OdysseyWare Online licenses of OdysseyWare Full Academic content grades 3-12 for core curriculum (Social Studies/History, Science, math, Language Arts), Electives, Placement Testing, CRx, Prescriptive and GED Prep Course. 24/7 Online Access, Technical Support, and OdysseyCare.

\$100 Per Concurrent user/30 days – Summer School \$ 12,000.00

RECOMMENDATION: Center JUSD Board of Trustees to approve OdysseyWare Online for Center JUSD Summer School 2016/17 during the 2016/17 fiscal year.

CONSENT AGENDA

#2655 ✓

Odysseyware <small>SMARTER ONLINE LEARNING</small>		ORDER FORM				
300 N. McKerny Avenue, Chandler, AZ 85226		Date:	5/8/2017			
		Order Form Expiration Date:	6/7/2017			
Education Consultant	Email	Phone	Fax			
Jordan Nemmers	jnemmers@odysseyware.com	866-849-0138 x 4023	0			
Contract and Billing Info:						
School:	Center Joint Unified School District	Contact:	Paula Robinson			
Address:	8408 Watt Ave	Phone:	916-338-6320			
Address:	Antelope, CA 95843	Email:	probinson@centerusd.org			
Training Contact:		Email:				
		Phone:				
Qty	PRODUCT & SERVICES	DESCRIPTION	TERM START DATE	TERM END DATE	UNIT PRICE	LINE TOTAL
120	Odysseyware Summer School - Concurrent	Concurrent Summer School License with access to all Odysseyware Courseware			\$ 100.00	\$ 12,000.00
GRAND TOTAL						
						\$ 12,000.00
Sales Tax						0.00%
						\$ -
						\$ 12,000.00
NOTES						
(TERMS AND CONDITIONS)						
<p>This License Agreement ("Agreement") is entered into between the Customer named above and Glynyon, Inc. for the provision of the Service described above and is effective as of the date first stated above. This Agreement is subject to and governed by the Standard Terms and Conditions available at https://www.odysseyware.com/terms-and-conditions ("Terms"). The Terms are hereby incorporated and made a part of this Agreement by reference. By its signature below the Customer accepts all terms and conditions of this Agreement and all contents of the Terms and intends to be bound thereby.</p>						
Signature:				Date:		5/9/17
Title:		Supt				

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: McClellan High School

Date: May 2, 2017

To: Carol Hunt

From: David L. French

Action Item XX

Information Item

Attached Pages 4

Principal's Initials:



SUBJECT: MOU between Los Rios Community College District and
McClellan High School

Details are in the MOU

Recommendation: CJUSD Board of Trustees approve the MOU between Los Rios Community College District and McClellan High School for implementation of "Get Focused, Stay Focused" program.

CONSENT AGENDA

**American River College and
McClellan High School
Memorandum of Understanding (MOU)**

This agreement is made and entered into by and the Los Rios Community College District (hereinafter referred to as **DISTRICT**) and McClellan High School (hereinafter referred to as **AGENCY**) for the purpose of outlining the duties and responsibilities of each party as they relate to providing affiliated educational course for the Agency.

I. RESPONSIBILITIES OF THE DISTRICT

A. DISTRICT shall provide a Get Focused...Stay Focused!™ (GFSF) Regional Coordinator (Mary Wolf) to work with the AGENCY.

B. DISTRICT shall loan AGENCY GFSF curriculum materials:

1. 20 Workbooks & Portfolios
2. 25 GFSF workbooks Module 1
3. 25 GFSF workbooks Module 2
4. 5 Career Choices and Changes
5. Instructor access for Teachers' Lounge
6. Annual Data Maintenance Fee

II. RESPONSIBILITIES OF THE AGENCY

A. AGENCY will deliver GFSF curriculum as a standalone course, with a minimum of 90 dedicated hours.

B. AGENCY high school teachers must attend regional GFSF trainings as provided by DISTRICT.

C. AGENCY shall provide DISTRICT with data required for grant reporting in relation to Get Focused...Stay Focused!™ program at the schools.

The following information will be provided by the Agency:

1. Attendance rates, suspension rates, expulsion rates, graduation rates, rates of registration in concurrent courses, and GPA averages for student cohorts up to two years prior to the launch of the GFSF program and at least three years following the launch.

D. Agency is required to be member of Cal Pass Plus and enter data associated as expected.

III. PAYMENT FOR SERVICES

A. In consideration for services provided hereunder, DISTRICT will underwrite the following 2017 expenses:

1. The cost of GFSF curriculum materials not to exceed \$1,200.
2. GFSF professional development workshop costs provided by DISTRICT. Note, substitute teacher costs will not be provided by this grant.

IV. MISCELLANEOUS

- A. If any of the provisions of this contract are found to be, or become contrary to State law or regulation or court decision, DISTRICT and AGENCY agree that the contract shall be renegotiated as it relates to said provision, without affecting the balance or intent of this contract.**
- B. Pursuant to Government Code Section 895.4, each of the parties hereto shall fully indemnify and hold each of the other parties, their officers, employees and agents, harmless from any damage or liability imposed for injury or death (as defined by Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with any work, responsibility or jurisdiction undertaken by such party under this Agreement. No party, nor any officer, employee or agent thereof shall be responsible for damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other parties hereto, their officers, employees or agents, under of in connection with any work, responsibility or jurisdiction undertaken by such other parties under this Agreement.**
- C. The term of this agreement shall be for a period of time commencing April 15, 2017 and will be terminated June 30, 2018. Notwithstanding the foregoing, this contract may be terminated at any time, with or without cause, upon written notice given to the other party at least sixty (60) day prior to the end of the term in which classes are currently in session. Notwithstanding the foregoing, this Agreement may be terminated at any time by the DISTRICT with or without cause, upon at least 60 days written notice given to the AGENCY. This agreement may be terminated by the AGENCY, with or without cause, effective at the end of the term in which classes are currently in session upon at least 60 day written notice given to the DISTRICT.**

Neither the DISTRICT nor AGENCY shall cancel during any instruction session. Neither party shall incur any liability to the other by reason of such termination.

V. PERFORMANCE PLEDGE

- A. Having studied the Performance Pledge, attached to this agreement, McClellan High School commits to the following conditions:**
 - 1. Completion of all specified professional development through self-study online, webinars, workshops, conferences and meetings between April 15, 2017 and June 30, 2018.**
 - 2. Conduct the GFSF freshman course with fidelity as outlined in the Performance Pledge.**

3. Require all students who complete the freshman course also complete the online 10-year Plan on My10yearPlan.com. High schools are required to provide computer equipment and Internet access.
4. Implement the school-wide initiative as outlined in the Performance Pledge and train all instructors and counselors on the use of the students' data from My10yearPlan.com for counseling, advisories and academic coaching.
5. Complete data collection and reporting of student outcomes on the online data collection website.

VI. PARTNER NAMES

- A. Name of High School lead administrator teacher for the GFSF effort. Individual has committed to the project for the 2017/2018 year:

DAVID L. FRENCH / ARON HAGMAN
ADMINISTRATOR / TEACHER

VII. UPON ACCEPTANCE OF MOU

- A. High school becomes a provisional member of the Get Focused...Stay Focused!™ Initiative.
1. High school will be invited to webinar meetings and capacity building events.
 2. High school has access to GFSF consultants at Academic Innovations (Publisher) and the Greater Sacramento GFSF Regional Director for consultations.
- B. Upon successful completion of the 1st year, certified Get Focused...Stay Focused!™ schools:
1. Will receive the support outlined in the attached Performance Pledge
 2. May include the GFSF logo on high school website
 3. Personalized URL on the GFSF website will be made available for high schools to promote GFSF efforts.
- C. Each year high school performance will be accessed by GFSF. High school agrees to complete all reporting requirements.
- D. This agreement will endure through any changes in personnel at the high school or the district between April 15, 2017 and June 30, 2018. Incoming personnel will be expected by their supervisors or school board, to faithfully execute the requirements and the spirit of this project.

Any and all notices required to be given hereunder shall be deemed given when personally delivered or deposited in the U.S. mail, certified, postage prepaid to the following address:

DISTRICT: Los Rios Community College District
Attention: American River College
Teri Munger
4700 College Oak Drive
Sacramento, CA 95841-4286
munger@arc.losrios.edu
916-484-8021

AGENCY: McClellan High School
Attention: David French
Address: 8725 Watt Avenue
Antelope, CA 95843

High School Name McClellan High School
Printed name of McClellan High School Principal: ~~David French~~

Signature of McClellan High School Principal 

Date 4-28-17

Name of Greater Sacramento CTE Pathways Regional Technical Assistance Provider:
Teri Munger
Signature of Greater Sacramento CTE Pathways Project Director

Teri Munger Teri B. Munger

Date 4-25-17

Name of Los Rios Community College Deputy Chancellor: Sue Lorimer
Signature of Los Rios Community College Deputy Chancellor:

Sue Lorimer _____

Date _____

Name of Los Rios Community College Vice Chancellor, Finance & Administration:
Theresa Matista
Signature of Los Rios Community College Vice Chancellor, Finance & Administration:

Theresa Matista _____

Date _____

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Family Resource Center

Action Item X

To: Board of Trustees

Information Item

Date: 4/28/2017

Attached Pages 2

From: Alyson Collier
Program Coordinator, Adult Ed.

Principal's Initials: 

SUBJECT

Approve SCOE MOU addendum #15-C-CJ adult education reallocation of funding.

RECOMMENDATION: Approve

CONSENT AGENDA

**Addendum 1 to Memorandum of Understanding (MOU) #15-C-CJ
Between Sacramento County Office of Education (SCOE)
and Center Joint Unified School District
for the AEBG 2015-16 Consortium Allocation**

Term of Agreement – Upon signature from both parties through July 31, 2017

I. Purpose

The Sacramento County Office of Education (SCOE) (the Capital Adult Education Regional Consortium (CAERC) fiscal agent) and each of the CAERC members for the Adult Education Block Grant (AEBG) 2015-16 Consortium Allocation funding entered into a Memorandum of Understanding for the term of agreement upon signature from both parties through July 31, 2017 Center Joint Unified School District is a member of CAERC (hereinafter referred to as "CAERC Member") and entered into such an MOU with SCOE (MOU).

For reference purposes only, this Addendum 1 will be dated February 20, 2017.

This Addendum 1 amends the MOU to address re-allocation of funding to address the following AEBG objectives:

- Objective 4: Address Gaps
 - Plans to address the gaps identified.

Accordingly, SCOE and CAERC Member agree to the following provisions regarding the Additional Funds.

II. SCOE Responsibilities

As the CAERC fiscal agent and program manager, SCOE will undertake the responsibilities set forth in the MOU in Sections III and IV for the Additional Funds.

III. CAERC Member Responsibilities

The parties agree to the additional provisions to Section V of the MOU:

In exchange for \$7,839.84 in Additional Funding, CAERC Member will:

- a) Submit expenditure information.
 - Report consortium allocation expenditures to SCOE every six months prior to the AEBG reporting due dates. For the 2015-16 allocation, all activities must cease no later than June 30, 2017.

Reporting Period	Dates	Report Due from CAERC Member to Fiscal Agent
4	1/1/17 - 6/30/17	07/14/17

- b) Submit program (learner outcome) information.

- Submit mid-year report and annual report for student summary report and program-outcome summary report for student progress to SCOE prior to the AEBG due dates.
- The reporting schedule is as follows:
 - The mid-year report will be due in early spring each calendar year.
 - The annual report will be due in August each calendar year.

IV. Term

Addendum 1 shall be effective upon signature from both parties through **July 31, 2017**.

V. MOU Otherwise Unchanged

Except as set forth herein, all other terms of the MOU remain unchanged and apply to the parties' receipt, use, and accountability for the Additional Funds. This Addendum 1 does not change the parties' responsibilities for the funding previously received for the CAERC, as set forth in the MOU.

Dr. Al Rogers
Deputy Superintendent
Sacramento County Office of Education

Alyson Collier
Center Joint Unified School District

Signature

Signature

Date

Date

Authorized Center Joint Unified School
District Representative

Signature

Printed Name

Title

Date

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Center High School

Date: 5/11/17

Action Item XX

To: CJUSD Board of Trustees

Information Item

From: Mike Jordan

Attached Pages 0

Principal's Initials MDJ

SUBJECT:

Three CHS engineering students participated in the Chevron Design Challenge competition on April 22, 2017. Since they placed third, they were invited to attend the California state design championship in San Diego on May 6, 2017. The group was awarded \$800.00 to assist with the expenses.

The trip consisted of three CHS students and two CHS staff, Ben Klatt and Bonnie Schiro. The group flew to San Diego on Friday, May 5th and return on Saturday, May 6 after the conclusion of the competition. Due to the short time from initial competition on April 22 and the championship on May 6, a board request for approval was delayed.

RECOMMENDATION:

Approve this out-of-state competition

CONSENT AGENDA

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Center High School

Date: May 10th 2017

To: CUSD Board of Trustees

From: Mike Jordan

Principal's Initials MJS

Action Item XX

Information Item _____

Attached Pages 7

SUBJECT: Future Business Leaders of America

Cathy Cummings is requesting approval to take 1 FBLA student from Center High School to attend a required leadership summit. Summit will take place Friday, June 23rd - Saturday, June 24th. Summit will be held at Redwood High School, 1001 W. Main Street, Visalia, CA.

Mrs. Cummings is also requesting to transport the FBLA adviser from Williams HS and 2 of his section officer students. There will be a total of 5 people in the SUV as reserved from the CHS Transportation Department. Mrs. Cummings will be the driver. Transportation will be paid for from Carl Perkins funding. We will leave CHS around 7:30 a.m. 6/23 and return to CHS around 9:00 p.m. 6/24. Hotel accommodations are yet to be determined per State Officer Adviser Dr. Laurie Looker. There is no cost to students. State funding will pay for student expenses. Adviser expenses will be paid for from Carl Perkins and/or FBLA state monies. Food will also be paid for per funding.

The purpose of this trip is to hone the leadership skills of section officers throughout the state. Students that were elected section officers are required to attend this leadership summit. There are 6 sections in California that are represented. Advisers of each section officer are also required to attend summit. Students and advisers will attend meetings, workshops, plan for 2017-18 school year, network, and discuss annual business issues. An attached agenda is enclosed.

For more information, contact, llooker@cafbla.org, State Officers Adviser

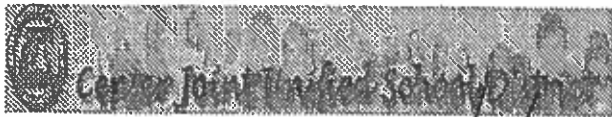
Sincerely,

Cathy Cummings (FBLA Adviser)
339-4777 ccummings@centerusd.org

CONSENT AGENDA

RECOMMENDATION: Cathy Cummings is requesting approval to take 1 FBLA student from Center High School and transport the FBLA adviser from Williams HS and 2 of his section officer students to attend a required leadership summit.

XIV-16



Transportation Department Activity Trip Request

Mailing Address: 8404 Watt Ave Sacramento Ca 95843
(916) 338-6418 - Fax: (916) 263-6522

DATE OF TRANSPORTATION REQUEST:

5/5/17

REQUESTING

CHS - Business - FBLA

SITE/DEPARTMENT

TRIP DATE(S) 6/23/17 TO 6/24/17

TRIP DAY(S)

MON

TUE

WED

THUR

FRI

SAT

SUN

NAME OF PERSON MAKING REQUEST

Contact Phone:

Cell Phone

Email Address

Barth Cummings

[REDACTED]

ccummings@centerusd.org

NAME OF CONTACT PERSON

Contact Phone:

Cell Phone:

Email Address

SAME

REQUESTOR MUST HAVE A CONFIRMATION PRIOR TO THE TRIP. PLEASE CAREFULLY REVIEW TRANSPORTATION GUIDELINES ON THE BACK OF THIS FORM.

No. of Vehicles Bus Type Total Passengers Number of Students Number of Adults

SCHOOL BUS

Reason for Charter Bus Service:

CHARTER BUS SERVICE

DESTINATION:

ADDRESS:

CITY & ZIP

Redwood H.S.
1001 W. Main St.
Visalia, CA 93221

SITE LOAD TIME

7:00 - 7:30

SITE DEPARTURE TIME

7:30 am 6/23

DESTINATION ARRIVAL TIME

3:00 pm 6/23

RETURN DEPARTURE TIME

3:00 pm 6/23

SCHOOL ARRIVAL TIME

8-9:00 pm 6/23

EVENT TYPE (CHECK ONE)

[] SPORTS (FOOTBALL, SOCCER, ETC.)

[] MUSIC

[x] EDUCATIONAL

[] OTHER: NON EDUCATIONAL

DESCRIPTION

FBLA Summit
Leadership
Conference

Note: If your event time is TBA, YOU MUST CONTACT THE Field Trip Coordinator (916) 338-6418 OR (916) 338-6305 24-hours BEFORE your trip is scheduled to depart with the actual time of departure.

SPECIAL INSTRUCTIONS

LUNCH STOP

YES

NO

(If yes, indicate where)

DINNER STOP

YES

NO

(If yes, indicate where)

Along route

SUV/VAN VEHICLE RENTAL

Importation Notation: The driver of the SUV/VAN Vehicle Rental must be 25 years of age or older.

QTY.	ENTERPRISE RENTAL VEHICLES (check appropriate)	Note: Rental vehicles must be returned to the Transportation Yard with a full tank and on the date scheduled. After hours keys must be dropped off in the box located behind the conference room # 6 at the personnel office. Note: VANSUV drivers must be employed by the district and present a valid California Driver's License.
	SUV (Large) 7 passenger plus driver	
1	SUV (Medium) 6 passenger plus driver	
	VAN (Mini) 6 passenger plus driver	

For Rental Vehicles, please list name of designated driver of each Rental Vehicle you are requesting. Each driver MUST BE ON THE DMV AUTHORIZED LIST housed in the CUSD Transportation Department. IF THE DRIVER IS NOT ON THE LIST, the driver must contact Transportation Services for authorization and provide a current and original H-6 print-out from the Department of Motor Vehicles, copy of a valid California Drivers License, and a copy of personal insurance showing limits of liability.

NO UNAUTHORIZED PASSENGERS ALLOWED

Driver 1:	Cathy Cummings	Driver 3:	
Driver 2:		Driver 4:	

SEND BILL TO:

Carl Perkins

BUDGET CODE:

01-3550-05716-472-

Please assign appropriate budget code for billing purposes. If "non-district" event, please designate person and/or company to be billed, including their address & phone number. Any forms submitted without appropriate billing information will be returned.

3200-4100-014-00

PRINCIPAL/ADMINISTRATOR/
Trip Approved By

ADMINISTRATIVE BUDGET APPROVAL
SIGNATURE

TRANSPORTATION DEPARTMENT SUPERVISOR

Field Trip Planning/Approval Form

Teacher: C. Cummings

Number of Students 1 - CHS student + 2 student + 1 adviser from William H.S.

Class or Club FBLA

Clear description of the trip's connection to the curriculum and standards:

To attend required leadership summit @ Redwood H.S. in Visalia.

Date of Trip 6/23 - 6/24 2017 Time Leaving 7:00 am 6/23 Time Returning 9:00 pm 6/24

Other Places you may go during the trip: Restaurants along the way.

Transportation Request Submitted YES ☒

I will rent car - NO from transportation dept.

Are parents driving, and if so has a volunteer & employee auto usage statement on file? YES NA NO NO

If the trip is overnight or over 150 miles, and if so has the Board Agenda Request been submitted? YES ☒ NO Pending

Teacher Signature* C. Cummings Date 5/5/17
*Signature indicates the teacher has examined and supports how the trip supports academic and content standards.

Dept. Chair Signature* [Signature] Date 5-5-17
*Signature indicates the Department Chair has examined and supports how the trip supports academic and content standards.

Principals Signature [Signature] Date 5/10/17

Reminders:

1. This form must be completed by the teacher and have final approval BEFORE any letters are sent home or any final arrangements are made. Requests must be submitted at least ten (10) days before the trip. Requests for trips over 150 miles or that include an overnight stay must be submitted to the Board of Trustees for approval at least thirty (30) days prior to the trip.
2. A final list of student participants must be placed in each staff mailbox, and a copy given to the attendance office, no less than three (3) days prior to the trip.
3. Refer to the Field Trip Procedural Outline to insure that all appropriate forms are completed.
4. If there are any special factors about the trip, please attach a separate sheet describing them.

Center High School

3111 Center Ct Ln, Antelope, CA 95843

Get on I-80BUS W in Sacramento

- | | | |
|---|---|-----------------|
| ↑ | 1. Head west on Center Ct Ln toward Watt Ave | 15 min (5.9 mi) |
| ↩ | 2. Turn left at the 1st cross street onto Watt Ave | 0.1 mi |
| ↗ | 3. Slight right to merge onto I-80BUS W toward Sacramento | 5.6 mi |
| | | 0.2 mi |

Follow CA-99 S to W Noble Ave in Visalia. Take exit 105B from CA-198 E

- | | | |
|---|---|---------------------|
| ↗ | 4. Merge onto I-80BUS W | 3 h 12 min (215 mi) |
| ↩ | 5. Keep left at the fork to stay on I-80BUS W | 3.8 mi |
| ↑ | 6. Continue onto I-80BL | 295 ft |
| ↑ | 7. Continue onto I-80BUS W | 2.2 mi |
| ↩ | 8. Keep left to continue on CA-51 S, follow signs for CA-99 S | 1.4 mi |
| ↑ | 9. Continue onto Elvas Fwy | 453 ft |
| ↑ | 10. Continue onto S Sacramento Fwy | 0.2 mi |
| ↑ | 11. Continue onto CA-99 S | 0.4 mi |
| ↗ | 12. Take exit 97 for CA-198 E/Visalia | 201 mi |
| ↗ | 13. Merge onto CA-198 E | 0.5 mi |
| ↗ | 14. Take exit 105B toward CA-63 S/Mooney Blvd | 4.9 mi |
| | | 0.3 mi |

Continue on W Noble Ave. Drive to W Main St

- | | | |
|---|---|----------------|
| ↗ | 15. Merge onto W Noble Ave | 3 min (0.9 mi) |
| ↩ | 16. Turn left onto S Giddings St | 0.6 mi |
| ↗ | 17. Turn right at the 2nd cross street onto W Main St | 0.2 mi |

384 ft

Redwood High School

1001 W Main St, Visalia, CA 93921

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Agenda
Friday, June 23
Redwood High School
 1001 W Main St, Visalia, CA 93921
Officer Attire=FBLA Uniform
Advisers' and Directors' Attire=Business Casual

TIME	PRESENTER	TOPIC	LOCATION
Prior to 1:00 PM	Check into hotel. If room is not ready you can store your luggage at the hotel.		TBD
	Sections are encouraged to take pictures prior to the 1:00 PM start time		
1:00 PM-2:00 PM	State and Section Officer Teams	Welcome and Skits	Need room large enough for everyone
2:00 PM-3:00 PM	All Officers	30 second FBLA Elevator Pitch Advisers and Directors are evaluating and providing feedback.	Need 7 rooms 10-12 people per room
3:00PM-3:15 PM		BREAK	
3:15 PM-5:00 PM	All Officers	Continue Elevator Pitches	
5:00 pm-6:00 pm	All Officers	Ambassadorship	Need Location
6:00 PM-6:45 PM		DINNER	Need Location
6:45 PM-7:45 PM	Mr. Gary Page, Dr. Looker	Franklin Covey Partnership	Need room large enough for everyone
7:45 PM-8:00 PM		BREAK	
8:00 PM-10:00 PM	All Officers, Directors, and Advisers	LDI Planning	Need two large rooms
10:00 PM	All	Return to Hotel	
10:30 PM	All Note: Advisers are responsible for room check at curfew	Curfew-quiet in your own room	

Agenda
Saturday, June 24
Redwood High School
 1001 W Main St, Visalia, CA 93921
 6001 Milliken Ave, Rancho Cucamonga, CA 91737
Business Casual (FBLA Polo and Khakis)-Officers, Advisers, Directors

TIME	PRESENTER	TOPIC	LOCATION
7:00 AM-7:30 AM	ALL	Check out of Hotel	
8:00 AM-8:30 AM		Travel to Redwood HS	
		Breakfast at High School	Location
8:30 AM-10:45 AM	State Officers (Rotate through presentations every 45 mins)	State Projects Officership CAP & Netiquette	Need 3 large rooms with projectors
10:45 AM-11:00 AM		BREAK	
11:00 AM-12:15 PM	All Officers	2-3 min student presentations on FBLA <i>Advisers and Directors are evaluating and providing feedback.</i>	Need 7 rooms with projectors
12:15 PM-12:45 PM		LUNCH	Location
12:45 PM-1:45 PM	Section Teams	State Group Photo OAT Day planning	Need 7 rooms
1:45 PM-2:00 PM		BREAK	
2:00 PM-3:00 PM	State Officer Team	Annual Business Meeting	Need room large enough for everyone
3:00 PM		ADJOURNMENT Sections are encouraged to take group photos if they have not already done so	

NOTE: All officers will be transported by their advisers via automobile. No airline or train transportation for this event

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Center High School

Date: 5/11/17

Action Item XX

To: CJUSD Board of Trustees

Information Item

From: Mike Jordan

Attached Pages 2

Principal's Initials *MJS*

SUBJECT:

2017-18 Designation of CIF representatives to the league

RECOMMENDATION:

Approve the representatives

CONSENT AGENDA

XIV-17

2017-2018 Designation of CIF Representatives to League

Please complete the form below for each school under your jurisdiction and **RETURN TO THE CIF SECTION OFFICE (ADDRESSES ON REVERSE SIDE)** no later than June 30, 2017.

Center Joint Unified School District/Governing Board at its June meeting,
(Name of school district/governing board) (Date)
appointed the following individual(s) to serve for the 2017-2018 school year as the school's league representative:

PHOTOCOPY THIS FORM TO LIST ADDITIONAL SCHOOL REPRESENTATIVES

NAME OF SCHOOL Center High School
NAME OF REPRESENTATIVE John Gallagher POSITION Athletic Director
ADDRESS 3111 Center Court Lane CITY Antelope ZIP 95843
PHONE 916-338-6366 FAX _____ E-MAIL john.g@centerusd.org

NAME OF SCHOOL Center High School
NAME OF REPRESENTATIVE Chuck Chauvin POSITION ASST. Principal / Athletics
ADDRESS 3111 Center Court Lane CITY Antelope ZIP 95843
PHONE 916-338-6426 FAX 916-338-6370 E-MAIL cchauvin@centerusd.org

NAME OF SCHOOL Center High School
NAME OF REPRESENTATIVE MIKE JORDAN POSITION Principal
ADDRESS 3111 Center Court Lane CITY Antelope ZIP 95843
PHONE 916-338-6425 FAX 916-338-6370 E-MAIL mike.jordan@centerusd.org

NAME OF SCHOOL _____
NAME OF REPRESENTATIVE _____ POSITION _____
ADDRESS _____ CITY _____ ZIP _____
PHONE _____ FAX _____ E-MAIL _____

If the designated representative is not available for a given league meeting, an alternate designee of the district governing board may be sent in his/her place. NOTE: League representatives from public schools and private schools must be designated representatives of the school's governing boards in order to be eligible to serve on the section and state governance bodies.

Superintendent's or Principal's Name Mike Jordan Signature Mike Jordan
Address 3111 Center Court Lane City Antelope ZIP 95843
Phone 916-338-6420 Fax _____

**PLEASE MAIL OR FAX THIS FORM DIRECTLY TO THE CIF SECTION OFFICE.
SEE REVERSE SIDE FOR CIF SECTION OFFICE ADDRESSES.**



TO: SUPERINTENDENT OF PUBLIC SCHOOLS
PRINCIPAL OF PRIVATE SCHOOLS

FROM: ROGER L. BLAKE

RE: FORM TO RECORD DISTRICT AND/OR SCHOOL REPRESENTATIVES TO LEAGUES

DATE: APRIL 21, 2017

Enclosed is a form upon which to record your district and/or school representatives to leagues for next year, 2017-2018. It is a form sent every year to you in order to obtain the names of league representatives to every league in the state and to make sure that the league representatives are designated by school district or school governing boards. It is a legal requirement that league representatives be so designated.

The education code gives the authority for high school athletics to high school governing boards. The code also requires that the boards, after joining CIF, designate their representatives to CIF leagues. This is a necessity! (Ed. Code 33353 (a) (1))

We are asking that, after action by the governing board, you send the names of league representatives to your CIF Section office. Obviously, the presumption behind this code section is that the representatives of boards are the only people who will be voting on issues, at the league and section level, that impact athletics.

If a governing board does not take appropriate action to designate representatives or this information is not given to Section offices within the required time frame, CIF is required to suspend voting privileges (CIF Constitution, Article 2, Section 25, p.17) for the affected schools.

At the State Federated Council level we will be asking that Sections verify that their representatives are designated in compliance with this Ed. Code section.

I hope this gives you a bit of background. Thank you for all you do to help support high school athletics. It is a valuable program in all high schools and we appreciate the support you give to the program and to CIF.

Please return the enclosed form no later than June 30, 2017 directly to your CIF Section Office. Addresses of each section are listed on the back of the form. Please contact us if we can give you further information.

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: **Dudley Elementary**

Date: **May 5, 2017**

Action Item **X**

To: **Center Joint Unified School District Board of Trustees**

Information Item

From: **Steve Jackson**

of Attached Pages **102**

Principal's Initials: **SJ**

SUBJECT: 2016-2017 Safe School and Emergency preparedness Plan -- Dudley Elementary

CONSENT AGENDA

RECOMMENDATION: The CJUSD Board of Trustees to Approve the 2016-2017 Safe School and Emergency preparedness Plan -- Dudley Elementary

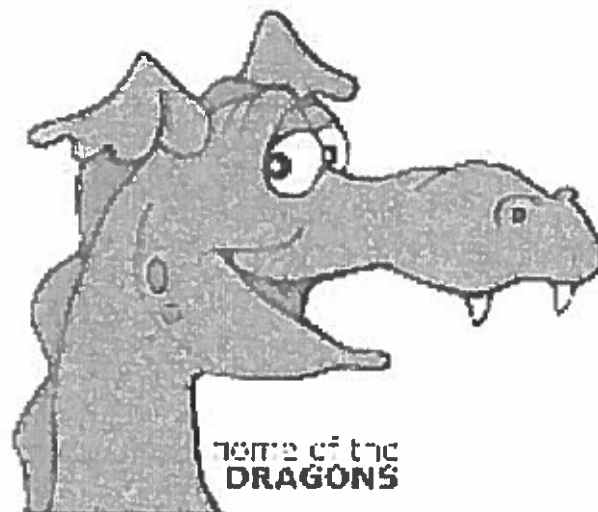
ARTHUR S. DUDLEY ELEMENTARY

Safe School

And

Emergency Preparedness Plan

**Center Joint Unified School District
Antelope, CA**



Revised March 2016

EMERGENCY PREPAREDNESS PLAN

The Emergency Response Plan has as its primary objectives:

1. To save lives and avoid injuries;
2. To safeguard school property and records;
3. To promote a fast, effective reaction to coping with emergencies;
4. To restore conditions back to normal with minimal confusion as promptly as possible.

Attaining these objectives will require clear activation procedures and responsibilities, identification of all tasks to be performed and by whom, an organized yet flexible response, and the dedication and cooperation of all.

It is vital to the continued functioning of the school, staff, and students that we are prepared to respond effectively in times of emergencies. Such preparations will also help us meet our obligations to our community.

This plan has been developed to be used in case of an emergency. All members of the faculty and other employees should:

1. familiarize themselves with this plan,
2. be prepared to activate it immediately, and
3. perform any duties to which they are assigned to make its activation effective.

Members of the faculty shall teach the Emergency Response Plan to the students. The members of each classroom shall be instructed in the evacuation plan so they can respond immediately upon receiving the necessary warning.

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PART 1 CRISIS MANAGEMENT

SECTION 1 INCIDENT COMMAND SYSTEM

The Incident Command System (ICS) is a nationally recognized organizational structure that provides for role assignment and decision-making while planning for and reacting to critical incidents of all types. Implementing ICS will allow for all school personnel to know their area of responsibility during a crisis and to plan and practice the management of their specific role. This type of delegation limits the number of functions under any one manager, allowing each person to focus on just one or two aspects of the incident. These managers then provide information to the incident commander (principal) and help that person make informed decisions. Using this type of organizational system during a critical incident creates clear communication channels that will help limit the chaos and uncertainty associated with emergency incidents. Plans can be made, policy established, and training conducted well in advance of any emergency incident. This type of forward thinking will be needed during a critical incident and is a key component to a school being properly prepared.

Dudley Elementary School Incident Command System

		Incident Commander Steve Jackson Nancy Dzida		
Public Information Officer David Grimes	Safety Officer Steve Jackson Nancy Dzida		Scribe Laurel Stolfus	Liaison Kim Moss
<u>Operations Chief</u> <i>Doers</i> Handles all emergency response jobs, including taking care of students as well as handling the challenges of the emergency. Jennifer Nelson Delanne Mathias	<u>Planning Chief</u> <i>Thinkers</i> Responsible for tracking both available and needed resources, assessing the changing situation, documenting the response, and managing the large site map at the Command Post. Venessa Mason Sonja White		<u>Logistics Chief</u> <i>Getters</i> Manages personnel, supplies, and equipment. During a response, the Logistics Team is responsible for handing out supplies and equipment, deploying unassigned people for work. Diane Keller	<u>Finance & Administration Chief</u> <i>Collectors</i> Responsible for buying materials and keeping financial records of expenditures and employee hours. Kim Moss
Search & Rescue Trevor Forbes Cynthia Piegaro Custodians	Documentation Laurel Stolfus Leah Dean		Supplies, Facilities, and Staffing Sandy Oliver Mary Linden	Timekeeping and Purchasing Kim Moss
Student Release Hannah Kassls Tracie Meloy Patti Stever			Communications and Transportation Tina Duncan	Student Staging Leader Lisa Morton Claudia Searls Liz Heath
Site Security Perry Weidman Susan Velez		Student Supervision		
		Andrea Kasal Robert Smith Lisa Tamer Dawn Altobell Ashley Gorman Valerie Rose Mary Ruth Neal Rochele Haywood Terri Skogebo Sandra Newman		

Incident Command Descriptions

Incident Commander: The Incident Commander is the overall leader during an emergency incident. This person is normally the principal or assistant principal of the school. The Incident Commander makes decisions based on the information and suggestions being provided from the Liaison and ICS Section Chiefs.

- Assume Command
- Establish the Command Post
- Conduct briefings of the Command Staff
- Identify level of threat by assessing situation
- Set specific objectives and direct development of incident action plans
- Direct protective actions to stabilize the school
- Activate and oversee ICS functions
- Establish Unified Command with responding agencies
- Update EOC as situation evolves
- Approve information to send to the EOC for media briefings
- Set objectives for resumption of normal activities
- Maintain an activity log (scribe) and oversee action reports

Admin/Finance Chief

- Report to Command Post if directed to do so; otherwise, provide finance duties as secondary duty
- Keep an envelope or box for all receipts and overtime cards
- Provide a cost-accounting update for the IC as requested
- Maintain an activity log (scribe) and write after-action report
- Check attendance for that day for both students and adults

Logistics Chief: The Logistics Chief manages the team and reports directly to the Liaison. This team is responsible for obtaining any needed resource, communication, food and water, and transportation.

- Report to Command Post (immediately or upon handing off students)
- Participate in briefing sessions, helping to identify required resources and personnel or advising of their availability
- Provide equipment, supplies, personnel, busses/cars as required by Operations
- Establish and maintain communications (radios, bullhorns, etc.)
- Stage resources (or Team Leaders) so they are readily available
- Coordinate and re-assign staff to other teams as needed by Operations
- Maintain a visible chart of available resources as a reference for Ops and the IC Team
- Provide food and water as needed (and available) for staff and students
- Maintain an activity log (scribe) and write after-action report

Operations Chief: The Operations Chief manages the members of the Operations Team. The Chief reports directly to the Liaison. This group, referred to as the "Doers", performs the "hands on" response.

- Immediately report to Command Post
- Supervise and direct activities of all groups assigned to Operations through the Team Leaders
- Identify alternate staging areas as needed (to IC and Logistics)
- Identify alternate resource requirements (to IC and Logistics)
- Deploy resources
- Make changes as necessary to action plan based upon reports from group leaders and Planning Chief
- Update IC and IC Team with status reports
- Maintain an activity log (scribe) and write after-action report

Planning Chief: The Planning Intelligence Chief will report directly to the Incident Commander and may stay with the Incident Commander throughout the crisis. This team will gather information to assist with medium/long-range planning related to the ongoing incident and school recovery issues. They will arrange for recovery/aftermath resources so that there is no gap between the end of the incident and necessary support/ services.

- Report to Command Post (Immediately or upon handing off students)
- Collect EOC forms and develop a briefing on incident size and scope for IC Team.
- With Ops, gather incident information and updates from team leaders.
- Send and supervise runners, if needed, to gather incident information
- Share information needed for decision making with IC Team
- Prepare estimates of incident escalation or de-escalation for IC Team
- Report to Safety any conditions that may cause danger
- Maintain an activity log (scribe) and write after-action report

Communications: This person will work to ensure that a communication system is in place (phones, walkie-talkies, etc). They will communicate crisis progress or changes within the site and with District Office.

Documentation: This person will collect, evaluate and document information about the development of the incidents and the status of resources.

Liaison: The liaison is the link between the Incident Commander and the Section Chiefs. The liaison may provide general information to the Incident Commander but does not make command decisions. The liaison is also the contact person/link for other community agencies, such as local police and fire departments.

Medical Team: Members of this team will take roll with their own class, send in their EOC form, and then ask a supervising teacher to watch their students. They will then report directly to the Team Leader in a pre-determined First Aid Staging Area and organize first aid supplies. The medical area should provide privacy for the injured and easy access for cars used to transport people with major injuries.

If necessary, Medical Team members will take medical supplies and report to classrooms where injuries are being reported by Search and Rescue. They will stay in communication with Operations Chief via radio.

The Medical Team will use the First Aid and START to provide treatment and continue to prioritize injuries. Students with minor injuries can be walked to the medical area for first aid treatment. The Medical Team will determine if a student needs to be transported to the hospital. Written records must be kept of any students who are to be transported. If a transported student's name is not known, use a cell phone to take a photo of that student and document where he/she was transported to. Also, get the name of the ambulance company and the badge # of the ambulance personnel.

Off-Site Evacuation Coordinator: The duties of this position focus on organizing the off-site evacuation location during an emergency situation. This includes planning the movement of the students to the location and assisting with accounting of the students once they are moved. Many aspects of this assignment involve planning for the use of a location and planning the evacuation route to safely move the students. When organizing an evacuation, consider the special needs students and plan for how those students will be moved and what assistance will be required.

Scribe: The scribe will take roll with their own class, send in the EOC form, and then ask a supervising teacher to watch his/her students. The scribe then reports to the Command Post. The scribe stays with the Incident Commander at all times. The scribe will maintain a written record of the incident including actions taken, actions reported to the Incident Commander, time, names, dates, etc.

Search and Locate: This team is responsible to "sweep" the bathrooms, hallways, and other areas for students, visitors, and staff. This team may need to search for unaccounted for people. Emergency responders will perform any major rescue efforts if necessary. Members will take roll with their own class, send in their EOC form, and then ask a supervising teacher to watch their students. Search and Rescue Team members should report to their Team Leader in a pre-determined location. It may be near (but not in) the Command Post or by the Student Staging Area. The Operations Chief will direct the Team Leader as to the location of the missing or injured. Room by room searches are not conducted by Search and Rescue until after they have gone to all the rooms with known problems and then only if it is deemed safe to do so. As Search and Rescue teams (2 each for safety) proceed, they should check back in with the Team Leader to report progress and/or need for additional help. The Team Leader reports progress/needs to the Operations Chief.

Site Check/Security Team: Members of this team will take roll with their own class, send in their EOC form, and then ask a supervising teacher to watch their students. The Team Leader will report to the Operations Chief and then, if it is safe, send the team to check on utilities, etc. The Site Check/Security Team will notify the utility companies of a break or suspected break in utilities. The team will then proceed to the entrances where public safety and/or parents may arrive and help direct people to the Command Post or Student Reunification Areas. If neighbors arrive, the team should direct them to help support Traffic Control.

A violent crime or other situation near a school may require that the school staff take steps to quickly secure the school from outside intruders. This will involve developing specific assignments for school personnel during such an emergency and creating a check system to make sure the school is secure. This person would then act as a liaison with the agency handling the local event.

Situation Analysis: The person in charge of situation analysis will provide ongoing analysis of situation and resources status - *What If...*

Staffing Assignment Coordinator: The role of this position is to use available personnel to assist with carrying out the core functions associated with an incident. Any teacher not assigned students during an incident and any school personnel arriving at the incident should directly report to this person. Working closely with the Incident Supervisor, the person will direct staff to the areas that need assistance. Those responsible for organizing the various areas will coordinate with this person in requesting manpower during the incident. This person will keep a roster of assignments and manpower needs and make requests of administrative offices when needed.

Student Release a.k.a. Parent Reunion Coordinator: This team will supervise the release of students. They will document the persons picking up students. They must record the time, signature, and where they will be taking the student. Pictures of each child with the adult picking them up may be useful. Members will take roll with their own class, send in their EOC form, and wait to be called up. Before parents begin arriving, the Team Leader will begin setting up the Reunification Center, with support if needed, in a predetermined location. They will gather information regarding attendance from the Admin/Finance Team. When parents begin arriving, the Team Leader will call up the rest of the team and notify the Operations Chief. As more parents arrive, more teachers and classified staff will be assigned to this staging area. Students will be re-assigned to other Supervising Teachers. If evacuating the site, before leaving the school grounds, the Student Release Team will post a notice on the front door informing parents where to pick up their children. If the front door is no longer there, the notice will be placed on the flagpole.

Student Supervision Team: This team supervises all students unless otherwise assigned. Other teachers who have designated responsibilities that take them away from their class will be reporting to a member of the Student Supervision Team before they leave their class in his care. This team will be working closely with the Student Release Team to make sure that students do not leave until their parent or adult has signed them out from the release area.

Supplies/Facilities: This person will locate and provide facilities, equipment, supplies and materials as needed.

Timekeeping & Purchasing: This person will maintain accurate records of staff hours and of purchases.

Transportation: The school staff member responsible for organizing this operation works with the district Transportation Department to coordinate the arrival of buses and the loading of students onto the proper bus. Responsibilities for this person include: arranging for buses, supervising loading and moving of buses, and arranging alternative forms of transportation as needed. The Operations Chief will direct the team to move students off campus, if necessary.

SECTION 2 STAGING AREAS

Indoor Command Post:

- 1. Main Office**
- 2. Library**

Outdoor Command Post:

- 1. Benches on side of M-4**
- 2. Gazebo behind multi-purpose room**

Triage Area:

Blacktop in front of M-9 – M-12

Parent Reunification Area:

School Parking Lot

Bus Staging Area:

Aztec Way

Media Staging Area:

Something Extra Pre-School Parking Lot

Off-Site Evacuation Location:

[REDACTED]

Directions:

[REDACTED]

SECTION 3' LOCKDOWN PROCEDURES

The school lockdown procedure serves many functions during an emergency situation:

- When a lockdown is initiated, the majority of students and teachers will be taken away from the threat.
- The dangerous situation can be isolated from much of the school.
- Accounting for students can accurately take place in each classroom.
- Depending on the situation, an organized evacuation can take place away from the dangerous area.

In addition to an onsite emergency, lockdown procedures can be modified for use during a local incident in which the school population is not in direct danger. A local incident might be a sheriff or fire event nearby or an injury on school grounds that requires limiting student movement in the area.

When a lockdown is announced, several steps should take place. Someone must be assigned to the dangerous situation or area to ensure students and staff do not enter the area. Immediate notification should be made to the 911, fully explaining what is known at that time. The bells must be held and instructions to ignore the fire alarm should be given.

When ordering a lockdown, the following announcements should be made and repeated several times:

A) Classes in progress (not during lunch)

"Teachers, please secure your students in your classrooms immediately. All students report directly to your classrooms and ignore any fire alarms."

B) Class change in progress

"Teachers and students, it is necessary to begin a lockdown of classrooms. All students report directly to your next assigned class and ignore any fire alarms."

C) Lunch is in session

Add the following to either announcement:

"Students in the cafeteria, follow the instructions of the staff in the cafeteria."

Unassigned teachers should ensure that students in hallways are placed in classrooms immediately. Staff members should check restrooms and other areas where students may be found. If students are found and are not close to their classroom, students should go into the closest occupied classroom. Then teachers should stay in a locked room and notify the office of their location.

During a lockdown, special attention should be given to the areas of the school where numerous students are gathered in an unsecured environment, such as the cafeteria, auditorium, or library. Arrangements should be made so that students in these areas can be moved to nearby locations that can be secured.

When a teacher with a class hears one of the lockdown announcements he or she should follow these directions:

1. Lock the classroom door immediately.
2. Keep all students sitting on the floor, away from the door and windows.
3. Use caution and discretion in allowing students entry into the classroom.
4. Advise the students that there is some type of emergency but you don't know what it is.
5. Take attendance and prepare a list of missing students and extra students in the room. Prepare to take this list with you when you are directed to leave the classroom.
6. If there is a phone in your classroom, do not use the telephone to call out. Lines must be kept open, unless there is an emergency situation in the classroom.
7. Ignore any fire alarm activation. The school will not be evacuated using this method.
8. Project a calm attitude to maintain student behavior.
9. When or if students are moved out of the classroom, assist them in moving as quietly and quickly as possible.
10. Remain in the room until a member of the Crisis Management Team comes to the room with directions, or a sheriff arrives with directions.

Teachers should be aware of the emotional response some students may have to a lockdown situation. For example, teachers could prepare for frightened students vomiting by keeping plastic bags and cleaning supplies available in the classroom. Another idea is to keep a supply of gum, mints, or hard candy in each room to help relax students.

Depending on the grade level, students will ask many questions that teachers will not be able to answer. Being familiar with the lockdown procedures and the role of the ICS will provide a better understanding of what is taking place and what can be expected.

As a lockdown is taking place, the Incident Command Team should ensure that several functions are taking place. Depending on the situation, the school may need to be completely secured from the inside. This will require specific individuals being assigned to lock any open doors. Notifications will continue to be made to school administration and possibly the sheriff department if the sheriff has not arrived on the scene. Any known injuries should also be reported to the administration, who will relay that information to the sheriff.

Communication via school radio is permissible as long as the incident does not involve an explosive device or a suspect in possession of a radio or scanner. The sheriff liaison member of the Incident Command Team should be prepared to gather all known information and respond to the first arriving sheriff personnel and brief them on the situation.

Once a lockdown has been started, wait for the sheriff department to arrive before arranging for evacuation of the school. This will allow for a more secure environment during the evacuation and assist the sheriff if a tactical operation is necessary.

Special areas of concern:

Special attention should be paid to the playground area of each school. Teachers must be able to hear the lockdown announcement and an alternate lockdown location must be identified. This location can be indoors or outdoors, if students can be safely hidden on the playground. In either case the lockdown location must be determined during initial crisis planning and the information should be clearly communicated to all staff members.

SECTION 4 EVACUATION PROCEDURES

General Evacuation

Evacuation decisions are very incident-specific. If the release occurs slowly, or if there is a fire that cannot be controlled within a short time, then evacuation may be the sensible option. Evacuation during incidents involving the airborne release of chemicals is sometimes necessary. If a general evacuation is ordered, the school population will be sent home, to the off site evacuation location, or to another location. Students are evacuated by walking or on school busses. If the school has been evacuated, the response personnel will need to decide when it is safe to return. They will need to verify data collected by the monitoring crews and consider the advice of the health officials concerned.

Evacuation of School Grounds

In the event the school cannot be occupied following an evacuation, it may be necessary to evacuate the school grounds. We will evacuate to the off site evacuation location.

The principal will call the Superintendent. Before leaving the school grounds, the Student Release Team will post a notice on the front door informing parents where to pick up their children. If the front door is no longer there, the notice will be placed on the flagpole.

During evacuation, the students will walk quickly, quietly, and in single file. If busses are available, students will board {insert location}. When releasing students to the care of parents or other adults, refer to the section entitled, "Release of Students to Parents".

School Evacuation Instructions

Exit the Building

- Go to the designated assembly area.
- Immediately upon hearing the fire alarm signal or instructions to "leave the building" over the intercom, students, faculty and others in the building shall evacuate the building via prearranged evacuation route quickly, quietly and in single file. The last person out of the room shall pull the door closed, but will not lock it. All will proceed to the designated assembly area.

Teachers

- Take class lists, red/green cards and student emergency card.
- Make special provisions to assist handicapped students.
- Exit the building through assigned exit or nearest unblocked exit.
- Lead the class out of the building to pre-designated area at least 500 feet from building. Area must be free from hazards such as overhead power lines, gas lines and motor vehicle traffic.
- Take roll and report any missing students (by name) to the Student Supervision Leader at pre-designated location away from building.
- Necessary first aid should be performed.

Students

In homeroom class

- Leave all personal items in classroom.
- Follow their teacher and exit in a quiet and orderly manner.

NOT in homeroom

- Leave all personal items in classroom.
- Exit with their supervisor, or if alone, exit the nearest unblocked exit.
- Remain with the class with which they exited until it is deemed safe for the student to return to his/her regular class.

At recess / break

- During recess, students should go to their assembly area.
- Students should go to the assembly area of the next class on their schedule.

Staff Not Assigned To Classrooms

- Will follow as directed in the Incident Command System.
- Assist as directed by principal or designee.

Principal or Designee

- Report any missing persons to emergency response personnel.
- If building is determined to be safe to re-enter:
 - Determine WHEN it is safe to re-enter
 - Notify teachers by all clear signal or runner. **DO NOT USE FIRE ALARM SIGNAL** for re-entry.
- If building is unsafe to re-enter, evacuate the school site, using predetermined plan.

Instruct teachers to:

- Release students to responsible adults using predetermined procedure.
- Students will exit school grounds to the blacktop/field either to board busses or to walk to {insert location}.

Evacuation of Students with Disabilities

Students with sensory, developmental, cognitive and mobility disabilities will have evacuation protocol in place that meets the requirements of their Individualized Education Plan, their Health Plan and/or Americans with Disabilities Act requirements.

During an evacuation:

- A pre-designated staff member will assist with the evacuation.
- The staff member will describe the situation and actions to be taken in advance of beginning the evacuation procedures.
- The staff member will use facial expressions and hand gestures as clues when describing the procedures.
- The staff member will give one direction at a time during the evacuation.
- The student will never be left unattended.

Exit Route

An emergency exit route will be posted in the classroom beside the door. All who use this room should be familiar with the fire evacuation route as it applies to that room. When you have a substitute, make sure they are aware of where this map is located and that the roll sheet and student emergency information must be taken with them during the drill.

SECTION 5 STUDENT RELEASE PROCEDURES

Early Dismissal

The ultimate responsibility for the student's safety from the school to home in cases of emergency lies with the parent or guardian. Parents should work through community emergency preparedness groups to make preparations for the safety of their own children.

If an emergency occurs during the school day, and it is believed advisable to dismiss school, students will be provided shelter and supervision at the school as long as deemed reasonable by the principal.

The school will proceed on the basis that there will be no bus transportation or telephone communication. School will not be dismissed early unless school authorities have been assured by local emergency authorities that routes are safe for student use.

Follow the "Release of Students to Parents" plan.

Release of Students to Parents

Each teacher will have a copy of the student emergency information and a list of students on a clipboard. The adults listed on this card will be the only adults the students will be released to. Any other adult showing up may stay with the student, but he/she will not be permitted to leave with them. This clipboard is to remain with the teacher during any building evacuation exercise including a fire drill.

Prior to the approved adult taking the student, a release form must be filled out and signed. (See student release form.)

Teachers must stay with the students until all their students are picked up and/or the principal or his/her replacement approves of their leaving.

STUDENT RELEASE FORM

Date

Time

Student

Teacher

Room #

Grade

PERSON CHECKING OUT STUDENT:

Signature

STUDENT RELEASE FORM

Date

Time

Student

Teacher

Room #

Grade

PERSON CHECKING OUT STUDENT:

Signature

STUDENT RELEASE FORM

Date

Time

Student

Teacher

Room #

Grade

PERSON CHECKING OUT STUDENT:

Signature

SECTION 6 SCHOOL PARTNERSHIPS

Off Site Partnership

Antelope View Charter School / Global Youth Charter School
Contact: Doug Hughes
Phone: 339-4599 / 339-4599
Address: 3243 Center Court Lane Antelope
Directions:
From I-580 West to left on West Avenue
Turn right on West Avenue
Turn right on Center Court Lane
End at Antelope View Charter School and Global Youth Charter School
A shortcut through Lone Oak Park on Stevens may be used if the charter
schools are called in advance.

SECTION 7 RESOURCES

Staff List/Special Skills

Staff Emergency Information

Staff Member	Phone Number	Health Concerns	Special Skills
SDC			
Rose, Valerie			
Kindergarten			
Dzida, Nancy			
Kasai, Andrea			
Nelson, Jennifer			
Turner, Lisa			
1st Grade			
Morton, Lisa			
Newman, Sandra			
Searls, Claudia			
Skogebo, Terri			
2nd Grade			
Carlson, Steve			
Dean, Leah			
Forbes, Trevor			
Velez, Susan			
3rd Grade			
Gorman, Ashley			
Hakanson, Brianna			
Oliver, Sandra			
Piegaro, Cynthia			
4th Grade			
Kassis, Hannah			
Linden, Mary			
Weidman, Perry			
5th Grade			
Altobell, Dawn			
Meloy, Tracie			
Mary Ruth Neal			

6th Grade			
Cook, Angela			
Mathias, Delanne			
White, Sonja			

Staff Member	Phone Number	Health Concerns	Special Skills
Other Certificated			
Drulliner, Barbi			
Haywood, Rochele			
Jackson, Steve			
Keller, Diane			
Mason, Venessa			
Silverman, Todd			
Smith, Robert			
White, Karen			
Classified			
Bishop, April			
Buderer, Claudia			
Caton, Becky			
Davis, Linda			
Duncan, Tina			
Glass, Kitty			
Heath, Liz			
Kelly, Kim			
Kraft, Laura			
Moss, Kim			
Nevez, Hilda			
Newell, Coleman			
Palavivatana, Jimmy			
Powell, Bonnie			
Rivas, Patricia			
Sharma, Christina			
Stever, Patti			
Stevens, Dorothy			
Wiley, Rebecca			
Zakharchuk, Petr			

SECTION 8 COMMUNICATIONS

It is likely that the public address system will be operational in most emergencies during which inside-the-building announcements need to be made. If it's not, communication will be by messenger(s) from the office to each teacher.

Communication between the custodial staff and the office staff will be by radio. One radio shall be assigned to each of the following people:

Principal
Secretary
Day Custodian
Night Custodian
Noon Duty Aide
Resource Teacher
Counselor
Operations Chiefs
Planning Chiefs
Logistics Chiefs
Incident Commanders

Telephone Communication

1. The school telephones may NOT be used by ANY person for outgoing calls of any kind during an emergency, except when authorized by the principal.
2. Appropriate authorities will be notified including 911, Twin Rivers Police Department, and the Superintendent.

SECTION 9 CRISIS PHONE DIRECTORY

- Sheriff/Fire Department: 911
- Twin Rivers Police Department: (916) 566-2777
- Poison Control Center, UCD Medical Center:(916) 734-3692
- Citizens Utilities (Water): (916) 568-4200
- SMUD (Electricity): (916) 456-7683
- PG&E (Gas): (916) 743-5000
- Superintendent's Office: (916) 338-6409
- Maintenance, Operations, Transportation (MOT):
 - Craig Deason, Assistant Superintendent: (916) 338-6337
 - Carol Surryhne, Assistant Superintendent's Secretary: (916) 338-6337
 - Kim Rogers, Staff Secretary: (916) 338-6417
- Child Protective Services (CPS): (916) 875-5437
- Dudley Elementary School: (916) 338-6470
- North Country Elementary School: (916) 338-6480
- Oak Hill Elementary School: (916) 338-6460
- Spinelli Elementary School: (916) 338-6490
- Wilson C. Riles Middle School: (916) 787-8100
- Center High School: (916) 338-6420
- McClellan High School: (916) 338-6445
- Antelope View Charter School: (916) 339-4690
- Global Youth Charter School: (916) 339-4680

SECTION 10 **LETTERS HOME**

The letters on the following pages shall be provided to families at the beginning of each school year.



Established 1958

8408 Wall Avenue Antelope, CA 95843-9116
(916) 338-6113 Fax (916) 338-6322

BOARD OF TRUSTEES

Nancy Anderson
Jeremy Hunt
Kelly Kelley
Debra M. Pope
Donald E. Wilson

SUPERINTENDENT

Scott A. Loehr

CJUSD Disaster Procedures

Dear Parents/Guardians:

Please review the following information regarding school and parent responsibilities for emergency school closure. Please help us to be efficient and helpful in caring for your child.

We have developed an emergency preparedness plan that outlines a variety of situations including fire, bomb threat, earthquake and the possibility of evacuation due to an unforeseen emergency. We would like parents to be advised as to what to expect while their children are in school. The following procedures will be implemented in case of an emergency:

1. In case of a fire alarm, students will be evacuated from the building. In the event of an actual fire that requires evacuation, students will be evacuated to the off-site location indicated in Part 1 Section 2: Staging Areas section of this document. If possible, notification will be sent to parents through the automatic dialing system; otherwise, parents will be informed by school officials during or after the evacuation.
2. If an emergency evacuation occurs before parents can be reached, a notice will be left on the office door informing parents where to find their children. Only parents or adults listed on the emergency information cards will be permitted to pick up students. Please make sure the information on the emergency card includes everyone you would permit to pick up your child. Bused students will only be returned home during regular times and only if it is deemed safe.
3. If there is an earthquake, students who are indoors will be kept inside until quaking stops. Students will then be evacuated from the building. Students who are outside will be directed to an open area free from hazards. If there is too much damage to use the school as shelter, see number 1.
4. Floods, power outages, severe storms or any other disaster will normally result in students being held at school in regular classes until the usual departure time or sent home as in number 2.
5. Parents should discuss the above information with their children and assure them that school personnel will care for them just as they do each day, until they can be re-united with parents.

As the new school year starts we would like to remind you that this is a good time to go over the following information with your children:

1. Practice and review emergency plans, meeting places and emergency telephone numbers regularly with your children.
2. Each year make your child's teacher aware of his/her health or physical needs that would require special action or supplies during an emergency. Make sure the office has a supply of vital medication on hand.
3. Make sure your student's information card has the name, address, and phone number of anyone you want to pick up your child during an emergency. Students will NOT be released to ANYONE not listed on this card.
4. Make sure your child is familiar with the people he/she may leave with and that they know that it is OK to leave with them in the event of an emergency.
5. Be aware that you may not be able to get to your child in the event of a large-scale emergency if you work a great distance from your child's school. Be aware that the person picking up your child may have them for several hours or even days.

If you have any questions about these procedures, please contact the school office. Thank you for your cooperation in this very important matter.

Sincerely,

Principal



Established 1958

8408 Watt Avenue Antelope, CA 95843-9116
(916) 338-6413 Fax (916) 338-6322

BOARD OF TRUSTEES

Nancy Anderson
Jeremy Hunt
Kelly Kelley
Debrae M. Pope
Donald E. Wilson

SUPERINTENDENT

Scott A. Loebe

Snack Request

Dear Parents:

As part of our disaster preparedness program we ask that each child's family prepare a snack-pack to be kept at school. In the event of major disaster which might delay you from picking up your children from school, this pack will provide a source of nourishment and comfort. Please involve your children in putting together this pack and share a short explanation of its potential use. Have your child bring the bag to his/her classroom the first week of school.

In a heavy-duty 1-gallon ZIP-LOCK bag, place the items listed below:

- (1) can of fruit drink (*no pouches, no boxes because they leak*)
- (1) bottle of water
- (3) small non-perishable snack packages – please choose commercially vacuum-packed items such as beef jerky, a granola bar, a fruit roll-up, cheese and crackers or a small pull-top can of fruit with a plastic spoon
- (1) small packet of wet wipes
- (1) note of reassurance and a small picture, as these may be a source of comfort in the event of an emergency and extended separation

Please do not send items that need to be refrigerated. Items that are perishable or need to be refrigerated will be sent back home with the student.

Please make sure the bag is marked clearly with your child's name, grade, teacher and room. Packs will be returned to students at the end of the school year.

Having these supplies on-site will better enable us to care for the students in an actual emergency, and they will also be a source of comfort to them. Your child will not be permitted to take something from the kit if s/he forgets a snack or wants a drink. The kits are for true emergencies only.

If you have any questions about this program, please contact the school office. Thank you for your cooperation in this very important matter.

Sincerely,

Principal

SECTION 11 AFTERMATH

Counseling

The need for a proactive counseling program can not be overlooked. Many dangerous situations can be avoided with early intervention by trained professionals. Available resources should be identified and used on a regular basis when the first sign of depression, anger, or other alarming changes in a student is observed. During a crisis, the CMT member responsible for counseling must quickly organize a counseling program to help students, parents, faculty, and the community heal from the incident. Counselors at the effected school may handle some incidents, while other incidents could easily require the cooperation of many services. Identifying resources within the school system, county, and community should be planned and well organized before a crisis occurs.

SECTION 12 TRAINING AND UPDATING

Drills

The principal shall hold fire drills monthly and intruder alert and earthquake drills each trimester to ensure that all students, faculty members, and others are sufficiently familiar with such drills that they can be activated and accomplished quickly and efficiently. These drills shall be held at both regular and inopportune times to take care of almost any situation. Everyone in the building, including other employees, all office workers, all lunch workers, all custodial staff, and visitors must obey the instructions in the room or area they occupy when the alarm is sounded. Drills will also be carried out for quick evacuation of the multi-purpose room. The school secretary will be responsible to notify Sacramento Fire Department and Twin Rivers Police Department as necessary.

Once yearly, a full scale disaster drill will be held to give the staff an opportunity to fully implement the Incident Command System.

Training

The staff has participated in the following trainings:

- Arson Prevention (every other year – odd years)
- Bloodborne Pathogens for School Employees (every other year – even years)
- Code Red Lockdown Training (annually)
- CPR Training (every other year – even years)
- NIMMS/ICS video (discuss components annually, can watch video every other year)
- Mandated Child Abuse Reporter Training (annually)
- Triage Training (every other year – odd years)

* The Power Point Presentations on the Schools Insurance Authority website can be used in lieu of their videos. In either case, sign in sheets must be used.

PART 2 CRISIS READINESS

SECTION 1 ACTIVITY IN THE VICINITY

Upon notification of a dangerous situation near the school, several steps should be taken to protect the school population from the incident.

- Obtain as much information about the incident as you can. The Sacramento County Sheriff's Communication Center will be able to provide an overview of the incident. Call (916)874-5115.
- Convene a meeting of the Incident Command Team and discuss the situation and/or recommendations from the sheriff or fire department.
- Bring classes being conducted in trailers into the school.
- Secure the school building, if necessary.
- Coordinate with team members and faculty to ensure all doors are secured and post lookouts inside the school who can alert you to approaching danger.
- Notify the District's Central Office.
- Assign sheriff and fire liaison member of Incident Command Team to monitor situation and provide updates as needed.
- Prepare for possible lockdown or evacuation depending on the situations. Follow sheriff or fire guidance.
- If sheriff or fire have not resolved the situation by dismissal time, plans will need to be made to alter or delay dismissal of students and transportation should be contacted with information.
- Informational letter for parents should be developed in conjunction with district office and sheriff or fire officials.

SECTION 2 AFTER-HOURS CRISIS PROCEDURES

Train custodians on what role they should take during after-hours events. Ensure that custodians have access to the Twin Rivers' Police Department phone number at all times. Also, ensure that custodians carry a phone so they may be communicated with if a crisis occurs.

An After Hours cover page has been provided with the CJUSD "Facilities Use Agreement." This document asks the facility user to meet with the site administrator to discuss the location of the safety plan and to review the "Crisis Management" and "Crisis Readiness" sections of the plan. In addition, facility users must indicate with their signature that they have received and read the CJUSD Emergency Procedures poster, which is posted in all rooms at all sites. Outside facility users must have their copy of the Emergency Procedures with them at all times when using district facilities.

SECTION 3 **BOMB THREAT**

Because an explosive device can be controlled electronically, school radio usage should not take place inside the school during a bomb threat since radio waves could detonate the device accidentally. Radio usage can resume 300 feet away from the building, allowing for communication from the evacuation staging area. Cell phones should also not be used.

Bomb Threat Procedures

I. Office Personnel

- a. If the threat is made by any means other than telephone, immediately notify an administrator.
- b. If the threat is made by telephone, the person receiving the call is to do the following:
 - i. Mentally form a picture of the caller - Is the caller male or female? Juvenile or an adult? Does the voice sound familiar? If so, who? As soon as possible, indicate your impressions on the Bomb Threat Form.
 - ii. Ask the caller three questions, in this order:
 1. When is the bomb going to explode? (The caller may or may not respond to this question. If the threat is real, chances are he/she will say something. If the caller just hangs up without any comment to your questions, the chances are great that it is a prank call.)
 2. Where is the bomb located? What kind of bomb is it? (If the caller responds to these questions, he/she will probably lie, but it will keep the caller talking and give you more time to identify him/her.)
 3. Why are you doing this? Where are you now? (The caller's answer to these questions will give you a clue as to whether or not it is a real threat. If he says he wants money, or is representing some group or organization, the chances that it is a real threat are increased. In no event suggest a reason to him by asking something like, "Do you want money?" Let the caller provide the reason.)
 - iii. Note the time the call was received and immediately notify the principal or designee.
- c. Call the Sacramento County Sheriff (911) and ask for a sheriff's unit to be dispatched to the school.

II. Administration

Make a judgment as to the validity of the threat, and react in the following manner whether or not you believe this to be a prank:

- a. Notify teachers to evacuate their rooms by announcing the bomb threat. All students should be at least 500 ft. away from the building.
- b. Wait for the sheriff's unit to arrive. Assist the officers as needed.
- c. Provide a designated employee(s) to assist law enforcement in search of suspicious objects on school grounds.
- d. Administrator must determine if students will need to evacuate the school grounds if no suspicious item is found.

- e. Maintenance, Operations, & Transportation will be called to provide busses for students, if necessary.

III. Teachers

- a. Upon receiving the notice to evacuate, have your students assemble outside your classroom in an orderly manner and wait for you.
- b. Students should take their backpacks with them.
- c. Check your room before you leave for anything out of the ordinary. Take a 360-degree sweep from eye level to floor and if you see anything suspicious, report it to an administrator.
- d. Keep your group together and walk with them to the field. Take your roll sheet and emergency information and call roll when you get there. Get your group together in an orderly manner and stay with them. You will probably be there for awhile, so take your time with these tasks and make sure students obey you perfectly.
- e. When you hear the all clear signal (announcement over the intercom or on the bullhorn) return to your classroom in an orderly manner.

IV. Custodians, Cooks, and other Classified Employees

- a. Check your work areas. Do a 360 degree visual check of your room(s) as described under "Teachers" above.
- b. Assist Administration as needed.

BOMB THREAT FORM

RECEIVING A BOMB THREAT

INSTRUCTIONS:

Be calm and courteous: LISTEN! Do not interrupt the caller. Quietly attract the attention of someone nearby, indicating to them the nature of the call. Ask the questions in the order they are listed. Complete this form as soon as the caller hangs up and the school administration has been notified.

Exact time of call: _____

Exact words of caller:

Questions to Ask

1. When is the bomb going to explode? _____
2. Where is the bomb? _____
3. What does it look like? _____
4. What kind of bomb is it? _____
5. What will cause it to detonate? _____
6. Did you place the bomb? _____
7. Why? _____
8. Where are you calling from? _____
9. What is your address? _____
10. What is your name? _____

Caller's Voice (Circle):

Calm	Disguised	Nasal	Angry	Broken
Stutter	Slow	Sincere	Lisp	Rapid
Giggling	Deep	Crying	Squeaky	Excited
Stressed	Accent	Loud	Slurred	Normal

Voice Description (Circle):

Male	Female	
Calm	Nervous	
Young	Old	Middle-Aged
Rough	Refined	

Accent: Yes No Describe _____

Speech Impediment: Yes No Describe _____

Unusual Phrases _____

Recognize Voice? If so, who do you think it was?_____

Background Noises (Circle):

Music TV
Traffic Running Motor (type)_____
Horns Whistles Bells
Machinery Aircraft Tape Recorder Other_____

Additional Information:

A. Did the caller indicate knowledge of the facility? If so, how? In what ways?_____

B. What line did the call come in on?_____

C. Is the number listed? Private number? Whose?_____

D. Person Receiving Call_____

E. Telephone number the call was received at_____

F. Date_____

G. Report call immediately to:_____
(Refer to bomb incident plan)

Signature_____ Date_____

THREATENING PHONE CALL FORM

Time call was received _____ Time caller hung up _____

Try to get another person on the line and record the conversation. Exact words of person: _____

Questions to ask if not already covered by caller's statement (record exact words)

1. What is your name? _____
2. What are you going to do? _____
3. What will prevent you from doing that? _____
4. Why are you doing this? _____

5. When are you doing this? _____
6. Where is the device right now? _____
7. What kind of device or material is it? _____
8. What does it look like? _____

Person receiving the call

Department _____
Dept Phone No. _____
Home Address _____
Date: _____

Person monitoring the call

Department _____
Dept. Phone No. _____
Home Address _____

SECTION 4 BUS ACCIDENT

Field Trip Preparedness for Staff Members

- School buses are required to carry a first aid kit. Make sure it is in the bus.
- Teachers who participate in a large number of field trips should be encouraged to train in CPR and first aid procedures.
- Always take a complete roster and emergency care cards of students on a field trip.
- Maintain a complete list of teachers' and chaperones' home phone numbers, emergency contacts and work phone numbers for spouse.
- Develop an emergency phone number directory for field trips. Directory should contain emergency phone numbers for the school system and main phone numbers to the school and administrative offices.

SECTION 5 CHEMICALS/BIOHAZARD/GAS ODOR

All chemicals in the building are to be identified and stored according to district policy and procedures. Safety data sheets from vendors shall be on file and available for all chemicals in the office for quick reference. All personnel involved with chemicals in any manner are to be trained in their proper use.

The fire department shall be informed by the principal once each year of all chemicals used in the building and where they are stored. In the event of a hazardous material accident in the building, the principal (or designee) will decide if and how the building will be evacuated. If any accident should occur, the fire department, Center Unified School District Superintendent, and Sacramento County Health Department should be notified.

Responders will decide whether to order people to remain indoors (shelter-in-place), rescue individuals from the area, or order a general evacuation. The "remain indoors" option will be considered when the hazards are too great to risk exposure of evacuees. Rescuing people from the hazardous area may involve supplying protective equipment for evacuees to ensure their safety. A general evacuation requires a significant amount of lead-time, which may not be available.

In order for the "in-place-shelter procedure" to be effective, the effected population must be advised to follow the guidelines listed below:

- An announcement will come over the PA system telling you that the "in-place-shelter procedure" is in effect.
- Close all doors to the outside and close and lock all windows. (Windows seal better when locked.) Seal gaps under doorways and windows with wet towels, and those around doorways and windows with duct tape (or similar thick tape) and sheets of plastic (precut and labeled before the incident). Have students assigned to specific tasks ahead of time.
- Ventilation systems should be turned off.
- Turn off all heating systems and air-conditioners.
- Seal any gaps around window type air-conditioners, exhaust fan grills, exhaust fans, and range vents, etc. with tape and plastic sheeting, wax paper, or aluminum wrap.
- Close as many internal doors as possible.
- If an outdoor explosion is possible, close drapes, curtains, and shades over windows. Avoid windows to prevent potential injury from flying glass.
- If you suspect that the gas or vapor has entered the structure you are in, hold a wet cloth over your nose and mouth.
- Tune in to the Emergency Alert System on the radio or television for information concerning the hazardous materials incident and in-place-sheltering.

SECTION 6 DEATH/SUICIDE

Definition - Death or suicide of a student, staff member or significant person close to the school where students and/or staff are affected.

Principal or designee shall:

1. Call 911.
2. Contact Superintendent.
3. Notify immediate family - parent or guardian.
4. Identify key staff members at site to disseminate information at site level.
5. Communicate behavioral expectations to staff regarding:
 - Confidentiality issues
 - Providing factual information
 - Available resources
6. Send home written information to parents on facts of incident and any follow-up services available.
7. Consult with psychologist or county office of education staff for intervention strategies including specific activities that can be used in the classroom.

If the incident causes a major disruption to school activities, evacuation may be necessary and will be determined by law enforcement, principal or designee.

SECTION 7 EARTHQUAKE

During the Quake

Keep these points in mind in the event of an earthquake:

1. If an earthquake occurs, keep calm. Don't run or panic. If you take proper precautions, the chances are you will not be hurt.
2. Remain where you are. If you are outdoors, stay outdoors. If you are indoors, stay indoors. During earthquakes, most injuries occur as people are entering or leaving buildings (from falling walls, electrical wires, etc).
3. The teacher will give the "drop and cover signal" if the bell system is not operable.
4. Everyone will get under his/her desk and cover his/her head. If a desk, table or bench (best choice) is not available, sit or stand against an inside wall or in an inside doorway. Stay away from the windows, outside walls, and outside doors.
5. If you are outside, stay away from the building, electrical wires, poles, or anything else that might shake loose and fall. Look for open space and stay low.

After the Quake

For your own safety and that of others, you should carefully do the following:

1. About two minutes after the shaking stops, the fire bell will sound. If we have lost power, the teacher will give the command to evacuate the building.
2. Use the "Building Evacuation" plan.
3. Use extreme caution in entering or working in buildings that may have been damaged or weakened by the disaster.
4. Stay away from fallen or damaged electrical wires, which may still be dangerous.
5. The custodian will check for leaking gas pipes. Do this by smell only - don't use matches or candles. If you smell gas:
 - Open all windows and doors.
 - Turn off the main gas valve at the meter.
 - Leave the building immediately.
 - Notify the gas company, police, and fire departments.
 - Don't re-enter the building until it is safe.
6. The principal will confer with the Superintendent about evacuation of the school. If necessary, follow the "Evacuation of School Grounds" policy. Do not evacuate to another building unless it has received an inspection by a qualified person.

Re-entry of Building

Follow the procedures of the re-entry instructions (after "Building Evacuation") except: the building should be inspected by a qualified person who has been trained in Building Analysis. This person will perform an inspection on structural soundness, electrical wiring, water distribution, oil, gas, and other fuel systems, and boiler and heating systems.

A damaged structure will be occupied only after authorization by the responsible local agency. Building supervisors will be notified of the corrective actions to be taken to return building to use.

SECTION 8 FIRE/EXPLOSION

Fire

1. In the event of a natural gas fire, sound alarm and then turn off main gas valves. If the fire is small, use the fire extinguisher AFTER the gas is turned off.
2. In the event of an electrical fire, sound alarm and then turn off electricity. Do not use water or water-acid extinguishers on electrical supported fires. Only small fires should be fought with an extinguisher.
3. The person locating the fire will sound the school alarm.
4. Follow the "Building Evacuation" instructions.
5. The principal will notify the superintendent's office.
6. The office staff will notify the utility companies of a break or a suspected break in utilities.
7. Keep access road open for emergency vehicles.
8. All staff will be responsible to peek in the door of classroom on either side and make sure they were informed of the fire.
9. The custodian is responsible for checking exits daily to make sure they are functional. All exits should be obvious, maintained and clear of obstructions.

Computer Labs

All labs are to be equipped, as their needs require, for proper fire control and for emergency purposes.

Lunchrooms and Kitchens

1. Emergency preparedness to control fire in school kitchen areas:
 - Have automatic extinguishers over deep fryers and grills.
 - Have fire extinguishers for all types of fires in proper location.
 - Make sure that all of the kitchen personnel know where the extinguishers are located and how to operate them.
 - Make sure that the kitchen personnel know which exit to take in case of fire.

Whether it's a real fire or a drill, try to evacuate the building in fewer than two minutes.

Fire Drill Procedures

The secretary will call the fire department to inform them it is a drill. The principal or designee shall sound the alarm.

1. When the signal is sounded, the teaching staff will proceed to the evacuation assembly area (blacktop/field) with their classes. Staff not assigned a regular class of children will report to the same area to render any needed assistance to teachers.
2. Once each month, all teachers will instruct their classes in the correct procedures and behaviors to utilize during fire drills.
3. Once each month, a fire drill will be conducted by the school staff.
4. Students stand facing away from the building in silent lines.
5. Supervising staff will take roll. The whereabouts of all students should be known.

6. Any student in attendance at school but not with class or in a special class should be reported immediately to the Student Supervision Leader.

Silent Fire Drill / Neighborhood Disaster Plan

1. Silent fire drills and neighborhood disaster procedures will be used in the event of bell and/or intercom failure.
2. When a silent fire drill is in progress, a monitor appears at the door with a sign stating "silent fire drill." The monitor will remain until the teacher sees the sign. The procedures to follow are the same as during a regular fire drill.
3. When a silent intruder on campus drill is in progress, a monitor appears at the door with a sign stating "Duck and Cover". The monitor will remain until the teachers see the sign.

Fire Extinguishers

Fire extinguishers are placed in strategic locations as recommended by the fire department (see map). Faculty members and other staff personnel shall be instructed in the use of the fire extinguisher.

All extinguishers, unless stated, are dry chemical types which are needed to put out type A, B, and C fires which include wood, textiles, gasoline, oil, greases, and electrical fires. In discharging a fire extinguisher, it should be held upright while the pin is pulled. The lever is then pressed while aiming at the base of the fire.

Fire Extinguisher Inspections

The district maintenance department will be responsible for checking for possible building code violations and making sure all fire extinguishers are checked yearly for the following:

1. Check gauge for full charge. Report discharge or overcharge reading immediately to control office.
2. Check seal for breakage.
3. Check hose for crack, leaks, tears, etc.
4. Check casing for leaks or breakage.

SECTION 9 FLOOD

When there is a flood at the school site

- Notify parents via radio and television.
- Notify bus drivers for an early/late dismissal.
- The custodian or site security team will shut off water to prevent contaminated water from entering the school supply.
- The custodian or site security team will shut off electricity to prevent electrical shock.
- If school is a designated emergency shelter and time permits, check all supplies and provisions prior to emergency operations.

After the danger is over

Beware of contaminated food, water, broken gas lines, and wet electrical equipment. Resume classes only after a qualified person has done a building assessment (see returning to building under earthquake.)

Minor Flooding

If the school experiences minor flooding (one or a few classrooms), the class(es) affected will evacuate to another part of the building (principal will decide where to go). Classes will continue. The principal will notify the superintendent and they will jointly decide what to do next.

SECTION 10 GAS ODOR

If odors are detected outside the building, it is not necessary to evacuate the building. Call the police and fire non-emergency number to report the smell (874-5115). Call the district office.

If the odor is detected inside a school building, convene the crisis management team and evacuate the building immediately.

- Call 9-1-1
- Arrange to have the students moved to an off-site evacuation location
- The incident command system member responsible for student accounting begins the process of tracking all students
- Make sure the critical incident response kits leave the school with the students

SECTION 11 HOSTAGE SITUATION

Intruder or Hostage Situation

Organized or unorganized terrorists would usually find themselves in one or two places within the school building. Either they would penetrate into the administration office, or they would infiltrate a classroom. The administration and staff have only two "weapons" in which to combat the situation: time and specific procedures. The school staff should not attempt to disarm terrorists.

The procedures for the following situations are as follows:

Terrorist or Intruder Enters the Classroom

1. The teacher will try to make contact with the office via intercom phone.
2. If the teacher cannot get to the communication system, he/she should attempt to send a note out the door with a student. Do not take a chance if there is any doubt that the child will be seen exiting. If one is able to leave, he/she should crawl past any windows so as not to be seen.
3. Any teacher receiving the note from a student or other adult should immediately lock all doors, inform the office, and close the blinds.
4. If there is another teacher, adult, or student who can safely make a call, call the office at {insert phone number} or the administrator at {insert phone number}. The office's number should be visibly posted near phone.
5. Immediately brief the students to sit down and be quiet if you are faced with an intruder.
6. Try to obey all commands of the terrorist/intruder.
7. The office personnel upon receiving a "help" signal will verbally call for a lock down over the intercom. Teachers will immediately lock all outside doors including workroom doors and close the blinds. Students should assume the duck and cover position under their desks.
8. Office will immediately dial 911.
9. No one will evacuate the building unless instructed to do so by the principal or uniformed police officer.
10. Remain in your room until an "all clear" signal is given.
11. Any student finding himself or herself en route to a classroom from the bathroom, office, library, or another classroom needs to go to the nearest classroom or building. If the door is locked, he/she is to knock and loudly announce one's self.

Terrorist or Intruder Enters the Office

1. If the administrators, secretary, office assistants, or any other staff members are able to phone out of the school without bringing harm to themselves, they will call 911.
2. The principal or secretary will notify the Superintendent, if possible.
3. The school office personnel shall attempt to follow all commands of the terrorists.

Terrorist or Intruder Appears on Campus During Recess

1. The teacher on yard duty who first notices an armed individual (gun, knife, or other dangerous weapon) on campus will signal other adults on the playground with four short blasts on a whistle. An adult will send a student to the closest classroom door to enter and ask the teacher inside to inform the office immediately.

2. The office will announce the intruder alert. All students and teachers in classrooms will react accordingly by assuming the duck and cover position.
3. Students on the playground hearing four short whistle blasts or hearing the Duck and Cover signal will look for the nearest teacher and follow instructions. Students need to be aware that four short whistle blasts designate a problem. If the intruder has a weapon but is not firing, teachers should exit students as quickly as possible via one of the escape routes in that particular duty area.
4. Teachers will go in the opposite direction of the intruder.
5. If an intruder arrives on the playground and starts firing shots, students and teachers should drop to the ground.
6. Teachers will need to keep an eye on the intruder at all times to determine what to do next. This type of a situation is unpredictable and unfortunately cannot be covered with pre-determined procedures. The main concern is to get as many students as possible off the playground and into a safe building.

SECTION 12 HOSTILE VISITOR

Domestic or Civil Disturbance

It should be noted that the normal school routine serves to reduce the threat of civil disturbance within the school. The classroom unit keeps students in small groups where each student is more easily known and can be held responsible for his/her actions. Outsiders are generally recognized and the potential for problems can be reduced if the integrity of the individual classroom unit can be maintained.

To reduce the potential for problems, these steps are standard procedure:

1. All teachers are to be at their lines directly after the final recess bell.
2. Teachers are expected to attend assemblies and sit with their classes.
3. Teachers and administrators are available if the need for control should arise before and after school.
4. The administration is aware of substitutes in the building and teachers in adjoining classrooms are available to assist substitutes in controlling students if the need should arise. Each substitute is provided with lesson plans by the teacher who is absent, whether by direct communication, previously prepared plans, or emergency plans on file in the office.
5. Teachers are asked to report the presence of any outsider they see to the administration.

In addition to the above listed procedures, teachers and administrators should be keenly aware of the general morale of the students. An atmosphere in which students feel free to approach teachers and discuss problems is encouraged so that a close working relationship with all the different groups in the school can be achieved.

It is important to be aware of community problems, which could possibly set the stage for civil disturbance. The PTA and School Site Council organizations can be helpful in determining problems and offering assistance. A liaison with law enforcement agencies must also be maintained.

Procedure to Deal with Civil Disturbances

Violent Person:

Teachers are to be notified by intercom to close and lock classrooms until the situation is cleared by the administration and/or police. The "duck and cover" drill will be initiated. Students located in the halls shall be moved to the nearest classroom as quickly as possible. While contact is made with law enforcement, one person (determined by the administration) may attempt to establish rapport with the person, otherwise do not confront this person; contact the office immediately. The office will call 911. Administrators will inform the Superintendent.

If it is a parent with a restraining order planning to take his/her child, allow him/her to do so if it appears that it may be dangerous to intervene. Get a description of the subject, license number, make and model of car and direction of travel. If there are any

records on this person in the school office have them ready for law enforcement. See further information under the heading, "Kidnapping/Attempted Kidnapping."

Mob:

If the persons involved are from outside the school, the same procedure as used with a violent person should be implemented. If students are involved, the administration will determine the need for police assistance. If advance warning is received, steps will be taken to try to prevent the incident. In the absence of law enforcement, the administration will do whatever it believes necessary to alleviate the problem. The administration will make a written report of the entire incident.

Unidentified Person(s) Taking Control:

If an unidentified voice gives orders over the intercom threatening or calling a general assembly or asking for individuals, teachers are to close and lock their classroom doors. If an unidentified person comes to the room, he/she is to be asked for office clearance. Pick up the phone and contact the office if the person refuses to leave.

SECTION 13 KIDNAPPING/ATTEMPTED KIDNAPPING

Definition: The physical capture or attempted physical capture of a student or staff member against their will.

1. Principal or designee will contact the Sacramento Sheriff (911).
2. Principal or designee will contact the Superintendent and report the situation.
3. Principal or designee will contact the parent or guardian of the kidnapping victim.
4. Principal or designee will inform the teachers of the situation and give further instructions regarding child safety.
5. Principal or designee will inform secretary on how to respond to phone calls regarding the incident.

SECTION 14 MEDICAL EMERGENCY

Our school shall be prepared to provide basic first aid while summoning necessary emergency assistance. A list of qualified persons who have had First Aid and CPR training should be maintained by the principal. This list must be updated and distributed to the staff annually.

An emergency card will be filed in the office for each student with emergency numbers to call in case of an accident, injury, or illness. Parents will always be notified as soon as possible of any reportable accident, injury, or illness.

Any reportable accident or injury incurred on school property or during a school activity off campus will be reported in writing to the office of the principal no later than 24 hours from the occurrence. Accident forms are kept in office filing cabinet.

The general emergency number 9-1-1 will be explained each year to all school personnel, and this number will be readily visible on all telephones.

A first aid kit shall be maintained in the office and rotated. A Red Cross first aid booklet is provided with each kit. First aid procedures will follow the current American Red Cross First Aid Manual.

Although some staff members are trained in basic first aid and CPR procedures, they are not to be considered medical experts. The first aid kits are to be used only in cases of emergency.

First Aid Stations

A first aid station is always maintained in the nurse's office. In the event of a large scale emergency that requires an evacuation, a medical station will be set up by the Medical Team in a pre-determined location. If evacuation is not necessary, the nurse's station and/or the multi-purpose room will be used.

Rescue

With a non-critical or less serious injury, move the victim to the nurse's office.

With a serious or critical injury, do the following:

1. Evaluate the situation. Unless the victim is in further danger, do not move him/her.
2. Be sure the victim is breathing.
3. Control serious bleeding.
4. Send a runner to notify the office.
5. Treat for shock.
6. Keep comfortable and try to maintain normal body temperature.

With non-critical illness or injury, do the following:

1. Administer first aid.
2. Notify parents for their information and action. If parents cannot be contacted, notify other adults on the emergency card.

3. If no one can be contacted, lie the student down in the nurse's office or send the student back to class if the injury doesn't warrant the need to keep a close watch on the student.
4. Keep a record of time of injury, what first aid was administered and at what time.

With critical illness or injury, do the following:

1. Administer first aid to the extent possible.
2. Call 9-1-1 if the situation is life threatening or if the child is in need of immediate medical intervention.
3. Notify parents for their action and information.
4. Keep a record of time of injury, what first aid was administered and at what time.
5. Notify the superintendent's office.
6. Complete appropriate injury, illness, or insurance report promptly.
7. Keep a record of which students were sent to the hospital.

FIRST AID INSTRUCTIONS

Abdominal Pain	Eyes
Artificial Respiration	Fainting
Bleeding	Fracture
Internal Bleeding	Frostbite
Bone Injuries	Head Injury
Breathing	Heart Attack
Rescue Breathing	Nosebleeds
Burns	Pandemic Flu Plan
Choking (Heimlich Maneuver)	Poisoning
Convulsions or Seizures	Puncture Wounds
Diabetics	Seizure
Dog Bites	Shock
Ears	Sunstroke
Electric Shock	Wounds

Abdominal Pain

Abdominal pain may be due to food poisoning, appendicitis, hernia, ulcer, gallstones, or kidney stones. The symptoms are so similar that medical assistance should be obtained if the pains continue for several hours.

Artificial Respiration

1. Steps for mouth-to-mouth artificial respiration:
 - Clear airway
 - Tilt head back (unless possible neck injury - use jaw thrust)
 - Pinch nostrils
 - Seal mouth and blow
 - Watch for chest to rise
 - Listen for air to escape from mouth
 - Watch for chest to fall

- Repeat: 12-16 times per minute in adults; 16-20 times per minute in children.
- 2. If victim's tongue obstructs airway:
 - Tilt the head
 - Jut the jaw forward
- 3. If facial injuries make it impossible to use mouth-to-mouth method then use the manual method.
 - Use mouth-to-nose if airtight seal is impossible over victim's mouth.
 - Small child - cover both mouth and nose.
- 4. Continue artificial respiration until victim begins to breathe for him/herself or until help arrives.
- 5. Carbon Monoxide Poisoning or Asphyxiation (due to lack of oxygen): Check for breathing difficulties and give artificial respiration.

Bleeding

1. Apply direct pressure on the wound.
2. Elevate the wounded area if an arm or leg is bleeding.
3. Apply pressure on the supplying artery of the arm or leg if steps 1 and 2 do not stop bleeding.
4. Only as a last resort (if they will die without this), apply a tourniquet to stop the bleeding. Once applied, a tourniquet must be loosened or removed only by a doctor.

*Internal bleeding – Treat for shock

Bone Injuries

1. Dislocations: fingers, thumb, shoulder
Keep the part quiet. Immobilize shoulder with arm sling.
2. Fractures:
 - Signs of a closed fracture:
 1. Swelling
 2. Tenderness to touch
 3. Deformity
 4. Discoloration
 - Treatment (closed fracture - no bleeding or broken skin at wound)
 1. Keep broken bone ends from moving
 2. Keep adjacent joints from moving
 3. Treat for shock
 - Treatment (open fracture - broken bone and broken skin)
 1. Do not move protruding bone end
 2. If bleeding, control bleeding by direct pressure on wound
 3. Treat the same as closed fracture after bleeding is controlled.
3. Sprains (injury to soft tissue around a joint)
 - Always immobilize
 - Elevate joint
 - Apply cold packs during first half hour
 - Treat the same as closed fractures
 - X-ray may be necessary

Breathing - Unconscious Person

Breathing is the most critical thing we must do to stay alive. A primary cause of death is lack of air!

Be careful approaching an unconscious person. He or she may be in contact with electrical current. If this is the case, turn off the electricity before you touch the victim.

There are hundreds of possible causes of unconsciousness; the first thing you must check for is breathing.

1. Try to awaken the person by firmly tapping him or her on the shoulder and shouting, "Are you all right?"
2. If there is no response, check for signs of breathing.
 - a. Be sure the victim is lying flat on the back. If you have to roll the victim over, move the entire body at one time.
 - b. Loosen tight clothing around neck and chest.
3. Open the airway:
 - a. If there are no signs of head or neck injuries, tilt the head back and lift the chin to move the tongue away from the back of the throat.
 - b. Place your ear close to the victim's mouth; listen and feel for breathing.
 - c. If you can't see, hear, or feel any signs of breathing, you must begin breathing for the victim.
 - d. Begin rescue breathing immediately. Have someone else summon professional help.

Rescue Breathing:

1. Giving mouth-to-mouth rescue breathing to an adult:
 - a. Put your hand on the victim's forehead, pinching the nose shut with your fingers. Your other hand is lifting the victim's chin to maintain an open airway.
 - b. Place your mouth over the victim's, making a tight seal.
 - c. Breathe slowly and gently into the victim until you see the chest rise. Give 2 breaths, each lasting about 1½ seconds. Pause between breaths to let the airflow out. Watch the victim's chest rise each time you give a breath to make sure air is going in.
 - d. Check for a pulse after giving these 2 initial, slow breaths. If you feel a pulse but the victim is still not breathing, give one breath about every 5 seconds. After 10 to 12 breaths, re-check pulse to make sure the heart is still beating.
 - e. Repeat the cycle every 5 seconds, 10-12 breaths per minute, rechecking the pulse after each cycle. Continue rescue breathing until one of the following happens:
 - i. The victim begins to breathe without your help
 - ii. The victim has no pulse (begin CPR).
 - iii. Another trained rescuer takes over for you.
 - iv. You are too tired to go on.
2. Giving mouth-to-mouth rescue breathing to infants and small children:
 - a. A small child's head should be tilted back gently to avoid injury. With head tilted back, pinch the nose shut. Lift the chin and check for breathing as you would for an adult. Give 2 slow breaths until the chest rises.

- b. Check for a pulse.
- c. Give 1 slow breath about every 3 seconds. Do this for approximately 1 minute, or 20 breaths.
- d. Recheck the pulse and for breathing.
- e. Call 911 if you have not already done so. Continue rescue breathing as long as a pulse is present and the child is not breathing.
- f. Continue rescue breathing until one of the following occurs:
 - i. The child begins to breathe on his/her own.
 - i. The child has no pulse (begin CPR).
 - ii. Another trained rescuer takes over for you.
 - iii. You are too tired to go on.

Burns

- 1. Degrees:
 - Skin red (1st degree)
 - Blisters develop (2nd degree). Never break open blisters.
 - Deep tissue damage (3rd degree)
- 2. First Aid for thermal burns (1st and 2nd degree burns) to exclude air:
 - Submerge in cold water
 - Apply a cold pack
 - Cover with a thick dressing or plastic. (Do not use plastic on face.)
 - After using cold water or ice pack, cover burned area with a thick, dry, sterile dressing and bandage firmly to exclude air.
- 3. First Aid for 3rd degree burns:
 - Apply a thick, dry sterile dressing and bandage to keep out air.
 - If large area, wrap with a clean sheet or towel.
 - Keep burned hands and feet elevated and get medical help immediately.
 - Treat the same as shock victim, giving fluids as indicated; warmth necessary.
- 4. First Aid for chemical burns
 - Wash chemical away with water.
- 5. Acid burn to the eye (also alkali burns)
 - Wash eye thoroughly with a solution of baking soda (1 teaspoon per 8-ounce glass of water) or plain water for 5 minutes.
 - If victim is lying down, turn head to side. Hold the lid open and pour from inner corner outward. Make sure chemical isn't washed out onto the skin.
 - Have victim close the eye, place eye pad over lid, bandage and get medical help.

Choking (Heimlich Maneuver)

If the air passage is blocked by food or other foreign material, remove it with your finger if possible. Be careful not to force it deeper into the throat. If the person is coughing, he is getting some air. But if the passage is completely blocked, he can't breathe or speak; immediately do the following:

- Stand behind a slumped-over victim; wrap your arms around his waist below the diaphragm.
- Grasp your wrist with your other hand.
- Place your fist against the victim's abdomen, slightly above the navel and below the rib cage.
- Press your fist strongly and quickly in and slightly up into his abdomen.

If the victim is on his back:

- Kneel, facing him, astride his hips.
- With one of your hands on top of the other, place the heel of the bottom hand on the victim's abdomen slightly above the navel and below the rib cage.
- Press the heel of your hand forcefully into the abdomen with a quick, upward thrust. If necessary, repeat several times.

Convulsions or Seizures

1. Symptoms

- Jerking movements
- Muscular rigidity
- Blue about the lips
- May drool
- High fever

These seizures are seldom dangerous, but they are frightening.

2. Causes

- Head injuries
- Severe infections
- Epilepsy

3. Treatment

- Prevent patient from hurting himself
- Loosen tight clothing
- Do not restrain
- If breathing stops, apply mouth to mouth resuscitation
- Do not give liquids nor put patient in warm water
- When the seizure is over, treat as for shock keeping patient warm

Prompt medical help is needed if the patient does not have a history of convulsive disorders.

Diabetics

Diabetics may lose consciousness when they have too little or too much insulin. Unless you are thoroughly familiar with his treatment, it is better to seek medical help rather than to attempt first aid. These people often wear some type of medical identification.

Dog/Animal Bites

1. It is extremely important that the dog/animal be identified if the person bitten is to avoid rabies shots. Secure the animal, if possible without danger to yourself, with a leash, rope or in an enclosed area. If the animal cannot be contained, attempt to remember as much as possible about the animal's description so that animal control can make a thorough search of the area.
2. Attend to the wound by washing the area with water and soap for five minutes and bandage if possible. Inform parents and refer to the family physician.
3. Notify animal control center. Give description of the animal and name and address of the victim.
4. Complete the Report of Student Accident Form.
5. Notify school nurse so that information can be recorded in the pupil's health folder.

Ears

Foreign objects usually require medical assistance. Insects may be removed by using warm mineral or olive oil. When the head is tilted, the insect and oil usually drain out.

Electric Shock

1. Do not touch the victim if he is still in contact with the electricity.
2. Turn off the main switch or pull plug.
3. Be aware of the possibility of breathing emergency.

Eyes

Contact a physician immediately if the foreign substance is metallic or abrasive. Particles can often be washed out with water or removed with the corner of a clean handkerchief.

Fainting

1. Fainting is due to a temporary decrease of blood and oxygen to the brain. It may be preceded by paleness, sweating, dizziness, disturbance of vision and nausea.
2. Place the victim in a reclining position and treat as for shock. If a victim feels faint, have him sit and place his head between his knees.

Fracture

Bone Fracture (unless in imminent danger, do not move the individual)

Closed Fracture: The signs of a closed fracture are swelling, tenderness, deformity, and discoloration. When there is a fracture (or suspected fracture):

1. Keep the injured person calm
2. Do not permit the victim to walk about.
3. Notify parent.
4. Splint fractures to prevent further injury if the victim must be transported by someone other than emergency medical personnel.
5. Call for emergency help for leg, back, neck, or hip injuries, or if parent is unable to take child for medical care.

Compound Fracture: Your objectives are to prevent shock, further injury, or infection in compound fractures (where skin has been broken).

1. Keep the injured person calm and cover him only enough to keep him from losing body heat.
2. Do not try to push the broken bone back into place if it is sticking out of the skin.
3. Do not try to straighten out a fracture or put it back into place.
4. Do not permit the victim to walk about.
5. Notify parent.
6. Splint fractures to prevent further injury if the victim must be transported by someone other than emergency medical personnel.
7. Call for emergency help for legs, back, neck, severe bleeding, hip injuries, or if parent is unable to take the child for medical care.

Frostbite

1. The frostbitten area will be slightly reddened with a tingling sensation of pain. The skin becomes grayish-yellow, glossy and feels numb. Blisters eventually appear.
2. Re-warm the area by quickly submerging it in warm water (start with 98 degrees and gradually warm to 102-103 degrees). Don't rub the area nor break the blisters.

Head Injury

1. Symptoms
 - May or may not be unconscious
 - Unconsciousness may be delayed one-half hour or more
 - Bleeding from mouth, nose or ear
 - Paralysis of one or more extremities
 - Difference in size of pupils of the eyes
2. First Aid for Head Injuries:
 - No stimulants or fluids
 - Don't raise his feet; keep the victim FLAT
 - Observe carefully for stopped breathing or blocked airway
 - Get medical help immediately
 - When transported, gently lay flat
 - Position head to side so secretions may drool from corner of mouth
 - Loosen clothing at neck

Heart Attack

A heart attack may be identified by severe chest pains, shortness of breath, paleness and perspiration. Extreme exhaustion may also accompany the attack. The patient may breathe easier if he is propped up. Mouth-to-mouth resuscitation may be needed. Medical help with oxygen may be required.

Nosebleeds

Nosebleeds can be controlled by grasping the nose firmly between the fingers and holding it for 5-10 minutes. Ice packs will also help control bleeding. Nosebleeds are usually minor, but if bleeding can't be controlled, medical help is needed. Maintain pressure on nose until a doctor is present.

Pandemic Flu Plan

Seasonal Flu:

- Caused by influenza viruses that are closely related to viruses that have previously circulated; most people will have some immunity to it.
- Symptoms include fever, cough, runny nose and muscle pain.
- Complications such as pneumonia are most common in the very young and very old and may result in death.
- Vaccine is produced each season to protect people from the three influenza strains predicted to be most likely to cause illness.

Mild to Moderate Pandemic:

- Caused by new influenza virus that has not previously circulated and can be easily spread.
- It is likely most people will have no immunity to the new virus; it will likely cause illness in high numbers of people and more severe illness and deaths than seasonal influenza.
- Symptoms are similar to seasonal flu, but may be more severe and have more serious complications.
- Healthy adults may be at increased risk for serious complications.

Severe Pandemic:

- A severe strain causes more severe illness, results in a greater loss of life and has a greater impact on society.
- Workplace absenteeism could reach up to 40% due to people being ill themselves or caring for family members.

Measures to limit the spread of flu:

- Promote hand-washing/use of antibacterial wipes, cough hygiene via modeling by school staff.
- Cover nose and mouth with a tissue or upper arm if a tissue is not available
- Dispose of used tissue in a waste basket and wash hands after coughing, sneezing or blowing nose.
- Use warm water and soap or alcohol-based sanitizers to clean hands.
- Wash hands before eating or touching eyes, nose or mouth.

Encourage vaccination of staff and students for whom the flu vaccine is recommended.

Persons developing symptoms at school should be sent home as soon as possible and instructed not to return until well.

Social distancing:

In a pandemic, the risk of getting the flu is greatest when one has close contact with an infected person. Social distancing measures may include standing three feet apart when communicating, canceling outdoor recess, and monitoring hand washing after bathroom use and after sneezing/coughing/blowing nose. Wipe phones with antibacterial wipes after each use. Limit use of headphones, keyboards and any other shared items in the classroom – wipe with antibacterial wipes after each use.

Use a bacterial spray (such as Lysol) in the classroom twice daily.

Open windows if weather permits while room is occupied or when students leave the room for lunch. Consider possible school closure for a short amount of time early in the course of a community outbreak.

Consult www.pandemicflu.gov for new and updated information.

Poisoning

1. In all oral poisoning, give liquids to dilute the poison.
2. Procedures for handling specific oral poisoning cases should be reviewed by teachers of classes in areas where poisoning may take place.

Puncture Wounds (knife and gunshot)

A puncture wound may be caused by a pointed object such as a nail, piece of glass, or knife that pierces the skin. Gunshot wounds are also considered to be puncture wounds. Generally, puncture wounds do not bleed a lot and are therefore susceptible to infection. Severe bleeding can result if the penetrating object damages internal organs or major blood vessels.

If an object is impaled in a wound, DO NOT REMOVE IT.

- Place several dressings around the object to keep it from moving.
- Bandage the dressings in place around the wound.
- Call 911 and contact parents.

A puncture wound to the chest can range from minor to life threatening. A sucking chest wound is one in which the rib cage has been penetrated and you can hear a sucking sound every time the victim takes a breath.

- Without proper care, the victim's condition will quickly worsen.
- Cover the wound with a dressing that does not allow air to pass through it.
- A plastic bag, latex glove, or plastic wrap taped over the wound will help keep air circulating through the lungs.
- Give additional care as needed. Watch for shock.
- Call 911 and contact parents.

Seizure

An alarming sight, a person experiencing a seizure may exhibit limbs jerking violently, eyes that roll upward, and breath that becomes heavy with dribbling or even frothing at the mouth. Breathing may stop in some seizures, or the victim may bite his or her tongue so severely that it blocks the airway. Do not attempt to force anything into the victim's mouth. You may cause injury to the victim or yourself.

1. During a seizure:
 - a. There is little you can do to stop a seizure.
 - b. Call for help.
 - c. Let the seizure run its course.
 - d. Help the victim to lie down and keep from falling to avoid injury.
 - e. Do not use force.
 - f. Loosen restrictive clothing.
 - g. Do not try to restrain a seizure victim.
 - h. Cushion the victim's head using folded clothing or a small pillow.
 - i. If a seizure lasts 10 minutes in a known epileptic, or 5 minutes in a person with no seizure history, call 911.
2. After a seizure:
 - a. Check to see if the victim is breathing. If not, immediately begin rescue breathing.
 - b. Check to see if the victim is wearing a MEDIC ALERT or similar bracelet. It describes emergency medical requirements.
 - c. Check to see if the victim has any burns around the mouth. This would indicate poison.
3. The victim of a seizure may be conscious but confused and not talking when the intense movement stops. Stay with the victim and be certain that breathing continues. When the victim is able to move, get medical attention.

After the seizure is over, the pupil can be taken to the office to lie down until the dazed phase is over and parents are notified. The student should be attended to continuously until fully recovered.

Very rarely a condition called "status epilepticus" occurs in which one seizure follows another for a long period of time. This is a medical emergency; call 911.

Shock

1. Shock is likely to develop in any serious injury or illness. Shock may be serious enough to cause death even though the injury itself may not be fatal. Four important symptoms of shock are:
 - Pale, cold, moist skin
 - Weak and/or rapid pulse
 - Rapid breathing
 - Altered consciousness
2. The symptoms of shock may appear immediately or may be delayed for an hour or more. Give shock care to all seriously injured persons:
 - Have the victim lie down.
 - Control any external bleeding.

- Help the victim maintain body temperature, cover to avoid chilling.
- Reassure the victim.
- Elevate legs about 12 inches unless you suspect head, neck, or back injuries or broken bones involving hips or legs.
- Do not provide anything to eat or drink.
- Call 911.
- Call parents.

Sunstroke

1. A person with sunstroke will have nausea, weakness, headache, cramps, pounding pulse, high blood pressure and high temperatures (up to 106 degrees.) The armpits are dry; skin flushed initially but later turns ashen or purplish. Delirium or coma is common.
2. Medical help is crucial. While waiting for medical aid, reduce temperature with a cold bath, sponging with alcohol or water, until the temperature is down. Hospitalization should be immediate.

Wounds

An abrasion is a wound caused by scraping off the outer layer of skin. An abrasion is usually superficial with little bleeding but infection can occur unless the wound is cleaned with soap and water. Wash away from the wound.

An incision is a cut caused by a sharp object such as a knife, razor blade, or piece of glass. Bleeding is a serious problem. Medical help is often necessary in case the wound must be sewn.

A laceration is a tear or jagged, irregular wound caused by a hard object such as a rock, machine tool, bicycle or automobile. Animal bites are also lacerations. Surrounding tissue is damaged and bleeding may be profuse. A minor laceration can be cleaned with soap and water, but if the bleeding is severe, a pressure dressing may be needed. If the laceration is caused by an animal, medical help is required for testing and treatment of the animal.

A puncture wound is caused by deep penetration of a sharp object such as a pencil, nail, ice pick, bullet, spear or arrow. There may be little surface bleeding, but severe internal bleeding can result. A puncture wound is difficult to cleanse and may require a tetanus shot to guard against infection.

SECTION 15 MISSING STUDENT

Maintaining strict visitor control procedures and enforcing the requirement for employees to wear identification badges will help control unwanted and dangerous access to the school. Penal Code section 626 will help control access by outsiders to the school.

Access into Building

- All doors are to be locked during the school day, with the exception of the main entrance.
- Signs must be posted on all doors directing visitors to report to the main office.

Student Accountability

- Elementary and middle school students shall not be left alone unsupervised anywhere in the building or on school grounds during the school day.

Photo Identification Badges

- All personnel who work in or regularly visit schools in the course of business are required to wear an assigned identification badge. This regulation includes full and part-time staff, food services personnel, and bus drivers/attendants.
- Badges must be worn in a manner that makes them readily visible.

Visitor Badges and Log

- Schools must issue numbered visitor badges that include the name of the school and the current school year.
- School staff must be aware of visitor badge procedures and their responsibility in reporting violations.

In a missing child incident, assign a member of the Incident Command Team to organize a search of the school. Call 911. Record the name and contact number of person reporting the child missing. If the case involves abduction, begin gathering witness information for the sheriff. Confirm child attended school that day. Assign staff member to begin checking last known location of the child.

1. Begin gathering information on the child, including:
 - Description, including height, weight, skin color, eye color, clothing, backpack, etc.
 - Obtain photo, if available.
 - Home address, phone number, parents' contact numbers
 - Class schedule, special activities
 - Bus or walking route information
2. Contact custodial parents.
3. Convene crisis management team.
4. Begin recording events.
5. If incident is happening during the school day, consider holding the bells until the matter is either resolved or school has been completely searched for the student.
6. Notify the Center Unified District Office.

7. Obtain information on possible witnesses, friends, and last person to see student.
8. If incident occurred while student was on the way home, contact bus driver, safety patrol, crossing guard.
9. Double check circumstances. Could child have ridden the wrong bus or walked home? Did someone pick-up the child? Is the child at another activity?
10. Assist the sheriff's department with investigation.
11. Arrange for counseling of students as needed.

At any point during these steps, if the child is found, inform everyone who has been notified of the incident that the child is no longer missing.

SECTION 16 PUBLIC DEMONSTRATION

Most groups will give advance warning of a planned protest. When the warning comes:

- Identify a spokesperson for the group.
- Obtain information on when, why, how many.
- Contact the Center Unified District Office. The District Office should contact the sheriff and advise them of the situation.
- Notify faculty of the planned demonstration.
- Develop an information letter to parents.
- Continually work with the Office of Community Relations on any statements or contact with the demonstrating group.
- If demonstration occurs, curtail class changes to limit confusion.
- Do not allow students to be interviewed by media or join in demonstration.
- Assign CMT members to act as liaison with police, media, and the demonstrating group.
- Direct one staff member to handle all incoming calls.
- Prepare to establish areas where demonstrators can set up without affecting the operation of the school.
- Notify transportation of demonstration and any possible impact buses may encounter arriving at or departing from the school.

SECTION 17 SCHOOL SITE AS MASS CARE AND WELFARE SHELTER

The American National Red Cross ("Red Cross"), a not-for-profit corporation chartered by the United States Congress, provides services to individuals, families and communities when disaster strikes. The disaster relief activities of the Red Cross are made possible by the American public, as the organization is supported by private donations and facility owners who permit their buildings to be used as a temporary refuge for disaster victims.

The governing board of any school district shall grant the use of school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

1. **Use of Facility:** Upon request and if feasible, the Center Joint Unified School District (CJUSD) will permit the Red Cross to use the Facility on a temporary basis as an emergency public shelter.
2. **Shelter Management:** The Red Cross will have primary responsibility for the operation of the shelter and will designate a Red Cross official, the Shelter Manager, to manage the sheltering activities. CJUSD will designate a Facility Coordinator to coordinate with the Shelter Manager regarding the use of the Facility by the Red Cross.
3. **Condition of Facility:** The Facility Coordinator and Shelter Manager (or designee) will jointly conduct a pre-occupancy survey of the Facility before it is turned over to the Red Cross. They will record any existing damage or conditions. The Facility Coordinator will identify and secure all equipment that the Red Cross should not use while sheltering in the Facility. The Red Cross will exercise reasonable care while using the Facility as a shelter and will make no modifications to the Facility without the express written approval of CJUSD.
4. **Food Services:** Upon request by the Red Cross, and if such resources exist and are available, CJUSD will make the food service resources of the Facility, including food, supplies, equipment and food service workers, available to feed the shelter occupants. The Facility Coordinator will designate a Food Service Manager to coordinate the provision of meals at the direction of and in cooperation with the Shelter Manager. The Food Service Manager will establish a feeding schedule, determine food service inventory and needs, and supervise meal planning and preparation. The Food Service Manager and Shelter Manager will jointly conduct a pre-occupancy inventory of the food and food service supplies in the Facility before it is turned over to the Red Cross.
5. **Custodial Services:** Upon request by the Red Cross and if such resources exist and are available, CJUSD will make its custodial resources, including supplies and custodial workers, available to provide cleaning and sanitation services at the shelter. The Facility Coordinator will designate a Facility Custodian to coordinate the provision of cleaning and sanitation services at the direction of and in cooperation with the Shelter Manager.

6. **Security:** In coordination with the Facility Coordinator; the Shelter Manager, as he or she deems necessary and appropriate, will coordinate with law enforcement regarding any public safety issues at the Shelter.

7. **Signage and Publicity:** The Red Cross may post signs identifying the shelter as a Red Cross shelter in locations approved by the Facility Coordinator and will remove such signs when the shelter is closed. CJUSD will not issue press releases or other publicity concerning the shelter without the express written consent of the Shelter Manager. CJUSD will refer all media questions about the shelter to the Shelter Manager.

8. **Closing the Shelter:** The Red Cross will notify the CJUSD or Facility Coordinator of the closing date for the shelter. Before the Red Cross vacates the Facility, the Shelter Manager and Facility Coordinator will jointly conduct a post-occupancy survey to record any damage or conditions. The Shelter Manager and Facility Coordinator or Food Service Manager will conduct a post-occupancy inventory of the food and supplies used during the shelter operation.

9. **Reimbursement:** The Red Cross will reimburse the Owner for the following:

- a. *Damage to the Facility or other property of Owner, reasonable wear and tear excepted, resulting from the operations of the Red Cross. The Red Cross is not responsible for storm damage or other damage caused by the disaster.*
- b. *Reasonable costs associated with custodial and food service personnel which would not have been incurred but for the Red Cross's use of the Facility for sheltering.*

Reasonable, actual, out-of-pocket operational costs to the extent that such costs would not have been incurred but for the Red Cross's use of the Premises.

SECTION 18 SEVERE WEATHER

If severe weather conditions develop or occur during the night or at a time when school is not in session, a decision on closing the school will be made before 7:00 a.m. If a decision is made to close school, news media will be notified and asked to announce the closure prior to 9:00 a.m. The emergency phone tree will be used to notify staff members.

If severe weather conditions develop while school is in session, the Emergency Coordinator will monitor the latest developments via radio and keep in contact with the principal. The principal will keep in contact with the superintendent's office.

If it is decided to close school, the following action will be taken:

1. The superintendent will notify radio stations and ask that a closure announcement be made which would specify the time students are to be released.
2. The principal will announce the closure to the faculty and students.
3. Staff members will be used to expeditiously evacuate the building.
4. Procedures outlined in the "Early Dismissal" plan will be followed.

SECTION 19 SHOOTING/STABBING

Assess the situation

- Is the suspect in the school?
- Has weapon been found and/or secured?
- Has suspect been identified?

In most cases, initiate lockdown procedures to isolate students from danger or send students to a secure area.

Provide information in announcement about incident and outline expectations of the teachers and staff.

Disable the bell system, if possible.

Once situation has been assessed:

- Provide first aid to the injured.
- Call 911 requesting police and medical aid to injured parties.
- Notify the Center Unified District Office.
- Provide full information about what has occurred and what is known at this time.
 - If the suspect is still in the school, attempt to identify his or her location and begin planning for evacuation once police arrive.
 - If suspect has left, secure all exterior doors to prevent re-entry.
- Explain what steps the school has taken (lockdown).
- Identify command post for police to respond.
- Isolate and separate any witnesses. Instruct witnesses to write statement of events while awaiting police.
- Gather crisis management team in command post.
- Initiate the Incident Command System.
- Gather information and emergency cards on anyone involved in the incident.
- Organize evacuation to an off-site location, if necessary, or prepare to continue with classes. Keep crime scene secure.
- Prepare written statements for telephone callers and media in cooperation with the sheriff and the District Office.
- Prepare letter for students to take home in cooperation with sheriff and the Office of Community Relations.
- Arrange for crisis counseling immediately and during subsequent days.
- Provide liaison for family members of any injured students.
- Continue to provide informational updates to students, family, and faculty during next few days to squelch rumors.

PART 3 SITE ACTION PLAN

SECTION 1 DISTRICT AND SITE MISSION STATEMENTS

Center Joint Unified School District Mission Statement

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.

School Mission Statement

At Arthur S. Dudley Elementary we are dedicated to partnering with families to create a safe and respectful environment that supports student learning and development. Our mission is to guide and encourage students to meet or exceed challenging academic standards, to establish a connection to school, to be responsible and productive citizens and to be life-long learners with college as a goal for the future.

SECTION 2 People and Programs:
Create a "caring and connected" school climate.

DESCRIPTION OF SCHOOL CLIMATE

The School's Social Environment

Leadership at Dudley Elementary is a shared process. A proactive role is assumed in all phases of the school operation. The school staff is committed to developing Dudley Elementary toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The plan is reviewed throughout the school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Dudley Elementary teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies.

The teachers at Dudley Elementary are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environments, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Dudley. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

SECTION 3 SCHOOL CLIMATE GOALS

The School Climate

An action plan for people and programs reflecting the school's social environment

Data to Used to Develop Objectives

Parent Safety Survey 2015- 23 responses; 2016- 66 responses; **2017- 63 responses**

- Parents are made aware of school-wide activities and events
 - o 2015- 91.3% Agree or Strongly Agree
 - o 2016- 94% Agree or Strongly Agree
 - o **2017- 92.1% Agree or Strongly Agree**
- Parents, teachers, and community members are encouraged to participate in school activities.
 - o 2015- 78.3% Agree or Strongly Agree
 - o 2016- 90.9% Agree or Strongly Agree
 - o **2017- 87.3% Agree or Strongly Agree**
- My child feels safe and secure at school
 - o 2015- 78.2% Agree or Strongly Agree
 - o 2016- 93.9% Agree or Strongly Agree
 - o **2017- 79.4% Agree or Strongly Agree**

Staff Safety Survey 2015- 37 responses; 2016- 38 responses; **2017- 35 responses**

- The principal and staff show respect, consideration, and sensitivity to the students and parents.
 - o 2015- 100% Agree or Strongly Agree
 - o 2016- 92.1% Agree or Strongly Agree
 - o **2017- 94.3% Agree or Strongly Agree**

California Healthy Kids Survey 2014- 234 responses district wide

- I feel like I am part of this school
 - o 2014- 68% Yes. Most of the time (29%) or Yes, all of the time (39%)
 - o 2016- 49% Yes. Most of the time (22%) or Yes, all of the time (27%)
- Do you feel safe at school?
 - o 2014- 68% Yes. Most of the time (26%) or Yes, all of the time (42%)
 - o 2016- 46% Yes. Most of the time (30%) or Yes, all of the time (16%)

Student Safety Survey 2016- 227 responses; **2017- 224 responses**

- I feel like I am part of this school
 - o 2016- 73.6% Yes.
 - o **2017- 70.1 % Yes.**
- Do you feel safe at school?
 - o 2016- 86.8% Yes.
 - o **2017- 81.7% Yes.**

Objective #1: A school environment that has in place supports for students' social-emotional needs will be provided.

- A school counselor will be employed. The counselor will provide small group and individual counseling and will lead conflict mediation. He will also provide support for staff and parents.
- The Dragon Pals program will support kindergarten through third grade students who exhibit impulsivity, shyness and/or difficulty with school adjustment.
- Second Step character education and social skills curriculum will be taught 30 minutes weekly in each classroom. The lesson focus will be highlighted and referred to throughout the week.
- The Healthy Play program, which allows students to practice conflict resolution and empathy, will be implemented at Dudley. All staff members, including lunch supervisors, will be trained to implement the program.
- Extracurricular clubs and school events will be provided to increase school connectedness.
- Behavior Contracts will be created for students with chronic behavior concerns.
- The Dragon Brigade has been established to promote conflict resolution by a cadre of trained, 5th and 6th grade students, who use a very specific strategy to help other students resolve conflicts.
- Dudley is in tier I of Positive Behavior Intervention and Supports (PBIS) program to positively affect our school climate.
- The staff at Dudley is being trained and is in the process of planning tier II implementation of PBIS for the 2017-18 school year.

Objective #2: Frequent communication will be maintained among staff, students and parents.

- Parents will have access to Homelink.
- The Family Handbook will be made available on the first day of school and online and will be referenced in the school newsletter and automated calls.
- The school website will provide information regarding school activities.
- The principal will send home automated calls and emails weekly. Flyers will be attached to the email.
- Two parent/teacher conferences will be held twice per year.
- Staff meeting time will be provided for staff to make parent phone calls.
- The principal will provide a new family orientation before the school year begins.
- Each grade level will host a Family Night activity. These monthly events will increase opportunities for families to come to campus and learn more about their child's teacher and the many programs we have available at Dudley Elementary.

SECTION 4 Place

Create a physical environment that communicates respect for learning and for individuals.

DESCRIPTION OF PHYSICAL ENVIRONMENT

The Schools' Location and Physical Environment

Dudley Elementary School is located in the Antelope area of Sacramento County that has an average crime rate and average poverty level. The immediate area around the school includes single family dwellings, apartments, and parks. There are no significant safety hazards in the immediate vicinity of the school.

Description of School Ground

Dudley Elementary School was built in the 1950's and has since received upgrades and portable classrooms. The buildings have numerous corridors which surround both a California History Center and a Nature Center. The playground is grass, concrete and asphalt and includes basketball and four square courts, a play structure, baseball diamonds and soccer goals. The gates that separate the school from the main thoroughfare are kept locked during school hours. There are several wings and clusters of classrooms including both permanent and re-locatable classrooms. Other ancillary structures include: office, cafeteria, restrooms, library, teacher work room, storage sheds and a day care facility.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Dudley Elementary to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

In 2008, the school received modernization funds. Improvements included: bringing the campus up to current ADA specifications, fire/life/safety upgrades, and painting. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The classrooms are monitored for safety and appearance by the administration and individual classroom teachers.

Internal Security Procedures

Dudley Elementary has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, and an inventory system.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: provide effective school supervision, and identify and provide preventative programs and activities such as the WE TIP Hotline and security cameras.

Dudley Elementary maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils.

Included in this Safe School Plan is a school map indicating safe entrance and exit areas for pupils, parents and school employees

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupils may be suspended, transferred to another school, or recommended for expulsion for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Dudley Elementary employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

Additional internal security procedures affecting the integrity of the school facility include: school wide intercom system and two-way radios.

Community involvement is encouraged to help increase school safety.

Inventory System – Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

SECTION 5 PHYSICAL ENVIRONMENT GOALS

The Physical Environment

An action plan for places reflecting the school's physical environment including crisis response procedures and policies relating to student safety

The following objectives were developed as the result of feedback from students, staff and parents on our Safe School Survey

Data to Used to Develop Objectives

Parent Safety Survey 2015- 23 responses; 2016- 66 responses; **2017- 63 responses**

- The school facilities are safe and well maintained.
 - o 2015- 78.3% Agree or Strongly Agree
 - o 2016- 80.3% Agree or Strongly Agree
 - o **2017- 65.1% Agree or Strongly Agree**
- My child feels safe and secure at school
 - o 2015- 78.2% Agree or Strongly Agree
 - o 2016- 93.9% Agree or Strongly Agree
 - o **2017- 79.4% Agree or Strongly Agree**

Staff Safety Survey 2015- 37 responses; 2016- 38 responses; 2017- 35 responses

- The effects of vandalism on campus are quickly repaired.
 - o 2015- 89.1% Agree or Strongly Agree
 - o 2016- 84.2% Agree or Strongly Agree
 - o **2017- 91.4% Agree or Strongly Agree**
- The school buildings and grounds are free of hazards that might cause accidental injury.
 - o 2015- 70.2% Agree or Strongly Agree
 - o 2016- 73.7% Agree or Strongly Agree
 - o **2017- 74.2% Agree or Strongly Agree**

California Healthy Kids Survey

- Do you feel safe at school?
 - o 2014- 68% Yes. Most of the time (26%) or Yes, all of the time (42%)
 - o 2016- 46% Yes. Most of the time (30%) or Yes, all of the time (16%)

Student Safety Survey 2016- 227 responses; 2017- 224 responses

- Do you feel safe at school?
 - o 2016- 86.8% Yes.
 - o **2017- 81.7% Yes.**

Objective #1: The physical environment of Dudley Elementary will be free of hazards.

Related Activities:

- Each morning, the custodian will walk through the plant and submit work orders to the school secretary for any hazards observed to ensure a safe physical environment.

Objective #2: 100% of staff will understand the Safety Plan procedures and their role in the Incident Command System.

Related Activities:

- The parent reunification process will be included in upcoming drills.
- Students will be given injuries to act out so staff will have the opportunity to practice triage methods.
- Staff training will occur during staff meetings.
- The entire school population will participate in practice drills at least twice monthly.

Objective #3: Staff members will wear their staff badges and carry a 2-way radio whenever outside of the classroom.

Objective #4: Safety kits will be stored in each classroom.




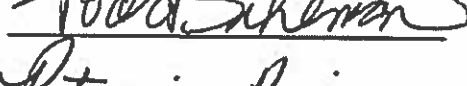
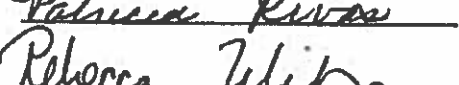
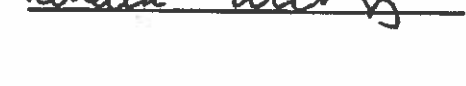
- Letters will be sent to each family requesting a bag of food, water and a letter to be shared with their child to provide comfort and reassurance in the event of a disaster.
- Fundraiser profits will be used to purchase safety kits.

SECTION 6 SIGNATURE SHEET

Dudley Elementary School's Safe School Plan was developed in accordance with SB 187 and Safe Schools, A Planning Guide for Action, published by the Department of Education. Student, parent and teacher surveys were taken into account to determine areas of greatest need. The document includes the school's personal, physical, social and cultural environment, which serves as an effective prevention plan based on parent and student surveys. Also taken into consideration are temporary restraining orders, school-generated child abuse reports, custody orders prohibiting parents from contact with a child at school, harassment complaints filed by students and staff, suspension logs and accident reports. Additionally, the District's discrimination and harassment policy, hate crime reporting procedures and the Uniform Complaint Policy are included.

A detailed crisis response plan based on the California Standardized Emergency Management System (SEMS) is included. This model was designed to centralize, organize, and coordinate emergency response among district organizations and public agencies. Specific first aid treatment is categorized in alphabetical order.

The following committee members revised and approved this comprehensive school plan:

Member	Title	Signature
<u>Steve Jackson</u>	Principal	
<u>Sandy Oliver</u>	Teacher	
<u>Sonja White</u>	Teacher	
<u>Todd Silverman</u>	Counselor	
<u>Patricia Rivas</u>	Library Technician	
<u>Rebecca Wiley</u>	Parent	

Appendix A
Staff's Classroom Telephone Numbers

Name	Room #	Extension
Dawn Altobelli	C-5	2208
Steve Carlson	M-9	2226
Angie Cook	M-8	2235
Leah Dean	A-1	2219
Barbi Druliner	T-4b	2114
Nancy Dzida	A-5	2223
Trevor Forbes	M-12	2229
Ashley Gorman	B-5	2217
Brianna Hakanson	B-2	2214
Rochele Haywood	T-4a	2113
Andrea Kasai	A-6	2224
Hannah Kassis	C-6	2209
Diane Keller	T-3	2203
Mary Linden	Rm. 7	2211
Venessa Mason	Rm. 8	2212
Delanne Mathias	M-7	2234
Tracie Meloy	C-3	2206
Lisa Morton	A-3	2221
Mary Ruth Neal	C-4	2207
Jennifer Nelson	A-6	2224
Sandra Newman	A-4	2222
Sandy Oliver	B-3	2215
Cynthia Piegaro	B-6	2218
Cheryl Pullman	M-6	2233
Valerie Rose	B-4	2216
Claudia Searls	A-2	2220
Todd Silverman	T-4c	2115
Terri Skogebo	B-1	2213
Robert Smith	T-3	2203
Laurel Stolfus	C-1	2204
Lisa Tarner	A-5	2223
Susan Velez	M-10	2227
Perry Weidman	C-2	2205
Sonja White	M-4	2231
Karen White	T-5	2202
Steve Jackson	Principal's Office	2101
April Bishop	Front Office	2104
Kim Moss	Front Office	2105
Nurse's Office		2106
Library		2109
Conference Room	Main Office	2107
Meeting Room	M-5	2232

Claudia Buderer	A-7	2225
Kitchen		2110
Room 10--Staff Lounge		2111
CDC		339-4615

Appendix B

Utility Shut-off Map

Appendix C Evacuation Map

Appendix D

Off Campus Evacuation Map

Driving Directions from 8001 Venice Way, Venice, California 90843 to Antelope Valley Page 1 of 2

Appendix E

EOC Message Form

EOC Form 1000 (Compatibility Mode) - Microsoft Word

File Edit Page Layout References Mailings References View Code Page 1012

Student & Staff Accountability Form

DATE _____

TEACHER _____

ROOM# _____

FORM COMPLETED BY _____

of students enrolled in this class _____

of students marked absent in this class _____

Please list students marked absent by name _____

of students unaccounted for* in this class _____

*You didn't mark them absent and they are not with your class at this time

Please list students unaccounted for by name _____

Are there any adult staff from this room unaccounted for? _____

If so, please list by name. (Include staff staying behind with injured) _____

of students with you but not on roster _____

Please list these students by name _____

of extra adults in room _____

Please list extra adults by name _____

For Command Staff: _____

_____ Missing students/adults recorded

EOC Message Form Data

Tally and insert into the grid below

Category Description Number

A Fatalities _____

B Minor Injuries (First aid only) _____

C Injuries - Ambulance (Major + Moderate) _____

Major (Immediate)

Unable to treat on site, i.e. airway and breathing difficulties, cardiac arrest, uncontrolled or suspected severe bleeding, severe head injuries, severe medical problems, open chest or abdominal wounds, severe shock _____

Moderate (Delayed)

Burns, major multiple fractures, back injuries with or without spinal cord damage _____

D Property Damages

Circle One

Major damage

Building collapse, building leaning, major ground movement causing large cracks in ground _____

Major

Moderate damage

Falling hazards present, hazard present (toxic chemical spill, broken gas line, fallen power lines) _____

Moderate

Minor damage

Dislodged overhead air duct terminals, light fixtures, suspended ceiling gnd., overhead mechanical systems and broken windows _____

Minor

_____ Tragedy recorded

Appendix F

California Child Abuse and Neglect Reporting Law

The first child abuse reporting law in California was enacted in 1963. That early law mandated only physicians to report physical abuse.

Over the years, numerous amendments have expanded the definition of reportable child abuse and the persons required to report it.

It is important for mandated reporters to keep updated on periodic amendments to the law. Your local Child Abuse Prevention Council or county welfare department has current reporting law information. Also visit www.leginfo.ca.gov for updated information on the law and any other code section referenced in this material.

The California Child Abuse and Neglect Reporting Law is currently found in Penal Code (P.C.) Sections 11164 - 11174.3. The following is only a partial description of the law. Mandated reporters should become familiar with the detailed requirements as they are set forth in the Penal Code.

Who Are Mandated Reporters?

P.C. 11165.7 defines "mandated reporters" as any of the following:

- 1) A teacher.
- 2) An instructional aide.
- 3) A teacher's aide or a teacher's assistant employed by any public or private school.
- 4) A classified employee of any public school.
- 5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school.
- 6) An administrator of a public or private day camp.
- 7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
- 8) An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.
- 9) Any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis.
- 10) A licensee, an administrator, or an employee of a licensed community care or child day care facility.
- 11) A Head Start program teacher.
- 12) A licensing worker or licensing evaluator employed by a licensing agency as defined in P.C. 11165.11.
- 13) A public assistance worker.
- 14) An employee of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
- 15) A social worker, probation officer, or parole officer.
- 16) An employee of a school district police or security department.
- 17) Any person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in any public or private school.

- 18) A district attorney investigator, inspector, or local child support agency caseworker unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.
- 19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who is not otherwise described in P.C. 11165.7.
- 20) A firefighter, *except for volunteer fire-fighters*.
- 21) A physician, surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage, family and child counselor, clinical social worker, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.
- 22) Any emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
- 23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.
- 24) A marriage, family and child therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.
- 25) An unlicensed marriage, family, and child therapist intern registered under Section 4980.44 of the Business and Professions Code.
- 26) A state or county public health employee who treats a minor for venereal disease or any other condition.
- 27) A coroner.
- 28) A medical examiner, or any other person who performs autopsies.
- 29) A commercial film and photographic print processor, as specified in subdivision (e) of P.C. 11166. For purposes of the California Child Abuse Reporting Law, "commercial film and photographic print processor" means any person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, for compensation. The term includes any employee of such a person; it does not include a person who develops film or makes prints for a public agency.
- 30) A child visitation monitor. For purposes of the California Child Abuse Reporting Law, "child visitation monitor" means any person who, for financial compensation, acts as monitor of a visit between a child and any other person when the monitoring of that visit has been ordered by a court of law.
- 31) An animal control officer or humane society officer. For purposes of the California Child Abuse Reporting Law, the following terms have the following meanings: (A) "Animal control officer" means any person employed by a city, county, or city and county for the purpose of enforcing animal control laws and regulations. (B) "Humane society officer" means any person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.
- 32) A clergy member, as specified in subdivision (d) of P.C. 11166. For purposes of the California Child Abuse Reporting Law, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.
- 33) Any custodian of records of a clergy member, as specified in P.C. 11165.7 and subdivision (d) of Section 11166.
- 34) Any employee of any police department, county sheriff's department, county probation department, or county welfare department.
- 35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 1424 of the Rules of the Court.
- 36) A custodial officer as defined in Section 831.5 of the Penal Code.
- 37) Any person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.

Note: Unless otherwise stated, volunteers are not mandated reporters.

Why Must You Report?

The primary intent of the reporting law is to protect an abused child from further abuse. Protecting the identified child may also provide the opportunity to protect other children. It is equally important to provide help for the parents. Parents may be unable to ask for help directly, and child abuse may be their way of calling attention to family problems. The report of abuse may be a catalyst for bringing about change in the home environment, which in turn may help to lower the risk of abuse in the home.

What Do You Have To Report?

Under the law, when the victim is a child (a person under the age of 18) and the perpetrator is any person (including a child), the following types of abuse must be reported by all legally mandated reporters:

- a. A physical injury inflicted by other than accidental means upon a child. (P.C. 11165.6) Note that child abuse *does not* include a "mutual affray" between minors. It also *does not* include an injury caused by "reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment." (P.C. 11165.6)
- b. Sexual abuse of a child, including both sexual assault and sexual exploitation. "Sexual assault" includes sex acts with a child, lewd or lascivious acts with a child, and intentional masturbation in the presence of a child. "Sexual exploitation" includes preparing, selling, or distributing pornographic materials involving children; employing a minor to perform in pornography; and employing or coercing a child to engage in prostitution. (P.C. 11165.1)
- c. Willful harming or injuring of a child or the endangering of the person or health of a child, including inflicting or permitting unjustifiable physical pain or mental suffering. (P.C. 11165.3)

Note: Any mandated reporter may report any child who is suffering serious emotional damage or is at substantial risk of suffering serious emotional damage. (P.C. 11166.05)

- d. Willful infliction of cruel or inhuman corporal punishment or injury resulting in a traumatic condition. (P.C. 11165.4)
- e. Neglect of a child, whether "severe" or "general," by a person responsible for the child's welfare. The term "neglect" includes both acts or omissions harming or threatening to harm the child's health or welfare. (P.C. 11165.2)

When Do You Have To Report?

Child abuse must be reported when a mandated reporter, "in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect." (P.C. 11166 (a))

"Reasonable suspicion" occurs when "it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect." (P.C. 11166 (a)(1)) Although wordy, the intent of this definition is clear: if you suspect that abuse has occurred, make a report.

You must make a report immediately (or as soon as practicably possible) by telephone and you must prepare and send, fax or electronically transmit a written report within 36 hours of receiving the information regarding the incident. (P.C. 11166 (a)) Written reports must be submitted on Department of Justice form (SS 8572), which can be downloaded from the California Attorney General's Web site at www.ag.ca.

gov (click on Child Protection Program; click on forms; click on SS 8572). The mandated reporter may include with the report any nonprivileged documentary evidence he or she possesses related to the incident.

To Whom Must You Report?

The report must be made to any police department or sheriff's department (not including a school district police or security department), county probation department, if designated by the county to receive mandated reports, or county welfare department. (P.C. 11165.9)

Any mandated reporter who knows or reasonably suspects that the home or institution in which the child resides is unsuitable for the child because of abuse or neglect shall inform the agency about the unsuitability of the home at the same time he or she reports the abuse or neglect. (P.C. 11166 (f))

When two or more persons who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, a single person from the group may make the report. Any group member who knows that the report was not made, however, shall make the report. (P.C. 11166 (h))

Immunity

Mandated reporters have immunity from criminal and civil liability for any report required or authorized under the Child Abuse Reporting Law. This immunity applies even though the knowledge or reasonable suspicion of abuse was acquired outside his or her professional capacity or outside the scope of his or her employment. (P.C. 11172 (a)) And if a mandated reporter is sued for making a report, he or she may be able to receive compensation for legal fees incurred in defending against the action. (P.C. 11172 (c))

Any person who makes a report of child abuse, even though he or she is not a mandated reporter, has immunity unless the report is proven to be false and it is proven that the person either knew the report was false or made it with reckless disregard of its truth or falsity. (P.C. 11172 (a))

Additional Safeguards for Mandated Reporters

No supervisor or administrator may impede or inhibit a mandated reporter's reporting duties or subject the reporting person to any sanction for making a report. (P.C. 11166 (i)(1))

Any supervisor or administrator who violates the above cited code section is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), by not more than six months in a county jail, or by both a fine and imprisonment. (P.C. 11166.01(a)) If however, death or great bodily injury happens to the child as a result of the abuse, the supervisor or administrator who impeded or inhibited the report is guilty of a misdemeanor punishable by not more than one year in a county jail, by a fine not to exceed five thousand dollars (\$5,000), or by both. (P.C. 11166.01(b))

The mandated reporter's identity is confidential and may only be disclosed to specified persons and agencies. (P.C. 11167 (d)(1))

Mandated reporters and others acting at their direction are not liable civilly or criminally for photographing the victim and including the photograph with their report. (P.C. 11172 (a))

A clergy member who acquires knowledge or a reasonable suspicion of child abuse during a penitential communication is not mandated to report the abuse. For purposes of the Child Abuse Reporting Law, "penitential communication" means communication, intended to be in confidence, including, but not limited to, a sacramental confession made to a clergy member. (P.C. 11166 (d)(1))

Liability for Failure to Make A Required Report

A mandated reporter who fails to make a required report of child abuse is guilty of a misdemeanor punishable by up to six months in jail or by a \$1,000 fine or by both a fine and imprisonment. (P.C. 11166 (c)) If however, death or great bodily injury happens to the child as a result of the abuse, the mandated reporter is guilty of a misdemeanor punishable by not more than one year in a county jail, by a fine not to exceed five thousand dollars (\$5,000), or by both. (P.C. 11166.01 (b)) He or she may also be found civilly liable for damages, especially if the child-victim or another child is further victimized because of the failure to report. (*Landeros v. Flood* (1976) 17 Cal.3d 399.)

If a mandated reporter conceals his or her failure to report abuse or "severe" neglect, the failure to report is a continuing offense until the failure is discovered by an agency specified in Section 11165.9. (P.C. 11166 (c)) Because it is a continuing offense, the statute of limitations does not start to run until the failure to report is discovered.

Responsibilities of Agencies Employing Mandated Reporters

On and after January 1, 1985, persons entering employment which makes them mandated reporters must sign statements, provided and retained by their employers, informing them that they are mandated reporters and advising them of their reporting responsibilities and of their confidentiality rights. (P.C. 11166.5 (a))

On and after January 1, 1993, any person who acts as a child visitation monitor, prior to engaging in monitoring the first visit in a case, shall sign a statement provided and retained by the court which ordered the monitor's presence to the effect that he or she has knowledge of the provisions of the Child Abuse Reporting Law and will comply with them. (P.C. 11166.5 (a))

Employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by the Child Abuse Reporting Law. Training in the duties imposed by the reporting law shall include training in child abuse identification and reporting. Whether or not employers provide their employees with training, they shall provide their employees who are mandated reporters with the statement required in subdivision (a) of Section 11166.5. (P.C. 11165.7 (c)) The absence of training shall not excuse a mandated reporter from the duties imposed by the reporting law. (P.C. 11165.7 (e))

EXCEPTION: Any person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institution Code shall not be required to make a child abuse report unless that person has received training, or instructional material in the appropriate language, on the duties imposed by the Child Abuse Reporting Law, including identifying and reporting abuse and neglect. (P.C. 11166.5 (e))

Feedback to Mandated Reporters

_____ After the investigation is completed or the matter reaches a final disposition, the investigating agency is obligated to inform the mandated reporter of the results of the investigation and any action the agency is taking with regards to the child or family. (P.C. 11170 (b)(2))

Changes in the law for 2007 are underlined. Please note that the California Child Abuse Reporting Law may have changed since the printing of this material. This material has been reprinted to assist mandated reporters in determining their reporting responsibilities. It is not intended to be and should not be considered legal advice. In the event there are questions about reporting responsibilities in a specific case, the advice of legal counsel should be sought.

A special thank you to Delta Dental of California for their work in developing the original material.

For additional information on child abuse prevention, you may contact:

Crime and Violence Prevention Center

California Attorney General's Office

1300 I St., Suite 1120 (916) 324-7863 www.safestate.org

Appendix G Child Abuse Reporting Form

Print **SUSPECTED CHILD ABUSE REPORT** Reset Form
To Be Completed by Mandated Child Abuse Reporters
Pursuant to Penal Code Section 11165
PLEASE PRINT OR TYPE

REPORTING PARTY	
REPORT INFORMATION	
CHILD VICTIM INFORMATION	
SUSPECT INFORMATION	
ADDITIONAL INFORMATION	

DEFINITIONS AND INSTRUCTIONS ON REVERSE

10/20/07

Appendix H

Center Joint Unified School District
• 6408 Wan Avenue, Antelope, CA 95843 • 916-338-6320 • 916-338-6329

Williams Complaints Classroom Notice

Notice to Parents, Guardians, Pupils, and Teachers Complaint Rights

Pursuant to California *Education Code* Section 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. That means each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

4. Pupils, including English Learners, who have not passed one or both parts of the high school exit examination by the end of the 12th grade are to be provided the opportunities to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12.
5. A complaint form may be obtained at the school office, district office, or downloaded from the school's Web site at centerusd.org. You may also download a copy of the California Department of Education complaint form from the following Web site: <http://www.cde.ca.gov/rc/cp/uc>.

Williams Complaints Form

Education Code (EC) Section 35186 created a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment. The complaint and response are public documents as provided by statute. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the following contact information.

Response requested: ☐ Yes ☐ No

Name (Optional): _____ Mailing Address (Optional): _____

Phone Number Day (Optional): _____ Evening (Optional): _____

Issue of complaint (please check all that apply):

1. Textbooks and Instructional Materials

- ☐ A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional materials to use in class.
- ☐ A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- ☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- ☐ A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Facility Conditions

- ☐ A condition poses an urgent or emergency threat to the health or safety of students or staff, including: gas leaks, nonfunctioning heating, ventilation, fire sprinklers or air-conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- ☐ A school restroom has not been maintained or cleaned regularly, is not fully operational and has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- ☐ The school has not kept all restrooms open during school hours when pupils are not in classes, and has not kept a sufficient number of restrooms open during school hours when pupils are in classes.

3. Teacher Vacancy or Misassignment

- ☐ Teacher vacancy - A semester begins and a teacher vacancy exists. (A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.)
- ☐ Teacher misassignment - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
- ☐ Teacher misassignment - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

4. High School Exit Examination (For school districts who receive intensive instruction funds)

- ☐ Pupils who have not passed the high school exit exam by the end of 12th grade were not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254 (d) (4) and (5) after the completion of grade 12.

Date of Problem: _____

Location of Problem (School Name, Address, and Room Number or Location): _____

Course or Grade Level and Teacher Name: _____

Please describe the issue of your complaint in detail. You may attach additional pages if necessary to fully describe the situation. _____

Please file this complaint at the following location: David Grimes, Director of Personnel/Student Services 8408 Watt Avenue, Antelope, CA 95843

Appendix I

Center Joint Unified School District Discipline Policies

Grounds for Suspension or Expulsion; Legislative Intent: California Education Code 48900 and Center Unified School District Board Policy 5144 (a) allow the superintendent or site administrator to suspend or recommend for expulsion a student for any violation of the following rules while on school grounds, going to or coming from school, during the lunch period whether on or off the campus, or during, or while going to, or coming from a school sponsored activity. Suspension of up to 5 days or a recommendation for expulsion may occur when the conduct is of an extreme nature.

- 1 *48900(a-1): Caused, Attempted, or Threatened Physical Injury (S)
- 2 *48900(a-2): Use of Force or Violence (S)
- 3 *48900(b): Weapons (S)
- 4 *48900(c): Drugs or Alcohol, Possession/Use of (S)
- 5 *48900(d): Drugs or Alcohol, Sale of (S)
- 6 *48900(e): Robbery/Extortion (S)
- 7 *48900(f): School Property Damage (S)
- 8 *48900(g): Property Theft (S)
- 9 *48900(h): Tobacco, Possession/Use(S)
- 10 *48900(i): Language, Obscene/Profanity (S)
- 11 *48900(j): Drugs, Paraphernalia (S)
- 12 *48900(k): Disrupted School Activities / Defiance of Authority(S)
- 13 *48900(l): Stolen Property, Possession of (S)
- 14 *48900(m): Firearm, Imitation (S)
- 15 *48900(n): Sexual Assault (S)
- 16 *48900(o): Harassment, Witness (S)
- 17 *48900(p): Soma, Selling of (S)
- 18 *48900(q): Hazing (S)
- 19 *48900(r): Bullying/Harassment (S)
- 20 *48900(t): Aids or Abets Physical Injury(S)
- 21 *48900.2: Sexual Harassment (S)(E)
- 22 *48900.3: Hate Violence (S)(E)
- 23 *48900.4: Harassment, threats, intimidation (S)(E)
- 24 *48900.7(a): Terroristic threats against school officials or property (S)(E)
- 25 *48900.7(b): Terroristic Threat (S)(E)
- 50 *48915(a-1): Caused Serious Physical Injury (S)(E)
- 51 *48915(a-2): Possession of Knife or other Dangerous Object (S)(E)
- 52 *48915(a-3): Possession of any Controlled Substance (S)(E)
- 53 *48915(a-4): Robbery/Extortion (S)(E)
- 54 *48915(a-5): Assault or Battery on a School Employee (S)(E)
- 55 *48915(c-1): Firearm; Possessing, Selling or Furnishing (E)**
- 56 *48915(c-2): Brandishing a Knife (E)**
- 57 *48915(c-3): Sales of Controlled Substance (E)**
- 58 *48915(c-4a): Sexual Assault(E)**
- 59 *48915(c-4b): Sexual Battery (E)**
- 60 *48915(c-5): Possession of an Explosive (E)**

Appendix J

Center Joint Unified School District Previous Suspension/Expulsion Notification

Dated: _____

To: _____
Teacher's Name

From: _____

Re: _____
Student Name

Pursuant to Legislative Bill AB 29 and ED Code 49079, this notice is to inform you that our office has received a copy of the above named student's cumulative file. The cumulative file includes previous suspension or expulsion information during the previous three school years.

You have a right to view this information. You may check out the cumulative file from the office at your convenience. Please sign this notice indicating that you have been made aware of the prior suspensions/expulsions and of your right to view the cumulative folder. Then, return the form to my office as soon as possible.

Signature: _____

Date: _____

Appendix K

Hate Motivated Behavior

As California's population becomes more diverse, it is important that school districts provide a safe and harmonious learning environment for all students. Pursuant to Education Code 201, schools have an affirmative obligation to combat racism, sexism, and other forms of bias, as well as a responsibility to provide equal educational opportunity. Developing policy to address hate-motivated behavior is one way districts can help teach students respect and understanding of diversity.***

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, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. Some hate-motivated behavior may also be a crime as defined in state or federal law. These crimes include, but are not limited to: bomb threats, cross burnings, destruction or defacement of property, and certain types of vandalism and assaults.***

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 should also be integrated into existing school plans, such as the school safety and staff development plan, as well as any policies developed by the district regarding Positive School Climate and Multicultural Education; see BP 5137 and BP 6141.6, respectively.***

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)

Appendix L

Nondiscrimination/Harassment

District programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation.

The Governing Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision. The district may provide male and female students with separate shower rooms and sexual health and HIV/AIDS prevention classes in order to protect student modesty.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

The Board hereby designates the following position as Coordinator for Nondiscrimination to handle complaints regarding discrimination and inquiries regarding the district's nondiscrimination policies:

Director of Personnel
8408 Watt Avenue
Antelope, California 95843
(916) 338-6419

Any student who feels that he/she is being harassed should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint.

Employees who become aware of an act of harassment shall immediately report the incident to the Coordinator for Nondiscrimination. Upon receiving a complaint of discrimination or harassment, the Coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment. Where the Coordinator finds that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.

The Coordinator shall also advise the victim of any other remedies that may be available. The Coordinator shall file a report with the Superintendent or designee and refer the matter to law enforcement where required.

Appendix M

Site Dress Code

Dudley students are to adhere to the following Dress Code to maintain a safe learning environment free from distractions:

Shoes are to be worn at all times. Sandals and platform shoes are considered unsafe during P.E. and recess activities. Flip-flops may not be worn at any time during the school day.

Clothing and jewelry shall be free of writing, pictures, or insignias which is/are crude, vulgar, profane or sexually suggestive, which advocate racial, ethnic, or religious prejudice, or which promote violence or the use of drugs, alcohol, or tobacco.

Non-religious head covering may not be worn indoors. The brim of any hat or visor must face forward.

Hair must not interfere with school activities. Decorative hair and/or distracting hair styles are not allowed.

Clothing that reveals undergarments may not be worn.

Clothing must completely cover one's torso. Spaghetti straps are not permitted.

Short length must be to or past the student's fingertips.

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Facilities & Operations Department	Action Item <u> X </u>
To:	Board of Trustees	Information Item <u> </u>
Date:	May 17, 2017	# Attached Pages <u> 4 </u>
From:	Craig Deason, Assist. Supt.	
Assist. Supt. Initials:	<u> CD </u>	

SUBJECT:	PSA for Loy Mattison Enterprises
CONSULTANT'S NAME:	Loy Mattison
COMPANY NAME (if applicable):	Loy Mattison Enterprises
SERVICES TO BE RENDERED:	E-Rate Services
DATES OF SERVICE:	July 1, 2017 - June 30, 2018
PAYMENT PER HOUR:	\$120.00
SERVICES RENDERED AS NEEDED	
FUNDING SOURCE:	01-0000-0-5930-106-0000-8110-007-000
RECOMMENDATION: That the CJUSD Board of Trustees approves the 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: <u>Loy MATISON</u>	
Address: <u>[REDACTED]</u>	
Phone: <u>[REDACTED]</u>	Taxpayer ID #: <u>[REDACTED]</u>
Full description of services to be provided: <u>FILE ANY AND ALL ERATE FORMS AND FOLLOW FOR CREDITS</u>	
Payment \$ <u>1200</u> per <u>Hour</u> . 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: <u>7/1/2017</u>	Frequency of Service: <u>MONTHLY</u>
Ending Date of Service: <u>6/30/2018</u>	
Method of Payment and Tax Reporting: (check one) <input checked="" type="checkbox"/> Variable Payroll - W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.) <input type="checkbox"/> Accounts Payable - 1099 Generated (Requires completion of W-9 on back of this form).	
Total amount of this contract \$	Budget #
Reason service cannot be provided by a District employee:	
Signature of CONTRACTOR: <u>[Signature]</u> Date: <u>4/28/2017</u>	
Signature of District employee requesting service: <u>Craig Deason</u> Date: <u>4/28/17</u>	
Signature of Accounting Supervisor: _____ 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. 12-2014)

**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 SFR 40 and others identified during the IRS compliance studies in San Diego County.		X
2. Is the individual working as an employee prescribed by the Education Code? Education Code sections 45100-45451/88000-88263 define what constitutes classified services and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.		X
3. Is the individual already an employee of the district in another capacity?		X
4. Has the individual performed substantially the same services for the district as an employee in the past? <i>Is the individual retired, returning to substitute, or train, etc.?</i>		X
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?		X
6. Does the district have the legal right to control the method of performance by this individual? <i>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 not necessary that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.</i>		X
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.		X

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? <i>Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval.</i>		X
9. Does the district have a continuing relationship with this individual? <i>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.</i>		X
10. Can this relationship be terminated without the consent of both parties?		X

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...

4-26-94

PART II - continued

YES NO

11. Does the individual operate an independent 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 not available to the general public. NOTE: Possession of a business license or incorporation does not automatically satisfy this requirement. The determination must be made on the actual relationship between the district and the individual performing services.</i>	X	
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>	X	

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, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.</i>	X	
14. Is this paid by the job or on a commission? <i>Job</i>	X	
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>	X	

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: Facilities & Operations Department

To: Board of Trustees

Action Item X

Date: May 17, 2017

Information Item

From: Craig Deason, Assist. Supt.

Attached Pages 1

Assist. Supt. Initials: CD

SUBJECT: Letter for Child Development Inc. for Reimbursement of Funds

Child Development Incorporated is requesting board action for apportionment lost due to a broken septic tank at Arthur Dudley Child Development Center on April 4-5, 2017. The attached letter is needed by the State for the claim.

CONSENT AGENDA



Established 1858

Center Joint Unified School District

8408 Watt Avenue * Antelope, California 95843
(916) 338-6330 * Fax (916) 338-6411

BOARD OF TRUSTEES

Nancy Anderson
Jeremy Hunt
Kelly Kelley
Delrae M. Pope
Donald E. Wilson

SUPERINTENDENT

Scott A. Loehr

Center Joint Unified School District is submitting a request for apportionments to be credited to our agency for April 4-5, 2017 due to 2 reduced days of service. Concerns related to the safety of the children and staff due to a broken septic tank. A request is made for 53 enrollments in CCTR-6182. As required, all details related to this request will be sent to CDD. This request is made in accordance with Education Code Section 8271 and 8209.

Name of Center: Arthur Dudley CDC
8000 Aztec Way
Antelope, CA 95843

Hours: 6:30am – 6:00 pm

Contract Numbers: CCTR-6182

Name of Emergency: Arthur Dudley CDC had to close at 12:30pm which prevented the after school session from opening for one day (April 4th). They had to remain closed for the next full day (April 5th) as well, both due to broken septic tank pumps. Services were restored in time to run the full program again on April 6th.

Dates program operation was suspended: April 4-5, 2017

Attendance for the week before 3/27-3/31/2017

Certified: M-53, T-53, W-53, TH-52, F-55

Non-Certified: M-20, T-18, W-19, TH-16, F-12

The attendance sheets can be supplied if necessary.

We request that apportionments be credited to our agency for 2 days of operation for reduced services to the aforementioned 53 enrollments in contract CCTR-6182. This request is made in accordance with Education Code Section 8271 and 8209.

Signature/Date:

Center Joint Unified School District

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Facilities & Operations Department

Date: May 17, 2017

Action Item XXX

To: Board of Trustees

Information Item

From: Craig Deason, Assistant Superintendent

Attached Pages 4

Asst. Superintendent Initials: CD

SUBJECT: Agreement between Center Joint Unified School District and NFB Engineering for the Wilson C. Riles Site Access Upgrade project.

The District is requesting approval to enter into an agreement with NFB Engineering to provide safe access to Wilson C. Riles students from the Riolo Vineyards subdivision for a fee not to exceed \$74,700.00.

RECOMMENDATION: That the Board of Trustees approves the agreement with NFB Engineering.

CONSENT AGENDA

AGREEMENT FORM

THIS AGREEMENT, entered into this 17th day of May, 2017 in the County of Sacramento of the State of California, by and between the Center Joint Unified School District, hereinafter called the "Owner" or the "CJUSD", and NFB Engineering, hereinafter called the "Contractor".

WITNESSETH that the Owner and the Contractor for the consideration stated herein agree as follows:

ARTICLE 1 - SCOPE OF WORK: The Contractor shall furnish all labor, materials, equipment, tools, and utility and transportation services, and perform and complete all work required in connection with the Project No. 17-02: Wilson C. Riles Site Access Upgrade in strict accordance with the Contract Documents enumerated in Article 7 below. The Contractor shall be liable to the CJUSD for any damages arising as a result of a failure to comply with that obligation, and the Contractor shall not be excused with respect to any failure to so comply by an act or omission of the Architect, Engineer, Inspector, Division of the State Architect (DSA), or representative of any of them, unless such act or omission actually prevents the Contractor from fully complying with the Contract Documents and the Contractor protests, in accordance with the Contract Documents, that the act or omission is preventing the Contractor from fully complying with the Contract Documents. Such protest shall not be effective unless reduced to writing and filed with the CJUSD office within three (3) days of the date of occurrence of such act or omission preventing the Contractor from fully complying with the Contract Documents.

ARTICLE 2 - TIME OF COMPLETION: The Owner may give notice to proceed within ninety (90) days of the award of the bid by the Owner. Once the Contractor has received a notice to proceed, the Contractor shall reach Substantial Completion (See Article 1.1.46) of the Work within Fifty (50) calendar days from receipt of the Notice to Proceed. This shall be called Contract Time. (See Article 8.1.1). It is expressly understood that time is of the essence.

Contractor has thoroughly studied the Project and has satisfied itself that the time period for this Project is adequate for the timely and proper completion of the Project within the Contract time.

In the event that the Owner desires to postpone giving the notice to proceed beyond this ninety (90) day period, it is expressly understood that with reasonable notice to the Contractor, giving the notice to proceed may be postponed by the Owner. It is further expressly understood by the Contractor, that the Contractor shall not be entitled to any claim of additional compensation as a result of the Owner's postponement of giving the notice to proceed.

If the Contractor believes that a postponement will cause hardship to it, the Contractor may terminate the Contract with written notice to the Owner within ten (10) days after receipt by the Contractor of the Owner's notice of postponement. It is further understood by the Contractor that in the event that the Contractor terminates the Contract as a result of postponement by the Owner, the Owner shall only be obligated to pay the Contractor for the work performed by the Contractor at the time of notification of postponement. Should the Contractor terminate the Contract as a result of a notice of postponement, the CJUSD shall have the authority to award the Contract to the next lowest responsible bidder.

ARTICLE 3 - LIQUIDATED DAMAGES: It being impracticable and infeasible to determine the amount of actual damage, it is agreed that the Contractor will pay the Owner the sum of **Five Hundred Dollars (\$500) per calendar day** for each and every day of delay beyond the Contract Time set forth in Article 2 of this Agreement as liquidated damages and not as a penalty or forfeiture. In the event Liquidated Damages are not paid, the Contractor further agrees that the Owner may deduct such amount thereof from any money due or that may become due the Contractor under the Contract (See Article 9.6 and 2.2 of the General Conditions).

ARTICLE 4 - CONTRACT PRICE: The Owner shall pay to the Contractor as full consideration for the faithful performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, the sum of Seventy-four thousand, seven hundred DOLLARS

(\$ 74,700.00), said sum being the total amount stipulated in the Bid Contractor submitted. Payment shall be made as set forth in the General Conditions.

Should any Change Order result in an increase in the Contract Price, the cost of such Change Order shall be agreed to in advance by the Contractor and the Owner, subject to the monetary limitations set forth in Public Contract Code Section 20118.4. In the event that the Contractor proceeds with a Change In work without an agreement between the Owner and Contractor regarding the cost of a Change Order, the Contractor waives any Claim of additional compensation for such additional work.

ARTICLE 5 - HOLD HARMLESS AGREEMENT: Contractor shall defend, indemnify and hold harmless Owner, Architect, Inspector, the State of California and their officers, employees, agents and independent contractors from all liabilities, claims, actions, liens, judgments, demands, damages, losses, costs or expenses of any kind arising from death, personal injury, property damage or other cause based or asserted upon any act, omission, or breach connected with or arising from the progress of Work or performance of service under this Agreement or the Contract Documents. As part of this indemnity, Contractor shall protect and defend, at its own expense, Owner, Architect, Construction Manager, Inspector, the State of California and their officers, employees, agents and independent contractors from any legal action including attorney's fees or other proceeding based upon such act, omission, breach or as otherwise required by this Article.

Furthermore, Contractor agrees to and does hereby defend, indemnify and hold harmless Owner, Architect, Construction Manager, Inspector, the State of California and their officers, employees, agents and independent contractors from every claim or demand made, and every liability, loss, damage, expense or attorney's fees of any nature whatsoever, which may be incurred by reason of:

(a) Liability for (1) death or bodily injury to persons; (2) damage or injury to, loss (including theft), or loss of use of, any property; (3) any failure or alleged failure to comply with any provision of law or the Contract Documents; or (4) any other loss, damage or expense, sustained by any person, firm or corporation or in connection with the Work called for in this Agreement or the Contract Documents, except for liability resulting from the sole or active negligence, or the willful misconduct of the Owner.

(b) Any bodily injury to or death of persons or damage to property caused by any act, omission or breach of Contractor or any person, firm or corporation employed by Contractor, either directly or by independent contract, including all damages or injury to or death of persons, loss (including theft) or loss of use of any property, sustained by any person, firm or corporation, including the Owner, arising out of or in any way connected with Work covered by this Agreement or the Contract Documents, whether said injury or damage occurs either on or off Owner property, but not for any loss, injury, death or damages caused by the sole or active negligence or willful misconduct of the Owner.

(c) Any dispute between Contractor and Contractor's subcontractors/supplies/ Sureties, including, but not limited to, any failure or alleged failure of the Contractor (or any person hired or employed directly or indirectly by the Contractor) to pay any Subcontractor or Materialman of any tier or any other person employed in connection with the Work and/or filing of any stop notice or mechanic's lien claims.

Contractor, at its own expense, cost, and risk, shall defend any and all claims, actions, suits, or other proceedings that may be brought or instituted against the Owner, its officers, agents or employees, on account of or founded upon any cause, damage, or injury identified herein Article 5 and shall pay or satisfy any judgment that may be rendered against the Owner, its officers, agents or employees in any action, suit or other proceedings as a result thereof.

The Contractor's and Subcontractors' obligation to defend, indemnify and hold harmless the Owner, Architect, Inspector, the State of California and their officers, employees, agents and independent contractors hereunder shall include, without limitation, any and all claims, damages, and costs for the following: (1) any damages or injury to or death of any person, and damage or injury to, loss (including theft), or loss of use of, any property; (2) breach of any warranty, express or implied; (3) failure of the Contractor or Subcontractors to comply with any applicable governmental law, rule, regulation, or other requirement; (4) products installed in or used in connection with the Work; and (5) any claims of violation of the Americans with Disabilities Act ("ADA").

ARTICLE 6 - PROVISIONS REQUIRED BY LAW: Each and every provision of law and clause required to be inserted in this Contract shall be deemed to be inserted herein, and this Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted or is not inserted correctly, then upon application of either party the Contract shall forthwith be physically amended to make such insertion or correction.

ARTICLE 7 - COMPONENT PARTS OF THE CONTRACT: The Contract entered into by this Agreement consists of the following Contract Documents, all of which are component parts of the Contract as if herein set out in full or attached hereto:

Notice Inviting Bids
Instructions to Bidders
Designation of Subcontractors
Non-Collusion Declaration
Bid Bond
Bid Form
Contractor's Certificate Regarding Worker's Compensation
Agreement Form
Payment Bond
Performance Bond
Guarantee
Escrow Agreement for Security Deposit In Lieu of Retention
Workers' Compensation/Employers Liability Endorsement
Contractor's Certification Regarding Background Checks
General Liability Endorsement
Automobile Liability Endorsement
General Conditions
Special Conditions
General Requirements
Exhibits
All Addenda as Issued
Drawings/Plans
Requirements, Reports and/or Documents in the Project Manual or Other Documents Issued to Bidders

All of the above named Contract Documents are intended to be complementary. Work required by one of the above named Contract Documents and not by others shall be done as if required by all.

ARTICLE 8 - PREVAILING WAGES: Wage rates for this Project shall be in accordance with the general prevailing rate of holiday and overtime work in the locality in which the work is to be performed for each craft, classification, or type of work needed to execute the Contract as determined by the Director of the Department of Industrial Relations. Copies of schedules of rates so determined by the Director of the Department of Industrial Relations are on file at the administrative office of the Owner and are also available from the Director of the Department of Industrial Relations. Monitoring and enforcement of the prevailing wage laws and related requirements will be performed by the Labor Commissioner/ Department of Labor Standards Enforcement (DLSE).

The following are hereby referenced and made a part of this Agreement and Contractor stipulates to the provisions contained therein.

1. Chapter 1 of Part 7 of Division 2 of the Labor Code (Section 1720 et seq.)
2. California Code of Regulations, Title 8, Chapter 8, Subchapters 3 through 6 (Section 16000 et seq.)

ARTICLE 9 - RECORD AUDIT: In accordance with Government Code Section 8546.7 (and Davis Bacon, if applicable) and Article 13.11 of the General Conditions, records of both the Owner and the Contractor shall be subject to examination and audit for a period of five (5) years after a Final Retention Payment or the Recording of a Notice of Completion, whichever occurs first.

ARTICLE 10 - CONTRACTOR'S LICENSE: The Contractor must possess throughout the Project a Class A Contractor's License, issued by the State of California, which must be current and in good standing.

IN WITNESS WHEREOF, this Agreement has been duly executed by the above named parties, on the day and year first above written.

Center Joint Unified School District

CONTRACTOR:

Typed or Printed Name

Typed or Printed Name

Title

Title

Signature

Signature

Dated: _____

Type or Printed Name

Title (Authorized Officers or Agents)

Signature

(CORPORATE SEAL)

Center Joint Unified School District

Dept./Site: Superintendent's Office

To: Board of Trustees

Date: May 17, 2017

From: Scott A. Loehr, Superintendent

Principal/Administrator Initials: _____

AGENDA REQUEST FOR:

Action Item X

Information Item _____

Attached Pages 5

SUBJECT: Agreement for Legal Services between the Center Joint Unified School District and Kingsley Bogard LLP

RECOMMENDATION: CJUSD Board of Trustees approve the Agreement for Legal Services between the Center Joint Unified School District and Kingsley Bogard LLP.

CONSENT AGENDA

AGREEMENT FOR LEGAL SERVICES
between the
CENTER JOINT UNIFIED SCHOOL DISTRICT
and
KINGSLEY BOGARD LLP

This Agreement is by and between the CENTER JOINT UNIFIED SCHOOL DISTRICT (hereinafter referred to as "Client") and KINGSLEY BOGARD LLP (hereinafter referred to as "Firm"). This Agreement shall commence on _____, 2017.

1. TERM

1.1 The term of this Agreement shall commence on the date first written above.

1.1.1 Subject to 1.1.2 below, it shall continue thereafter from month-to-month.

1.1.2 This Agreement may be terminated, at the will of either party, upon written notice to the other.

2. COMPENSATION AND BILLING

2.1 The Firm agrees to provide services to Client, upon request of Client's designated representative(s), at the rates set forth in Exhibit 1.

2.2 Client will be billed on a monthly basis for services rendered and for Firm expenses which are reasonably incurred to provide such services.

2.2.1 Fees are calculated upon the number of attorney hours and paralegal hours, including travel time, devoted to Client's representation.

2.2.2 Each bill will set forth the Firm's fees, specific costs/disbursements (e.g. transcripts, online legal research, and filing fees), and miscellaneous expenses incurred on Client's behalf during the period.

2.3 Effective each subsequent July 1 that this Agreement is in effect, the rates set forth in Exhibit 2 are subject to a reasonable increase.

3. SERVICES

3.1 At Client's request, the Firm shall provide consultation, representation and legal advice to Client in those areas set forth in Exhibit 2.

3.2 The Firm may use the services of any attorneys in the Firm previously made known to Client or subsequently approved by Client and, subject to prior approval of Client, may consult with experts in the performance of the services provided herein as the Firm deems appropriate. Consultation fees shall be paid by Client.

4. MISCELLANEOUS

4.1 Representation

The Firm must represent clients within the confines of the law and ethical restrictions placed upon all attorneys. The Firm cannot guarantee the successful conclusion of any legal matter or favorable outcome of any legal action. However, the Firm can, and will, within the bounds of ethics and the law do everything necessary and appropriate to obtain favorable results or otherwise further the legal interest of Client.

4.2 Power of Attorney

Client hereby provides the Firm with its power of attorney to execute on its behalf all documents relating to the matters for which the Firm has been retained, including pleadings, letters, contracts, settlement agreements, verifications, dismissals, and orders. Notwithstanding this power, no disputed matter will be settled without Client's prior consent.

4.3 Conflicts of Interest

It is understood and agreed that occasionally, because of ethical considerations, attorneys are required to withdraw from the representation of clients. While the Firm does not anticipate having to withdraw from Client's representation, Client is aware that because the Firm represents other clients, there is always a possibility that a conflict of interest might develop which would force the Firm to cease representing Client. The Firm would only cease to represent Client in the specific areas of conflict and only upon reasonable notice.

4.4 File Retention

Once services rendered under this Agreement have concluded, the Firm may close its files and archive the files electronically or send them to storage. The Firm shall give Client notice before it sends the files to storage, and if Client does not request Client's files at that time, the Firm shall retain said files for a period of seven (7) years. If Client does not request delivery of Client's files before the end of the ten-year period, Client agrees that the Firm has no further obligation to retain them and may, at its discretion, destroy them.

4.5 Resolution of Disputes

If any dispute arises in connection with this Agreement, or the services rendered hereunder, the parties agree to first attempt resolution through negotiation. If negotiations are unsuccessful, the parties agree that they will then attempt in good faith to settle the dispute by engaging in mediation before filing a lawsuit or making any other type of claim. Any complaint filed in municipal or superior court by a party, before the parties have attempted in good faith to conduct a mediation aimed at settling any such disputes, shall be subject to a motion to

strike. All parties agree to cooperate in good faith in the prompt selection of a mediator or mediators and in the setting of a mediation session. Any fees of the mediator(s) or costs associated with the mediation proceedings conducted pursuant to this clause, unless the parties agree in writing otherwise, shall be divided equally among the parties.

4.6 Complete Agreement

The conditions set forth in this Agreement, including the Exhibits which are incorporated by reference, constitute the entire agreement by the parties for legal services, consultation, and representation. No other promises, conditions, or warranties have been made.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the date written above.

KINGSLEY BOGARD LLP

CENTER JOINT UNIFIED SCHOOL
DISTRICT

By: _____
Robert E. Kingsley, Partner

By: _____

Date: _____

Date: _____

Exhibit 1 to Agreement for Legal Services
SCOPE OF SERVICES

While not an exhaustive list, services that may be provided, upon request by Client include:

- A. Collective Bargaining
- B. Human Resources
- C. PERS/STRS Matters
- D. Special Education
- E. Business Services, including:
 - General Contracts
 - Facilities
 - Construction
 - Developer Fees
 - Property Law
- F. Client Policies and Procedures
- G. Training and Workshops
- H. Other Matters Upon Request

**Exhibit 2 to Agreement for Legal Services
COMPENSATION**

A. Hourly Rates

The Firm bills in 1/10-hour increments and details the services provided on a monthly basis.

1. Services will be provided to Client, upon request, at the preferred public sector rate of:

Partner	\$260.00 - \$280.00 per hour
Associate	\$190.00 - \$250.00 per hour
Paralegal	\$140.00 per hour
Of Counsel	\$260.00 per hour

2. In addition, the Firm will provide the following services if specifically requested by Client:

extensive word processing services at a charge not to exceed \$40.00 per hour in the performance of services pursuant to this Agreement.

B. Administrative Charges

Except as noted below, the Firm does not have additional administrative charges:

1. Client is charged back for costs incurred on the Client's behalf such as Federal Express, filing fees, court reporters, et cetera.
2. Actual expenses for travel (e.g. lodging and meals), if required, will be charged back to Client. The Firm does not, however, charge for mileage.
3. There is typically no charge for photocopying. An exception occurs if the Firm is required to make, for Client's benefit, an extraordinary number of copies. In such case, either the Client will make the copies or the Firm will make the copies at 25¢ per copy.
4. Should Client request transfer of one or more files to another law firm, Client will be charged for copying the files at a rate of 25¢ per page.

C. Conflict of Interest

The Firm, if selected, agrees to be subject to Client's Conflict of Interest Code.

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept. /Site: Business Department

Date: 05/05/2017

Action Item

To: Board of Trustees

Information Item

From: Lisa Coronado

Attached Page 1

SUBJECT:

**APPROVAL OF CENTER JOINT UNIFIED SCHOOL DISTRICT
PAYROLL ORDERS**

The Governing board is asked to approve the attached payroll
Orders for July 2016 through April 2017.

RECOMMENDATION: That the CJUSD Board of Trustees approve the
District Payroll Orders for July 2016 through April 2017.

CONSENT AGENDA

DISTRICT PAYROLL-SUMMARIZED FOR FISCAL YEAR ENDING JUNE 30,2017
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	REGULAR	VARIABLE	SPECIAL	TOTAL PAYROLL	#OF TRANSACTIONS
JULY	\$ 981,000.75	\$ 64,821.20		\$ 1,045,821.95	271
AUG	\$ 2,503,675.78	\$ 114,671.61		\$ 2,618,347.39	835
SEPT	\$ 2,505,464.56	\$ 172,109.94		\$ 2,677,574.50	898
OCT	\$ 2,512,641.69	\$ 100,957.20		\$ 2,613,598.89	747
NOV	\$ 2,501,919.04	\$ 158,813.53		\$ 2,660,732.57	814
DEC	\$ 618,323.87	\$ 86,681.55		\$ 705,005.42	473
3-Jan	\$ 1,890,355.83			\$ 1,890,355.83	271
JAN	\$ 2,496,778.07	\$ 79,800.90		\$ 2,576,578.97	755
FEB	\$ 2,482,574.00	\$ 118,606.59		\$ 2,601,180.59	818
MARCH	\$ 2,512,135.96	\$ 196,179.13		\$ 2,708,315.09	860
APRIL	\$ 2,509,050.79	\$ 229,758.44	471789.24	\$ 3,210,598.47	1423
MAY				\$ -	
JUNE				\$ -	
SPECIAL				\$ -	

\$ 23,513,920.34	\$ 1,322,400.09	\$ 471,789.24	\$ 25,308,109.67	8165
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Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Business Department

Date: April, 2017

To: Board of Trustees

From: Lisa Coronado

Action Item

Information Item

Attached Pages 56

SUBJECT: Supplemental Agenda – Commercial Warrant Registers

April 5, 2017, \$154,727.52, April 20, 2017, \$399,725.46
April 27, 2017, \$433,299.02

The commercial warrant payments to vendors total

\$987,752.00

RECOMMENDATION: That the CJUSD Board of Trustees approve the Supplemental Agenda – Vendor Warrants as presented

CONSENT AGENDA

XIV-24

Batch status: A All

From batch: 0053

To batch: 0053

Include Revolving Cash: Y

Include Address: N

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP	Liq Amt	Net Amount
010669/00		ALHAMBRA & SIERRA SPRINGS			
163 PO-170142	04/05/2017	14871405032417	2 01-0000-0-4300-103-0000-7200-003-000 NN P	75.73	75.73
			TOTAL PAYMENT AMOUNT	75.73 *	75.73
013985/00		ALL DIESEL ELECTRIC INC.			
958 PO-170824	04/05/2017	11725	1 01-0000-0-4300-112-0000-3600-007-000 NN P	544.34	544.34
			TOTAL PAYMENT AMOUNT	544.34 *	544.34
014149/00		ASBURY, JEFF			
2238 PO-171995	04/05/2017	REIMB CUTTER	1 01-0000-0-4300-472-1230-1000-014-000 NN F	311.74	311.74
			TOTAL PAYMENT AMOUNT	311.74 *	311.74
021097/00		ASSOCIATED VALUATION SERVICES [REDACTED]			
312 PO-170277	04/05/2017	5472	1 01-0000-0-5800-105-0000-7200-005-000 NN F	1,843.70	1,843.70
			TOTAL PAYMENT AMOUNT	1,843.70 *	1,843.70
010400/00		AT&T			
521 PO-170445	04/03/2017	248134-81008413	1 01-0000-0-5930-106-0000-8110-007-000 NN P	9.31	9.31
			TOTAL PAYMENT AMOUNT	9.31 *	9.31
019504/00		B & H PHOTO-VIDEO			
2301 PO-171908	04/05/2017	124064625	1 01-0000-0-4400-115-0000-7700-007-000 YN F	754.14	699.90
			TOTAL PAYMENT AMOUNT	699.90 *	699.90
			TOTAL USE TAX AMOUNT	54.24	
020215/00		BIANCALANA, KIM			
2426 PO-172040	04/05/2017	REIMB STARBUCKS	1 01-7338-0-4300-472-1110-1000-014-000 NN F	180.00	180.00
			TOTAL PAYMENT AMOUNT	180.00 *	180.00

81 CENTER UNIFIED SCHOOL DIST.
04-05-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0053 4-5-17
FUND : 01 GENERAL FUND

J1578 APY500 H.02.05 04/05/17 PAGE 2
<< Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P OBJE	SIT GOAL FUNC	RES DEP T9MP	Liq Amt	Net Amount	

013988/00	BUTES/CENTER STATE PIPE &							
11 PO-170010	04/05/2017	S009481356.001	1	01-8150-0-4300-106-0000-8110-007-000	NN P	315.58	315.58	
11 PO-170010	04/05/2017	S009511048.001	1	01-8150-0-4300-106-0000-8110-007-000	NN P	133.59	133.59	
TOTAL PAYMENT AMOUNT						449.17 *	449.17	
010575/00	CAPITOL CLUTCH & BRAKE INC.							
66 PO-170064	04/05/2017	1452154	1	01-0000-0-4300-112-0000-3600-007-000	NN P	484.10	484.10	
TOTAL PAYMENT AMOUNT						484.10 *	484.10	
020305/00	CDW GOVERNMENT INC.							
2391 PO-171990	04/04/2017	HKD5664	1	01-0370-0-4400-115-0000-7700-007-000	NN F	1,178.61	1,178.61	
TOTAL PAYMENT AMOUNT						1,178.61 *	1,178.61	
010407/00	CENTER UNIFIED REVOLVING FUND 0000000000							
2379 PO-171984	04/05/2017	4201	1	01-0000-0-4300-120-0000-7110-000-000	NN F	35.00	35.00	
TOTAL PAYMENT AMOUNT						35.00 *	35.00	
019910/00	CHANEY, AMY							
2367 PO-172034	04/05/2017	TRAVEL EXPENSE	1	01-6385-0-5200-472-1110-1000-014-000	NN F	168.05	168.05	
TOTAL PAYMENT AMOUNT						168.05 *	168.05	
013928/00	CINTAS LOCATION 622							
516 PO-170441	04/05/2017	622748696	1	01-0000-0-5800-111-0000-8200-007-000	NN P	174.05	174.05	
TOTAL PAYMENT AMOUNT						174.05 *	174.05	
016320/00	COLLIER, ALYSON							
2387 PO-172006	04/05/2017	REIMB-CLOTHES	1	01-5630-0-4300-601-1421-1000-017-000	NN F	1,438.85	1,438.85	
2433 PO-172049	04/05/2017	REIMB TRANSPORTATION COST	1	01-5630-0-4300-601-1421-1000-017-000	NN F	43.00	43.00	
TOTAL PAYMENT AMOUNT						1,481.85 *	1,481.85	

81 CENTER UNIFIED SCHOOL DIST.
04-05-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0053 4-5-17
FUND : 01 GENERAL FUND

J1578 APY500 H.02.05 04/05/17 PAGE 3
<< Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num				
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt	Net Amount
018079/00	DAUBENMIRE, TRACIE								
2389 PO-172007	04/05/2017	REIMB FORMS , CASES	1	01-5640-0-4300-601-1369-3120-017-000	NN F			340.44	340.44
2408 PO-172024	04/05/2017	travel expense	1	01-6500-0-5200-102-5001-3120-002-000	NN F			60.63	60.63
TOTAL PAYMENT AMOUNT								401.07 *	401.07
018613/00	DE HOYOS, VERONICA								
2431 PO-172047	04/05/2017	MILEAGE	1	01-5630-0-5800-601-1421-1000-017-000	NN F			172.27	172.27
TOTAL PAYMENT AMOUNT								172.27 *	172.27
015800/00	DISCOUNT SCHOOL SUPPLY								
2251 PO-171873	04/05/2017	D24001580102	1	01-5640-0-4300-601-1369-1000-017-079	NN F			351.23	351.24
TOTAL PAYMENT AMOUNT								351.24 *	351.24
019943/00	DOCUMENT TRACKING SERVICES								
2345 PO-171963	04/04/2017	T-958430006	1	01-0000-0-5800-103-1110-1000-003-740	NN P			273.90	273.90
TOTAL PAYMENT AMOUNT								273.90 *	273.90
016771/00	DURAN, DANIELLA								
2432 PO-172048	04/05/2017	MILEAGE	1	01-5630-0-5800-601-1421-1000-017-000	NN F			210.58	210.58
TOTAL PAYMENT AMOUNT								210.58 *	210.58
016002/00	EDGAR, SHERRY								
2303 PO-171996	04/05/2017	REIMB SUPPLIES	1	01-0000-0-4300-472-1550-1000-014-000	NN F			58.09	58.09
TOTAL PAYMENT AMOUNT								58.09 *	58.09
011101/00	EL TROPICANO RIVERWALK HOTEL								
2413 PO-172035	04/05/2017	324063223	1	01-0000-0-5200-472-1385-1000-014-000	NN F			577.91	577.91
TOTAL PAYMENT AMOUNT								577.91 *	577.91

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FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P	OBJE SIT	GOAL FUNC	RES DEP	T9MP	Liq Amt Net Amount
017002/00	HOME DEPOT CREDIT SERVICES							
1745 PO-171487	04/05/2017	6035322649033119	1	01-0000-0-4300-472-1110-1000-014-000	NN P			470.65 470.65
TOTAL PAYMENT AMOUNT				470.65 *				470.65
016049/00	IPMA SACRAMENTO MOTHER-LODE							
2428 PO-172029	04/03/2017	#01110	1	01-0000-0-5200-110-0000-7200-004-000	NN F			100.00 100.00
TOTAL PAYMENT AMOUNT				100.00 *				100.00
010609/00	KELLY MOORE PAINT CO							
24 PO-170023	04/05/2017	203-00000258863	1	01-8150-0-4300-106-0000-8110-007-000	NN P			1,309.31 1,309.31
TOTAL PAYMENT AMOUNT				1,309.31 *				1,309.31
014484/00	KLOCZKO, SAMUEL							
2434 PO-172043	04/05/2017	REIMB WORKSHOP	1	01-0000-0-5200-472-0000-2700-014-000	NN F			349.00 349.00
TOTAL PAYMENT AMOUNT				349.00 *				349.00
014389/00	LOMOVA, YELENA							
2037 PO-171708	04/05/2017	TRIP 1318	1	01-0000-0-5800-112-0000-3600-007-000	NN P			6.42 6.42
TOTAL PAYMENT AMOUNT				6.42 *				6.42
016167/00	LYONS, ANNE							
2397 PO-172010	04/05/2017	REIMB REG.FEE	1	01-5640-0-5200-601-1369-1000-017-087	NN F			199.99 199.99
TOTAL PAYMENT AMOUNT				199.99 *				199.99
018496/00	MCCLELLAN HIGH SCHOOL							
2404 PO-172014	04/03/2017	CAP&GOWN	1	01-5630-0-4300-601-1421-1000-017-000	NN F			105.00 105.00
2404 PO-172014	04/05/2017	FIELD TRIP	2	01-5630-0-5800-601-1421-1000-017-000	NN F			104.00 104.00
TOTAL PAYMENT AMOUNT				209.00 *				209.00

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BATCH: 0053 4-5-17
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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
016087/00	MICHAEL'S TRANSPORTATION SERV.						
2226 PO-171844	04/05/2017	96407	1 01-0000-0-5800-112-0000-3600-007-000 NN P			4,050.00	4,050.00
TOTAL PAYMENT AMOUNT			4,050.00 *				4,050.00
018205/00	MOST DEPENDABLE FOUNTAINS						
41 PO-170040	04/05/2017	INV45234	1 01-8150-0-4300-106-0000-8110-007-000 NN P			72.34	72.34
TOTAL PAYMENT AMOUNT			72.34 *				72.34
018404/00	NCME						
2436 PO-172044	04/05/2017	CHS- FILM FEST.18 STUDENTS	1 01-7220-0-5800-472-1110-1000-014-000 NN F			180.00	180.00
TOTAL PAYMENT AMOUNT			180.00 *				180.00
010253/00	NCS PEARSON INC						
1828 PO-171623	04/04/2017	11065080	1 01-0000-0-4300-102-5001-3120-002-995 NN P			4,240.10	4,240.10
1828 PO-171623	04/04/2017	11065358	2 01-0000-0-5800-102-5001-3120-002-995 NN F			2,472.36	2,552.72
TOTAL PAYMENT AMOUNT			6,792.82 *				6,792.82
017576/00	OFFICE DEPOT						
2087 PO-171739	04/05/2017	CLOSE	1 01-6520-0-4300-472-5770-1110-003-000 NN C			225.20	0.00
2109 PO-171770	04/05/2017	910912835002	1 01-6500-0-4300-102-5001-2700-002-000 NN P			32.31	32.31
2109 PO-171770	04/05/2017	910912835001	1 01-6500-0-4300-102-5001-2700-002-000 NN P			91.22	91.22
2109 PO-171770	04/05/2017	910912834001	1 01-6500-0-4300-102-5001-2700-002-000 NN F			71.09	71.08
2269 PO-171879	04/05/2017	915253453001	1 01-0000-0-4300-238-1110-1000-010-000 NN P			19.71	19.71
2269 PO-171879	04/05/2017	915253452001	1 01-0000-0-4300-238-1110-1000-010-000 NN F			172.57	154.69
2326 PO-171939	04/04/2017	916588518001	1 01-0000-0-4300-238-1110-1000-010-000 NN P			321.89	321.89
2326 PO-171939	04/04/2017	916588517001	1 01-0000-0-4300-238-1110-1000-010-000 NN F			3.43	16.36
2349 PO-171966	04/05/2017	916932989001	1 01-6500-0-4300-102-5770-1110-002-000 NN F			90.90	90.90
TOTAL PAYMENT AMOUNT			798.16 *				798.16
018872/00	PEREZ, ANA						
2422 PO-172037	04/05/2017	MILEAGE AND WORKSHOP	1 01-0000-0-5200-472-0000-2700-014-000 NN F			143.10	143.10
TOTAL PAYMENT AMOUNT			143.10 *				143.10

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP	Liq Amt	Net Amount			
014069/00	PLATT ELECTRIC SUPPLY INC							
28	PO-170027	04/05/2017	L690311	1	01-8150-0-4300-106-0000-8110-007-000	NN P	90.84	90.84
					TOTAL PAYMENT AMOUNT		90.84 *	90.84
016834/00	POWER SYSTEMS							
2312	PO-171933	04/04/2017	8268624	1	01-5630-0-4300-601-1421-1000-017-000	NN F	143.03	143.03
					TOTAL PAYMENT AMOUNT		143.03 *	143.03
021194/00	PRUDENTIAL OVERALL SUPPLY INC							
82	PO-170079	04/05/2017	180273669	1	01-0000-0-5600-112-0000-3600-007-000	NN P	67.73	67.73
					TOTAL PAYMENT AMOUNT		67.73 *	67.73
020456/00	RAMIREZ, DULCE							
2420	PO-172036	04/05/2017	MILEAGE & WORKSHOP	1	01-0000-0-5200-472-0000-2700-014-000	NN F	143.10	143.10
					TOTAL PAYMENT AMOUNT		143.10 *	143.10
015628/00	RAMIREZ, SOLEDAD							
2372	PO-172046	04/05/2017	REIMB BATTERIES	1	01-0000-0-4300-472-1385-1000-014-000	NN F	32.15	32.15
					TOTAL PAYMENT AMOUNT		32.15 *	32.15
019951/00	ROBINSON, PAULA							
2394	PO-172009	04/05/2017	REIMB POSTAGE	1	01-0000-0-5920-102-0000-3130-003-000	NN F	32.72	32.72
					TOTAL PAYMENT AMOUNT		32.72 *	32.72
010552/00	SAC VAL JANITORIAL							
907	PO-170790	04/05/2017	10235211	1	01-0000-0-4300-111-0000-8200-007-000	NN P	408.85	408.85
2318	PO-171916	04/05/2017	10235965	1	01-0000-0-9320-000-0000-0000-000-000	NN P	511.61	511.61
2318	PO-171916	04/05/2017	10235966	1	01-0000-0-9320-000-0000-0000-000-000	NN P	1,683.15	1,683.15
2318	PO-171916	04/05/2017	10234809	1	01-0000-0-9320-000-0000-0000-000-000	NN P	160.98	160.98
2318	PO-171916	04/05/2017	10235199	1	01-0000-0-9320-000-0000-0000-000-000	NN P	183.46	183.46
2410	PO-172019	04/05/2017	10235211	1	01-0000-0-4300-106-0000-8110-007-000	NN P	132.14	132.14
2410	PO-172019	04/05/2017	10235278	1	01-0000-0-4300-106-0000-8110-007-000	NN P	396.43	396.43
					TOTAL PAYMENT AMOUNT		3,476.62 *	3,476.62

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BATCH: 0053 4-5-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt
								Net Amount
016909/00	SACRAMENTO CO OFFICE OF ED							
1886 PO-171600	04/04/2017	171292	1	01-3010-0-5200-240-1110-1000-011-000	NN	F		150.00
								150.00
								150.00
015769/00	SACRAMENTO COUNTY OFFICE OF ED							
2136 PO-171799	04/05/2017	171301	1	01-0000-0-5200-234-0000-2700-008-000	NN	P		150.00
								150.00
								150.00
017234/00	SCHIRO, BONNIE							
2354 PO-171999	04/05/2017	REIMB- TV	1	01-0000-0-4400-472-0000-2700-014-000	N	F		433.86
2427 PO-172041	04/05/2017	REIMB LAMPS	1	01-0000-0-4300-472-0000-2700-014-000	N	F		137.92
								137.92
								571.78
017106/00	SCHOOLS INSURANCE AUTHORITY							
PV-171075	04/05/2017	APRIL PREMIUM		01-0000-0-9552-000-0000-0000-000-000	NN			8,330.29
								8,330.29
010263/00	SMUD							
112 PO-170179	04/04/2017	70000000347	1	01-0000-0-5510-106-0000-8110-007-000	NN	P		74,364.47
								74,364.47
								74,364.47
018431/00	SWEETWATER SOUND INC							
2124 PO-171854	04/05/2017	15230946	1	01-0000-0-4300-240-0000-2700-011-000	YN	F		1,727.24
								1,575.96
								1,575.96
022554/00	THE TRAILER SPECIALIST							
2430 PO-172030	04/04/2017	19115	1	01-8150-0-4300-106-0000-8110-007-000	NN	F		384.04
2430 PO-172030	04/04/2017	19115	2	01-8150-0-5800-106-0000-8110-007-000	NN	F		420.00
								420.00
								804.04

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BATCH: 0053 4-5-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
010237/00	TPRS BOOKS						
2353	PO-172033	04/05/2017	#HCNPXWYV96Z	1 01-0000-0-5200-472-1385-1000-014-000	NN F	425.00	425.00
TOTAL PAYMENT AMOUNT				425.00 *			425.00
018279/00	UNIVERSITY OF OREGON						
2383	PO-172004	04/05/2017	INV0037603	1 01-0000-0-5800-101-1110-1000-002-995	NN F	145.83	145.83
TOTAL PAYMENT AMOUNT				145.83 *			145.83
014653/00	WELLNESS TOGETHER						
2399	PO-172011	04/05/2017	SMWC17-609493692	1 01-3010-0-5200-475-3200-3110-015-000	NN F	50.00	50.00
TOTAL PAYMENT AMOUNT				50.00 *			50.00
010843/00	WILCO SUPPLY						
2281	PO-171900	04/05/2017	9058811-00	1 01-8150-0-4300-106-0000-8110-007-000	NN P	211.77	211.77
TOTAL PAYMENT AMOUNT				211.77 *			211.77
020672/00	WILLIAMS, CHERYL						
2403	PO-172013	04/05/2017	REIMB-INK	1 01-5640-0-4300-601-1369-1000-017-085	NN F	110.97	110.97
TOTAL PAYMENT AMOUNT				110.97 *			110.97
019497/00	WOODS, HEATHER						
2423	PO-172038	04/05/2017	REIMB SWIM ITEMS	1 01-0000-0-4300-472-1110-4200-014-000	NN F	102.74	102.74
TOTAL PAYMENT AMOUNT				102.74 *			102.74
TOTAL FUND PAYMENT				121,785.54 **			121,785.54
TOTAL USE TAX AMOUNT				176.38			

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BATCH: 0053 4-5-17
FUND : 09 CHARTER SCHOOLS

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Vendor/Addr	Remit name		Tax ID num	Deposit type	ABA num	Account num		
Req Reference	Date	Description		FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP			Liq Amt	Net Amount
010669/00	ALHAMBRA & SIERRA SPRINGS							
456 PO-170397	04/05/2017	4779099032617		1 09-0700-0-4300-503-1110-1000-018-000 NN P			62.65	62.65
				TOTAL PAYMENT AMOUNT	62.65 *			62.65
017186/00	HERFF JONES LLC							
2448 PO-172055	04/05/2017	851585		1 09-0700-0-5800-503-1110-1000-018-000 NN F			71.74	71.74
				TOTAL PAYMENT AMOUNT	71.74 *			71.74
				TOTAL FUND	PAYMENT	134.39 **		134.39

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BATCH: 0053 4-5-17
FUND : 11 ADULT EDUCATION FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
020305/00	CDW GOVERNMENT INC.						
2305 PO-171928	04/03/2017	HJJ5559	1 11-6392-0-5800-601-4130-1000-017-000 YN F			80.81	75.00
			TOTAL PAYMENT AMOUNT	75.00 *			75.00
			TOTAL USE TAX AMOUNT	5.81			
017576/00	OFFICE DEPOT						
2316 PO-171934	04/05/2017	9165875041001	1 11-6391-0-4300-601-4130-1000-017-000 NN F			313.26	313.26
			TOTAL PAYMENT AMOUNT	313.26 *			313.26
			TOTAL FUND PAYMENT	388.26 **			388.26
			TOTAL USE TAX AMOUNT	5.81			

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BATCH: 0053 4-5-17
FUND : 13 CAFETERIA FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				Liq Amt	Net Amount
021498/00	CSNA							
2416	PO-172022	04/05/2017	L.KASEY MEMBERSHIP	1	13-5310-0-5200-108-0000-3700-007-000	NN F	55.00	55.00
			TOTAL PAYMENT AMOUNT		55.00 *			55.00
011205/00	CULTURE SHOCK YOGURT							
95	PO-170107	04/03/2017	4523	1	13-5310-0-4700-108-0000-3700-007-000	NN P	128.40	128.40
95	PO-170107	04/03/2017	4774	1	13-5310-0-4700-108-0000-3700-007-000	NN P	149.80	149.80
95	PO-170107	04/04/2017	4893	1	13-5310-0-4700-108-0000-3700-007-000	NN P	149.80	149.80
			TOTAL PAYMENT AMOUNT		428.00 *			428.00
011602/00	DANIELSEN CO., THE							
705	PO-170608	04/04/2017	128903	2	13-5310-0-4300-108-0000-3700-007-000	N P	88.60	88.60
705	PO-170608	04/04/2017	128903	1	13-5310-0-4700-108-0000-3700-007-000	N P	2,593.14	2,593.14
			TOTAL PAYMENT AMOUNT		2,681.74 *			2,681.74
014540/00	ELLSWORTH, JENNIFER							
2445	PO-172053	04/05/2017	REFUND	1	13-5310-0-8634-000-0000-0000-000-000	NN F	209.15	209.15
			TOTAL PAYMENT AMOUNT		209.15 *			209.15
016670/00	FATCAT BAKERY							
100	PO-170110	04/04/2017	12501	1	13-5310-0-4700-108-0000-3700-007-000	NN P	2,100.00	2,100.00
			TOTAL PAYMENT AMOUNT		2,100.00 *			2,100.00
020848/00	FIGUEROA, EMILIONO							
2446	PO-172054	04/05/2017	REFUND	1	13-5310-0-8634-000-0000-0000-000-000	NN F	31.00	31.00
			TOTAL PAYMENT AMOUNT		31.00 *			31.00
021080/00	GOLD STAR FOODS INC							
708	PO-170610	04/04/2017	1997683	1	13-5310-0-4700-108-0000-3700-007-000	NN P	5,582.53	5,582.53
708	PO-170610	04/04/2017	1139651	1	13-5310-0-4700-108-0000-3700-007-000	NN M	0.00	55.70-
708	PO-170610	04/04/2017	1139599	1	13-5310-0-4700-108-0000-3700-007-000	NN M	0.00	317.11-
			TOTAL PAYMENT AMOUNT		5,209.72 *			5,209.72

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP	Liq Amt	Net Amount
017376/00	OFFICE RELIEF INC				
2444 PO-172052	04/05/2017	15234044	1 13-5310-0-4300-108-0000-3700-007-000 NN F	301.75	301.75
			TOTAL PAYMENT AMOUNT	301.75 *	301.75
016279/00	P&R PAPER SUPPLY				
193 PO-170166	04/05/2017	30124907-00	1 13-5310-0-4300-108-0000-3700-007-000 NN P	694.77	694.77
			TOTAL PAYMENT AMOUNT	694.77 *	694.77
019993/00	PROPACIFIC FRESH				
94 PO-170106	04/05/2017	60270	1 13-5310-0-4700-108-0000-3700-007-000 NN P	5,901.75	5,901.75
94 PO-170106	04/05/2017	61169	1 13-5310-0-4700-108-0000-3700-007-000 NN P	2,447.97	2,447.97
94 PO-170106	04/05/2017	60507	1 13-5310-0-4700-108-0000-3700-007-000 NN P	2,569.31	2,569.31
94 PO-170106	04/05/2017	62230	1 13-5310-0-4700-108-0000-3700-007-000 NN P	2,745.24	2,745.24
94 PO-170106	04/05/2017	61188	1 13-5310-0-4700-108-0000-3700-007-000 NN P	2,592.63	2,592.63
94 PO-170106	04/05/2017	61883	1 13-5310-0-4700-108-0000-3700-007-000 NN P	1,080.93	1,080.93
94 PO-170106	04/05/2017	65956	1 13-5310-0-4700-108-0000-3700-007-000 NN P	431.64	431.64
			TOTAL PAYMENT AMOUNT	17,769.47 *	17,769.47
021194/00	PRUDENTIAL OVERALL SUPPLY INC				
101 PO-170111	04/05/2017	180273668	1 13-5310-0-5800-108-0000-3700-007-000 NN P	77.75	77.75
			TOTAL PAYMENT AMOUNT	77.75 *	77.75
011422/00	SYSKO OF SAN FRANCISCO				
89 PO-170103	04/04/2017	131188828	2 13-5310-0-4300-108-0000-3700-007-000 NN P	1,147.38	1,147.38
89 PO-170103	04/04/2017	131188828	1 13-5310-0-4700-108-0000-3700-007-000 NN P	1,616.82	1,616.82
89 PO-170103	04/04/2017	131190673	1 13-5310-0-4700-108-0000-3700-007-000 NN P	96.78	96.78
			TOTAL PAYMENT AMOUNT	2,860.98 *	2,860.98
			TOTAL FUND PAYMENT	32,419.33 **	32,419.33
			TOTAL BATCH PAYMENT	154,727.52 ***	154,727.52
			TOTAL USE TAX AMOUNT	182.19	
			TOTAL DISTRICT PAYMENT	154,727.52 ****	154,727.52
			TOTAL USE TAX AMOUNT	182.19	
			TOTAL FOR ALL DISTRICTS:	154,727.52 ****	154,727.52
			TOTAL USE TAX AMOUNT	182.19	

Number of warrants to be printed: 77, not counting voids due to stub overflows.

Batch status: A All

From batch: 0055

To batch: 0055

Include Revolving Cash: Y

Include Address: N

81 CENTER UNIFIED SCHOOL DIST.
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ACCOUNTS PAYABLE PRELIST
BATCH: 0055 04-20.17
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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	
								Liq Amt Net Amount
015234/00	5-STAR STUDENTS							
1959 PO-171689	04/20/2017	SUBSCRIPTION RENEWAL	1	01-0000-0-5800-472-0000-2700-014-000	NN F			750.00 750.00
		TOTAL PAYMENT AMOUNT				750.00 *		750.00
011802/00	A-Z BUS SALES INC.							
59 PO-170057	04/20/2017	02p426921	1	01-0000-0-4300-112-0000-3600-007-000	NN P			736.47 736.47
59 PO-170057	04/20/2017	02P427133	1	01-0000-0-4300-112-0000-3600-007-000	NN P			180.94 180.94
		TOTAL PAYMENT AMOUNT				917.41 *		917.41
010002/00	ALDAR ACADEMY							
836 PO-170730	04/20/2017	MARCH	1	01-6500-0-5800-102-5750-1180-002-000	NN P			3,348.34 3,348.34
		TOTAL PAYMENT AMOUNT				3,348.34 *		3,348.34
010669/00	ALHAMBRA & SIERRA SPRINGS							
17 PO-170016	04/20/2017	4782453040617	1	01-8150-0-4300-106-0000-8110-007-000	NN P			77.13 77.13
61 PO-170059	04/20/2017	4781257040617	1	01-0000-0-4300-112-0000-3600-007-000	NN P			42.65 42.65
474 PO-170417	04/20/2017	4780794040617	1	01-0000-0-4300-110-0000-7200-004-000	NN P			48.64 48.64
608 PO-170529	04/18/2017	4780818040617	1	01-0000-0-4300-105-0000-7200-005-000	NN P			36.66 36.66
1819 PO-171545	04/20/2017	4781839040617	1	01-0000-0-4300-475-3200-2700-015-000	NN P			42.65 42.65
		TOTAL PAYMENT AMOUNT				247.73 *		247.73
021763/00	ALL STAR RENTS							
1646 PO-171407	04/20/2017	668136-10	1	01-8150-0-5600-106-0000-8110-007-000	NN P			82.26 82.26
		TOTAL PAYMENT AMOUNT				82.26 *		82.26
014733/00	ALL WEST COACHLINES INC.							
2536 PO-172154	04/20/2017	63266	1	01-7338-0-5865-472-1110-1000-014-000	NN F			1,482.89 1,482.89
		TOTAL PAYMENT AMOUNT				1,482.89 *		1,482.89
011617/00	AMADOR STAGE LINES							
2343 PO-172056	04/20/2017	62911,69261	1	01-0000-0-5865-472-1110-4200-014-915	NN F			1,076.02 1,076.02
2343 PO-172056	04/20/2017	69799	2	01-7338-0-5865-472-1110-1000-014-000	NN F			598.10 598.10
		TOTAL PAYMENT AMOUNT				1,674.12 *		1,674.12

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt
								Net Amount
019504/00	B & H PHOTO-VIDEO							
2386 PO-171989	04/20/2017	124417375	1	01-0000-0-4300-115-0000-7700-007-000	YN	F		541.87
2457 PO-172058	04/20/2017	124697596	1	01-0000-0-4400-115-0000-7700-007-000	YN	F		903.90
TOTAL PAYMENT AMOUNT								1,340.39 *
TOTAL USE TAX AMOUNT								103.88
017561/00	BAIONI, KIM							
2493 PO-172093	04/20/2017	REIMB-GIFT CARDS	1	01-3010-0-4300-475-3200-3110-015-000	NN	F		669.75
2487 PO-172125	04/20/2017	REIMB CONF	1	01-3010-0-5200-475-3200-1000-015-000	NN	F		345.00
TOTAL PAYMENT AMOUNT								1,014.75 *
021669/00	BAIONI, RON							
2456 PO-172089	04/20/2017	REIMB-IPAD CASES	1	01-3010-0-4300-475-3200-1000-015-000	NN	F		59.43
2505 PO-172096	04/20/2017	REIMB ADAPTER	1	01-6500-0-4300-102-5001-2700-002-000	NN	F		25.99
2521 PO-172115	04/20/2017	reimb-science cases	1	01-0000-0-4300-371-0000-2700-012-000	NN	F		83.75
TOTAL PAYMENT AMOUNT								169.17 *
022184/00	BARNES & NOBLE BOOKSELLER							
2291 PO-171905	04/20/2017	3440528	1	01-0000-0-4200-472-1355-1000-014-000	NN	F		137.70
TOTAL PAYMENT AMOUNT								137.70 *
022496/00	BASES LOADED							
1727 PO-171482	04/10/2017	424656	1	01-0000-0-4300-472-1110-4200-014-000	NN	F		251.92
TOTAL PAYMENT AMOUNT								251.92 *
021938/00	BIO CORPORATION							
2192 PO-171859	04/20/2017	V507514	1	01-0000-0-4300-472-1600-1000-014-000	NN	F		1,331.84
TOTAL PAYMENT AMOUNT								1,288.98 *
022147/00	BLICK ART MATERIALS							
2222 PO-171863	04/20/2017	7494738	1	01-0000-0-4300-472-1230-1000-014-000	NN	P		585.15
2222 PO-171863	04/20/2017	7556003	1	01-0000-0-4300-472-1230-1000-014-000	NN	F		17.40
TOTAL PAYMENT AMOUNT								602.54 *

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	
								Liq Amt Net Amount
018259/00	BOULDEN PUBLISHING							
2311 PO-171932	04/19/2017	106135	2	01-5630-0-4300-601-1421-1000-017-000	NN F			124.20 124.20
2311 PO-171932	04/19/2017	106135	1	01-5640-0-4300-601-1369-1000-017-084	NN F			59.21 58.02
			TOTAL PAYMENT AMOUNT			182.22 *		182.22
019453/00	BSN SPORTS INC							
2214 PO-171862	04/20/2017	8096828	1	01-0000-0-4300-472-1550-1000-014-000	NN F			625.61 625.61
2288 PO-171902	04/20/2017	8101102	1	01-0000-0-4300-472-1110-4200-014-816	NN F			268.40 268.40
			TOTAL PAYMENT AMOUNT			894.01 *		894.01
010150/00	BURKETTS OFFICE SUPPLIES							
2513 PO-172100	04/20/2017	1322535-0	1	01-0000-0-4300-101-0000-7150-002-000	NN F			48.15 48.15
			TOTAL PAYMENT AMOUNT			48.15 *		48.15
010340/00	CA DEPT OF JUSTICE							
477 PO-170420	04/20/2017	219166	1	01-0000-0-5800-110-0000-7200-004-000	NN P			256.00 256.00
			TOTAL PAYMENT AMOUNT			256.00 *		256.00
019750/00	CAPITAL PROGRAM MGMT INC							
621 PO-170542	04/19/2017	#27	1	01-6230-0-5800-106-9623-8500-007-000	NN P			6,871.75 6,871.75
			TOTAL PAYMENT AMOUNT			6,871.75 *		6,871.75
021678/00	CAPITOL ACADEMY							
995 PO-170864	04/20/2017	CA0179	1	01-6500-0-5800-102-5750-1180-002-000	NN P			3,939.44 3,939.44
995 PO-170864	04/20/2017	CA0192	1	01-6500-0-5800-102-5750-1180-002-000	NN P			600.00 600.00
			TOTAL PAYMENT AMOUNT			4,539.44 *		4,539.44
010575/00	CAPITOL CLUTCH & BRAKE INC.							
66 PO-170064	04/19/2017	1454837	1	01-0000-0-4300-112-0000-3600-007-000	NN P			43.87 43.87
			TOTAL PAYMENT AMOUNT			43.87 *		43.87

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				Liq Amt	Net Amount
016151/00	CATHERINE STEVENS							
2527 PO-172119	04/20/2017	1254	1 01-0000-0-5800-112-0000-3600-007-000 NY F				1,312.50	1,312.50
TOTAL PAYMENT AMOUNT							1,312.50 *	1,312.50
016904/00	CDI COMPUTER DEALERS INC							
2068 PO-171723	04/20/2017	564923	1 01-6500-0-4400-102-5001-2700-002-000 YN F				220.46	204.60
TOTAL PAYMENT AMOUNT							204.60 *	204.60
TOTAL USE TAX AMOUNT							15.86	
020305/00	CDW GOVERNMENT INC.							
2418 PO-172023	04/20/2017	HKK4905	1 01-0000-0-4300-115-0000-7700-007-000 NN F				426.25	426.25
2418 PO-172023	04/20/2017	HKS3316	1 01-0000-0-4300-115-0000-7700-007-000 NN F				138.84	126.07
2525 PO-172118	04/20/2017	HMQ6348	1 01-0000-0-4300-115-0000-7700-007-000 NN F				271.34	271.34
TOTAL PAYMENT AMOUNT							823.66 *	823.66
016261/00	CEBULA RN, GAIL							
1211 PO-171037	04/20/2017	MARCH MILEAGE	1 01-0000-0-5210-102-0000-3140-003-000 NN F				30.79	40.23
TOTAL PAYMENT AMOUNT							40.23 *	40.23
010407/00	CENTER UNIFIED REVOLVING FUND							
2514 PO-172101	04/20/2017	4202	1 01-0000-0-4300-101-0000-7150-002-000 NN F				25.00	25.00
2514 PO-172101	04/20/2017	4202	2 01-0000-0-4300-120-0000-7110-000-000 NN F				100.00	100.00
2546 PO-172124	04/20/2017	REIMB TO RESTORE	1 01-0000-0-5800-105-0000-7200-005-000 NN F				76.62	76.62
TOTAL PAYMENT AMOUNT							201.62 *	201.62
015768/00	CHAMBERLAIN, JOE MATTHEW							
2492 PO-172129	04/20/2017	TRAVEL EXPENSE	1 01-7220-0-5200-472-1110-1000-014-000 NN F				60.62	60.62
TOTAL PAYMENT AMOUNT							60.62 *	60.62
019910/00	CHANEY, AMY							
2365 PO-172065	04/20/2017	REIMB -SNACKS	1 01-6385-0-4300-472-1110-1000-014-000 NN F				34.91	34.91
2494 PO-172130	04/20/2017	TRAVEL EXPENCE	1 01-7220-0-5200-472-1110-1000-014-000 NN F				80.79	80.79
TOTAL PAYMENT AMOUNT							115.70 *	115.70

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num		
Req Reference	Date	Description	FD RESO P	OBJE SIT	GOAL FUNC	RES DEP T9MP	Liq Amt Net Amount

013928/00	CINTAS LOCATION 622						
516 PO-170441	04/19/2017	622753830	1	01-0000-0-5800-111-0000-8200-007-000	NN P	183.69	183.69
TOTAL PAYMENT AMOUNT				183.69 *			183.69
015699/00	CLARK SECURITY PRODUCTS						
2067 PO-171722	04/19/2017	22K-201968	1	01-8150-0-4300-106-0000-8110-007-000	NN P	594.63	594.63
2067 PO-171722	04/19/2017	22K-199846	1	01-8150-0-4300-106-0000-8110-007-000	NN P	24.56	24.56
2067 PO-171722	04/19/2017	22K-141241	1	01-8150-0-4300-106-0000-8110-007-000	NN M	0.00	248.23
TOTAL PAYMENT AMOUNT				370.96 *			370.96
021573/00	CLEMENTS, KRISTEN						
2498 PO-172134	04/20/2017	TRAVEL EXPENSE	1	01-7220-0-5200-472-1110-1000-014-000	NN F	45.93	45.93
TOTAL PAYMENT AMOUNT				45.93 *			45.93
019125/00	CORE						
2325 PO-171958	04/20/2017	9181	1	01-0000-0-4200-103-0000-7200-003-000	NN F	149.77	132.05
TOTAL PAYMENT AMOUNT				132.05 *			132.05
020779/00	COWAN, ANNE						
2497 PO-172133	04/20/2017	TRAVEL EXPENSE	1	01-7220-0-5200-472-1110-1000-014-000	NN F	55.13	55.13
TOTAL PAYMENT AMOUNT				55.13 *			55.13
018951/00	DELL						
2472 PO-172063	04/20/2017	10158925637	1	01-3010-0-4300-475-3200-1000-015-000	NN F	1,202.67	1,184.20
TOTAL PAYMENT AMOUNT				1,184.20 *			1,184.20
011613/00	DITTO PRINT & COPY						
2198 PO-171813	04/20/2017	5453	1	01-0000-0-5800-105-0000-7200-005-000	NN F	75.00	48.49
2236 PO-171851	04/20/2017	5452	1	01-0000-0-5800-105-0000-7200-005-000	NN F	1,203.03	1,263.19
2283 PO-171892	04/20/2017	5451	1	01-0000-0-5800-110-0000-7200-004-000	NN F	235.44	236.83
2332 PO-171919	04/20/2017	5454	1	01-0000-0-5800-105-0000-7200-005-000	NN F	79.52	79.52
TOTAL PAYMENT AMOUNT				1,628.03 *			1,628.03

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num				
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt	Net Amount
018762/00	HOANG, TRACY								
2469	PO-172076	04/20/2017	MARCH MILEAGE	1	01-3010-0-5800-601-1421-1000-017-000	NN	F	114.70	114.70
TOTAL PAYMENT AMOUNT								114.70 *	114.70
017002/00	HOME DEPOT CREDIT SERVICES								
787	PO-170681	04/19/2017	22474	1	01-0000-0-4300-111-0000-8200-007-000	NN	P	13.36	13.36
1559	PO-171337	04/19/2017	1021117	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	16.99	16.99
1559	PO-171337	04/19/2017	9244953	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	111.93	111.93
1559	PO-171337	04/19/2017	8245051	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	25.73	25.73
1559	PO-171337	04/19/2017	7291482	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	82.03	82.03
1559	PO-171337	04/19/2017	4015902	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	15.05	15.05
1559	PO-171337	04/19/2017	4021989	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	69.32	69.32
1559	PO-171337	04/19/2017	2022256	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	23.02	23.02
1559	PO-171337	04/19/2017	22437	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	15.37	15.37
1559	PO-171337	04/19/2017	6010946	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	92.92	92.92
1559	PO-171337	04/19/2017	4023109	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	83.87	83.87
1559	PO-171337	04/19/2017	4231229	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	13.47	13.47
1559	PO-171337	04/19/2017	3011403	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	70.03	70.03
1559	PO-171337	04/19/2017	9071350	1	01-8150-0-4300-106-0000-8110-007-000	NN	P	78.20	78.20
TOTAL PAYMENT AMOUNT								711.29 *	711.29
016738/00	J'S PARTY RENTALS & DECOR								
2530	PO-172120	04/20/2017	CHAIR RENTAL WCR	1	01-0000-0-5600-105-0000-7200-005-000	NY	F	860.00	860.00
TOTAL PAYMENT AMOUNT								860.00 *	860.00
019317/00	JENSEN, CARIN								
1309	PO-171117	04/20/2017	FEB MILEAGE	1	01-0000-0-5210-103-0000-2110-003-000	NN	P	9.90	9.90
1309	PO-171117	04/20/2017	MARCH MILEAGE	1	01-0000-0-5210-103-0000-2110-003-000	NN	P	14.72	14.72
TOTAL PAYMENT AMOUNT								24.62 *	24.62
011414/00	JOHNSON, DANA								
2470	PO-172147	04/20/2017	MARCH MILEAGE	1	01-3010-0-5800-601-1421-1000-017-000	NN	F	521.30	521.30
TOTAL PAYMENT AMOUNT								521.30 *	521.30

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num		
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP			Liq Amt	Net Amount
014645/00	JOHNSON, KATIE						
2531 PO-172153	04/20/2017	MILEAGE	1 01-3410-0-5210-472-1110-1000-003-000 NN F			11.88	11.88
TOTAL PAYMENT AMOUNT						11.88 *	11.88
014500/00	JOPE, BRINA						
2495 PO-172131	04/20/2017	TRAVEL EXPENSE	1 01-7220-0-5200-472-1110-1000-014-000 NN F			78.83	78.83
2500 PO-172136	04/20/2017	TRAVEL EXPENSE	1 01-6387-0-5200-472-1110-1000-014-000 NN F			2,814.54	2,814.54
TOTAL PAYMENT AMOUNT						2,893.37 *	2,893.37
017899/00	LAWSON, BECKY						
444 PO-170386	04/12/2017	MAR MILEAGE	1 01-0000-0-5200-103-0000-2110-003-000 N F			25.77	34.24
TOTAL PAYMENT AMOUNT						34.24 *	34.24
016076/00	LES SCHWAB TIRE CENTER						
181 PO-170158	04/20/2017	64300247888	1 01-0000-0-5800-112-0000-3600-007-000 NN P			84.00	84.00
TOTAL PAYMENT AMOUNT						84.00 *	84.00
022335/00	LOFTUS, MARK						
2414 PO-172066	04/20/2017	travel expense	1 01-0000-0-5200-472-1385-1000-014-000 NN F			438.88	438.88
TOTAL PAYMENT AMOUNT						438.88 *	438.88
021914/00	LOY MATTISON ENTERPRISES						
701 PO-170605	04/20/2017	030117033117	1 01-0000-0-5800-106-0000-8110-007-000 NY P			747.50	747.50
TOTAL PAYMENT AMOUNT						747.50 *	747.50
016378/00	LUPPINO, ROXANNE						
2482 PO-172083	04/20/2017	reimb incentives	1 01-9315-0-4300-601-1110-1000-017-000 NN F			200.74	200.74
TOTAL PAYMENT AMOUNT						200.74 *	200.74

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num		
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP	Liq Amt	Net Amount		
015368/00	MAGNATAG PRODUCTS						
2150 PO-171816	04/20/2017	511375	1 01-0000-0-4400-472-1500-1000-014-000 NN F	1,099.45	1,036.05		
TOTAL PAYMENT AMOUNT				1,036.05 *		1,036.05	
021926/00	MATRE, KAREN						
2532 PO-172121	04/20/2017	MILEAGE	1 01-0000-0-5210-106-0000-8300-007-000 NN F	15.09	15.09		
TOTAL PAYMENT AMOUNT				15.09 *		15.09	
022406/00	MAXIM HEALTHCARE SERVICES INC						
1970 PO-171658	04/20/2017	4858990262	1 01-0000-0-5800-102-0000-3140-003-000 NN P	1,908.50	1,908.50		
TOTAL PAYMENT AMOUNT				1,908.50 *		1,908.50	
017408/00	MCALLISTER, SAMUEL						
2548 PO-172157	04/20/2017	0008	1 01-7220-0-5800-472-1110-1000-014-000 NY F	1,000.00	1,000.00		
TOTAL PAYMENT AMOUNT				1,000.00 *		1,000.00	
019087/00	MCCARTY, MELADEE						
1664 PO-171429	04/20/2017	MARCH	1 01-6500-0-5800-102-5750-1180-002-000 NY P	1,500.00	1,500.00		
TOTAL PAYMENT AMOUNT				1,500.00 *		1,500.00	
016078/00	MCGLAUGHLIN, DONNA						
1277 PO-171095	04/19/2017	MARCH 2017	1 01-6500-0-5800-102-5750-1180-002-000 NY P	3,600.00	3,600.00		
TOTAL PAYMENT AMOUNT				3,600.00 *		3,600.00	
017160/00	MCINNES, ROBERT						
2490 PO-172127	04/20/2017	TRAVEL EXPENSE	1 01-7220-0-5200-472-1110-1000-014-000 NN F	41.70	41.70		
TOTAL PAYMENT AMOUNT				41.70 *		41.70	
016087/00	MICHAEL'S TRANSPORTATION SERV.						
2226 PO-171844	04/20/2017	96541	1 01-0000-0-5800-112-0000-3600-007-000 NN F	4,890.00	4,050.00		
2538 PO-172141	04/18/2017	96754	1 01-0000-0-5800-112-0000-3600-007-000 NN P	4,050.00	4,050.00		
TOTAL PAYMENT AMOUNT				8,100.00 *		8,100.00	

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Req Reference	Date	Description		FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP					
								Liq Amt	Net Amount
017576 (CONTINUED)									
2395 PO-171992	04/20/2017	917521804001		1 01-0000-0-4300-238-0000-2700-010-000 NN F				112.05	112.05
2377 PO-172002	04/20/2017	917816790003		1 01-0000-0-4300-234-1110-1000-008-000 NN P				50.20	50.20
2377 PO-172002	04/20/2017	917816790002		1 01-0000-0-4300-234-1110-1000-008-000 NN P				6.45	6.45
2377 PO-172002	04/20/2017	917816789001		1 01-0000-0-4300-234-1110-1000-008-000 NN P				42.65	42.65
2377 PO-172002	04/20/2017	917816790001		1 01-0000-0-4300-234-1110-1000-008-000 NN F				317.93	318.79
2419 PO-172026	04/20/2017	918588062001		1 01-0000-0-4300-238-1110-1000-010-000 NN F				108.67	108.67
2421 PO-172027	04/20/2017	918587863001		1 01-0000-0-4300-238-1110-1000-010-000 NN F				130.66	130.66
2429 PO-172042	04/20/2017	918262209001		1 01-0000-0-4300-238-1110-1000-010-000 NN P				13.35	13.35
2429 PO-172042	04/20/2017	918262208001		1 01-0000-0-4300-238-1110-1000-010-000 NN F				200.13	198.16
TOTAL PAYMENT AMOUNT				1,321.10 *					1,321.10
021276/00 ON TRACK									
2171 PO-171818	04/20/2017	73235		1 01-0000-0-4300-472-1110-4200-014-815 NN F				973.58	918.71
TOTAL PAYMENT AMOUNT				918.71 *					918.71
021050/00 PACHECO, SHAWNA									
2526 PO-172138	04/20/2017	EXPENSES		3 01-3410-0-5210-472-1110-1000-003-000 NN F				71.53	71.53
2526 PO-172138	04/18/2017	EXPENSES		2 01-6520-0-5200-472-5770-1110-003-000 NN F				26.01	26.01
2526 PO-172138	04/18/2017	MILEAGE		1 01-6520-0-5200-472-5770-1110-003-982 NN F				126.02	126.00
TOTAL PAYMENT AMOUNT				223.54 *					223.54
014361/00 PALM, DANIEL									
2477 PO-172092	04/20/2017	REIMB		1 01-6512-0-4300-102-5001-3110-003-000 NN F				3.56	3.56
TOTAL PAYMENT AMOUNT				3.56 *					3.56
010131/00 PC PARTS PLUS									
1679 PO-171441	04/20/2017	4465		1 01-0000-0-4300-475-3200-1000-015-000 NN F				39.99	39.99
1726 PO-171469	04/20/2017	4979		1 01-0000-0-4300-475-3200-1000-015-000 NN F				44.99	44.99
TOTAL PAYMENT AMOUNT				84.98 *					84.98
019252/00 PEARSON EDUCATION INC.									
2001 PO-171693	04/20/2017	11108724		1 01-0036-0-4300-103-1110-1000-003-000 NN F				1,500.00	1,470.99
TOTAL PAYMENT AMOUNT				1,470.99 *					1,470.99

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Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP					
019700/00	PITNEY BOWES GLOBAL FINANCIAL							
1052 PO-170903	04/20/2017	3101151559	2 01-0000-0-5600-105-0000-7200-005-000 NN P			1,158.33	1,158.33	
			TOTAL PAYMENT AMOUNT	1,158.33 *			1,158.33	
022285/00	PLACER COUNTY OFFICE OF EDUC							
2544 PO-172145	04/20/2017	#AR17-00998	1 01-0000-0-5800-101-1110-1000-002-995 NN F			10,000.00	10,000.00	
			TOTAL PAYMENT AMOUNT	10,000.00 *			10,000.00	
017377/00	PLACER COUNTY OFFICE OF EDUC.							
2411 PO-172025	04/20/2017	ar17-01390	1 01-3010-0-5200-475-3200-3110-015-000 NN F			125.00	125.00	
			TOTAL PAYMENT AMOUNT	125.00 *			125.00	
011345/00	PLACER LEARNING CENTER							
1557 PO-171343	04/19/2017	MARCH	1 01-6500-0-5800-102-5750-1180-002-000 NN F			17,284.42	17,284.42	
1715 PO-171465	04/19/2017	MARCH 2017	1 01-6500-0-5800-102-5750-1180-002-000 NN P			11,596.66	11,596.66	
			TOTAL PAYMENT AMOUNT	28,881.08 *			28,881.08	
022525/00	POST-IT LLC							
472 PO-170416	04/20/2017	FEB-LIVESCAN	1 01-0000-0-5800-110-0000-7200-004-000 NN P			120.00	120.00	
			TOTAL PAYMENT AMOUNT	120.00 *			120.00	
021401/00	PRACTI-CAL INC							
2189 PO-171826	04/20/2017	337662	1 01-5640-0-5800-103-0000-3140-003-000 NN P			175.54	175.54	
			TOTAL PAYMENT AMOUNT	175.54 *			175.54	
016973/00	PROJECT LEAD THE WAY							
2478 PO-172079	04/20/2017	88189	1 01-0000-0-5200-101-1110-1000-002-995 NN F			700.00	700.00	
			TOTAL PAYMENT AMOUNT	700.00 *			700.00	

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					FD RESO	P	OBJE	SIT	GOAL	FUNC	RES	DEP	T9MP
021194/00	PRUDENTIAL OVERALL SUPPLY INC												
	82 PO-170079	04/19/2017	180274773			1	01-0000-0-5600-112-0000-3600-007-000	NN P	67.73	67.73			
	TOTAL PAYMENT AMOUNT								67.73 *	67.73			
016341/00	R&S ARCHITECTURAL PRODUCTS												
	2553 PO-172158	04/20/2017	125096			2	01-0000-0-4300-112-0000-3600-007-000	NN F	40.00	40.00			
	2553 PO-172158	04/20/2017	125096			1	01-0000-0-5600-112-0000-3600-007-000	NN F	186.00	186.00			
	TOTAL PAYMENT AMOUNT								226.00 *	226.00			
015628/00	RAMIREZ, SOLEDAD												
	2313 PO-172087	04/20/2017	TRAVEL EXPENSE			1	01-0000-0-5200-103-1110-1000-003-000	NN F	948.80	948.80			
	2496 PO-172132	04/20/2017	TRAVEL EXPENSE			1	01-7220-0-5200-472-1110-1000-014-000	NN F	30.24	30.24			
	TOTAL PAYMENT AMOUNT								979.04 *	979.04			
019976/00	RAMIREZ, TRACY LAFAY												
	2021 PO-171703	04/20/2017	FEB-MAR MILEAGE			1	01-6500-0-5210-102-5060-2110-002-000	NN P	15.09	15.09			
	2507 PO-172108	04/13/2017	REIMB MISC			1	01-6500-0-4300-102-5001-2700-002-000	NN F	40.54	40.54			
	TOTAL PAYMENT AMOUNT								55.63 *	55.63			
011238/00	RELIABLE TIRE												
	1623 PO-171390	04/20/2017	148437			1	01-0000-0-4300-112-0000-3600-007-000	NN F	1,041.38	1,084.84			
	TOTAL PAYMENT AMOUNT								1,084.84 *	1,084.84			
010627/00	RIVERVIEW INTERNATIONAL TRUCKS												
	2558 PO-172162	04/20/2017	249531			2	01-0000-0-4300-112-0000-3600-007-000	NN F	143.74	143.74			
	2558 PO-172162	04/20/2017	249531			1	01-0000-0-5600-112-0000-3600-007-000	NN F	999.75	999.75			
	TOTAL PAYMENT AMOUNT								1,143.49 *	1,143.49			
018524/00	ROSS RECREATION EQUIP CO.INC.												
	1882 PO-171595	04/20/2017	I10316			1	01-8150-0-4300-106-0000-8110-007-000	NN F	363.62	363.62			
	TOTAL PAYMENT AMOUNT								363.62 *	363.62			

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Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP			Liq Amt	Net Amount
010552/00	SAC VAL JANITORIAL						
2318 PO-171916	04/20/2017	10236450	1 01-0000-0-9320-000-0000-000-000 NN P			184.12	184.12
2318 PO-171916	04/19/2017	10237785	1 01-0000-0-9320-000-0000-000-000 NN P			817.83	817.83
2318 PO-171916	04/19/2017	10237817	1 01-0000-0-9320-000-0000-000-000 NN P			755.63	755.63
		TOTAL PAYMENT AMOUNT		1,757.58 *			1,757.58
022018/00	SACRAMENTO AUTOGLASS & MIRROR						
2351 PO-171967	04/20/2017	ISAC021241	1 01-0000-0-4300-112-0000-3600-007-000 NN P			467.81	467.81
		TOTAL PAYMENT AMOUNT		467.81 *			467.81
015922/00	SACRAMENTO CO SHERIFF'S DEPT.						
502 PO-170433	04/20/2017	FEB-LIVESCAN	1 01-0000-0-5800-110-0000-7200-004-000 NN P			54.00	54.00
		TOTAL PAYMENT AMOUNT		54.00 *			54.00
015769/00	SACRAMENTO COUNTY OFFICE OF ED						
2524 PO-172148	04/18/2017	171294	1 01-0000-0-5200-103-0000-7200-003-000 NN F			75.00	75.00
2524 PO-172148	04/20/2017	171294	2 01-0000-0-5200-103-1110-1000-003-000 NN F			75.00	75.00
		TOTAL PAYMENT AMOUNT		150.00 *			150.00
010266/00	SACRAMENTO COUNTY UTILITIES						
122 PO-170093	04/20/2017	50000185866	1 01-0000-0-5520-106-0000-8110-007-000 N P			842.50	842.50
		TOTAL PAYMENT AMOUNT		842.50 *			842.50
020981/00	SAVE MART SUPERMARKETS						
605 PO-170526	04/20/2017	2448156	1 01-6500-0-4300-102-5750-1110-002-000 NN P			23.16	23.16
605 PO-170526	04/20/2017	2581559	1 01-6500-0-4300-102-5750-1110-002-000 NN P			28.18	28.18
		TOTAL PAYMENT AMOUNT		51.34 *			51.34
017234/00	SCHIRO, BONNIE						
2453 PO-172103	04/20/2017	REIMB LOCK,MOUNTING SQUARES	1 01-0000-0-4300-472-0000-2700-014-000 N F			17.76	17.76
		TOTAL PAYMENT AMOUNT		17.76 *			17.76

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Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
018297/00	SCHOOL SERVICES OF CALIFORNIA						
2017 PO-171687	04/20/2017	W094279-IN					
			1 01-0000-0-5200-110-0000-7200-004-000 NN F			205.00	205.00
		TOTAL PAYMENT AMOUNT		205.00 *			205.00
014786/00	SCHOOL SPECIALTY						
2443 PO-172051	04/19/2017	308102712808					
			1 01-6300-0-4300-240-1110-1000-011-000 NN F			129.83	125.49
		TOTAL PAYMENT AMOUNT		125.49 *			125.49
010373/00	SCHOOLS INSURANCE AUTHORITY						
2555 PO-172160	04/20/2017	17SWAMP-06					
			1 01-8150-0-5800-106-0000-8110-007-000 NN F			3,968.64	3,968.64
		TOTAL PAYMENT AMOUNT		3,968.64 *			3,968.64
011500/00	SCHOOLS INSURANCE AUTHORITY						
PV-171076	04/18/2017	APRIL PREMIUM					
			01-0000-0-9552-000-0000-0000-000-000 NN				50,475.06
		TOTAL PAYMENT AMOUNT		50,475.06 *			50,475.06
020811/00	SHRED-IT USA LLC						
499 PO-170430	04/20/2017	8121982891					
			1 01-0000-0-5800-472-0000-2700-014-000 NN P			36.57	36.57
		TOTAL PAYMENT AMOUNT		36.57 *			36.57
020983/00	SIERRA PACIFIC TURF SUPPLY						
57 PO-170055	04/20/2017	0498920					
			1 01-0000-0-4300-106-0000-8110-007-000 NN P			395.05	395.05
		TOTAL PAYMENT AMOUNT		395.05 *			395.05
018221/00	SMITH-LEHMANN, REBECCA						
2480 PO-172081	04/20/2017	reimb games					
			1 01-5640-0-4300-601-1369-1000-017-080 N F			126.25	126.25
		TOTAL PAYMENT AMOUNT		126.25 *			126.25
019771/00	SOCIAL THINKING						
2393 PO-172008	04/20/2017	57739					
			1 01-6512-0-4200-102-5001-3110-003-000 YN F			140.17	130.09
		TOTAL PAYMENT AMOUNT		130.09 *			130.09
		TOTAL USE TAX AMOUNT		10.08			

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Req	Reference	Date	Description	FD	RESO	P	OBJE	SIT	GOAL	FUNC	RES	DEP	T9MP	Liq Amt	Net Amount

018967/00	SPRINT CUSTOMER SERVICE														
374	PO-170336	04/20/2017	811116315-185	1	01-0000-0-5930-101-0000-7150-002-000	NN	P							75.00	75.00
493	PO-170653	04/20/2017	811116315-185	1	01-0000-0-5930-102-0000-3140-003-000	NN	P							8.00	8.00
1514	PO-171297	04/20/2017	811116315-185	1	01-0000-0-5930-106-0000-8110-007-000	NN	P							197.02	197.02
1681	PO-171442	04/20/2017	811116315-185	1	01-0000-0-5930-102-0000-3140-003-000	NN	P							60.00	60.00
1941	PO-171636	04/20/2017	811116315-185	1	01-0000-0-5930-115-0000-7700-007-000	NN	P							100.00	100.00
TOTAL PAYMENT AMOUNT														440.02 *	440.02
014558/00	SPURR														
2535	PO-172123	04/20/2017	81705	1	01-0000-0-5515-106-0000-8110-007-000	NN	P							7,183.79	7,183.79
TOTAL PAYMENT AMOUNT														7,183.79 *	7,183.79
018370/00	STANLEY CONVERGENT SECURITY														
1674	PO-171445	04/20/2017	14440201	1	01-8150-0-5800-106-0000-8110-007-000	NN	P							3,731.01	3,731.01
TOTAL PAYMENT AMOUNT														3,731.01 *	3,731.01
020252/00	STAPLES BUSINESS ADVANTAGE														
2323	PO-171938	04/20/2017	3334751084	1	01-0000-0-4300-475-3200-2700-015-000	NN	F							62.29	57.81
2287	PO-171950	04/19/2017	3336226220	1	01-0000-0-4300-472-1600-1000-014-000	NN	P							12.16	12.16
2287	PO-171950	04/19/2017	3334883060	1	01-0000-0-4300-472-1600-1000-014-000	NN	P							3.43	3.43
2287	PO-171950	04/20/2017	3334806707	1	01-0000-0-4300-472-1600-1000-014-000	NN	F							831.57	832.33
TOTAL PAYMENT AMOUNT														905.73 *	905.73
010137/00	STATE BOARD OF EQUALIZATION														
1038	PO-170889	04/20/2017	57-415168	1	01-0000-0-5800-112-0000-3600-007-000	NN	P							18.45	18.45
TOTAL PAYMENT AMOUNT														18.45 *	18.45
011554/00	TRACTOR SUPPLY CO														
55	PO-170053	04/20/2017	200170713	1	01-0000-0-4300-106-0000-8110-007-000	NN	P							286.42	286.42
1057	PO-170910	04/20/2017	100055015	1	01-8150-0-4300-106-0000-8110-007-000	NN	P							85.75	85.75
1057	PO-170910	04/20/2017	100055014	1	01-8150-0-4300-106-0000-8110-007-000	NN	M							0.00	81.99-
1057	PO-170910	04/13/2017	200171807	1	01-8150-0-4300-106-0000-8110-007-000	NN	P							13.98	13.98
1057	PO-170910	04/20/2017	200172011	1	01-8150-0-4300-106-0000-8110-007-000	NN	P							29.99	29.99
1057	PO-170910	04/20/2017	200172275	1	01-8150-0-4300-106-0000-8110-007-000	NN	M							0.00	49.99-
1057	PO-170910	04/20/2017	200173409	1	01-8150-0-4300-106-0000-8110-007-000	NN	P							16.00	16.00
TOTAL PAYMENT AMOUNT														300.16 *	300.16

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Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
010139/00	TROXELL COMMUNICATIONS INC						
2165 PO-171808	04/20/2017	948251	1 01-4203-0-4400-103-4760-1000-003-000 NN P		4,687.13	4,687.13	
2165 PO-171808	04/20/2017	948549	1 01-4203-0-4400-103-4760-1000-003-000 NN P		31,441.68	31,441.68	
2165 PO-171808	04/20/2017	948570	1 01-4203-0-4400-103-4760-1000-003-000 NN F		2,676.00	2,964.00	
TOTAL PAYMENT AMOUNT				39,092.81 *		39,092.81	
016370/00	TWIN RIVERS UNIFIED SCH DIST						
817 PO-170741	04/20/2017	171763	1 01-0000-0-5800-105-0000-8300-005-000 NN P		11,833.33	11,833.33	
TOTAL PAYMENT AMOUNT				11,833.33 *		11,833.33	
022179/00	US HEALTHWORKS						
475 PO-170418	04/20/2017	3092650-CA	1 01-0000-0-5800-110-0000-7200-004-000 NN P		64.00	64.00	
475 PO-170418	04/20/2017	3095909	1 01-0000-0-5800-110-0000-7200-004-000 NN P		64.00	64.00	
TOTAL PAYMENT AMOUNT				128.00 *		128.00	
022482/00	VERHAGEN, ANNELIES						
2520 PO-172114	04/20/2017	REIMB T-SHIRTS	1 01-0000-0-5800-371-0000-2700-012-000 NN F		321.08	321.08	
TOTAL PAYMENT AMOUNT				321.08 *		321.08	
018071/00	VOTAW, ASHLEY						
2529 PO-172139	04/20/2017	MILEAGE	1 01-3410-0-5210-472-1110-1000-003-000 NN F		47.63	47.62	
2529 PO-172139	04/18/2017	MILEAGE	2 01-6520-0-5200-472-5770-1110-003-000 NN F		96.84	96.84	
TOTAL PAYMENT AMOUNT				144.46 *		144.46	
015191/00	WACHOB, CYNTHIA						
165 PO-170144	04/20/2017	MARCH MILEAGE	1 01-6500-0-5200-102-5060-2110-002-000 N P		142.47	142.47	
TOTAL PAYMENT AMOUNT				142.47 *		142.47	
018500/00	WARREN CONSULTING ENGINEERS						
2454 PO-172057	04/20/2017	36919	1 01-0000-0-5800-106-0000-7200-007-000 NN P		450.00	450.00	
TOTAL PAYMENT AMOUNT				450.00 *		450.00	

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
018633/00	WENGER CORPORATION						
2290 PO-171904	04/20/2017	722738	1 01-0000-0-4400-472-1520-1000-014-000 NN F			1,365.11	1,367.49
TOTAL PAYMENT AMOUNT						1,367.49 *	1,367.49
010116/00	WESTERN PSYCHOLOGICAL SERVICES						
2382 PO-171987	04/20/2017	wps-161964	1 01-6500-0-4300-102-5001-2700-002-000 NN F			780.31	771.27
TOTAL PAYMENT AMOUNT						771.27 *	771.27
020672/00	WILLIAMS, CHERYL						
2442 PO-172067	04/20/2017	REIMB BOOKS	2 01-5640-0-4200-601-1369-1000-017-085 NN F			51.97	51.97
2442 PO-172067	04/20/2017	REIMB STORE ITEMS	1 01-5640-0-4300-601-1369-1000-017-085 NN F			22.73	22.73
TOTAL PAYMENT AMOUNT						74.70 *	74.70
020543/00	WINBORNE, JENNIFER						
2499 PO-172135	04/20/2017	TRAVEL EXPENSE	1 01-7220-0-5200-472-1110-1000-014-000 NN F			63.01	63.01
TOTAL PAYMENT AMOUNT						63.01 *	63.01
019497/00	WOODS, HEATHER						
2491 PO-172128	04/20/2017	TRAVE EXPENSE	1 01-7220-0-5200-472-1110-1000-014-000 NN F			54.09	54.09
TOTAL PAYMENT AMOUNT						54.09 *	54.09
020083/00	YOUTHLIGHT INC						
2310 PO-171931	04/20/2017	1085442	1 01-5640-0-4300-601-1369-1000-017-084 NN F			290.61	258.93
TOTAL PAYMENT AMOUNT						258.93 *	258.93
TOTAL FUND PAYMENT						267,686.51 **	
TOTAL USE TAX AMOUNT						147.24	267,686.51

81 CENTER UNIFIED SCHOOL DIST.
04-20-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0055 04-20-17
FUND : 11 ADULT EDUCATION FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt
								Net Amount
019504/00	B & H PHOTO-VIDEO							
2308 PO-171930	04/20/2017	124271890	1	11-6391-0-4300-601-4130-1000-017-000	YN	F		170.25
								138.00
								138.00
								10.70
010150/00	BURKETTS OFFICE SUPPLIES							
2406 PO-172016	04/20/2017	1320944	1	11-6391-0-4300-601-4130-1000-017-000	NN	F		780.06
								802.18
								802.18
022291/00	BURLINGTON ENGLISH INC							
2437 PO-172050	04/19/2017	I11475	1	11-3905-0-5800-601-4130-1000-017-000	NN	F		1,290.00
2437 PO-172050	04/19/2017	I11475	2	11-6391-0-5800-601-4130-1000-017-000	NN	F		7,910.00
								9,200.00
011041/00	CALIFORNIA COUNCIL FOR ADULT							
2402 PO-172012	04/12/2017	collier & van putten	1	11-6391-0-5200-601-4130-1000-017-000	NN	F		900.00
								900.00
020305/00	CDW GOVERNMENT INC.							
2350 PO-171998	04/20/2017	HKK4907	1	11-6391-0-4300-601-4130-1000-017-000	NN	P		153.57
2350 PO-171998	04/20/2017	HKW6233	1	11-6391-0-4300-601-4130-1000-017-000	NN	F		513.23
								666.80
016320/00	COLLIER, ALYSON							
2488 PO-172086	04/20/2017	REIMB-ADAPTERS	1	11-6391-0-4300-601-4130-1000-017-000	NN	F		25.00
2488 PO-172086	04/20/2017	REIMB TEST FEE	2	11-6391-0-5800-601-4130-1000-017-000	NN	F		15.00
								40.00
011596/00	NEW READERS PRESS							
2306 PO-171929	04/20/2017	8306805	1	11-6391-0-4200-601-4130-1000-017-000	NN	F		575.70
2346 PO-171997	04/19/2017	8310451	1	11-6391-0-4200-601-4130-1000-017-000	NN	F		891.98
								1,462.11

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81 CENTER UNIFIED SCHOOL DIST.
04-20-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0055 04-20.17
FUND : 12 CHILD DEVELOPMEN FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num						
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP							Liq Amt	Net Amount
018143/00		CHILD DEVELOPMENT CENTERS INC									
679 PO-170576	04/20/2017	5030-MAR17	1 12-5025-0-5800-100-8500-1000-005-000 NN P							23,474.32	23,474.32
679 PO-170576	04/20/2017	5030-MAR17	2 12-6105-0-5800-100-8500-1000-005-000 NN P							30,341.18	30,341.18
			TOTAL PAYMENT AMOUNT				53,815.50 *				53,815.50
			TOTAL FUND	PAYMENT			53,815.50 **				53,815.50

81 CENTER UNIFIED SCHOOL DIST.
04-20-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0055 04-20.17
FUND : 13 CAFETERIA FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num		
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP			Liq Amt	Net Amount
020098/00	BIG TRAY						
105 PO-170112	04/20/2017	626810	1 13-5310-0-4400-108-0000-3700-007-000 NN P			468.71	468.71
TOTAL PAYMENT AMOUNT						468.71 *	468.71
011205/00	CULTURE SHOCK YOGURT						
95 PO-170107	04/20/2017	4928	1 13-5310-0-4700-108-0000-3700-007-000 NN P			149.80	149.80
TOTAL PAYMENT AMOUNT						149.80 *	149.80
022586/00	D&P Creamery						
194 PO-170167	04/20/2017	0050105	1 13-5310-0-4700-108-0000-3700-007-000 NN P			2,413.74	2,413.74
194 PO-170167	04/20/2017	0050110	1 13-5310-0-4700-108-0000-3700-007-000 NN P			2,095.82	2,095.82
194 PO-170167	04/20/2017	0050120	1 13-5310-0-4700-108-0000-3700-007-000 NN P			1,833.67	1,833.67
194 PO-170167	04/20/2017	0050125	1 13-5310-0-4700-108-0000-3700-007-000 NN P			1,879.71	1,879.71
194 PO-170167	04/20/2017	0050130	1 13-5310-0-4700-108-0000-3700-007-000 NN P			1,167.83	1,167.83
194 PO-170167	04/20/2017	0050135	1 13-5310-0-4700-108-0000-3700-007-000 NN P			2,105.79	2,105.79
TOTAL PAYMENT AMOUNT						11,496.56 *	11,496.56
011602/00	DANIELSEN CO., THE						
705 PO-170608	04/19/2017	130096	2 13-5310-0-4300-108-0000-3700-007-000 N P			852.76	852.76
705 PO-170608	04/19/2017	129533	2 13-5310-0-4300-108-0000-3700-007-000 N P			8.00	8.00
705 PO-170608	04/19/2017	130096	1 13-5310-0-4700-108-0000-3700-007-000 N P			1,224.05	1,224.05
705 PO-170608	04/19/2017	129533	1 13-5310-0-4700-108-0000-3700-007-000 N P			1,576.94	1,576.94
TOTAL PAYMENT AMOUNT						3,661.75 *	3,661.75
021080/00	GOLD STAR FOODS INC						
708 PO-170610	04/20/2017	2004910	1 13-5310-0-4700-108-0000-3700-007-000 NN P			224.02	224.02
708 PO-170610	04/20/2017	2004054	1 13-5310-0-4700-108-0000-3700-007-000 NN P			6,394.14	6,394.14
708 PO-170610	04/20/2017	2004530	1 13-5310-0-4700-108-0000-3700-007-000 NN P			208.08	208.08
708 PO-170610	04/20/2017	2012027	1 13-5310-0-4700-108-0000-3700-007-000 NN P			69.85	69.85
708 PO-170610	04/20/2017	2010218	1 13-5310-0-4700-108-0000-3700-007-000 NN F			5,708.89	5,315.42
TOTAL PAYMENT AMOUNT						12,211.51 *	12,211.51
022364/00	HEARTLAND SCHOOL SOLUTIONS						
192 PO-170165	04/19/2017	HSS0000030095	1 13-5310-0-5300-108-0000-3700-007-000 NN P			796.50	796.50
TOTAL PAYMENT AMOUNT						796.50 *	796.50

81 CENTER UNIFIED SCHOOL DIST.
04-20-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0055 04-20.17
FUND : 13 CAFETERIA FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt
								Net Amount
016279/00	P&R PAPER SUPPLY							
193 PO-170166	04/19/2017	30127037-00	1	13-5310-0-4300-108-0000-3700-007-000	NN P			662.13
TOTAL PAYMENT AMOUNT							662.13 *	662.13
021194/00	PRUDENTIAL OVERALL SUPPLY INC							
101 PO-170111	04/19/2017	180274772	1	13-5310-0-5800-108-0000-3700-007-000	NN P			77.75
101 PO-170111	04/19/2017	180274210	1	13-5310-0-5800-108-0000-3700-007-000	NN P			77.75
101 PO-170111	04/19/2017	180273086	1	13-5310-0-5800-108-0000-3700-007-000	NN P			77.75
TOTAL PAYMENT AMOUNT							233.25 *	233.25
018967/00	SPRINT CUSTOMER SERVICE							
123 PO-170114	04/20/2017	811113615-185	1	13-5310-0-5930-108-0000-3700-007-000	NN P			4.65
TOTAL PAYMENT AMOUNT							4.65 *	4.65
011422/00	SYSKO OF SAN FRANCISCO							
89 PO-170103	04/19/2017	131200870	2	13-5310-0-4300-108-0000-3700-007-000	NN P			626.82
89 PO-170103	04/19/2017	1312309757	2	13-5310-0-4300-108-0000-3700-007-000	NN P			1,085.80
89 PO-170103	04/19/2017	131200870	1	13-5310-0-4700-108-0000-3700-007-000	NN P			1,862.35
89 PO-170103	04/19/2017	131209757	1	13-5310-0-4700-108-0000-3700-007-000	NN P			1,007.59
89 PO-170103	04/19/2017	131209758	1	13-5310-0-4700-108-0000-3700-007-000	NN P			38.20
TOTAL PAYMENT AMOUNT							4,620.76 *	4,620.76
TOTAL FUND PAYMENT							34,305.62 **	34,305.62

81 CENTER UNIFIED SCHOOL DIST.
04-20-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0055 04-20.17
FUND : 14 DEFERRED MAINTENANCE FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				Liq Amt	Net Amount
017681/00	GEARY PACIFIC SUPPLY							
2459 PO-172060	04/20/2017	3439593	1 14-0024-0-4400-106-9265-8110-007-000 NN F				3,952.35	3,952.35
TOTAL PAYMENT AMOUNT			3,952.35 *					3,952.35
015530/00	MADSEN ROOFING &							
2095 PO-171741	04/20/2017	93020355127	1 14-0024-0-5600-106-9585-8110-007-000 NN F				4,813.00	4,813.00
TOTAL PAYMENT AMOUNT			4,813.00 *					4,813.00
TOTAL FUND PAYMENT			8,765.35 **					8,765.35

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Number of warrants to be printed: 158, not counting voids due to stub overflows.

Batch status: A All

From batch: 0056

To batch: 0056

Include Revolving Cash: Y

Include Address: N

81 CENTER UNIFIED SCHOOL DIST.
04-27-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num		
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP			Liq Amt	Net Amount
011617/00	AMADOR STAGE LINES						
2528 PO-172181	04/27/2017	69660	3 01-0000-0-5865-371-1110-1000-012-000 NN F			3,351.50	3,351.50
2528 PO-172181	04/27/2017	70162	2 01-7220-0-5865-472-1110-1000-014-000 NN F			5,918.49	5,918.49
2528 PO-172181	04/27/2017	70460	1 01-7338-0-5865-472-1110-1000-014-000 NN F			1,939.43	1,939.43
2595 PO-172205	04/26/2017	70426	1 01-7338-0-5865-472-1110-1000-014-000 NN F			917.15	917.15
TOTAL PAYMENT AMOUNT						12,126.57 *	12,126.57
019769/00	AMERICAN EXPRESS						
2266 PO-171877	04/27/2017	0-03000	1 01-0000-0-4300-101-0000-7150-002-000 NN F			78.08	78.08
2458 PO-172059	04/27/2017	0-03000	1 01-0000-0-5800-101-0000-7150-002-000 NN F			80.60	76.57
TOTAL PAYMENT AMOUNT						154.65 *	154.65
017075/00	AMERICAN RIVER SPEECH INC.						
840 PO-170731	04/26/2017	MARCH-2017	1 01-6500-0-5800-102-5750-1180-002-000 NN P			3,172.20	3,172.20
TOTAL PAYMENT AMOUNT						3,172.20 *	3,172.20
018533/00	ATKINSON ANDELSON LOYA RUDD						
711 PO-170612	04/27/2017	519472	1 01-0000-0-5880-105-0000-7200-005-000 NE P			17,634.61	17,634.61
TOTAL PAYMENT AMOUNT						17,634.61 *	17,634.61
021604/00	ATLAS DISPOSAL INDUSTRIES						
91 PO-170174	04/27/2017	149404	1 01-0000-0-5525-106-0000-8110-007-000 NN P			206.45	206.45
91 PO-170174	04/27/2017	149403	1 01-0000-0-5525-106-0000-8110-007-000 NN P			500.77	500.77
91 PO-170174	04/27/2017	149402	1 01-0000-0-5525-106-0000-8110-007-000 NN P			378.85	378.85
91 PO-170174	04/27/2017	149401	1 01-0000-0-5525-106-0000-8110-007-000 NN P			230.30	230.30
91 PO-170174	04/27/2017	149400	1 01-0000-0-5525-106-0000-8110-007-000 NN P			241.07	241.07
91 PO-170174	04/27/2017	149399	1 01-0000-0-5525-106-0000-8110-007-000 NN P			595.45	595.45
91 PO-170174	04/27/2017	149398	1 01-0000-0-5525-106-0000-8110-007-000 NN P			1,119.46	1,119.46
91 PO-170174	04/27/2017	149397	1 01-0000-0-5525-106-0000-8110-007-000 NN P			403.61	403.61
91 PO-170174	04/27/2017	1031	1 01-0000-0-5525-106-0000-8110-007-000 NN P			168.05	168.05
TOTAL PAYMENT AMOUNT						3,844.01 *	3,844.01
019504/00	B & H PHOTO-VIDEO						
2300 PO-171954	04/27/2017	124417199	1 01-0000-0-4300-472-0000-2700-014-000 YN F			145.17	105.48
2373 PO-172000	04/27/2017	124707063	1 01-0000-0-4300-234-1110-1000-008-000 NN F			258.60	240.00
2506 PO-172107	04/26/2017	124932863	1 01-0000-0-4300-234-1110-1000-008-000 YN F			284.46	264.00

B1 CENTER UNIFIED SCHOOL DIST.
04-27-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date			FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
TOTAL PAYMENT AMOUNT					609.48 *			609.48
TOTAL USE TAX AMOUNT					28.63			
019624/00 B & H VIDEO								
2289 PO-171903	04/27/2017	124105713		1 01-0000-0-4400-472-1260-1000-014-000 NN P		476.65		476.65
2289 PO-171903	04/27/2017	124651385		1 01-0000-0-4400-472-1260-1000-014-000 YN F		69.27		30.00
TOTAL PAYMENT AMOUNT					506.65 *			506.65
TOTAL USE TAX AMOUNT					2.33			
015718/00 BASIC PACIFIC								
PV-171079	04/26/2017	4/28 PREMIUM		01-0000-0-9552-000-0000-0000-000-000 NN				5,599.48
TOTAL PAYMENT AMOUNT					5,599.48 *			5,599.48
016216/00 BORASI, CHRIS								
2549 PO-172182	04/27/2017	REIMB-GIFT CARDS		1 01-9315-0-4300-601-1110-1000-017-000 NN F		164.98		164.98
TOTAL PAYMENT AMOUNT					164.98 *			164.98
019075/00 BRIGHT FUTURES THERAPY								
1714 PO-171464	04/27/2017	3357		1 01-6500-0-5800-102-5750-1180-002-000 NN P		20,720.00		20,720.00
TOTAL PAYMENT AMOUNT					20,720.00 *			20,720.00
020155/00 BROWN, PETER								
2584 PO-172191	04/27/2017	REIMB -CONSUMABLES		1 01-6300-0-4300-371-1110-1000-012-000 NN F		179.56		179.56
TOTAL PAYMENT AMOUNT					179.56 *			179.56
019453/00 BSN SPORTS INC								
2246 PO-171868	04/27/2017	8096790		1 01-0000-0-4300-472-1110-4200-014-814 NN F		970.73		970.74
2252 PO-171871	04/27/2017	98941996		1 01-6300-0-4300-472-1110-1000-014-000 NN F		780.56		780.55
TOTAL PAYMENT AMOUNT					1,751.29 *			1,751.29

81 CENTER UNIFIED SCHOOL DIST.
04-27-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num		Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP					

010150/00	BURKETTS OFFICE SUPPLIES							
2509 PO-172098	04/27/2017	1322455-0	1 01-0000-0-5800-475-3200-2700-015-000 NN F			16.16	16.16	
2557 PO-172161	04/27/2017	1322834	1 01-0000-0-4300-105-0000-7200-005-000 NN F			71.85	71.85	
2572 PO-172175	04/27/2017	1323180	1 01-0000-0-4300-105-0000-7200-005-000 NN F			78.12	78.12	
TOTAL PAYMENT AMOUNT						166.13 *	166.13	
016082/00	CARMAZZI GLOBAL SOLUTIONS							
1835 PO-171552	04/26/2017	17-22290	1 01-0000-0-5800-103-4760-1000-003-740 NN P			72.50	72.50	
TOTAL PAYMENT AMOUNT						72.50 *	72.50	
020305/00	CDW GOVERNMENT INC.							
2036 PO-171756	04/27/2017	HHS1531	1 01-3010-0-4400-475-3200-1000-015-000 NN P			722.73	722.73	
2036 PO-171756	04/27/2017	HMD7014	1 01-3010-0-4400-475-3200-1000-015-000 NN M			0.00	722.73-	
2036 PO-171756	04/27/2017	HCT1313	1 01-3010-0-4400-475-3200-1000-015-000 NN F			1,872.64	1,798.88	
TOTAL PAYMENT AMOUNT						1,798.88 *	1,798.88	
014449/00	CENTER HIGH SCHOOL STUDENT							
2589 PO-172200	04/26/2017	REIMB REGIST-FBIA	1 01-3550-0-5200-472-3800-1000-014-000 NN F			200.00	200.00	
TOTAL PAYMENT AMOUNT						200.00 *	200.00	
010407/00	CENTER UNIFIED REVOLVING FUND							
2598 PO-172208	04/26/2017	4203	1 01-0000-0-5800-472-1110-1000-014-000 NN F			611.28	611.28	
TOTAL PAYMENT AMOUNT						611.28 *	611.28	
016320/00	COLLIER, ALYSON							
2591 PO-172201	04/26/2017	REIMB CLOTHES PURCHASE	1 01-5630-0-4300-601-1421-1000-017-000 NN F			1,437.69	1,437.69	
TOTAL PAYMENT AMOUNT						1,437.69 *	1,437.69	
020837/00	COMMAND PERFORMANCE LANGUAGE							
2329 PO-171941	04/27/2017	17115	1 01-0037-0-4200-103-1110-1000-003-000 NY F			2,601.56	2,601.56	
2329 PO-171941	04/27/2017	17115	2 01-0037-0-4300-103-1110-1000-003-000 NY F			614.07	298.66	
TOTAL PAYMENT AMOUNT						2,900.22 *	2,900.22	

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81 CENTER UNIFIED SCHOOL DIST.
04-27-17

ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	Liq Amt Net Amount
015172/00	FRENCH, DAVID L.							
2593 PO-172203	04/26/2017	MILEAGE	1	01-3010-0-5210-475-3200-1000-015-000	NN F			340.26 340.26
TOTAL PAYMENT AMOUNT				340.26 *				340.26
010418/00	FREY SCIENTIFIC							
2193 PO-171882	04/27/2017	302500154346	1	01-0000-0-4300-472-1600-1000-014-000	NN F			903.78 903.78
TOTAL PAYMENT AMOUNT				903.78 *				903.78
017681/00	GEARY PACIFIC SUPPLY							
42 PO-170041	04/27/2017	3452926	1	01-8150-0-4300-106-0000-8110-007-000	NN P			857.69 857.69
42 PO-170041	04/26/2017	3439777	1	01-8150-0-4300-106-0000-8110-007-000	NN F			149.54 149.54
2596 PO-172206	04/26/2017	3439777	1	01-8150-0-4300-106-0000-8110-007-000	NN P			1,788.53 1,788.53
TOTAL PAYMENT AMOUNT				2,795.76 *				2,795.76
022347/00	GIVE SOMETHING BACK							
2299 PO-171953	04/27/2017	IN-0609993	1	01-0000-0-4300-472-1655-1000-014-000	NN P			6.23 6.23
2299 PO-171953	04/27/2017	IN-0609029	1	01-0000-0-4300-472-1655-1000-014-000	NN F			650.57 650.57
2466 PO-172073	04/27/2017	in-0615267	1	01-0000-0-4300-475-3200-2700-015-000	NN F			74.95 74.95
TOTAL PAYMENT AMOUNT				731.75 *				731.75
021715/00	HAMILTON, GRANT							
2585 PO-172192	04/27/2017	REIMB-SUPPLIES	1	01-6300-0-4300-371-1110-1000-012-000	NN F			203.04 203.04
TOTAL PAYMENT AMOUNT				203.04 *				203.04
010992/00	HARBOR FREIGHT TOOLS USA INC							
1091 PO-170936	04/27/2017	799157	1	01-0000-0-4300-111-0000-8200-007-000	NN P			81.46 81.46
1091 PO-170936	04/27/2017	799158	1	01-0000-0-4300-111-0000-8200-007-000	NN P			214.20 214.20
2594 PO-172204	04/26/2017	799156	1	01-0000-0-4300-106-0000-8110-007-000	NN F			170.43 170.43
TOTAL PAYMENT AMOUNT				466.09 *				466.09
015636/00	HASTIE'S SAND AND GRAVEL							
559 PO-170485	04/27/2017	149358	1	01-0000-0-4300-106-0000-8110-007-000	N P			46.12 46.12
TOTAL PAYMENT AMOUNT				46.12 *				46.12

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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P	OBJE SIT	GOAL FUNC RES DEP T9MP		
010602/00	HI-LINE ELECTRICAL & MECH						
2539 PO-172142	04/26/2017	10532209	1	01-0000-0-4300-112-0000-3600-007-000	NN P	182.73	182.73
2539 PO-172142	04/26/2017	10533208	1	01-0000-0-4300-112-0000-3600-007-000	NN P	181.64	181.64
TOTAL PAYMENT AMOUNT				364.37 *			364.37
018990/00	INTERSTATE BATTERIES						
78 PO-170076	04/26/2017	10096114	1	01-0000-0-4300-112-0000-3600-007-000	NN F	162.84	162.84
2570 PO-172170	04/27/2017	10096114	1	01-0000-0-4300-112-0000-3600-007-000	NN P	667.63	667.63
TOTAL PAYMENT AMOUNT				830.47 *			830.47
014622/00	IT'S ELEMENTARY						
2374 PO-172001	04/24/2017	7048519	1	01-0000-0-4300-234-1110-1000-008-000	NN F	35.53	47.96
TOTAL PAYMENT AMOUNT				47.96 *			47.96
010355/00	KAISER FOUNDATION HEALTH PLAN						
PV-171078	04/25/2017	MAY PREMIUM		01-0000-0-9552-000-0000-0000-000-000	NN		158,509.66
TOTAL PAYMENT AMOUNT				158,509.66 *			158,509.66
020606/00	KLATT, BEN						
2597 PO-172207	04/26/2017	REIMB- AIRFARE	1	01-0000-0-5800-472-1110-1000-014-000	NN F	1,779.80	1,779.80
TOTAL PAYMENT AMOUNT				1,779.80 *			1,779.80
021636/00	LAMINATING AND BINDING						
2512 PO-172109	04/26/2017	125697	1	01-0000-0-4300-234-1110-1000-008-000	YN F	1,744.69	1,629.99
TOTAL PAYMENT AMOUNT				1,629.99 *			1,629.99
TOTAL USE TAX AMOUNT				126.32			
018091/00	LUIGI, JEAN						
2550 PO-172183	04/27/2017	REIMB- INCENTIVES	1	01-9315-0-4300-601-1110-1000-017-000	N F	194.92	194.92
TOTAL PAYMENT AMOUNT				194.92 *			194.92

81 CENTER UNIFIED SCHOOL DIST.
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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

J2579 APY500 H.02.05 04/27/17 PAGE 7
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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO	P OBJE	SIT GOAL	FUNC RES	DEP T9MP	
								Liq Amt
								Net Amount
022230/00	MANAGED HEALTH NETWORK							
246 PO-170215	04/27/2017	prn-006344	1	01-0000-0-3401-100-1110-1000-000-000	NN	P		983.06
								983.06
								983.06
022406/00	MAXIM HEALTHCARE SERVICES INC							
1970 PO-171658	04/26/2017	4914030262	1	01-0000-0-5800-102-0000-3140-003-000	NN	P		1,904.00
1970 PO-171658	04/27/2017	4898370262	1	01-0000-0-5800-102-0000-3140-003-000	NN	F		1,792.00
								3,650.50
								3,650.50
017315/00	NAPA AUTO PARTS - GENUINE AUTO							
76 PO-170074	04/27/2017	20901850	1	01-0000-0-4300-112-0000-3600-007-000	NN	P		264.58
								264.58
								264.58
016912/00	NATOMAS AUTOMOTIVE							
79 PO-170077	04/26/2017	24478	1	01-0000-0-5800-112-0000-3600-007-000	NN	P		49.95
								49.95
								49.95
017576/00	OFFICE DEPOT							
2194 PO-171860	04/26/2017	915251469001	1	01-0000-0-4300-472-1385-1000-014-000	NN	F		258.85
2317 PO-171971	04/27/2017	917834176001	1	01-6512-0-4300-102-5001-3110-003-000	NN	P		233.94
2317 PO-171971	04/27/2017	917834179001	1	01-6512-0-4300-102-5001-3110-003-000	NN	F		33.37
2464 PO-172062	04/27/2017	921660589001	1	01-6500-0-4300-102-5770-1110-002-000	NN	F		96.81
2481 PO-172082	04/27/2017	921523291001	1	01-5640-0-4300-601-1369-1000-017-080	NN	F		64.27
2481 PO-172082	04/27/2017	921523291001	2	01-5640-0-4300-601-1369-1000-017-082	NN	F		4.77
2510 PO-172099	04/27/2017	921524216001	1	01-0000-0-4300-106-0000-7200-007-000	NN	F		176.12
2518 PO-172112	04/27/2017	921529371001	1	01-0000-0-4300-234-1110-1000-008-000	NN	F		175.34
2522 PO-172116	04/27/2017	921527439001	1	01-0000-0-4300-371-1110-1000-012-000	NN	F		169.57
								1,161.06
								1,161.06
015048/00	PAR INC							
2474 PO-172078	04/27/2017	826628-1	1	01-5640-0-4300-601-1369-3120-017-000	YN	F		588.35
2474 PO-172078	04/27/2017	826628-1	2	01-6500-0-4300-102-5001-2700-002-000	YN	F		164.03
								702.00
								702.00
								54.41

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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
015402/00	PEACOCKS MARCHING WORLD						
2273 PO-171889	04/27/2017	101402	1 01-0000-0-4300-472-1520-1000-014-000 NN F			171.13	174.07
TOTAL PAYMENT AMOUNT						174.07 *	174.07
019252/00	PEARSON EDUCATION INC.						
2471 PO-172077	04/26/2017	11136352	1 01-5640-0-4300-601-1369-3120-017-000 NN F			1,321.20	1,321.20
TOTAL PAYMENT AMOUNT						1,321.20 *	1,321.20
016692/00	PERFORMANCE CHEVROLET						
1472 PO-171259	04/27/2017	578645	1 01-0000-0-4300-112-0000-3600-007-000 NN P			9.59	9.59
TOTAL PAYMENT AMOUNT						9.59 *	9.59
014069/00	PLATT ELECTRIC SUPPLY INC						
2565 PO-172168	04/27/2017	1854385	1 01-0000-0-4300-111-0000-8200-007-939 NN F			7,273.13	7,273.13
TOTAL PAYMENT AMOUNT						7,273.13 *	7,273.13
021194/00	PRUDENTIAL OVERALL SUPPLY INC						
82 PO-170079	04/27/2017	180275310	1 01-0000-0-5600-112-0000-3600-007-000 NN P			67.73	67.73
TOTAL PAYMENT AMOUNT						67.73 *	67.73
010627/00	RIVERVIEW INTERNATIONAL TRUCKS						
2342 PO-171961	04/26/2017	927503-PARTIAL	1 01-0000-0-4300-112-0000-3600-007-000 NN F			914.13	914.13
2592 PO-172202	04/26/2017	927503	1 01-0000-0-4300-112-0000-3600-007-000 NN P			479.16	479.16
2592 PO-172202	04/26/2017	923692	1 01-0000-0-4300-112-0000-3600-007-000 NN P			151.60	151.60
2592 PO-172202	04/26/2017	925119	1 01-0000-0-4300-112-0000-3600-007-000 NN P			96.96	96.96
2592 PO-172202	04/26/2017	CM919934	1 01-0000-0-4300-112-0000-3600-007-000 NN M			0.00	593.33-
TOTAL PAYMENT AMOUNT						1,048.52 *	1,048.52
010266/00	SACRAMENTO COUNTY UTILITIES						
122 PO-170093	04/27/2017	50006974207	1 01-0000-0-5520-106-0000-8110-007-000 N P			1,733.26	1,733.26
122 PO-170093	04/27/2017	50000878608	1 01-0000-0-5520-106-0000-8110-007-000 N P			303.87	303.87
122 PO-170093	04/27/2017	50000878546	1 01-0000-0-5520-106-0000-8110-007-000 N P			711.95	711.95
TOTAL PAYMENT AMOUNT						2,749.08 *	2,749.08

81 CENTER UNIFIED SCHOOL DIST.
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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
018912/00	SAFETY-KLEEN CORPORATION						
2575 PO-172173	04/24/2017	73289904	1 01-0000-0-4300-112-0000-3600-007-000 NN F			43.10	43.10
TOTAL PAYMENT AMOUNT			43.10 *				43.10
020981/00	SAVE MART SUPERMARKETS						
372 PO-170335	04/27/2017	2448160	1 01-0000-0-4300-101-0000-7150-002-000 NN P			17.85	17.85
375 PO-170337	04/27/2017	2448159	1 01-0000-0-4300-120-0000-7110-000-000 NN P			6.24	6.24
TOTAL PAYMENT AMOUNT			24.09 *				24.09
014786/00	SCHOOL SPECIALTY						
2467 PO-172074	04/26/2017	208118114450	1 01-0000-0-4300-475-3200-2700-015-000 NN F			32.29	32.29
TOTAL PAYMENT AMOUNT			32.29 *				32.29
010373/00	SCHOOLS INSURANCE AUTHORITY						
568 PO-170489	04/27/2017	2017UST-KAM.22	1 01-0000-0-5800-112-0000-3600-007-000 NN P			150.00	150.00
TOTAL PAYMENT AMOUNT			150.00 *				150.00
020983/00	SIERRA PACIFIC TURF SUPPLY						
57 PO-170055	04/27/2017	0499735-IN	1 01-0000-0-4300-106-0000-8110-007-000 NN P			462.17	462.17
TOTAL PAYMENT AMOUNT			462.17 *				462.17
010638/00	SILVERADO STAGES INC						
2574 PO-172172	04/27/2017	17298	1 01-0000-0-5865-238-1110-1000-010-000 NN F			2,930.00	2,930.00
2574 PO-172172	04/27/2017	17390	3 01-0000-0-5865-371-1110-1000-012-000 NN F			100.00	100.00
2574 PO-172172	04/27/2017	17575	2 01-0000-0-5865-472-1110-4200-014-915 NN F			2,700.00	2,700.00
TOTAL PAYMENT AMOUNT			5,730.00 *				5,730.00
020252/00	STAPLES BUSINESS ADVANTAGE						
2053 PO-171746	04/27/2017	3332563288	2 01-0000-0-4300-472-1110-1000-014-000 NN P			14.24	14.24
2053 PO-171746	04/27/2017	3333736442	2 01-0000-0-4300-472-1110-1000-014-000 NN F			6.22	6.22
2053 PO-171746	04/27/2017	3332747784	1 01-0000-0-4300-472-1260-1000-014-000 NN P			205.03	205.03
2053 PO-171746	04/27/2017	3332563288	1 01-0000-0-4300-472-1260-1000-014-000 NN F			120.48	120.48
2053 PO-171746	04/27/2017	3333736440	3 01-0000-0-5800-472-1260-1000-014-000 NN P			48.92	48.92
2053 PO-171746	04/24/2017	3336714803	3 01-0000-0-5800-472-1260-1000-014-000 NN M			0.00	48.92-

81 CENTER UNIFIED SCHOOL DIST.
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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				
020252 (CONTINUED)							
2053 PO-171746	04/24/2017	3333736442	3 01-0000-0-5800-472-1260-1000-014-000 NN F			0.00	2.18
2295 PO-171951	04/27/2017	3334806710	1 01-0000-0-4300-472-1260-1000-014-000 NN F			74.34	61.42
2295 PO-171951	04/27/2017	3336642036	2 01-0000-0-5800-472-1260-1000-014-000 NN F			84.81	84.80
TOTAL PAYMENT AMOUNT			494.37 *				494.37
018066/00 SUPER DUPER INC.							
2479 PO-172080	04/27/2017	2248928A	1 01-5640-0-4300-601-0000-3150-017-094 NN F			472.74	438.74
TOTAL PAYMENT AMOUNT			438.74 *				438.74
020465/00 SUPPORTED LIFE INSTITUTE							
2008 PO-171696	04/26/2017	MARCH 2017	1 01-6500-0-5800-102-5750-1180-002-000 NN P			258.00	258.00
TOTAL PAYMENT AMOUNT			258.00 *				258.00
022554/00 THE TRAILER SPECIALIST							
2547 PO-172150	04/27/2017	19420	1 01-0000-0-4300-114-0000-8200-007-000 NN F			142.79	142.79
TOTAL PAYMENT AMOUNT			142.79 *				142.79
014079/00 THYSENKRUPP ELEVATOR CORP							
2567 PO-172169	04/24/2017	5000655130	1 01-8150-0-5600-106-0000-8110-007-000 NN F			4,037.75	4,037.75
TOTAL PAYMENT AMOUNT			4,037.75 *				4,037.75
015190/00 TROXELL COMMUNICATIONS, INC.							
2392 PO-171991	04/27/2017	953333	2 01-6300-0-4300-238-1110-1000-010-000 NN F			980.53	980.01
2392 PO-171991	04/27/2017	952323	1 01-6300-0-4400-238-1110-1000-010-000 YN F			7,572.07	7,572.07
TOTAL PAYMENT AMOUNT			8,552.08 *				8,552.08
TOTAL USE TAX AMOUNT			586.84				
018567/00 TROLITE GLASS & ALUMINUM SOL.							
35 PO-170034	04/27/2017	121225777	1 01-0000-0-4300-106-0000-8110-007-000 NN P			110.21	110.21
35 PO-170034	04/27/2017	CREDIT ON ACCOUNT	1 01-0000-0-4300-106-0000-8110-007-000 NN M			0.00	74.04-
35 PO-170034	04/27/2017	SC0146789	1 01-0000-0-4300-106-0000-8110-007-000 NN M			0.00	5.13-
TOTAL PAYMENT AMOUNT			31.04 *				31.04

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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP				Liq Amt	Net Amount
022338/00	WARRINER, JILL							
2551	PO-172184	04/27/2017	REIMB GIFT CARDS	1 01-9315-0-4300-601-1110-1000-017-000	NN F		200.00	200.00
TOTAL PAYMENT AMOUNT							200.00 *	200.00
022221/00	WESTERN HEALTH ADVANTAGE							
	PV-171077	04/25/2017	MAY PREMIUM	01-0000-0-9552-000-0000-0000-000-000	NN			117,896.22
TOTAL PAYMENT AMOUNT							117,896.22 *	117,896.22
014226/00	WISE, JEFF							
2566	PO-172196	04/27/2017	REIMB SUPPLIES	1 01-6300-0-4300-371-1110-1000-012-000	NN F		60.20	60.20
TOTAL PAYMENT AMOUNT							60.20 *	60.20
019496/00	WISE, SANDY							
2568	PO-172187	04/27/2017	REIMB -BOOKS	1 01-0000-0-4200-103-0000-2420-003-371	NN F		230.62	230.62
TOTAL PAYMENT AMOUNT							230.62 *	230.62
017313/00	XEROX							
727	PO-170625	04/26/2017	300421269A	1 01-0000-0-4300-115-0000-8200-007-992	NN P		4,094.13	4,094.13
2076	PO-171729	04/26/2017	230048416	1 01-0000-0-5800-115-1920-8200-007-000	NN P		1,766.76	1,766.76
TOTAL PAYMENT AMOUNT							5,860.89 *	5,860.89
TOTAL FUND PAYMENT							424,150.89 **	424,150.89
TOTAL USE TAX AMOUNT							798.53	

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ACCOUNTS PAYABLE PRELIST
BATCH: 0056 4-27-17
FUND : 11 ADULT EDUCATION FUND

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Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date				FD RESO P OBJE SIT GOAL FUNC RES DEP T9MP			
020834/00	CASAS							
1977 PO-171665	04/27/2017	7587			1 11-6391-0-5200-601-4130-1000-017-000 NN P		495.00	495.00
1977 PO-171665	04/27/2017	7589			1 11-6391-0-5200-601-4130-1000-017-000 NN P		495.00	495.00
1977 PO-171665	04/26/2017	7591			1 11-6391-0-5200-601-4130-1000-017-000 NN F		545.00	545.00
1978 PO-171666	04/27/2017	7586			1 11-6391-0-5200-601-4130-1000-017-000 NN F		495.00	495.00
TOTAL PAYMENT AMOUNT					2,030.00 *			2,030.00
016320/00	COLLIER, ALYSON							
2591 PO-172201	04/26/2017	REIMB CHAIR PURCHASE			2 11-6391-0-4300-601-4130-1000-017-000 NN F		992.87	992.87
TOTAL PAYMENT AMOUNT					992.87 *			992.87
011596/00	NEW READERS PRESS							
2460 PO-172069	04/27/2017	8323545			2 11-3926-0-4200-601-4130-1000-017-000 NN F		1,100.00	1,100.00
2460 PO-172069	04/27/2017	8323545			1 11-6391-0-4200-601-4130-1000-017-000 NN F		444.20	375.01
TOTAL PAYMENT AMOUNT					1,475.01 *			1,475.01
010254/00	PEARSON EDUCATION							
2405 PO-172015	04/27/2017	BK84506962			1 11-6391-0-4200-601-4130-1000-017-000 NN F		1,718.07	1,620.09
TOTAL PAYMENT AMOUNT					1,620.09 *			1,620.09
TOTAL FUND PAYMENT					6,117.97 **			6,117.97

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Number of warrants to be printed: 80, not counting voids due to stub overflows.

Center Joint Unified School District

Dept./Site: Superintendent's Office		AGENDA REQUEST FOR:
To:	Board of Trustees	Action Item _____
Date:	May 17, 2017	Information Item <u> X </u>
From:	Scott A. Loehr, Superintendent	# Attached Pages _____
Principal/Administrator Initials: _____		

SUBJECT: LCAP Template

Attached is the LCAP Template that he district is currently working on.

RECOMMENDATION: Information only.

LCAP Year ☒ 2017-18 ☐ 2018-19 ☐ 2019-20

Local Control Accountability Plan and Annual Update (LCAP) Template

Addendum: General instructions & regulatory requirements.

Appendix A: Priorities 5 and 6 Rate Calculations

Appendix B: Guiding Questions: Use as prompts (not limits)

LCFF Evaluation Rubrics [Note: this text will be hyperlinked to the LCFF Evaluation Rubric web page when it becomes available.]; Essential data to support completion of this LCAP. Please analyze the LEA's full data set; specific links to the rubrics are also provided within the template.

LEA Name Center Joint Unified School District

Contact Name and Title Scott A. Loehr
Superintendent

Email and Phone sloehr@centerusd.org
(916) 338-6409

2017-20 Plan Summary

THE STORY

Briefly describe the students and community and how the LEA serves them.

The Center Joint Unified School District serves a diverse population of students with the mission that 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.

The CJUSD student population is 15% English Learner (list languages). 61% socioeconomically disadvantaged, LCFF unduplicated count, ethnicities

CJUSD has 7 schools serving 4,464 students in Pre-K through grade 12. 4 elem, 1 middle, 1 comprehensive hs, 1 continuation hs. District has 1 charter that is required to create their own LCAP.

LCAP HIGHLIGHTS

Identify and briefly summarize the key features of this year's LCAP.

Working closely with stakeholders throughout the district, 3 goals have been identified for focus within the next three years.

GOAL 1: Center JUSD students will be challenged and supported to achieve academic success in a clean, safe environment

##Actions/Services (pp. ##-##)

GOAL 2: Center JUSD students will be college and career ready

##Actions/Services (pp. ##-##)

GOAL 3: Center JUSD students and families will be engaged and informed regarding the educational process and opportunities

##Actions/Services (pp. ##-##)

Through analysis of our state and local data and input from staff and stakeholders we identified focus areas that need to be addressed to achieve our district mission: 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. Based on this process, the actions and services in the LCAP fall into the following areas of influence:

- 1.
- 2.
- 3.

Key LCAP actions to support these areas are:

REVIEW OF PERFORMANCE

Based on a review of performance on the state indicators and local performance indicators included in the LCFF Evaluation Rubrics, progress toward LCAP goals, local self-assessment tools, stakeholder input, or other information, what progress is the LEA most proud of and how does the LEA plan to maintain or build upon that success? This may include identifying any specific examples of how past increases or improvements in services for low-income students, English learners, and foster youth have led to improved performance for these students.

GREATEST PROGRESS

Referring to the LCFF Evaluation Rubrics, identify any state indicator or local performance indicator for which overall performance was in the "Red" or "Orange" performance category or where the LEA received a "Not Met" or "Not Met for Two or More Years" rating. Additionally, identify any areas that the LEA has determined need significant improvement based on review of local performance indicators or other local indicators. What steps is the LEA planning to take to address these areas with the greatest need for improvement?

GREATEST NEEDS

Referring to the LCFF Evaluation Rubrics, identify any state indicator for which performance for any student group was two or more performance levels below the "all student" performance. What steps is the LEA planning to take to address these performance gaps?

PERFORMANCE GAPS

INCREASED OR IMPROVED SERVICES

If not previously addressed, identify the two to three most significant ways that the LEA will increase or improve services for low-income students, English learners, and foster youth.

BUDGET SUMMARY

Complete the table below. LEAs may include additional information or more detail, including graphics.

DESCRIPTION	AMOUNT
Total General Fund Budget Expenditures for LCAP Year	\$ <div></div>
Total Funds Budgeted for Planned Actions/Services to Meet the Goals in the LCAP for LCAP Year	\$ <div></div>

The LCAP is intended to be a comprehensive planning tool but may not describe all General Fund Budget Expenditures. Briefly describe any of the General Fund Budget Expenditures specified above for the LCAP year not included in the LCAP.

\$ <div></div>	Total Projected LCFF Revenues for LCAP Year
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Annual Update

LCAP Year Reviewed: 2016-17

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

**Goal
1**

GOAL 1: Center JUSD students will be challenged and supported to achieve academic success in a clean, safe environment

State and/or Local Priorities Addressed by this goal:

STATE	<input checked="" type="checkbox"/>	1	<input checked="" type="checkbox"/>	2	<input type="checkbox"/>	3	<input checked="" type="checkbox"/>	4	<input checked="" type="checkbox"/>	5	<input type="checkbox"/>	6	<input type="checkbox"/>	7	<input checked="" type="checkbox"/>	8
COE	<input type="checkbox"/>	9	<input type="checkbox"/>	10												
LOCAL																

ANNUAL MEASURABLE OUTCOMES

EXPECTED

- Common Core State Standards and ELD standards and Next Generation Science Standards are being implemented in all CJUSD classrooms and measured by district and site personnel through classroom walk throughs and observations using observation tool.

- Increase the percentage of students who meet or exceed standards on the CAASPP in ELA by 5%

ELA: (2015-16)

3rd Grade: 22% (67/304) Standards Met, 11.2% (34/304) Standards Exceeded

4th Grade: 27.4% (82/299) Standards Met, 17.4% (52/299) Standards Exceeded

5th Grade: 30.6% (87/284) Standards Met, 12.7% (36/284) Standards Exceeded

6th Grade: 33.9% (92/271) Standards Met, 7.4% (20/271) Standards Exceeded

7th Grade: 31.1% (88/283) Standards Met, 10.6% (30/283) Standards Exceeded

8th Grade: 32.6% (89/273) Standards Met, 4.8% (13/273) Standards Exceeded

11th Grade: 32.8% (102/311) Standards Met, 19.3% (60/311) Standards Exceeded

- Increase the percentage of students who meet or exceed standards

ACTUAL

Common Core State Standards, ELD standards and Next Generation science Standards are being implemented in all CJUSD classrooms and measured by district and site personnel through classroom walk-throughs and observations using observation tool.

ELA: (2016-17)

3rd Grade: 21.4% (55/257) Standards Met, 18.6% (48/257) Standards Exceeded

4th Grade: 24% (74/308) Standards Met, 13.03% (41/308) Standards Exceeded

5th Grade: 30% (88/293) Standards Met, 12.6% (37/293) Standards Exceeded

6th Grade: 35% (97/277) Standards Met, 15.1% (42/277) Standards Exceeded

7th Grade: 33.2% (96/289) Standards Met, 8.3% (24/289) Standards Exceeded

8th Grade: 39% (95/243) Standards Met, 12.7% (31/243) Standards Exceeded

11th Grade: 36.2% (105/290) Standards Met, 24.4% (71/290) Standards Exceeded

MATH: (2016-17)

3rd Grade: 29.5% (76/257) Standards Met, 12.8% (33/257) Standards Exceeded

4th Grade: 21% (65/309) Standards Met, 5.5% (17/309) Standards Exceeded

5th Grade: 15.6% (46/293) Standards Met, 7.5% (22/293) Standards Exceeded

6th Grade: 21.2% (59/277) Standards Met, 11.1% (31/277) Standards Exceeded

7th Grade: 27.3% (79/289) Standards Met, 10.3% (30/289) Standards Exceeded

8th Grade: 26.4% (64/242) Standards Met, 23.1% (56/242) Standards Exceeded

11th Grade: 22.7% (65/286) Standards Met, 18.8% (54/286) Standards Exceeded

on the CAASPP in math by 5%

MATH: (2015-16)

3rd Grade: 23.4% (71/304) Standards Met, 5.3% (16/304) Standards Exceeded

4th Grade: 29.9% (89/298) Standards Met, 7.7% (23/298) Standards Exceeded

5th Grade: 15.5% (44/284) Standards Met, 4.2% (12/284) Standards Exceeded

6th Grade: 19.2% (52/271) Standards Met, 7.7% (21/271) Standards Exceeded

7th Grade: 27.3% (77/282) Standards Met, 14.5% (41/282) Standards Exceeded

8th Grade: 20.8% (57/274) Standards Met, 8% (22/274) Standards Exceeded

11th Grade: 25.6% (77/301) Standards Met, 11.3% (34/301) Standards Exceeded

- API calculation suspended, baseline established once reinstated
- Maintain 65% rate of EL students meeting English proficiency and annual growth, 2014-15 65% EL students met English Proficiency (AMAO 1)
- Maintain 15% reclassification of EL students, 2014-15 16.5% of EL students reclassified, exceeding state average
- Increase percentage of K-2 students achieving proficiency in ELA by 2%

FLUENCY

Kindergarten: 56% can correctly identify 10 high frequency words

1st Grade: 51% are reading at a fluent rate of 60 WPM or greater

Second Grade: 70% are reading at a fluent rate of 95 WPM or greater

WRITING at grade level

Kindergarten

Focus: 85%, Organization: 78%, Grammar & Usage: 62%,

Capitalization/punctuation/spelling: 59%

1st Grade:

Focus: 83%, Organization: 77%, Support: 77%, Grammar & Usage:

68%, Capitalization/punctuation/spelling: 68%,

2nd Grade:

Focus: 74%, Organization: 65%, Support: 60%, Grammar & Usage:

67%, Capitalization/punctuation/spelling: 63%,

- Increase percentage of K-2 students achieving proficiency in mathematics by 2%

MATH

Kindergarten: 43% have an understanding of basic facts within 5, 80% have a complete understanding of counting and cardinality

1st Grade: 36% have an understanding of basic facts within 10, 40% have a complete understanding of sums and differences to 10.

2nd Grade: 29% have an understanding of basic facts within 20, 63% have complete understanding of sums and differences to 20.

- Teacher mis-assignment will not exceed 4%
- Provide 100% of students access to standards aligned materials as certified by the CJUSD Board of Trustees
- 100% of schools will pass the Facilities Inspection within 30 days
- Increase students served through ERMHS, increase daily attendance of students served through ERMHS by 1%, increase GPA of students served through ERMHS by 1%

Students served, 2015-16: 62

Daily Attendance, 2015-16: 93%

Average GPA, 2015-16: 2.24

ACTIONS / SERVICES

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action

1

Actions/Services

PLANNED

K-12 teachers will use the California State Standards in ELA, ELD, Literacy, History, Social Studies, Science and Technical Subjects. K-12 Teachers will use the California State Standards in mathematics.

ACTUAL

K-12 teachers continue to use the California State Standards in ELA, ELD, Literacy, History, Social Studies, Science and Technical Subjects. K-12 Teachers will use the California State Standards in mathematics.

Expenditures

BUDGETED

Resource 0000 1000-1999: Certificated Personnel Salaries Base \$13,510,839
3000-3999: Employee Benefits Base \$2,134,442
1000-1999: Certificated Personnel Salaries Special Education \$2,612,404
3000-3999: Employee Benefits Special Education \$412,708
1000-1999: Certificated Personnel Salaries Title I \$371,996
3000-3999: Employee Benefits Title I \$58,768

ESTIMATED ACTUAL

Resource 0000 1000-1999: Certificated Personnel Salaries Base \$9,451,579
Resource 0000 3000-3999: Employee Benefits Base \$2,975,739
Resource 1400 1000-1999: Certificated Personnel Salaries Base \$4,312,894
Resource 1400 3000-3999: Employee Benefits Base \$1,298,023
Resource 6500 1000-1999: Certificated Personnel Salaries Special Education \$2,950,893
Resource 6500 3000-3999: Employee Benefits Special Education \$823,259
Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$243,670
Resource 3010 3000-3999: Employee Benefits Title I \$7,406

Action

2

Actions/Services

PLANNED

Purchase K-12 English/Language Arts Common Core and ELD aligned curriculum

ACTUAL

K-8 ELA and ELD curriculum purchased May 2016. 9-12 ELA curriculum for McClellan HS purchased in May 2016. ELA and ELD curriculum for Center HS, 9th-12th grade, to be purchased July 2017.

Expenditures

BUDGETED

Resource 0000 4000-4999: Books And Supplies Base \$1,000,000

ESTIMATED ACTUAL

\$0

Action

3

Actions/Services

PLANNED

K-12 Teachers will access choices of Professional Development to support the implementation of newly purchased English/Language Arts and ELD curriculum

ACTUAL

Entered into an MOU with Sacramento County Office of Education that offered professional development in K-6 Wonders through a cadre and after hours professional development. The purpose of the cadre is to provide onsite curriculum support.

Grade 7-8 teachers received Study Sync publisher support to help implement the curriculum.

Expenditures

BUDGETED**Resource 4035 5000-5999: Services And Other Operating Expenditures
Federal Funds \$10,000****1000-1999: Certificated Personnel Salaries Federal Funds \$34,760****3000-3999: Employee Benefits Federal Funds \$5,685****ESTIMATED ACTUAL****Resource 4035 5000-5999: Services And Other Operating Expenditures
Federal Funds \$8,000****Resource 4035 1000-1999: Certificated Personnel Salaries Federal Funds
\$8577****Resource 4035 3000-3999: Employee Benefits Federal Funds \$1,355**

Action 4

Actions/Services	PLANNED Provide BTSA support to new teachers	ACTUAL Supported 19 new teachers through the Teacher Induction Program (formerly known as BTSA)
Expenditures	BUDGETED Resource 4035 1000-1999: Certificated Personnel Salaries Federal Funds \$33,760 3000-3999: Employee Benefits Federal Funds \$5,526 5800: Professional/Consulting Services And Operating Expenditures Federal Funds \$10,000	ESTIMATED ACTUAL Resource 4035 1000-1999: Certificated Personnel Salaries Federal Funds \$32,850 Resource 4035 3000-3999: Employee Benefits Federal Funds \$5,190 Resource 4035 5000-5999: Services And Other Operating Expenditures Federal Funds \$34,200

Action 5

Actions/Services	PLANNED District will work closely with site administrators to reduce or eliminate the need for combination classes.	ACTUAL Reduced combination classes to only one: K/1 at Oak Hill Elementary
Expenditures	BUDGETED Resource 0000 1000-1999: Certificated Personnel Salaries Base \$136,000 3000-3999: Employee Benefits Base \$21,486	ESTIMATED ACTUAL Resource 0000 1000-1999: Certificated Personnel Salaries Base \$130,405 Resource 0000 3000-3999: Employee Benefits Base \$29,914

Action 6

Actions/Services	PLANNED McClellan HS will provide support classes: Success, Study Skills and Math Lab Site Admin will regularly meet with struggling students to provide individualized support and guidance in achieving greater academic success	ACTUAL McClellan HS: ~served 31 students in Success Class ~served 27 students in Study Skills ~added Intervention period serving 26 students ~dis not offer Math Lab in 2016-17 School counselor met with targeted students individually 3-4 days a week and in once-a-week support groups for juniors and seniors, serving 29 students over the course of the school year Principal met with targeted students 2 or 3 times a week, serving 47 students over the course of the school year
Expenditures	BUDGETED Resource 0000 / Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$24,605 3000-3999: Employee Benefits Supplemental and Concentration \$3,887	ESTIMATED ACTUAL

Action 7**Actions/Services****PLANNED**

Center HS will provide support classes: Math Lab, English lab, and Summer School program

ACTUAL

CHS served 184 students in 8 sections of Math Lab and 48 students in 2 sections of English Lab

Expenditures**BUDGETED**

Resource 0000 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$52,000

3000-3999: Employee Benefits Supplemental and Concentration \$8,215

ESTIMATED ACTUAL**Action 8****Actions/Services****PLANNED**

Wilson Riles Middle School will provide support: Math Support Class, EL Support Class, PAWS period during the school day and Husky Help after school

ACTUAL

Riles provided 2 sections of math support, 54 minutes each day

Expenditures**BUDGETED**

Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$59,000

3000-3999: Employee Benefits Title I \$9,307

ESTIMATED ACTUAL

Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$26,670

Resource 3010 3000-3999: Employee Benefits Title I \$7,406

Action 9**Actions/Services****PLANNED**

Oak Hill Elementary will provide after school intervention for grades 1st-6th in English/Language Arts and 3rd-6th in math

ACTUAL

Oak Hill provided after school intervention two times per week for 1 hour each session, serving 77 students in ELA and 52 students in math

Expenditures**BUDGETED**

Resource 0000 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$20,000

3000-3999: Employee Benefits Supplemental and Concentration \$3,160

ESTIMATED ACTUAL

Resource 0000, Goal 1431 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$27339

Resource 0000, Goal 1431 3000-3999: Employee Benefits Supplemental and Concentration \$4,319

Action 10**Actions/Services****PLANNED**

Spinelli Elementary will provide morning intervention for grades 1st-6th in English/Language Arts and Math. Title I push in and pull out support for grades K-6th in English/Language Arts and math.

ACTUAL

Spinelli provided:

~Morning intervention 5 days a week for 60 minutes each day, serving 12 students

~Push-in support to 101 students, 4-5 times per week in increments from 30 minutes to 5.5 hours depending on

Expenditures

	<p>individualized student need ~Pull-out support to 26 students. 4-5 times per week in increments of 30 minutes to 2.6 hours depending on individualized student need</p>
<p>BUDGETED Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$40,266 3000-3999: Employee Benefits Title I \$6,848</p>	<p>ESTIMATED ACTUAL Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$147,130 Resource 3010 3000-3999: Employee Benefits Title I \$23,244</p>

Action 11

Actions/Services

PLANNED

North Country will provide morning intervention for grades 1st-6th in English/Language Arts and Title I pull out for grades 1st-6th in English/Language Arts.

ACTUAL

North Country provided:

~Morning intervention 3 days per week (M,W, TH), one hour before school serving 65 students
 ~ Deployment Intervention occurred 4 days a week, 30 minutes each day, serving 528 students in grades 1-6
 ~average number of students served specifically by Title I staff is 198, daily numbers shift throughout the year depending on frequent assessment results

Expenditures

BUDGETED

Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$83,284
 3000-3999: Employee Benefits Title I \$21,339

ESTIMATED ACTUAL

Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$45,535
 Resource 3010 3000-3999: Employee Benefits Title I \$8,901
 Resource 3010 2000-2999: Classified Personnel Salaries Title I \$56,485
 Resource 3010 3000-3999: Employee Benefits Title I \$17,315

Action 12

Actions/Services

PLANNED

Dudley will provide Intervention, within the school day, in grades K-6. Intervention occurs two ways: during a 30 minute Intervention Rotation and during a 30 minute Workshop. Teachers are able to provide support to targeted groups as well as to individuals using this strategy. Qualifying for Intervention support is related to local common assessments. Title I staff push in to classrooms to provide support to students. This push-in support may occur during direct instruction, independent practice, workshop, and/or Intervention rotation. This support can be in ELA or Math.

ACTUAL

Dudley provided:

~intervention to 476 students 5 times per week, 30 minutes per day

Expenditures

BUDGETED

Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$101,084
 3000-3999: Employee Benefits Title I \$21,287

ESTIMATED ACTUAL

Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$41,064
 Resource 3010 3000-3999: Employee Benefits Title I \$7,290
 Resource 3010 2000-2999: Classified Personnel Salaries Title I \$51,791
 Resource 3010 3000-3999: Employee Benefits Title I \$13,952

Action 13

Actions/Services	<p>PLANNED GATE opportunities:</p> <ul style="list-style-type: none"> • Wilson Riles Middle School GATE Academy • Oak Hill Elementary: Differentiated learning within the GATE/high achiever class 4th-5th. GATE challenge activities before and after school • Spinelli: Differentiated learning within the classroom. Weekly GATE challenge activities after school. Annual participation in Nature Bowl. • North Country: Differentiated learning within the classroom. GATE challenge activities after school: video production and editing including story boards, script writing and public speaking • Dudley: Differentiated learning within the classroom 	<p>ACTUAL Riles Middle School served 62 students Dudley Elementary served 12 students Oak Hill Elementary served 46 students Spinelli Elementary served 14 students North Country Elementary served 8 students</p>
Expenditures	<p>BUDGETED Resource 0000 1000-1999: Certificated Personnel Salaries Base \$38,000 3000-3999: Employee Benefits Base \$5,530</p>	<p>ESTIMATED ACTUAL Resource 0000 1000-1999: Certificated Personnel Salaries Base \$2,039 Resource 0000 3000-3999: Employee Benefits Base \$250 Resource 0000 4000-4999: Books And Supplies Base \$3,730 Resource 0000 5000-5999: Services And Other Operating Expenditures Base \$5,200</p>

Action

14

Actions/Services

PLANNED

Teacher collaboration: vertical between elementary-middle, horizontal between elementary sites, grade level/dept

ACTUAL

K-12 staff were given one buy-back day for professional development.
K-6 teachers received additional Wonders ELA training. Middle school received training on Illuminate and professional development focused on student engagement. High School participated in content specific training within departments.

Site collaboration was built into school site calendars.

TK-grade 6 horizontal collaboration focused on district writing prompts

Expenditures

BUDGETED

Resource 0000 5000-5999: Services And Other Operating Expenditures Base \$500

ESTIMATED ACTUAL

Resource 6264 1000-1999: Certificated Personnel Salaries Common Core Standards Implementation Funds \$108,818

Resource 6264 3000-3999: Employee Benefits Common Core Standards Implementation Funds \$17,040

Action

15

Actions/Services

PLANNED

Provide academic support and intervention at all sites

- Push-in and pull out programs at elementary sites and Wilson Riles MS
- Morning or after school intervention at elementary sites
- EL Support at Wilson Riles Middle and EL Tutorial Center High School
- Husky Help, PAWS period at Wilson Riles MS
- Bilingual assistants
- Math lab, English lab, Summer School Program at Center High

ACTUAL

7 bilingual assistants throughout the district

All other data on site interventions recorded in site specific action items 6-12

Expenditures

BUDGETED

Resource 0000 / Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$498,643

ESTIMATED ACTUAL

Resource 0000, Goal 4760, Dept 740 2000-2999: Classified Personnel Salaries Supplemental and Concentration \$142,739

3000-3999: Employee Benefits Supplemental and Concentration \$78,776

2000-2999: Classified Personnel Salaries Supplemental and Concentration
\$150,601

3000-3999: Employee Benefits Supplemental and Concentration \$35,100

Resource 0000, Goal 4760, Dept 740 3000-3999: Employee Benefits
Supplemental and Concentration \$65,863

Action 16

Actions/Services	PLANNED Add .5 FTE EL Teacher at Dudley Elementary and .5 FTE EL Teacher at Oak Hill	ACTUAL Added .5 FTE EL Teacher at Oak Hill
Expenditures	BUDGETED Resource 0000 / Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$81,314 3000-3999: Employee Benefits Supplemental and Concentration \$14,408	ESTIMATED ACTUAL Resource 0000, Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$41,064 Resource 0000 / Dept 740 3000-3999: Employee Benefits Supplemental and Concentration \$7,347

Action 17

Actions/Services	PLANNED Support transition of EL students from middle to high school with summer school for incoming 9th grade EL students. Implement a reclassification roadmap to target and support potential R-FEPs and LTELs with individualized plans toward reclassification that includes goal setting, collaboration between EL teacher, classroom teachers and parents. EL students targeted for the reclassification roadmap planning, have an overall CELDT score of EA or A with all subsets EA or A or an overall CELDT score of EA or A with one or more intermediate subsets. Support transition of EL students from elementary to middle school with summer school for incoming 7th graders.	ACTUAL 6 EL students served in transition to high school summer school program Roadmap to Reclassification has been implemented with 92 EL students. Transition to middle school summer school program was not offered because district was unable to find a teacher to teach it. However, the program is set to run in June 2017
Expenditures	BUDGETED Resource 0000 / Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$10,000 3000-3999: Employee Benefits Supplemental and Concentration \$1,580	ESTIMATED ACTUAL Resource 0000, Site 159, Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$482 Resource 0000 / Dept 740 3000-3999: Employee Benefits Supplemental and Concentration \$77

Action 18

Actions/Services	PLANNED Support long-term EL students with Long Term EL Support	ACTUAL CHS provided 2 sections of Long Term EL Support classes,
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class at Center High School and Wilson Riles Middle School.

ELteacher at CHS to be given extra prep in schedule to track/monitor/support EL students, long term EL students and monitor Redesignated Fluent English Proficient students.

serving 40 students. One section was exclusively for 9th graders and one section for grades 10-12

CHS EL Teacher utilizes extra prep period to track/monitor/support EL students, long term EL students and monitor Redesignated Fluent English Proficient students

WCR provided 1 section of Long Term EL Support class, serving 11 students

Expenditures

BUDGETED

Resource 0000 / Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$42,497

3000-3999: Employee Benefits Supplemental and Concentration \$6,714

ESTIMATED ACTUAL

Resource 0000, Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$40,506

Resource 0000, Dept 740 3000-3999: Employee Benefits Supplemental and Concentration \$11,635

Action 19

Actions/Services	PLANNED Americorp will provide academic support, mentoring, tutoring and counseling, coordinated by Family Resource Center	ACTUAL The Family Resource Center coordinated 33 students to receive one-on-one mentoring through Americorps.
Expenditures	BUDGETED Resource 0000 5800: Professional/Consulting Services And Operating Expenditures Base \$27,500	ESTIMATED ACTUAL Resource 0000 5800: Professional/Consulting Services And Operating Expenditures Base \$25,000

Action 20

Actions/Services	PLANNED Family Resource Center will provide clothing and school supplies, consultation services, mental health counseling services and coordinate appropriate services through Americorp, United Way and the \$en\$ibility Program	ACTUAL Family Resource Center provided services to 581 students
Expenditures	BUDGETED Resource 5630 4000-4999: Books And Supplies Federal Funds \$1,717 5000-5999: Services And Other Operating Expenditures Federal Funds \$1,854 Resource 0000 / Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$22,527 3000-3999: Employee Benefits Supplemental and Concentration \$3,558	ESTIMATED ACTUAL Resources 5630, 5640 1000-1999: Certificated Personnel Salaries Federal Funds \$55,972 Resources 5630, 5640 3000-3999: Employee Benefits Federal Funds \$12,150 Resource 5630 4000-4999: Books And Supplies Federal Funds \$7,405 Resource 5630 5000-5999: Services And Other Operating Expenditures Federal Funds \$5,557 Resource 0000 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$52,288 Resource 0000 3000-3999: Employee Benefits Supplemental and Concentration \$8,261 Resource 3010 2000-2999: Classified Personnel Salaries Title I \$14,690 Resource 3010 3000-3999: Employee Benefits Title I \$4,159 Resources 5630, 5640 2000-2999: Classified Personnel Salaries Federal Funds \$7,794 Resources 5630, 5640 3000-3999: Employee Benefits Federal Funds \$1,817

Action 21

Actions/Services	PLANNED Provide academic support for Special Education Students: study skills classes, instructional assistants	ACTUAL
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Expenditures	BUDGETED Resource 6500 2000-2999: Classified Personnel Salaries Special Education \$41,386 3000-3999: Employee Benefits Special Education \$10,767	ESTIMATED ACTUAL
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ANALYSIS

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

Refer to LISA CORONADO

\$1,000,000 planned for curriculum purchase (Action 2). Curriculum purchased outside of fiscal reporting period for 2016-17. Therefore, actual expenditure lists 0. (LISA to expand as needed)

MTSS, actions to support

Adjustment made to Action 15 because it was repetitive. Site Interventions offered throughout the district listed under Action 15 and then reported again as site specific interventions in Actions 6, 7, 8, 9, 10, 11, 12. Action 15 has been modified so it will only report bilingual assistants and Actions 6-12 will continue to report site specific interventions.

Annual Update

LCAP Year Reviewed: 2016-17

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Goal 2

Center JUSD students will be college and career ready

State and/or Local Priorities Addressed by this goal:

STATE	<input type="checkbox"/>	1	<input type="checkbox"/>	2	<input type="checkbox"/>	3	<input checked="" type="checkbox"/>	4	<input checked="" type="checkbox"/>	5	<input type="checkbox"/>	6	<input checked="" type="checkbox"/>	7	<input type="checkbox"/>	8
COE	<input type="checkbox"/>	9	<input type="checkbox"/>	10												
LOCAL																

ANNUAL MEASURABLE OUTCOMES

EXPECTED

~Increase CTE offerings by adding 1 new CTE course or 1 additional section of existing CTE program

2015-16: 13 CTE courses, 18 sections

~Increase a-g completion rate to 26% by adjusting to 8 period block schedule at CHS

2015-16: 85.66% students enrolled in a-g coursework (based upon English course), 22% completed a-g

~Increase AP offerings at CHS by adding 1 section

2015-16: 15 AP sections offered

~66% of students enrolled in AP courses will pass AP exams with a 3 or better

2014-15: 136 students taking AP tests, 324 AP tests taken, 63.3% AP passage rate

~2% increase of ELA students and math students determined prepared for college as measured by the EAP

2014-15: 52% of ELA students and 77% of math students determined prepared for college as measured by EAP

ACTUAL

2016-17: CHS increased to 14 CTE courses, 43 sections

2016-17: As of 3/20/17, 24% (72 of 300) of current seniors will be a-g qualifiers if they pass all their classes this semester with a C or higher grade

2016-17: CHS maintained 1 AP offerings

AP enrollment and passage

EAP ELA/math

ACTIONS / SERVICES

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action **1**

Actions/Services

PLANNED
Increase CTE offerings by adding 1 CTE course or 1 additional section

ACTUAL
2016-17: 14 CTE courses, 43 sections

The CTE sections offered for 2016-17 are as follows:
Computer Applications = 12 semester length sections
Consumer Finance = 8 semester length sections
Sports Management = 1 year long section
Web Design = 1 semester length section
Photoshop/Illustrator = 1 semester length section
911 Dispatcher/Call Center/ Customer Service = 3 year long sections
Pharmacy Technician = 1 year long section
Computer Graphics = 7 year long sections
Advanced Computer Graphics = 1 year long section
Beginning Broadcasting = 3 year long sections
Advanced Broadcasting = 1 year long section
Introduction to Engineering = 2 year long sections
Principles of Engineering = 1 year long section
Geometry in Construction/Construction in Geometry = 1 year long section

Expenditures

BUDGETED
Resource 0000 1000-1999: Certificated Personnel Salaries Base \$41,877
3000-3999: Employee Benefits Base \$10,369

ESTIMATED ACTUAL

Action **2**

Actions/Services

PLANNED
Increase participation and completion of a-g by changing high school schedule to 8 period block

ACTUAL

Expenditures

BUDGETED
No cost until 8 period block schedule reaches 3rd year of implementation, fiscal year 2017-18

ESTIMATED ACTUAL
\$0

Action **3**

Actions/Services

PLANNED
Increase AP offerings at CHS 1 section

ACTUAL
The number of AP sections offered remained the same

Expenditures	BUDGETED Resource 0000 1000-1999: Certificated Personnel Salaries Base \$17,000 3000-3999: Employee Benefits Base \$3,686	ESTIMATED ACTUAL \$0

Action 4

Actions/Services	PLANNED Remove barriers and implement new programs relative to college & career opportunities that feed into and support programs at CHS	ACTUAL
Expenditures	BUDGETED Resource 0000 1000-1999: Certificated Personnel Salaries Base \$17,000 3000-3999: Employee Benefits Base \$3,686	ESTIMATED ACTUAL

Action 5

Actions/Services	PLANNED Center HS Intervention Teachers, EL teachers, Counseling Dept and Administration to provide purposeful and targeted outreach to increase participation in course completion of CTE offerings at Center HS	ACTUAL
Expenditures	BUDGETED Resource 0000/Dept 740 1000-1999: Certificated Personnel Salaries Supplemental and Concentration \$2,500 3000-3999: Employee Benefits Supplemental and Concentration \$395	ESTIMATED ACTUAL

Action 6

Actions/Services	PLANNED Counselor will provide individualized support to ensure students are meeting graduation requirements and are successfully transitioning into post secondary college and career through college/career exploration, college enrollment assistance, financial aid application assistance and scholarship assistance. Staff will schedule presentations from businesses, colleges and the military to expose students to post secondary options	ACTUAL Hired a new College and Career Coordinator Implemented a section of Get Focused, Stay Focused class for freshman. The purpose of this course is for student to develop a 10 year plan for college and career success. Held 2 financial aid workshops Held individual and group meetings with students and counselors to develop 4 year graduation plans. College tours included: California State University at Sacramento, Fresno State University, Sonoma State University, American River College, University of Hawaii at Manoa, San Jose State University, California State University at Stanislaus, University of California at Davis,
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		<p>California State University at East Bay, California Maritime Academy, and the University of California at Merced.</p> <p>CHS is also participating in the Fresh Friday's Program through American River College so that CHS students can be enrolled in ARC and receive priority admissions/course selection.</p> <p>CHS administration has been working with both Sierra College and American River College to develop dual enrollment courses. The first course has been approved and will be offered on the CHS campus in 2017-18.</p> <p>Counselors have worked with students on letters of recommendation, college admissions applications (including the Common Application), and in admission to ROP programs through Placer County.</p>
Expenditures	BUDGETED Resource 3010 1000-1999: Certificated Personnel Salaries Title I \$2,565 3000-3999: Employee Benefits Title I \$406	ESTIMATED ACTUAL
Action	7	
Actions/Services	PLANNED Provide transitional support to prepare for college & career provided through WorkAbility and Department of Rehabilitation	ACTUAL Number of Special Education students served through WorkAbility: 193, Number of Special Education students served through Dept of Rehabilitation: 36
Expenditures	BUDGETED DOR Resource 3410 2000-2999: Classified Personnel Salaries Federal Funds \$15,500 3000-3999: Employee Benefits Federal Funds \$4,338 Workability Resource 6520 2000-2999: Classified Personnel Salaries Special Education \$26,117 3000-3999: Employee Benefits Special Education \$7,540	ESTIMATED ACTUAL Resource 3410 2000-2999: Classified Personnel Salaries Federal Funds \$61,232 Resource 3410 3000-3999: Employee Benefits Federal Funds \$19,000 Resource 6520 2000-2999: Classified Personnel Salaries Federal Funds \$37,877 Resource 6520 3000-3999: Employee Benefits Federal Funds \$13,929

Action **20**

Actions/Services

PLANNED
McClellan HS will implement the Get Focused, Stay Focused curriculum for all 10th grade students

ACTUAL

ANALYSIS

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

With the change from a 6 period day to an 8 period day CHS was able to increase the number of CTE sections from 18 to 43.

The biggest obstacle for students to be an a-g qualifier has been the requirement for 3 years of math. Beginning with the freshman class this year, CHS changed the graduation requirement to 3 years of math to meet the a-g criteria. We will begin experiencing the higher a-g qualifying rate when these freshman students become juniors in 2 years.

Hired a new College and Career Coordinator

Implemented a section of Get Focused, Stay Focused class for freshman. The purpose of this course is for student to develop a 10 year plan for college and career success.

Held 2 financial aid workshops

Held individual and group meetings with students and counselors to develop 4 year graduation plans.

College tours included: California State University at Sacramento, Fresno State University, Sonoma State University, American River College, University of Hawaii at Manoa, San Jose State University, California State University at Stanislaus, University of California at Davis, California State University at East Bay, California Maritime Academy, and the University of California at Merced.

CHS is also participating in the Fresh Friday's Program through American River College so that CHS students can be enrolled in ARC and receive priority admissions/course selection.

CHS administration has been working with both Sierra College and American River College to develop dual enrollment courses. The first course has been approved and will be offered on the CHS campus in 2017-18.

Counselors have worked with students on letters of recommendation, college admissions applications (including the Common Application), and in admission to ROP programs through Placer County.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

Refer to LISA CORONADO

MTSS

Annual Update

LCAP Year Reviewed: 2016-17

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Goal 3

GOAL 3: Center JUSD students and families will be engaged and informed regarding the educational process and opportunities

State and/or Local Priorities Addressed by this goal:

STATE	<input type="checkbox"/>	1	<input type="checkbox"/>	2	<input checked="" type="checkbox"/>	3	<input type="checkbox"/>	4	<input checked="" type="checkbox"/>	5	<input checked="" type="checkbox"/>	6	<input type="checkbox"/>	7	<input type="checkbox"/>	8
COE	<input type="checkbox"/>	9	<input type="checkbox"/>	10												
LOCAL																

ANNUAL MEASURABLE OUTCOMES

EXPECTED

- Maintain average daily attendance at 95%
2015 P2 districtwide attendance: 94.92%
- Increase district-wide participation in clubs, activities and athletics to 35%
2015 districtwide: 34% (1584/4461) of students participated in clubs, activities, athletics
- Increase Center HS graduation rate to 96%
2013-14: 94.3% Center HS graduation rate
- Decrease CJUSD chronic absenteeism rates by 2%
Prior rate: 12% (8/6/14-4/30/15)
- Maintain 1% or fewer middle school drop-out rates
- Decrease CJUSD High School drop out to 3%
2015 CJUSD High School drop out rate: 3.9%
- Maintain 8% CJUSD suspension rate
- Decrease CJUSD expulsions by 1 per year.
2015-16: 8 district expulsions

ACTUAL

2016 P2 districtwide attendance:

Participation: 1268/3768
Center High: 544/1307
McClellan HS: 27/90
WCR Middle: 240/667
Oak Hill: 208/812
North Country: 195/624
Spinelli: 54/268
Dudley:

Center High graduation rate 2014-15: 92.1% (Dataquest)

Chronic absenteeism:

Riles Middle School drop out rate 2014-15:

Center High drop out rate 2014-15: 7.2% (Dataquest)

CJUSD 2016-17 suspension rate:

CJUSD 2016-17 expulsions:

CHKS data : TBD

Parent Survey results on perceived safety:

- Increase student connectedness by decreasing by 2% those who reported low level of connectedness.

7th grade connectedness: 47% high level, 41% moderate, 12% low

8th grade connectedness: 40% high level, 51% moderate, 9% low

11th grade connectedness: 41% high level, 46% moderate, 13% low

MHS connectedness: 53% high level, 38% moderate, 9% low

- Increase secondary students who feel "safe" or "very safe" at school by 4% (measured by California Healthy Kids Survey (CHKS) and other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness)

2016 CHKS Administration: 15.9% secondary students feel "very safe" at school and 45.46% feel "safe" at school

- Increase 5th grade students who feel safe at school "all of the time" or "most of the time" by 4% (measured by California Healthy Kids Survey and other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness)

2016 CHKS Administration: 33% of 5th graders feel safe at school "all of the time", 35% of 5th graders feel safe at school "most of the time"

- Increase staff who feel school site is "very safe" or "safe" by 2%.
2016 CHKS Administration indicates 96% of staff feel their school site is "very safe" or "safe".
- All parents will be surveyed during the 2016-17 school year to get a baseline on perceived safety of our school sites and student connectedness
- All parents will be solicited to provide input into decision making locally and at the LEA level, with every site represented by at least one parent at DELAC and PAC meetings. Sites and district will conduct outreach to invite parents of unduplicated pupils and special needs subgroups to participate in local and LEA decision making.
- Increase parental participation in academic achievement by increasing family Homelink accounts by 5%
May 2016: 53% of families with active Homelink accounts

Outreach to seek parent involvement in decision making:

Center High: Surveys were sent out to parents to solicit feedback to the school. A parent represented CHS on the Superintendent's Advisory Panel and provided feedback. An administrator attended CHS Booster Club meetings and gathered parent input as well. A CTE District Advisory Committee was formed and met to chart a course for CTE programs at CHS.

McClellan HS: Outreach for nominations and voting for SSC

WCR Middle School: Parents actively participate in P.T.A., Student Council meetings, ELAC Meetings, Parent Conferences (rep on Sup Advisory Council?)

Oak Hill: Parents actively participate in PTA. Parents are invited by email and flyer to participate in SSC and ELAC an reminded of meeting dates and times using electronic marquee (rep on Sup Advisory Council?)

Spinelli: Parents actively participate in our School Site Council, English Language Advisory Committee, and parent volunteer group. They partner with the staff and administration to determine best practices for serving our student population's academic, social and emotional needs for success.(rep on Sup Advisory Council?)

North Country: PTO and Site Council meets once each month usually the first Thursday at 5:30 p.m. DELAC meets 3 times a year and is usually combined with SSC due to the small number of attendees. The Safe School and Emergency Plan as well as The Single Plan for Student Achievement is shared with these groups with an invitation to participate in the contents. These documents are approved by Site Council. At least one Title I Parent Night is held each year so that parents understand the relationship of Title I services and RTI and how to better help their child at home. They are given opportunities to share what they need as parents as to how we can be more informative and to give input on our intervention programs both during the 30 minute block period and the hour before school. MTSS - Multi-Tiered Systems of Supports has been introduced along with how Leader In Me connects Leadership, Culture and Academics to ensure equitable access and opportunity for all students. LIM (Leader In Me) Parent Nights are held in addition to Leadership Day to showcase students as they demonstrate how the seven habits principles help them throughout their day.

(rep on Sup Advisory Council?)

Dudley:

Homelink accounts:

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ACTIONS / SERVICES

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

Actions/Services	PLANNED Review effectiveness of committee (staff, parents, students) recommendations and plan next steps to increase daily attendance. Review SARB process to engage more stakeholders	ACTUAL
Expenditures	BUDGETED Resource 0000/Department 740 4000-4999: Books And Supplies Supplemental and Concentration \$500	ESTIMATED ACTUAL

Action 2

Actions/Services	PLANNED Implement recommended strategies that lessen or eliminate the barrier of after school transportation that is hindering participating in after school activities. Continue to brainstorm ways to increase student and staff involvement in extracurricular opportunities	ACTUAL Center HS continues to offer free transportation to away games for athletes participating on school teams
Expenditures	BUDGETED Resource 0000/Department 740 4000-4999: Books And Supplies Supplemental and Concentration \$500	ESTIMATED ACTUAL

Action 3

Actions/Services	PLANNED Establish parent education outreach relating to school topics by eliminating barriers and implementing committee (staff, parents, students) recommendations	ACTUAL Center HS: establishing committee 2017-18
Expenditures	BUDGETED Resource 0000/Department 740 4000-4999: Books And Supplies Supplemental and Concentration \$500	ESTIMATED ACTUAL

Action 4

Actions/Services	PLANNED	ACTUAL
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	Continue to utilize new ways to communicate opportunities that will increase participation in school activities and in supporting roles	Center High continues to use Facebook, Remind, group email and voice messaging, website, and the free phone app to communicate with students and parents regarding school activities and events.
Expenditures	BUDGETED Resource 0000/Department 740 4000-4999: Books And Supplies Supplemental and Concentration \$500	ESTIMATED ACTUAL
Action	5	
Actions/Services	PLANNED Continue to reach out to EL families with TK children for enrollment in TK program. Continue to conduct annual needs assessment at DELAC. Compile and distribute meeting dates and topics for ELAC and DELAC meetings at beginning of each school year	ACTUAL
Expenditures	BUDGETED Resource 0000/Department 740 4000-4999: Books And Supplies Supplemental and Concentration \$500	ESTIMATED ACTUAL
Action	6	
Actions/Services	PLANNED Increase family Homelink accounts and continue to investigate and implement alternatives to engage more parents	ACTUAL The number of active Homelink (now called Parent Portal) accounts has XXXXXX
Expenditures	BUDGETED Resource 0000/Department 740 4000-4999: Books And Supplies Supplemental and Concentration \$500	ESTIMATED ACTUAL

ANALYSIS

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

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Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

Stakeholder Engagement

LCAP Year

☒ 2017-18 ☐ 2018-19 ☐ 2019-20

INVOLVEMENT PROCESS FOR LCAP AND ANNUAL UPDATE

How, when, and with whom did the LEA consult as part of the planning process for this LCAP/Annual Review and Analysis?

District Meetings: Superintendent presents draft LCAP and budget for review and comment to Leadership team and Parent Superintendent Council
Leadership Meeting (INSERT DATES)

Parent Superintendent Council 11/30/16, 3/22/17

District Advisory Groups: Superintendent presents draft LCAP and budget for review and comment to DELAC 3/8/17, 5/10/17

Site Meetings: Site leadership presents draft LCAP and budget for review & comment:

CHS: Booster Club 4/18/17, May 2017 Staff

MHS: 5/3/17 SSC, 5/7/17 Staff

WCR: 4/19/17 SSC & PTA, 5/1/17 Staff

Dudley:

North Country: 4/20/17 SSC, 4/18/17 Staff

Oak Hill: 4/20/17 SSC & PTA, 5/3/17 Staff

Spinelli: 1/19/17 SSC & ELAC, 4/24/17 Staff

Union Meetings: Superintendent presents draft LCAP and budget for review and comment to CUTA and CSEA

CUTA (Rep Council), INSERT DATES

CSEA INSERT DATES

Survey: October 2016-January 2017 All stakeholders invited to comment

Draft LCAP Posted online: INSERT DATE All stakeholders invited to comment

Submitted for public hearing: INSERT DATE District holds public hearing to solicit public comments on the LCAP and budget. Community questions and comments responded to and posted on CJUSD website .

Submitted for CJUSD Board approval: INSERT DATE CJUSD Board adopts the LCAP and the budget.

District Meetings: Superintendent presents draft LCAP and budget for review and comment to Leadership team and Parent Superintendent Council
Leadership Meeting (INSERT DATES)

Final LCAP draft to Parent Advisory Council

District Advisory Groups: Superintendent presents draft LCAP and budget for review and comment to DELAC 4/7/2016

Site Meetings: Site leadership presents draft LCAP and budget for review & comment May 2016

Union Meetings: Superintendent presents draft LCAP and budget for review and comment to CUTA and CSEA

CUTA (Rep Council),

CSEA

Survey: October 2016-January 2017 All stakeholders invited to comment

Draft LCAP Posted online: All stakeholders invited to comment

Submitted for public hearing: District holds public hearing to solicit public comments on the LCAP and budget. Community questions and comments responded to and posted on CJUSD website .

Submitted for CJUSD Board approval: CJUSD Board adopts the LCAP and the budget.

IMPACT ON LCAP AND ANNUAL UPDATE

How did these consultations impact the LCAP for the upcoming year?

Goals, Actions, & Services

Strategic Planning Details and Accountability

Complete a copy of the following table for each of the LEA's goals. Duplicate the table as needed.

☐ New ☒ Modified ☐ Unchanged

Goal 1

GOAL 1: Center JUSD students will be challenged and supported to achieve academic success in a clean, safe environment through Multi Tiered Systems of Support (MTSS)

State and/or Local Priorities Addressed by this goal:

STATE ☒ 1 ☒ 2 ☐ 3 ☒ 4 ☒ 5 ☐ 6 ☐ 7 ☒ 8
COE ☐ 9 ☐ 10
LOCAL

Identified Need

The percentage of students who meet or exceed standards on CAASPP is lower than expected

EXPECTED ANNUAL MEASURABLE OUTCOMES

Metrics/Indicators	Baseline	2017-18	2018-19	2019-20
		<ul style="list-style-type: none"> Common Core State Standards and ELD standards and Next Generation Science Standards are being implemented in all CJUSD classrooms and measured by district and site personnel through classroom walk throughs and observations using observation tool. Increase the percentage of students who meet or exceed standards on the CAASPP in ELA and math by 5% API calculation suspended, baseline established once reinstated Maintain 65% rate of EL students meeting English proficiency and annual 	<ul style="list-style-type: none"> Common Core State Standards and ELD standards and Next Generation Science Standards are being implemented in all CJUSD classrooms and measured by district and site personnel through classroom walk throughs and observations using observation tool. Increase the percentage of students who meet or exceed standards on the CAASPP in ELA and math by 5% API calculation suspended, baseline established once rein stated Maintain 65% rate of EL students meeting English proficiency and annual 	

		<p>growth</p> <ul style="list-style-type: none"> • Increase reclassification of EL students by 2% • Increase percentage of K-2 students achieving proficiency in ELA by 2% • Increase percentage of K-2 students achieving proficiency in mathematics by 2% • Teacher mis-assignment will not exceed 3% • Provide 100% of students access to standards aligned materials as certified by the CJUSD Board of Trustees • 100% of schools will pass the Facilities Inspection within 30 days • Increase students served through ERMHS, increase daily attendance of students served through ERMHS by 1%, increase GPA of students served through ERMHS by 1% 	<p>growth</p> <ul style="list-style-type: none"> • Increase reclassification of EL students by 2% • Increase percentage of K-2 students achieving proficiency in ELA by 2% • Increase percentage of K-2 students achieving proficiency in mathematics by 2% • Teacher mis-assignment will not exceed 2% • Provide 100% of students access to standards aligned materials as certified by the CJUSD Board of Trustees • 100% of schools will pass the Facilities Inspection within 30 days • Increase students served through ERMHS, increase daily attendance of students served through ERMHS by 1%, increase GPA of students served through ERMHS by 1% 	
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PLANNED ACTIONS / SERVICES

Complete a copy of the following table for each of the LEA's Actions/Services. Duplicate the table, including Budgeted Expenditures, as needed.

Action **1**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners	<input type="checkbox"/> Foster Youth	<input type="checkbox"/> Low Income
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<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)	
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:	

ACTIONS/SERVICES**2017-18**
☐ New ☒ Modified ☐ Unchanged

K-12 teachers will use the California State Standards in ELA, ELD, Literacy, History, Social Studies, Science and Technical Subjects. K-12 Teachers will use the California State Standards in mathematics. Teachers will use the new California Social Science Framework to align current California History/Social Science Standards and current curriculum.

2018-19
☐ New ☒ Modified ☐ Unchanged

K-12 teachers will use the California State Standards in ELA, ELD, Literacy, History, Social Studies, Science and Technical Subjects. K-12 Teachers will use the California State Standards in mathematics. Teachers will use the newly adopted History/Social Science curriculum. Teachers will use the Next Generation Science Standards (NGSS) to align current Science curriculum.

2019-20
☐ New ☒ Modified ☐ Unchanged

K-12 teachers will use the California State Standards in ELA, ELD, Literacy, History, Social Studies, Science and Technical Subjects. K-12 Teachers will use the California State Standards in mathematics. Teachers will use the adopted History/Social Science curriculum. Teachers will use the newly adopted NGSS curriculum.

BUDGETED EXPENDITURES**2017-18**

Amount	\$9,451,579
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$2,797,467
Source	Base
Budget Reference	3000-3999: Employee Benefits Resource 0000
Amount	\$2,950,893
Source	Special Education
Budget Reference	1000-1999: Certificated Personnel Salaries

2018-19

Amount	\$9,451,579
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$2,972,510
Source	Base
Budget Reference	3000-3999: Employee Benefits Resource 0000
Amount	\$2,950,893
Source	Special Education
Budget Reference	1000-1999: Certificated Personnel Salaries

2019-20

Amount	\$9,451,579
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$3,147,364
Source	Base
Budget Reference	3000-3999: Employee Benefits Resource 0000
Amount	\$2,950,893
Source	Special Education
Budget Reference	1000-1999: Certificated Personnel Salaries

	Resource 6500		Resource 6500		Resource 6500
Amount	\$835,957	Amount	\$890,608	Amount	\$945,199
Source	Special Education	Source	Special Education	Source	Special Education
Budget Reference	3000-3999: Employee Benefits Resource 6500	Budget Reference	3000-3999: Employee Benefits Resource 6500	Budget Reference	3000-3999: Employee Benefits Resource 6500
Amount	\$217,030	Amount	\$217,030	Amount	\$217,030
Source	Title I	Source	Title I	Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$41,679	Amount	\$45,698	Amount	\$49,713
Source	Title I	Source	Title I	Source	Title I
Budget Reference	3000-3999: Employee Benefits Resource 3010	Budget Reference	3000-3999: Employee Benefits Resource 3010	Budget Reference	3000-3999: Employee Benefits Resource 3010
Amount	\$4,312,894	Amount	\$4,312,894	Amount	\$4,312,894
Source	Base	Source	Base	Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 1400	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 1400	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 1400
Amount	\$1,379,038	Amount	\$1,458,912	Amount	\$1,538,701
Source	Base	Source	Base	Source	Base
Budget Reference	3000-3999: Employee Benefits Resource 1400	Budget Reference	3000-3999: Employee Benefits Resource 1400	Budget Reference	3000-3999: Employee Benefits Resource 1400

Action 2

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners
 ☐ Foster Youth
 ☐ Low Income
Scope of Services
☐ LEA-wide
 ☐ Schoolwide
 OR
 ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:
ACTIONS/SERVICES**2017-18**
☐ New
 ☒ Modified
 ☐ Unchanged

Fully implement CJUSD Board adopted English/Language Arts and ELD curriculum with fidelity in all K-12 classrooms. Review K-12 adoption materials for History/Social Science.

2018-19
☐ New
 ☒ Modified
 ☐ Unchanged

Implement K-12 adoption materials for History/Social Science Standards. Review K-12 adoption materials for NGSS.

2019-20
☐ New
 ☐ Modified
 ☐ Unchanged

Implement K-12 adoption materials for NGSS.

BUDGETED EXPENDITURES**2017-18**
 Amount **\$9,451,579**

 Source **Base**

 Budget Reference **1000-1999: Certificated Personnel Salaries Resource 0000**

 Amount **\$2,797,467**

 Source **Base**

 Budget Reference **3000-3999: Employee Benefits Resource 0000**

 Amount **\$2,950,893**

 Source **Special Education**

 Budget Reference **1000-1999: Certificated Personnel Salaries**
2018-19
 Amount **\$7,131,264**

 Source **Base**

 Budget Reference **1000-1999: Certificated Personnel Salaries Resource 0000**

 Amount **\$2,296,073**

 Source **Base**

 Budget Reference **3000-3999: Employee Benefits Resource 000**

 Amount **\$1,087,084**

 Source **Special Education**

 Budget Reference **1000-1999: Certificated Personnel Salaries**
2019-20
 Amount **\$7,089,116**

 Source **Base**

 Budget Reference **1000-1999: Certificated Personnel Salaries Resource 0000**

 Amount **\$2,416,038**

 Source **Base**

 Budget Reference **3000-3999: Employee Benefits Resource 0000**

 Amount **\$1,087,084**

 Source **Special Education**

 Budget Reference **1000-1999: Certificated Personnel Salaries**

	Resource 6500		Resource 6500		Resource 6500
Amount	\$835,957	Amount	\$354,884	Amount	\$374,995
Source	Special Education	Source	Special Education	Source	Special Education
Budget Reference	3000-3999: Employee Benefits Resource 6500	Budget Reference	3000-3999: Employee Benefits Resource 6500	Budget Reference	3000-3999: Employee Benefits Resource 6500
Amount	\$217,030	Amount	\$83,860	Amount	\$83,860
Source	Title I	Source	Title I	Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$41,679	Amount	\$26,316	Amount	\$27,867
Source	Title I	Source	Title I	Source	Title I
Budget Reference	3000-3999: Employee Benefits Resource 3010	Budget Reference	3000-3999: Employee Benefits Resource 3010	Budget Reference	3000-3999: Employee Benefits Resource 3010
Amount	\$4,312,894	Amount	\$948,789	Amount	\$743,177
Source	Base	Source	Base	Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 1400	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 1400	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 1400
Amount	\$1,379,038	Amount	\$339,833	Amount	\$284,964
Source	Base	Source	Base	Source	Base
Budget Reference	3000-3999: Employee Benefits Resource 1400	Budget Reference	3000-3999: Employee Benefits Resource 1400	Budget Reference	3000-3999: Employee Benefits Resource 1400

Action **3**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners
 ☐ Foster Youth
 ☐ Low Income
Scope of Services
☐ LEA-wide
 ☐ Schoolwide
 OR
 ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:
ACTIONS/SERVICES**2017-18**
☐ New
 ☒ Modified
 ☐ Unchanged

K-12 Teachers will access Professional Development to support the implementation of California Common Core State Standards.

2018-19
☐ New
 ☒ Modified
 ☐ Unchanged

K-12 Teachers will
 ~continue Professional Development to support the implementation of California Common Core State Standards
 ~access Professional Development to support the implementation of NGSS
 ~access Professional Development to support the newly adopted History/Social Science curriculum

2019-20
☒ New
 ☐ Modified
 ☐ Unchanged

K-12 Teachers will
 ~continue Professional Development to support the implementation of California Common Core State Standards
 ~access Professional Development to support the adopted History/Social Science curriculum
 ~access Professional Development to support the implementation of NGSS newly adopted curriculum

BUDGETED EXPENDITURES**2017-18**

Amount	\$10,0000
Source	Title II
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 4035
Amount	\$1,765
Source	Title II

2018-19

Amount	\$10,0000
Source	Title II
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 4035
Amount	\$1,950
Source	Title II

2019-20

Amount	\$10,0000
Source	Title II
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 4035
Amount	\$2,135
Source	Title II

Budget Reference	3000-3999: Employee Benefits Resource 4035	Budget Reference	3000-3999: Employee Benefits Resource 4035	Budget Reference	3000-3999: Employee Benefits Resource 4035
Amount	\$15,000	Amount	\$15,000	Amount	\$15,000
Source	Title II	Source	Title II	Source	Title II
Budget Reference	5000-5999: Services And Other Operating Expenditures Resource 4035	Budget Reference	5000-5999: Services And Other Operating Expenditures Resource 4035	Budget Reference	5000-5999: Services And Other Operating Expenditures Resource 4035

Action 4

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☒ All ☐ Students with Disabilities ☐
Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners ☐ Foster Youth ☐ Low Income
Scope of Services
☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:
ACTIONS/SERVICES**2017-18**
☐ New ☒ Modified ☐ Unchanged
2018-19
☐ New ☒ Modified ☐ Unchanged
2019-20
☐ New ☒ Modified ☐ Unchanged

Provide Teacher Induction support to new teachers

Provide Teacher Induction support to new teachers

Provide Teacher Induction support to new teachers

BUDGETED EXPENDITURES**2017-18****2018-19****2019-20**

Amount	\$32,850	Amount	\$32,850	Amount	\$32,850
Source	Title II	Source	Title II	Source	Title II
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 4035	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 4035	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 4035
Amount	\$5,798	Amount	\$6,406	Amount	\$7,014
Source	Title II	Source	Title II	Source	Title II
Budget Reference	3000-3999: Employee Benefits Resource 4035	Budget Reference	3000-3999: Employee Benefits Resource 4035	Budget Reference	3000-3999: Employee Benefits Resource 4035
Amount	\$34,200	Amount	\$34,200	Amount	\$34,200
Source	Title II	Source	Title II	Source	Title II
Budget Reference	5800: Professional/Consulting Services And Operating Expenditures Resource 4035	Budget Reference	5800: Professional/Consulting Services And Operating Expenditures Resource 4035	Budget Reference	5000-5999: Services And Other Operating Expenditures Resource 4035

Action 5

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners	<input type="checkbox"/> Foster Youth	<input type="checkbox"/> Low Income
<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide	<input type="checkbox"/> Schoolwide	OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

ACTIONS/SERVICES**2017-18**
☐ New
 ☐ Modified
 ☒ Unchanged

District will work closely with site administrators to reduce or eliminate the need for combination classes.

2018-19
☐ New
 ☐ Modified
 ☒ Unchanged

District will work closely with site administrators to reduce or eliminate the need for combination classes.

2019-20
☒ New
 ☐ Modified
 ☐ Unchanged

District will work closely with site administrators to reduce or eliminate the need for combination classes.

BUDGETED EXPENDITURES**2017-18**

Amount	\$140,000
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$22,118
Source	Base
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$144,000
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$28,080
Source	Base
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **6**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☒ All

 ☐ Students with Disabilities

 ☐
Location(s)
☐ All Schools

 ☐ Specific Schools:

 ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners

 ☐ Foster Youth

 ☐ Low Income
Scope of Services
☐ LEA-wide

 ☐ Schoolwide

 OR

☐ Limited to Unduplicated Student Group(s)

<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:
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ACTIONS/SERVICES**2017-18**

<input type="checkbox"/> New	<input checked="" type="checkbox"/> Modified	<input type="checkbox"/> Unchanged
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McClellan HS will provide support classes: Success, Study Skills, and General Math.

Students identified as struggling will be enrolled in Intervention Periods through our Title One program.

Site Admin will regularly meet with struggling students to provide individualized support and guidance in achieving greater academic success

2018-19

<input type="checkbox"/> New	<input checked="" type="checkbox"/> Modified	<input type="checkbox"/> Unchanged
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McClellan HS will provide support classes: Success, Study Skills, and General Math.

Students identified as struggling will be enrolled in Intervention Periods through our Title One program.

Site Admin will regularly meet with struggling students to provide individualized support and guidance in achieving greater academic success

2019-20

<input type="checkbox"/> New	<input checked="" type="checkbox"/> Modified	<input type="checkbox"/> Unchanged
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McClellan HS will provide support classes: Success, Study Skills, and General Math.

Students identified as struggling will be enrolled in Intervention Periods through our Title One program.

Site Admin will regularly meet with struggling students to provide individualized support and guidance in achieving greater academic success

BUDGETED EXPENDITURES**2017-18**

Amount	\$24,605
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$4,342
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$24,605
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$2,887
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **7**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners
 ☐ Foster Youth
 ☐ Low Income
Scope of Services
☐ LEA-wide
 ☐ Schoolwide
 OR
 ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:
ACTIONS/SERVICES**2017-18**
☐ New
 ☐ Modified
 ☒ Unchanged

Center HS will provide support classes: Math Lab, English lab and Summer School program

2018-19
☐ New
 ☐ Modified
 ☒ Unchanged

Center HS will provide support classes: Math Lab, English lab, credit recovery, Summer School program

2019-20
☒ New
 ☐ Modified
 ☐ Unchanged

Center HS will provide support classes: Math Lab, English lab, credit recovery, Summer School program

BUDGETED EXPENDITURES**2017-18**

Amount	\$52,000
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$8,215
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$52,000
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$10,140
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **8**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All <input type="checkbox"/> Students with Disabilities <input type="checkbox"/>		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Low Income		
<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

ACTIONS/SERVICES**2017-18**
☐ New
 ☐ Modified
 ☐ Unchanged

Wilson Riles Middle School will provide support: Math Support Class, EL Support Class, PAWS period during the school day and Husky Help after school

2018-19
☐ New
 ☐ Modified
 ☐ Unchanged

Wilson Riles Middle School will provide support: Math Support Class, EL Support Class, PAWS period during the school day and Husky Help after school

2019-20
☐ New
 ☐ Modified
 ☐ Unchanged

BUDGETED EXPENDITURES**2017-18**

Amount	\$59,000
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$10,412
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$59,000
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$11,505
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **9**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served☒ All ☐ Students with Disabilities ☐Location(s)☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served☐ English Learners ☐ Foster Youth ☐ Low IncomeScope of Services☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)Location(s)☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:ACTIONS/SERVICES**2017-18**☐ New ☐ Modified ☐ Unchanged**2018-19**☐ New ☐ Modified ☐ Unchanged**2019-20**☐ New ☐ Modified ☐ Unchanged

Oak Hill Elementary will provide after school intervention for grades 1st-6th in English/Language Arts and 3rd-6th in math

Oak Hill Elementary will provide after school intervention for grades 1st-6th in English/Language Arts and 3rd-6th in math

BUDGETED EXPENDITURES**2017-18**

Amount

\$20,000

Source

Supplemental and Concentration

Budget
Reference1000-1999: Certificated Personnel
Salaries
Resource 0000 / Dept 740

Amount

\$3,530

2018-19

Amount

\$20,000

Source

Supplemental and Concentration

Budget
Reference1000-1999: Certificated Personnel
Salaries
Resource 0000 / Dept 740

Amount

\$3,900

2019-20

Amount

Source

Budget
Reference

Amount

Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Action 10

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners	<input type="checkbox"/> Foster Youth	<input type="checkbox"/> Low Income
<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide	<input type="checkbox"/> Schoolwide	OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

ACTIONS/SERVICES

2017-18

<input type="checkbox"/> New	<input type="checkbox"/> Modified	<input checked="" type="checkbox"/> Unchanged
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Spinelli Elementary will provide morning intervention for grades 1st-6th in English/Language Arts and Math. Title I push in and pull out support for grades K-6th in English/Language Arts and math.

2018-19

<input type="checkbox"/> New	<input type="checkbox"/> Modified	<input checked="" type="checkbox"/> Unchanged
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Spinelli Elementary will provide morning intervention for grades 1st-6th in English/Language Arts and Math. Title I push in and pull out support for grades K-6th in English/Language Arts and math.

2019-20

<input checked="" type="checkbox"/> New	<input type="checkbox"/> Modified	<input type="checkbox"/> Unchanged
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Spinelli Elementary will provide morning intervention for grades 1st-6th in English/Language Arts and Math. Title I push in and pull out support for grades K-6th in English/Language Arts and math.

BUDGETED EXPENDITURES

2017-18

Amount	\$40,266
Source	Title I

2018-19

Amount	\$40,266
Source	Title I

2019-20

Amount	
Source	

Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010	Budget Reference	
Amount	\$7,106	Amount	\$7,852	Amount	
Source	Title I	Source	Title I	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Action **11**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☒ All
 ☐ Students with Disabilities
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners
 ☐ Foster Youth
 ☐ Low Income
Scope of Services
☐ LEA-wide
 ☐ Schoolwide
 OR
 ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:
ACTIONS/SERVICES**2017-18**
☐ New
 ☒ Modified
 ☐ Unchanged

North Country provides RTI in ELA the form of specific diagnostic leveled groups for 30 minutes during the school day in grades first through sixth. The groups are based on information from universal screeners and are fluid in terms of students moving groups every few weeks based on progress in their groups and classroom

2018-19
☐ New
 ☒ Modified
 ☐ Unchanged

North Country will provide RTI in ELA the form of specific diagnostic leveled groups for 30 minutes during the school day in grades first through sixth. Kindergarten will be added to the RTI block. Groups are based on information from universal screeners and are fluid in terms of students moving groups every few weeks based

2019-20
☒ New
 ☐ Modified
 ☐ Unchanged

North Country will provide RTI in ELA the form of specific diagnostic leveled groups for 30 minutes during the school day in grades first through sixth. Kindergarten will be added to the RTI block. The groups are based on information from universal screeners and are fluid in terms of students moving groups every few weeks based

assessments. All staff is involved including RSP and Title I. Staff pushes in or pulls out based on grade level group size and need. Morning Intervention for reading is still available one hour before school for grades 1-6 three days a week. Student goals are written in their Leadership Notebooks and tracked regularly.

on progress in their groups and classroom assessments. All staff is involved including RSP and Title I. Staff pushes in or pulls out based on grade level group size and need. Morning Intervention for reading is still available one hour before school for grades 1-6 three days a week. Math intervention will be added in the hour before school. Students will have intervention goals listed in their Leadership Notebooks as a WIG (Wildly Important Goal) which will be tracked and re-visited bi-weekly.

on progress in their groups and classroom assessments. All staff is involved including RSP and Title I. Staff pushes in or pulls out based on grade level group size and need. Morning Intervention for reading is still available one hour before school for grades 1-6 three days a week. Math intervention will be added in the hour before school. Students will have intervention goals listed in their Leadership Notebooks as a WIG (Wildly Important Goal) which will be tracked and re-visited bi-weekly. Math intervention will be included in a master block schedule.

BUDGETED EXPENDITURES

2017-18

Amount	\$83,284
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$14,698
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$98,607
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$19,228
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action 12

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: _____ <input type="checkbox"/> Specific Grade spans: _____

ACTIONS/SERVICES**2017-18**
☐ New ☒ Modified ☐ Unchanged

Dudley will provide Intervention, within the school day, in grades K-6. Intervention occurs two ways: during a 30 minute Intervention Rotation and during a 30 minute Workshop. Teachers are able to provide support to targeted groups as well as to individuals using this strategy. Qualifying for Intervention support is related to local common assessments. Title I staff push in to classrooms to provide support to students. This push-in support may occur during direct instruction, independent practice, workshop, and/or Intervention rotation. This support can be in ELA or Math. If the child continues to struggle with academic needs, a Student Success Plan will be written. Student Success Plans defines specific concerns and establish SMART goals for the individual child as well as listing accommodations and modifications that will be employed to assist the student in meeting his/her goal.

2018-19
☐ New ☒ Modified ☐ Unchanged

Dudley will provide Intervention, within the school day, in grades K-6. Intervention occurs two ways: during a 30 minute Intervention Rotation and during a 30 minute Workshop. Teachers are able to provide support to targeted groups as well as to individuals using this strategy. Qualifying for Intervention support is related to local common assessments. Title I staff push in to classrooms to provide support to students. This push-in support may occur during direct instruction, independent practice, workshop, and/or Intervention rotation. This support can be in ELA or Math. If the child continues to struggle with academic needs, a Student Success Plan will be written. Student Success Plans defines specific concerns and establish SMART goals for the individual child as well as listing accommodations and modifications that will be employed to assist the student in meeting his/her goal.

2019-20
☒ New ☐ Modified ☐ Unchanged

Dudley will provide Intervention, within the school day, in grades K-6. Intervention occurs two ways: during a 30 minute Intervention Rotation and during a 30 minute Workshop. Teachers are able to provide support to targeted groups as well as to individuals using this strategy. Qualifying for Intervention support is related to local common assessments. Title I staff push in to classrooms to provide support to students. This push-in support may occur during direct instruction, independent practice, workshop, and/or Intervention rotation. This support can be in ELA or Math. If the child continues to struggle with academic needs, a Student Success Plan will be written. Student Success Plans defines specific concerns and establish SMART goals for the individual child as well as listing accommodations and modifications that will be employed to assist the student in meeting his/her goal.

BUDGETED EXPENDITURES**2017-18**

Amount	\$101,084
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$17,839
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$95,820
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$18,685
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **13**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ All
 ☐ Students with Disabilities
 ☒ GATE
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners
 ☐ Foster Youth
 ☐ Low Income
 Scope of Services
☐ LEA-wide
 ☐ Schoolwide
 OR
 ☐ Limited to Unduplicated Student Group(s)
 Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:
 ACTIONS/SERVICES**2017-18**
☐ New
 ☒ Modified
 ☐ Unchanged
 GATE opportunities:

- Wilson Riles Middle School GATE Academy
- Oak Hill Elementary: Differentiated learning within the GATE/high achiever class 4th-5th. GATE challenge activities before and after school
- Spinelli: Differentiated learning within the classroom. Weekly GATE challenge activities after school. Annual participation in Nature Bowl.
- North Country: Differentiated learning within the classroom. GATE challenge activities after school for grades 3-6: video production and editing including story boards, script writing and public speaking. GATE students add goals to their Leadership Notebooks and celebrate progress on a monthly basis.

2018-19
☐ New
 ☒ Modified
 ☐ Unchanged
 GATE opportunities:

- Wilson Riles Middle School GATE Academy
- Oak Hill Elementary: Differentiated learning within the GATE/high achiever class 4th-5th. GATE challenge activities before and after school
- Spinelli: Differentiated learning within the classroom. Weekly GATE challenge activities after school. Annual participation in Nature Bowl.
- North Country: Differentiated learning within the classroom. GATE challenge activities after school for grades 3-6: video production and editing including story boards, script writing and public speaking. GATE students add goals to their Leadership Notebooks and celebrate progress on a monthly basis.

2019-20
☒ New
 ☐ Modified
 ☐ Unchanged

Spinelli: Differentiated learning within the classroom. Weekly GATE challenge activities after school. Annual participation in Nature Bowl.

North Country: Differentiated learning within the classroom. GATE challenge activities after school: for grades 3-6: video production and editing including story boards, script writing and public speaking. GATE students add goals to their Leadership Notebooks and celebrate progress on a monthly basis.

Dudley: Differentiated learning for GATE qualifying student will occur within the classroom. These differentiation strategies will be shared with the parents of our GATE qualifying students through a Student Success Plan which defines specific goals for the individual child as well as listing accommodations and modifications that

- Dudley: Differentiated learning for GATE qualifying student will occur within the classroom. These differentiation strategies will be shared with the parents of our GATE qualifying students through a Student Success Plan which defines specific goals for the individual child as well as listing accommodations and modifications that will be employed to assist the student in meeting his/her goal.

- Dudley: Differentiated learning for GATE qualifying student will occur within the classroom. These differentiation strategies will be shared with the parents of our GATE qualifying students through a Student Success Plan which defines specific goals for the individual child as well as listing accommodations and modifications that will be employed to assist the student in meeting his/her goal.

will be employed to assist the student in meeting his/her goal.

BUDGETED EXPENDITURES

2017-18

Amount	\$38,000
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$6,706
Source	Base
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$38,000
Source	Base
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000
Amount	\$7,410
Source	Base
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **14**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

	<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide	<input type="checkbox"/> Schoolwide	OR	<input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:		

ACTIONS/SERVICES**2017-18**
☐ New ☐ Modified ☒ Unchanged

Teacher collaboration: vertical between elementary-middle, horizontal between elementary sites, grade level/dept

2018-19
☐ New ☐ Modified ☒ Unchanged

Teacher collaboration: vertical between elementary-middle, horizontal between elementary sites, grade level/dept

2019-20
☐ New ☐ Modified ☒ Unchanged

Teacher collaboration: vertical between elementary-middle, horizontal between elementary sites, grade level/dept

BUDGETED EXPENDITURES**2017-18**

Amount

\$500

Source

Base

Budget Reference

5000-5999: Services And Other Operating Expenditures Resource 0000

2018-19

Amount

\$500

Source

Base

Budget Reference

5000-5999: Services And Other Operating Expenditures Resource 0000

2019-20

Amount

Source

Budget Reference

Action **15**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners	<input type="checkbox"/> Foster Youth	<input type="checkbox"/> Low Income
------------------------------	---	---------------------------------------	-------------------------------------

<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:

ACTIONS/SERVICES**2017-18**
☐ New ☐ Modified ☐ Unchanged

- Provide academic support and intervention at all sites
- Push-in and pull out programs at elementary sites and Wilson Riles MS
 - Morning or after school intervention at elementary sites
 - EL Support at Wilson Riles Middle and EL Tutorial Center High School
 - Husky Help, PAWS period at Wilson Riles MS
 - Bilingual assistants
 - Math lab, English lab, Summer School Program at Center High

2018-19
☐ New ☐ Modified ☐ Unchanged

- Provide academic support and intervention at all sites
- Push-in and pull out programs at elementary sites and Wilson Riles MS
 - Morning or after school intervention at elementary sites
 - EL Support at Wilson Riles Middle and EL Tutorial Center High School
 - Husky Help, PAWS period at Wilson Riles MS
 - Bilingual assistants
 - Math lab, English lab, credit recovery, Summer School Program at Center High

2019-20
☐ New ☐ Modified ☐ Unchanged
BUDGETED EXPENDITURES**2017-18**

Amount	\$498,643
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$88,000
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits
Amount	\$150,601

2018-19

Amount	\$498,643
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$97,235
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits
Amount	\$150,601

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	
Amount	

Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	2000-2999: Classified Personnel Salaries	Budget Reference	2000-2999: Classified Personnel Salaries	Budget Reference	
Amount	\$39,183	Amount	\$41,596	Amount	
Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Action 16

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☐ Unchanged

Add .5 FTE EL Teacher at Spinelli Elementary and .5 FTE EL Teacher at North Country Elementary

2018-19

☐ New ☐ Modified ☐ Unchanged

Maintain EL coverage at each site

2019-20

☐ New ☐ Modified ☐ Unchanged

BUDGETED EXPENDITURES**2017-18****2018-19****2019-20**

Source

Supplemental and Concentration

Source

Source

Budget
Reference1000-1999: Certificated Personnel
Salaries
Resource 0000 / Dept 740Budget
Reference

N/A

Budget
Reference

Source

Supplemental and Concentration

Source

Source

Budget
Reference

3000-3999: Employee Benefits

Budget
ReferenceBudget
ReferenceAction **17**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served☐

All

☐

Students with Disabilities

☐Location(s)☐

All Schools

☐

Specific Schools:

☐

Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served☒

English Learners

☐

Foster Youth

☐

Low Income

Scope of Services☐

LEA-wide

☐

Schoolwide

OR

☐

Limited to Unduplicated Student Group(s)

Location(s)☐

All Schools

☐

Specific Schools:

☐

Specific Grade spans:

ACTIONS/SERVICES**2017-18****2018-19****2019-20**☐ New☐

Modified

☐

Unchanged

☐ New☐

Modified

☐

Unchanged

☐ New☐

Modified

☐

Unchanged

Support transition of EL students from middle to high school with summer school for incoming 9th grade EL students.

Support transition of EL students from middle to high school with summer school for incoming 9th grade EL students.

Measure the effectiveness of the reclassification roadmap, making adjustments as needed to account for changes in standardized language assessment and other adjustments deemed appropriate to meet the needs of the EL population.

Support transition of EL students from elementary to middle school with summer school for incoming 7th graders.

Support transition of EL students from elementary to middle school with summer school for incoming 7th graders.

BUDGETED EXPENDITURES

2017-18

Amount	\$10,000
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$1,765
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$10,000
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$1,950
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **18**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Low Income		
	<u>Scope of Services</u> <input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

ACTIONS/SERVICES**2017-18**
☐ New
☐ Modified
☒ Unchanged

Support long-term EL students with Long Term EL Support class at Center High School and Wilson Riles Middle School.

EL teacher at CHS to be given extra prep in schedule to track/monitor/support EL students, long term EL students and monitor Redesignated Fluent English Proficient students.

2018-19
☐ New
☐ Modified
☒ Unchanged

Support long-term EL students with Long Term EL Support class at Center High School and Wilson Riles Middle School.

The EL teacher at CHS to be given extra prep in schedule to track/monitor/support EL students, long term EL students and monitor Redesignated Fluent English Proficient students.

2019-20
☐ New
☐ Modified
☐ Unchanged

Support long-term EL students with Long Term EL Support class at Center High School and Wilson Riles Middle School.

The EL teacher at CHS to be given extra prep in schedule to track/monitor/support EL students, long term EL students and monitor Redesignated Fluent English Proficient students.

BUDGETED EXPENDITURES**2017-18**

Amount	\$42,497
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$7,499
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$42,497
Source	Supplemental and Concentration
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740
Amount	\$8,287
Source	Supplemental and Concentration
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action

19

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☒ Modified ☐ Unchanged

Family Resource Center Integrated Services Technicians will provide mentoring, tutoring, and transition planning for secondary foster youth and unaccompanied homeless youth who are identified as needing those services

2018-19

☐ New ☐ Modified ☐ Unchanged

Family Resource Center Integrated Services Technicians will provide mentoring, tutoring, and transition planning for secondary foster youth and unaccompanied homeless youth who are identified as needing those services.

2019-20

☐ New ☐ Modified ☐ Unchanged

Family Resource Center Integrated Services Technicians will provide mentoring, tutoring, and transition planning for secondary foster youth and unaccompanied homeless youth who are identified as needing those services.

BUDGETED EXPENDITURES

2017-18

Amount

\$27,500

Source

Base

Budget
Reference

5800: Professional/Consulting Services
And Operating Expenditures
Resource 0000

2018-19

Amount

\$27,500

Source

Base

Budget
Reference

5800: Professional/Consulting Services
And Operating Expenditures
Resource 0000

2019-20

Amount

Source

Budget
Reference

Action

20

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:
Students to be Served
☐ All ☐ Students with Disabilities ☐
Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:
Students to be Served
☒ English Learners ☒ Foster Youth ☒ Low Income

Scope of Services
☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES
2017-18
☐ New ☒ Modified ☐ Unchanged

2018-19
☐ New ☒ Modified ☐ Unchanged

2019-20
☐ New ☐ Modified ☐ Unchanged

Family Resource Center will provide clothing, school supplies, consultation services, prevention and early mental health intervention services and coordinate appropriate support services and referrals through a variety of community partners.

Family Resource Center will provide clothing, school supplies, consultation services, prevention and early mental health intervention services and coordinate appropriate support services and referrals through a variety of community partners.

Family Resource Center will provide clothing, school supplies, consultation services, prevention and early mental health intervention services and coordinate appropriate support services and referrals through a variety of community partners.

BUDGETED EXPENDITURES
2017-18

Amount	\$1,717
Source	Federal Funds
Budget Reference	4000-4999: Books And Supplies Resource 5630
Amount	\$1,854

2018-19

Amount	\$1,717
Source	Federal Funds
Budget Reference	4000-4999: Books And Supplies Resource 5630
Amount	\$1,854

2019-20

Amount	
Source	
Budget Reference	
Amount	

Source	Federal Funds	Source	Federal Funds	Source	
Budget Reference	5000-5999: Services And Other Operating Expenditures	Budget Reference	5000-5999: Services And Other Operating Expenditures	Budget Reference	
Amount	\$22,527	Amount	\$22,527	Amount	
Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740	Budget Reference	
Amount	\$3,975	Amount	\$4,392	Amount	
Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Action 21

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> All <input type="checkbox"/> Students with Disabilities <input checked="" type="checkbox"/> <u>Special Education</u>		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Low Income		
<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

ACTIONS/SERVICES

2017-18

2018-19

2019-20

<input type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged	<input type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged	<input type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged
Provide academic support for Special Education Students: study skills classes, instructional assistants	Provide academic support for Special Education Students: study skills classes, instructional assistants	

BUDGETED EXPENDITURES**2017-18**

Amount	\$41,386
Source	Special Education
Budget Reference	2000-2999: Classified Personnel Salaries Resource 6500
Amount	\$10,767
Source	Special Education
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$41,386
Source	Special Education
Budget Reference	2000-2999: Classified Personnel Salaries Resource 6500
Amount	\$11,431
Source	Special Education
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Goals, Actions, & Services

Strategic Planning Details and Accountability

Complete a copy of the following table for each of the LEA's goals. Duplicate the table as needed.

☐ New ☐ Modified ☐ Unchanged

Goal 2

Through Multi Tiered Systems of Support (MTSS) Center JUSD students will be college and career ready

State and/or Local Priorities Addressed by this goal:

STATE ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☒ 5 ☐ 6 ☒ 7 ☐ 8
COE ☐ 9 ☐ 10
LOCAL

Identified Need

Examination of student achievement data from a variety of sources reveals that students are not achieving at the full potential necessary to succeed in college and career. To prepare students for College & Career, it is a priority of CJUSD to increase CTE opportunities, a-g participation and completion rate, increase AP offerings and AP test passage rate, increase graduation rate

EXPECTED ANNUAL MEASURABLE OUTCOMES

Metrics/Indicators	Baseline	2017-18	2018-19	2019-20
		~Increase CTE offerings by adding 1 new CTE course or 1 additional section of existing CTE program ~Increase a-g completion rate to 26% by adjusting to 8 period block schedule at high school ~Increase number of CHS students enrolled in at least one AP class by 3% ~68% of students enrolled in AP courses will pass AP exams with a 3 or better ~54% of ELA students and 79% of math students determined prepared for college as measured by the EAP	~Establish baseline data on CTE student participation in the 2017-18 school year and increase student participation in 2018-19 by 3% ~Increase a-g completion rate to 26% by adjusting to 8 period block schedule at high school ~Increase number of students enrolled in at least one AP class by 3% ~70% of students enrolled in AP courses will pass AP exams with a 3 or better ~56% of ELA students and 81% of math students determined prepared for college as measured by the EAP	

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PLANNED ACTIONS / SERVICES

Complete a copy of the following table for each of the LEA's Actions/Services. Duplicate the table, including Budgeted Expenditures, as needed.

Action **1**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All <input type="checkbox"/> Students with Disabilities <input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Low Income
	<u>Scope of Services</u> <input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:

ACTIONS/SERVICES**2017-18**

<input type="checkbox"/> New <input checked="" type="checkbox"/> Modified <input type="checkbox"/> Unchanged
--

CHS will increase the number of students taking CTE courses

2018-19

<input type="checkbox"/> New <input type="checkbox"/> Modified <input checked="" type="checkbox"/> Unchanged
--

CHS will increase the number of students taking CTE courses

2019-20

<input checked="" type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged
--

CHS will increase the number of students taking CTE courses

BUDGETED EXPENDITURES**2017-18**

Amount	\$41,877
Source	Base
Budget	1000-1999: Certificated Personnel

2018-19

Amount	\$41,877
Source	Base
Budget	1000-1999: Certificated Personnel

2019-20

Amount	
Source	
Budget	

Reference	Salaries Resource 0000	Reference	Salaries Resource 0000	Reference	
Amount	\$15,673	Amount	\$15,673	Amount	
Source	Base	Source	Base	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Action 2

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☒ Unchanged

Increase participation and completion of a-g

2018-19

☐ New ☐ Modified ☒ Unchanged

Increase participation and completion of a-g

2019-20

☒ New ☐ Modified ☐ Unchanged

Increase participation and completion of a-g

BUDGETED EXPENDITURES

2017-18

Amount \$204,000

2018-19

Amount \$210,000

2019-20

Amount

Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740	Budget Reference	1000-1999: Certificated Personnel Salaries Resource 0000 / Dept 740	Budget Reference	
Amount	\$36,002	Amount	\$40,950	Amount	
Source	Supplemental and Concentration	Source	Supplemental and Concentration	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Action 3

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners	<input type="checkbox"/> Foster Youth	<input type="checkbox"/> Low Income
<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide	<input type="checkbox"/> Schoolwide	OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

ACTIONS/SERVICES**2017-18**
☒ New ☒ Modified ☒ Unchanged

CHS will increase the number of students taking AP courses by 3%

2018-19
☐ New ☐ Modified ☒ Unchanged

CHS will increase the number of students taking AP courses by 3%

2019-20
☒ New ☐ Modified ☐ Unchanged

CHS will increase the number of students taking AP courses by 3%

BUDGETED EXPENDITURES**2017-18**

Amount **\$17,000**

Source **Base**

Budget Reference **1000-1999: Certificated Personnel Salaries
Resource 0000**

Amount **\$4,000**

Source **Base**

Budget Reference **3000-3999: Employee Benefits**

2018-19

Amount **\$17,000**

Source **Base**

Budget Reference **1000-1999: Certificated Personnel Salaries
Resource 0000**

Amount **\$4,315**

Source **Base**

Budget Reference **3000-3999: Employee Benefits**

2019-20

Amount

Source

Budget Reference

Amount

Source

Budget Reference

Action 4**For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:**Students to be Served
☒ All ☐ Students with Disabilities ☐
Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:
OR**For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:**Students to be Served
☐ English Learners ☐ Foster Youth ☐ Low Income
Scope of Services
☐ LEA-wide ☐ Schoolwide **OR** ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:
ACTIONS/SERVICES**2017-18**
☐ New ☐ Modified ☒ Unchanged
2018-19
☐ New ☐ Modified ☒ Unchanged
2019-20
☒ New ☐ Modified ☐ Unchanged

Remove barriers and implement new programs relative to college & career opportunities that feed into and support programs at CHS

Remove barriers and implement new programs relative to college & career opportunities that feed into and support programs at CHS

Remove barriers and implement new programs relative to college & career opportunities that feed into and support programs at CHS

BUDGETED EXPENDITURES

2017-18

Amount **\$17,000**

Source **Supplemental and Concentration**

Budget Reference **1000-1999: Certificated Personnel Salaries
Resource 0000 / Dept 740**

Amount **\$4,000**

Source **Supplemental and Concentration**

Budget Reference **3000-3999: Employee Benefits**

2018-19

Amount **\$17,000**

Source **Base**

Budget Reference **1000-1999: Certificated Personnel Salaries
Resource 0000**

Amount **\$4,315**

Source **Base**

Budget Reference **3000-3999: Employee Benefits**

2019-20

Amount

Source

Budget Reference

Amount

Source

Budget Reference

Action **5**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18
☐ New
 ☐ Modified
 ☒ Unchanged

CHS will work with American River College to provide field trips to learn about CTE offerings that correspond to pathways at CHS. Counselors will discuss CTE course offerings with students during yearly one-on-one meetings with students.

2018-19
☐ New
 ☐ Modified
 ☒ Unchanged

CHS will work with Sierra College to provide field trips to learn about CTE offerings that correspond to pathways at CHS. Counselors will discuss CTE course offerings with students during yearly one-on-one meetings with students.

2019-20
☒ New
 ☐ Modified
 ☐ Unchanged

CHS will work with both American River College and Sierra College to provide field trips to learn about CTE offerings that correspond to pathways at CHS. Counselors will discuss CTE course offerings with students during yearly one-on-one meetings with students.

BUDGETED EXPENDITURES**2017-18**

Amount	\$500
Source	Supplemental and Concentration
Budget Reference	5000-5999: Services And Other Operating Expenditures Resource 0000 / Dept 740

2018-19

Amount	\$500
Source	Supplemental and Concentration
Budget Reference	5000-5999: Services And Other Operating Expenditures

2019-20

Amount	
Source	
Budget Reference	

Action **6**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☒ All
 ☐ Students with Disabilities
 ☐
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ English Learners
 ☐ Foster Youth
 ☐ Low Income
Scope of Services
☐ LEA-wide
 ☐ Schoolwide
 OR
 ☐ Limited to Unduplicated Student Group(s)
Location(s)
☐ All Schools
 ☐ Specific Schools:
 ☐ Specific Grade spans:

ACTIONS/SERVICES**2017-18**
☐ New ☐ Modified ☒ Unchanged

Counselor will provide individualized support to ensure students are meeting graduation requirements and are successfully transitioning into post secondary college and career through college/career exploration, college enrollment assistance, financial aid application assistance and scholarship assistance.

Staff will schedule presentations from businesses, colleges and the military to expose students to post secondary options

2018-19
☐ New ☐ Modified ☒ Unchanged

Counselor will provide individualized support to ensure students are meeting graduation requirements and are successfully transitioning into post secondary college and career through college/career exploration, college enrollment assistance, financial aid application assistance and scholarship assistance.

Staff will schedule presentations from businesses, colleges and the military to expose students to post secondary options

2019-20
☒ New ☐ Modified ☒ Unchanged

Counselor will provide individualized support to ensure students are meeting graduation requirements and are successfully transitioning into post secondary college and career through college/career exploration, college enrollment assistance, financial aid application assistance and scholarship assistance.

Staff will schedule presentations from businesses, colleges and the military to expose students to post secondary options

BUDGETED EXPENDITURES**2017-18**

Amount	\$2,565
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$452
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2018-19

Amount	\$3,000
Source	Title I
Budget Reference	1000-1999: Certificated Personnel Salaries Resource 3010
Amount	\$585
Source	Title I
Budget Reference	3000-3999: Employee Benefits

2019-20

Amount	
Source	
Budget Reference	
Amount	
Source	
Budget Reference	

Action **7**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served
☐ All ☐ Students with Disabilities ☒ Special Education
Location(s)
☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☒ Unchanged

Provide transitional support to prepare for college & career provided through WorkAbility and Department of Rehabilitation

2018-19

☐ New ☐ Modified ☒ Unchanged

Provide transitional support to prepare for college & career provided through WorkAbility and Department of Rehabilitation

2019-20

☒ New ☐ Modified ☐ Unchanged

Provide transitional support to prepare for college & career provided through WorkAbility and Department of Rehabilitation

BUDGETED EXPENDITURES

2017-18

Amount \$15,500

Source Federal Funds

Budget Reference 2000-2999: Classified Personnel Salaries
Resource 3410

Amount \$4,338

Source Federal Funds

Budget Reference 3000-3999: Employee Benefits

Amount \$26,117

Source Special Education

Budget Reference 2000-2999: Classified Personnel Salaries
Resource 6520 Workability

2018-19

Amount \$16,500

Source Federal Funds

Budget Reference 2000-2999: Classified Personnel Salaries
DOR / Resource 3410

Amount \$4,557

Source Federal Funds

Budget Reference 3000-3999: Employee Benefits

Amount \$27,117

Source Special Education

Budget Reference 2000-2999: Classified Personnel Salaries
Workability / Resource 6520

2019-20

Amount

Source

Budget Reference

Amount

Source

Budget Reference

Amount

Source

Budget Reference

Amount	\$7,540	Amount	\$8,040	Amount	
Source	Special Education	Source	Special Education	Source	
Budget Reference	3000-3999: Employee Benefits	Budget Reference	3000-3999: Employee Benefits	Budget Reference	

Goals, Actions, & Services

Strategic Planning Details and Accountability

Complete a copy of the following table for each of the LEA's goals. Duplicate the table as needed.

☐ New ☒ Modified ☐ Unchanged

Goal 3

GOAL 3: Center JUSD students and families will be engaged and informed throughout the educational process by way of the Multi Tiered Systems of Support (MTSS)

State and/or Local Priorities Addressed by this goal:

STATE ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☒ 5 ☒ 6 ☐ 7 ☐ 8
COE ☐ 9 ☐ 10
LOCAL

Identified Need

To address the need to increase pupil engagement and school engagement, while improving school climate and increasing family involvement, it is a priority of CJUSD to decrease absence rates and increase the number of students and families actively involved, connected and engaged in a comprehensive school experience through involvement outside the classroom.

EXPECTED ANNUAL MEASURABLE OUTCOMES

Metrics/Indicators	Baseline	2017-18	2018-19	2019-20
		<ul style="list-style-type: none"> Maintain average daily attendance at 95% Increase district-wide participation in clubs, activities and athletics to 35% Increase Center HS graduation rate to 96% Decrease CJUSD chronic absenteeism rates to 10% Maintain 1% or fewer middle school drop-out rates Maintain 8% CJUSD suspension rate Decrease CJUSD expulsions by 1 per year Increase secondary students who feel "very 	<ul style="list-style-type: none"> Maintain average daily attendance at 95% Increase district-wide participation in clubs, activities and athletics to 35% Increase Center HS graduation rate to 96% Decrease CJUSD chronic absenteeism rates to 8% Maintain 1% or fewer middle school drop-out rates Decrease CJUSD High School drop out to 4% Maintain 8% CJUSD suspension rate Decrease CJUSD expulsions by 1 per year 	

		<p>safe" at school to 47% (measured by California Healthy Kids Survey and other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness)</p> <ul style="list-style-type: none"> • Increase 5th grade students who feel "very safe" at school "all of the time" to 44% (measured by California Healthy Kids Survey and other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness) • All parents will be solicited to provide input into decision making locally and at the LEA level. • Increase parental participation of parents of unduplicated groups and specials needs students by 5% 	<ul style="list-style-type: none"> • Increase secondary students who feel "very safe" at school to 47% (measured by California Healthy Kids Survey and other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness) • Increase 5th grade students who feel "very safe" at school "all of the time" to 44% (measured by California Healthy Kids Survey and other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness) • All parents will be solicited to provide input into decision making locally and at the LEA level. • Increase parental participation of parents of unduplicated groups and specials needs students by 5% 	
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PLANNED ACTIONS / SERVICES

Complete a copy of the following table for each of the LEA's Actions/Services. Duplicate the table, including Budgeted Expenditures, as needed.

Action **1**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Students with Disabilities	<input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools	<input type="checkbox"/> Specific Schools:	<input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☐ Unchanged

Review effectiveness of committee (staff, parents, students) recommendations and plan next steps to increase daily attendance. Review SARB process to engage more stakeholders

2018-19

☐ New ☐ Modified ☐ Unchanged

Review effectiveness of committee (staff, parents, students) recommendations and plan next steps to increase daily attendance. Review SARB process to engage more stakeholders

2019-20

☐ New ☐ Modified ☐ Unchanged

BUDGETED EXPENDITURES

2017-18

Amount \$500
Source Supplemental and Concentration
Budget Reference 4000-4999: Books And Supplies Resource 0000/Department 740

2018-19

Amount \$500
Source Supplemental and Concentration
Budget Reference 4000-4999: Books And Supplies Resource 0000/Department 740

2019-20

Amount
Source
Budget Reference

Action **2**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Low Income		
	<u>Scope of Services</u> <input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

ACTIONS/SERVICES**2017-18**
☐ New ☐ Modified ☐ Unchanged

Implement recommended strategies that lessen or eliminate the barrier of after school transportation that is hindering participating in after school activities.

Continue to brainstorm ways to increase student and staff involvement in extracurricular opportunities

2018-19
☐ New ☐ Modified ☐ Unchanged

Implement recommended strategies that lessen or eliminate the barrier of after school transportation that is hindering participating in after school activities.

Continue to brainstorm ways to increase student and staff involvement in extracurricular opportunities

2019-20
☐ New ☐ Modified ☐ Unchanged
BUDGETED EXPENDITURES**2017-18**

Amount

\$500

Source

Supplemental and Concentration

Budget
Reference4000-4999: Books And Supplies
Resource 0000/Department 740**2018-19**

Amount

\$500

Source

Supplemental and Concentration

Budget
Reference4000-4999: Books And Supplies
Resource 0000/Department 740**2019-20**

Amount

Source

Budget
ReferenceAction **3**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All <input type="checkbox"/> Students with Disabilities <input type="checkbox"/>		
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:		

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☐ Unchanged

Establish parent education outreach relating to school topics by eliminating barriers and implementing committee (staff, parents, students) recommendations

2018-19

☐ New ☐ Modified ☐ Unchanged

Establish parent education outreach relating to school topics by eliminating barriers and implementing committee (staff, parents, students) recommendations

2019-20

☐ New ☐ Modified ☐ Unchanged

BUDGETED EXPENDITURES

2017-18

Amount

\$500

Source

Supplemental and Concentration

Budget
Reference

4000-4999: Books And Supplies
Resource 0000/Department 740

2018-19

Amount

\$500

Source

Supplemental and Concentration

Budget
Reference

4000-4999: Books And Supplies
Resource 0000/Department 740

2019-20

Amount

Source

Budget
Reference

Action **4**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☒ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide **OR** ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☐ Unchanged

Continue to utilize new ways to communicate opportunities that will increase participation in school activities and in supporting roles

2018-19

☐ New ☐ Modified ☐ Unchanged

Continue to utilize new ways to communicate opportunities that will increase participation in school activities and in supporting roles

2019-20

☐ New ☐ Modified ☐ Unchanged

BUDGETED EXPENDITURES

2017-18

Amount

\$500

Source

Supplemental and Concentration

Budget Reference

4000-4999: Books And Supplies
Resource 0000/Department 740

2018-19

Amount

\$500

Source

Supplemental and Concentration

Budget Reference

4000-4999: Books And Supplies
Resource 0000/Department 740

2019-20

Amount

Source

Budget Reference

Action **5**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ All ☐ Students with Disabilities ☐

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Low Income
<u>Scope of Services</u>	<input type="checkbox"/> LEA-wide <input type="checkbox"/> Schoolwide OR <input type="checkbox"/> Limited to Unduplicated Student Group(s)
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:

ACTIONS/SERVICES

2017-18	2018-19	2019-20
<input type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged	<input type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged	<input type="checkbox"/> New <input type="checkbox"/> Modified <input type="checkbox"/> Unchanged
Continue to reach out to EL families with TK children for enrollment in TK program. Continue to conduct annual needs assessment at DELAC. Compile and distribute meeting dates and topics for ELAC and DELAC meetings at beginning of each school year	Continue to reach out to EL families with TK children for enrollment in TK program. Continue to conduct annual needs assessment at DELAC. Compile and distribute meeting dates and topics for ELAC and DELAC meetings at beginning of each school year	

BUDGETED EXPENDITURES

2017-18	2018-19	2019-20
Amount: \$500	Amount: \$500	Amount:
Source: Supplemental and Concentration	Source: Supplemental and Concentration	Source:
Budget Reference: 4000-4999: Books And Supplies Resource 0000/Department 740	Budget Reference: 4000-4999: Books And Supplies Resource 0000/Department 740	Budget Reference:

Action **6**

For Actions/Services not included as contributing to meeting the Increased or Improved Services Requirement:

<u>Students to be Served</u>	<input checked="" type="checkbox"/> All <input type="checkbox"/> Students with Disabilities <input type="checkbox"/>
<u>Location(s)</u>	<input type="checkbox"/> All Schools <input type="checkbox"/> Specific Schools: <input type="checkbox"/> Specific Grade spans:

OR

For Actions/Services included as contributing to meeting the Increased or Improved Services Requirement:

Students to be Served

☐ English Learners ☐ Foster Youth ☐ Low Income

Scope of Services

☐ LEA-wide ☐ Schoolwide OR ☐ Limited to Unduplicated Student Group(s)

Location(s)

☐ All Schools ☐ Specific Schools: ☐ Specific Grade spans:

ACTIONS/SERVICES

2017-18

☐ New ☐ Modified ☐ Unchanged

Increase family Homelink accounts and continue to investigate and implement alternatives to engage more parents

2018-19

☐ New ☐ Modified ☐ Unchanged

Increase family Homelink accounts and continue to investigate and implement alternatives to engage more parents

2019-20

☐ New ☐ Modified ☐ Unchanged

BUDGETED EXPENDITURES

2017-18

Amount \$500
Source Supplemental and Concentration
Budget Reference 4000-4999: Books And Supplies
Resource 0000/Department 740

2018-19

Amount \$500
Source Supplemental and Concentration
Budget Reference 4000-4999: Books And Supplies
Resource 0000/Department 740

2019-20

Amount
Source
Budget Reference

Demonstration of Increased or Improved Services for Unduplicated Pupils

LCAP Year

☒ 2017-18 ☐ 2018-19 ☐ 2019-20

Estimated Supplemental and Concentration Grant Funds: \$4,064,281

Percentage to Increase or Improve Services: 11.92%

Describe how services provided for unduplicated pupils are increased or improved by at least the percentage identified above, either qualitatively or quantitatively, as compared to services provided for all students in the LCAP year.

Identify each action/service being funded and provided on a schoolwide or LEA-wide basis. Include the required descriptions supporting each schoolwide or LEA-wide use of funds (see instructions).

The Center Joint Unified School District has a XXXXX% unduplicated student count. The Supplemental and Concentration funds used for actions and services serving all students are principally directed to serve unduplicated students as described below.

McClellan High School, Center High School, Wilson Riles Middle School and Oak Hill Elementary are using Supplemental and Concentration funds to provide appropriate, targeted intervention to address the individual academic needs and learning gaps of struggling students who are predominately from our unduplicated student groups. McClellan High School is providing support classes to unduplicated students through Success, Study Skills and Math Lab and individualized support and guidance with one on one meetings with the admin team. Center High is providing Math Lab, English Lab and Summer School for unduplicated students who are struggling academically in math and English. Wilson Riles Middle School is providing Math Support, EL Support Class, PAWS period and Husky Help to unduplicated students. Oak Hill is providing before and after school intervention in English/ Language Arts and math for unduplicated students. Past experience has shown that a high percentage of the participants benefiting from these programs and services are pupils from our unduplicated student groups.

Justification: Intervene Early. Reteaching through before and after school tutorials, focused on particular standards, has led to improved learning outcomes as measured on state assessments. See Deborah Brennanin "Improving Schools: What Works? In Educational Leadership February 2015

Justification: Research documents that teachers can create engaging environments through personal care, maintaining positive social environments, and creating academic tasks that are authentic, collaborative and give students choices where they can experience some control over their learning. Fredricks and McColsky (2012; Perry, Turner and Meyer, 2006)

Justification:

Campbell, Frances A., and Craig T. Ramey. "Effects of early intervention on intellectual and academic achievement: a follow-up study of children from low-income families." Child development 65.2 (1994): 684-698.

CJUSD is using Supplemental and Concentration funds to engage more parents in site and district meetings where collaborative work can be done to make recommendations on how to increase daily attendance, SARB, increase student involvement in extracurricular activities, establish parent outreach, improve school to family communication through Homelink to increase family participation in school activities, and to investigate and implement alternative methods to communicate with and engage more parents. The parents of unduplicated pupils will be targeted for participation in these activities. By bridging that gap between home and school we can develop collaborative, supportive relationships that will impact students by increasing overall academic achievement and social and

emotional growth. Past experience has shown these programs and services serve parents of unduplicated students.

Justification: Parent school involvement in children's education is associated with positive educational outcomes.

"Understanding the impact of parent school involvement on children's educational outcomes", GL Zellman, JM Waterman - The Journal of Educational Research, 1998 - Taylor & Francis

Justification: Parent school involvement in children's education is associated with positive educational outcomes. Zellman, Gail L., and Jill M. Waterman.

"Understanding the impact of parent school involvement on children's educational outcomes." The Journal of Educational Research 91.6 (1998): 370-380.

We offer highly qualified teachers to instruct all students in the state adopted standards, but for unduplicated English Learners at the elementary sites we offer additional certificated teachers dedicated to support English Learners in making progress toward reclassification because we believe by having dedicated EL teachers on site our unduplicated students are receiving an additional layer of individualized instructional support which will positively impact their rate of language acquisition and academic achievement.

To further support EL students in the classroom, CJUSD employs bilingual aides at elementary campuses as well as the middle school and high school. Bilingual aides support the EL teacher and classroom teachers in providing individualized support and instruction to all EL students. We believe this additional level of support provides the scaffolding for EL students to make reasonable progress toward language acquisition.

Summer school is offered to all high school students strictly for credit recovery. For unduplicated long-term English Learners transitioning into 9th and 7th grades, we provide a transitional summer school program to address their language acquisition needs because we believe this program provides an additional layer of instructional support which will positively impact their rate of language acquisition, increase student achievement and pave the way for a successful transition to their new school site.

Core classes are offered to all middle and high school students, but for unduplicated long-term English Learners a Long-Term EL class is provided during the school day because we believe this additional layer of support will address the individual learning gaps in their language acquisition to make progress toward reclassification.

Our Family Resource Center provides clothing, school supplies, consultation services and mental health services to low income, foster and homeless pupils because research indicates when these needs are met; students experience greater academic achievement.

Academic intervention is available as appropriate to all Center High students, but for unduplicated pupils, Center HS intervention teachers, EL teachers, counselors and site administration provide targeted outreach to increase course completion. We believe that with appropriate, targeted intervention we can address individualized learning gaps so students experience greater academic success. Additionally, having input from intervention teachers, EL teachers, counselors and administrators expands the spectrum of support and resources.

Transitional Kindergarten is advertised publicly and available to qualifying students within our district, but for families of unduplicated EL students currently in our schools, translated flyers about our Transitional Kindergarten program are mailed out to the homes of English Learners and posted in the local newspapers. We believe this additional outreach is key in developing relationships with our EL families. Additionally, by beginning academic instruction with our EL students at the

TK level, these students will experience English oral language instruction which will advance their language acquisition.

Revised Local Control and Accountability Plan and Annual Update Template Instructions

Addendum

The Local Control and Accountability Plan (LCAP) and Annual Update Template documents and communicates local educational agencies' (LEAs) actions and expenditures to support student outcomes and overall performance. For school districts and county offices of education, the LCAP is a three-year plan which is reviewed and updated in the second and third years of the plan. Charter schools may complete the LCAP to align with the term of the charter school's budget, typically one year, which is submitted to the school's authorizer. The LCAP and Annual Update Template must be completed by all LEAs each year.

For school districts, the LCAP must describe, for the school district and each school within the district, goals and specific actions to achieve those goals for all students and each student group identified by the Local Control Funding Formula (LCFF) (ethnic, socioeconomically disadvantaged, English learners, foster youth, pupils with disabilities, and homeless youth), for each of the state priorities and any locally identified priorities.

For county offices of education, the LCAP must describe, for each county office of education-operated school and program, goals and specific actions to achieve those goals for all students and each LCFF student group funded through the county office of education (students attending juvenile court schools, on probation or parole, or expelled under certain conditions) for each of the state priorities and any locally identified priorities. School districts and county offices of education may additionally coordinate and describe in their LCAPs services funded by a school district that are provided to students attending county-operated schools and programs, including special education programs.

If a county superintendent of schools has jurisdiction over a single school district, the county board of education and the governing board of the school district may adopt and file for review and approval a single LCAP consistent with the requirements in Education Code (EC) sections 52060, 52062, 52066, 52068, and 52070. The LCAP must clearly articulate to which entity's budget (school district or county superintendent of schools) all budgeted and actual expenditures are aligned.

Charter schools must describe goals and specific actions to achieve those goals for all students and each LCFF subgroup of students including students with disabilities and homeless youth, for each of the state priorities that apply for the grade levels served or the nature of the program operated by the charter school, and any locally identified priorities. For charter schools, the inclusion and description of goals for state priorities in the LCAP may be modified to meet the grade levels served and the nature of the programs provided, including modifications to reflect only the statutory requirements explicitly applicable to charter schools in the Education Code. Changes in LCAP goals and actions/services for charter schools that result from the annual update process do not necessarily constitute a material revision to the school's charter petition.

For questions related to specific sections of the template, please see instructions below:

Instructions: Linked Table of Contents

Plan Summary

Annual Update

Stakeholder Engagement

Goals, Actions, and Services

Planned Actions/Services

Demonstration of Increased or Improved Services for Unduplicated Students

For additional questions or technical assistance related to completion of the LCAP template, please contact the local county office of education, or the CDE's Local Agency Systems Support Office at: 916-319-0809 or by email at: lcff@cde.ca.gov.

Plan Summary

The LCAP is intended to reflect an LEA's annual goals, actions, services and expenditures within a fixed three-year planning cycle. LEAs must include a plan summary for the LCAP each year.

When developing the LCAP, mark the appropriate LCAP year, and address the prompts provided in these sections. When developing the LCAP in year 2 or year 3, mark the appropriate LCAP year and replace the previous summary information with information relevant to the current year LCAP.

In this section, briefly address the prompts provided. These prompts are not limits. LEAs may include information regarding local program(s), community demographics, and the overall vision of the LEA. LEAs may also attach documents (e.g., the LCFF Evaluation Rubrics data reports) if desired and/or include charts illustrating goals, planned outcomes, actual outcomes, or related planned and actual expenditures.

An LEA may use an alternative format for the plan summary as long as it includes the information specified in each prompt and the budget summary table.

The reference to LCFF Evaluation Rubrics means the evaluation rubrics adopted by the State Board of Education under *EC* Section 52064.5.

Budget Summary

The LEA must complete the LCAP Budget Summary table as follows:

- **Total LEA General Fund Budget Expenditures for the LCAP Year:** This amount is the LEA's total budgeted General Fund expenditures for the LCAP year. The LCAP year means the fiscal year for which an LCAP is adopted or updated by July 1. The General Fund is the main operating fund of the LEA and accounts for all activities not accounted for in another fund. All activities are reported in the General Fund unless there is a compelling reason to account for an activity in another fund. For further information please refer to the *California School Accounting Manual* (<http://www.cde.ca.gov/fq/ac/sa/>). (Note: For some charter schools that follow governmental fund accounting, this amount is the total budgeted expenditures in the Charter Schools Special Revenue Fund. For charter schools that follow the not-for-profit accounting model, this amount is total budgeted expenses, such as those budgeted in the Charter Schools Enterprise Fund.)
- **Total Funds Budgeted for Planned Actions/Services to Meet the Goals in the LCAP for the LCAP Year:** This amount is the total of the budgeted expenditures associated with the actions/services included for the LCAP year from all sources of funds, as reflected in the LCAP. To the extent actions/services and/or expenditures are listed in the LCAP under more than one goal, the expenditures should be counted only once.
- **Description of any use(s) of the General Fund Budget Expenditures specified above for the LCAP year not included in the LCAP:** Briefly describe expenditures included in total General Fund Expenditures that are not included in the total funds budgeted for planned actions/services for

the LCAP year. (Note: The total funds budgeted for planned actions/services may include funds other than general fund expenditures.)

- **Total Projected LCFF Revenues for LCAP Year:** This amount is the total amount of LCFF funding the LEA estimates it will receive pursuant to *EC* sections 42238.02 (for school districts and charter schools) and 2574 (for county offices of education), as implemented by *EC* sections 42238.03 and 2575 for the LCAP year respectively.

Annual Update

The planned goals, expected outcomes, actions/services, and budgeted expenditures must be copied verbatim from the previous year's* approved LCAP. Minor typographical errors may be corrected.

* For example, for LCAP year 2017/18 of the 2017/18 – 2019/20 LCAP, review the goals in the 2016/17 LCAP. Moving forward, review the goals from the most recent LCAP year. For example, LCAP year 2020/21 will review goals from the 2019/20 LCAP year, which is the last year of the 2017/18 – 2019/20 LCAP.

Annual Measurable Outcomes

For each goal in the prior year, identify and review the actual measurable outcomes as compared to the expected annual measurable outcomes identified in the prior year for the goal.

Actions/Services

Identify the planned Actions/Services and the budgeted expenditures to implement these actions toward achieving the described goal. Identify the actual actions/services implemented to meet the described goal and the estimated actual annual expenditures to implement the actions/services. As applicable, identify any changes to the students or student groups served, or to the planned location of the actions/services provided.

Analysis

Using actual annual measurable outcome data, including data from the LCFF Evaluation Rubrics, analyze whether the planned actions/services were effective in achieving the goal. Respond to the prompts as instructed.

- Describe the overall implementation of the actions/services to achieve the articulated goal. Include a discussion of relevant challenges and successes experienced with the implementation process.
- Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.
- Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures. Minor variances in expenditures or a dollar-for-dollar accounting is not required.
- Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the data provided in the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

Stakeholder Engagement

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP. Education Code requires charter schools to consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the LCAP. In addition, Education Code Section 48985 specifies the requirements for the translation of notices, reports, statements, or records sent to a parent or guardian.

The LCAP should be shared with, and LEAs should request input from, school site-level advisory groups, as applicable (e.g., school site councils, English Learner Advisory Councils, student advisory groups, etc.), to facilitate alignment between school-site and district-level goals and actions. An LEA may incorporate or reference actions described in other plans that are being undertaken to meet specific goals.

Instructions: The stakeholder engagement process is an ongoing, annual process. The requirements for this section are the same for each year of a three-year LCAP. When developing the LCAP, mark the appropriate LCAP year, and describe the stakeholder engagement process used to develop the LCAP and Annual Update. When developing the LCAP in year 2 or year 3, mark the appropriate LCAP year and replace the previous stakeholder narrative(s) and describe the stakeholder engagement process used to develop the current year LCAP and Annual Update.

School districts and county offices of education: Describe the process used to consult with the Parent Advisory Committee, the English Learner Parent Advisory Committee, parents, students, school personnel, the LEA's local bargaining units, and the community to inform the development of the LCAP and the annual review and analysis for the indicated LCAP year.

Charter schools: Describe the process used to consult with teachers, principals, administrators, other school personnel, parents, and students to inform the development of the LCAP and the annual review and analysis for the indicated LCAP year.

Describe how the consultation process impacted the development of the LCAP and annual update for the indicated LCAP year, including the goals, actions, services, and expenditures.

Goals, Actions, and Services

LEAs must include a description of the annual goals, for all students and each LCFF identified group of students, to be achieved for each state priority as applicable to type of LEA. An LEA may also include additional local priorities. This section shall also include a description of the specific planned actions an LEA will take to meet the identified goals, and a description of the expenditures required to implement the specific actions.

School districts and county offices of education: The LCAP is a three-year plan, which is reviewed and updated annually, as required.

Charter schools: The number of years addressed in the LCAP may align with the term of the charter schools budget, typically one year, which is submitted to the school's authorizer. If year 2 and/or year 3 is not applicable, charter schools must specify as such.

New, Modified, Unchanged

As part of the LCAP development process, which includes the annual update and stakeholder engagement, indicate if the goal, identified need, related state and/or local priorities, and/or expected annual measurable outcomes for the current LCAP year or future LCAP years are modified or unchanged from the previous year's LCAP; or, specify if the goal is new.

Goal

State the goal. LEAs may number the goals using the "Goal #" box for ease of reference. A goal is a broad statement that describes the desired result to which all actions/services are directed. A goal answers the question: What is the LEA seeking to achieve?

Related State and/or Local Priorities

Identify the state and/or local priorities addressed by the goal by placing a check mark next to the applicable priority or priorities. The LCAP must include goals that address each of the state priorities, as applicable to the type of LEA, and any additional local priorities; however, one goal may address multiple priorities. ([Link to State Priorities](#))

Identified Need

Describe the needs that led to establishing the goal. The identified needs may be based on quantitative or qualitative information, including, but not limited to, results of the annual update process or performance data from the LCFF Evaluation Rubrics, as applicable.

Expected Annual Measurable Outcomes

For each LCAP year, identify the metric(s) or indicator(s) that the LEA will use to track progress toward the expected outcomes. LEAs may identify metrics for specific student groups. Include in the baseline column the most recent data associated with this metric or indicator available at the time of adoption of the LCAP for the first year of the three-year plan. The most recent data associated with a metric or indicator includes data as reported in the annual update of the LCAP year immediately preceding the three-year plan, as applicable. The baseline data shall remain unchanged throughout the three-year LCAP. In the subsequent year columns, identify the progress to be made in each year of the three-year cycle of the LCAP. Consider how expected outcomes in any given year are related to the expected outcomes for subsequent years.

The metrics may be quantitative or qualitative, but at minimum an LEA must use the applicable required metrics for the related state priorities, in each LCAP year as applicable to the type of LEA. For the student engagement priority metrics, as applicable, LEAs must calculate the rates as described in the LCAP Template Appendix, sections (a) through (d).

Planned Actions/Services

For each action/service, the LEA must complete either the section "For Actions/Services not contributing to meeting Increased or Improved Services Requirement" or the section "For Actions/Services Contributing to Meeting the Increased or Improved Services Requirement." The LEA shall not complete both sections for a single action.

For Actions/Services Not Contributing to Meeting the Increased or Improved Services Requirement

Students to be Served

The "Students to be Served" box is to be completed for all actions/services except for those which are included by the LEA as contributing to meeting the requirement to increase or improve services for unduplicated students. Indicate in this box which students will benefit from the actions/services by checking "All", "Students with Disabilities", or "Specific Student Group(s)". If "Specific Student Group(s)" is checked, identify the specific student group(s) as appropriate.

Location(s)

Identify the location where the action/services will be provided. If the services are provided to all schools within the LEA, the LEA must indicate "All Schools". If the services are provided to specific schools within the LEA or specific grade spans only, the LEA must mark "Specific Schools" or "Specific Grade Spans". Identify the individual school or a subset of schools or grade spans (e.g., all high schools or grades K-5), as appropriate.

Charter schools operating more than one site, authorized within the same charter petition, may choose to distinguish between sites by selecting "Specific Schools" and identify the site(s) where the actions/services will be provided. For charter schools operating only one site, "All Schools" and "Specific Schools" may be synonymous and, therefore, either would be appropriate. Charter schools may use either term provided they are used in a consistent manner through the LCAP.

For Actions/Services Contributing to Meeting the Increased or Improved Services Requirement:

Students to be Served

For any action/service contributing to the LEA's overall demonstration that it has increased or improved services for unduplicated students above what is provided to all students (see Demonstration of Increased or Improved Services for Unduplicated Students section, below), the LEA must identify the unduplicated student group(s) being served.

Scope of Service

For each action/service contributing to meeting the increased or improved services requirement, identify scope of service by indicating "LEA-wide", "Schoolwide", or "Limited to Unduplicated Student Group(s)". The LEA must select one of the following three options:

- If the action/service is being funded and provided to upgrade the entire educational program of the LEA, place a check mark next to "LEA-wide."
- If the action/service is being funded and provided to upgrade the entire educational program of a particular school or schools, place a check mark next to "schoolwide".
- If the action/service being funded and provided is limited to the unduplicated students identified in "Students to be Served", place a check mark next to "Limited to Student Groups".

For charter schools and single-school school districts, "LEA-wide" and "Schoolwide" may be synonymous and, therefore, either would be appropriate. For charter schools operating multiple schools (determined by a unique CDS code) under a single charter, use "LEA-wide" to refer to all schools under the charter and use "Schoolwide" to refer to a single school authorized within the same charter petition. Charter schools operating a single school may use "LEA-wide" or "Schoolwide" provided these terms are used in a consistent manner through the LCAP.

Location(s)

Identify the location where the action/services will be provided. If the services are provided to all schools within the LEA, the LEA must indicate "All Schools". If the services are provided to specific schools within the LEA or specific grade spans only, the LEA must mark "Specific Schools" or "Specific Grade Spans". Identify the individual school or a subset of schools or grade spans (e.g., all high schools or grades K-5), as appropriate.

Charter schools operating more than one site, authorized within the same charter petition, may choose to distinguish between sites by selecting "Specific Schools" and identify the site(s) where the actions/services will be provided. For charter schools operating only one site, "All Schools" and "Specific Schools" may be synonymous and, therefore, either would be appropriate. Charter schools may use either term provided they are used in a consistent manner through the LCAP.

Actions/Services

For each LCAP year, identify the actions to be performed and services provided to meet the described goal. Actions and services that are implemented to achieve the identified goal may be grouped together. LEAs may number the action/service using the "Action #" box for ease of reference.

New/Modified/Unchanged:

- Check "New" if the action/service is being added in any of the three years of the LCAP to meet the articulated goal.
- Check "Modified" if the action/service was included to meet an articulated goal and has been changed or modified in any way from the prior year description.
- Check "Unchanged" if the action/service was included to meet an articulated goal and has not been changed or modified in any way from the prior year description.
 - If a planned action/service is anticipated to remain unchanged for the duration of the plan, an LEA may check "Unchanged" and leave the subsequent year columns blank rather than having to copy/paste the action/service into the subsequent year columns. Budgeted expenditures may be treated in the same way as applicable.

Note: The goal from the prior year may or may not be included in the current three-year LCAP. For example, when developing year 1 of the LCAP, the goals articulated in year 3 of the preceding three-year LCAP will be from the prior year.

Charter schools may complete the LCAP to align with the term of the charter school's budget that is submitted to the school's authorizer. Accordingly, a charter school submitting a one-year budget to its authorizer may choose not to complete the year 2 and year 3 portions of the Goals, Actions, and

Services section of the template. If year 2 and/or year 3 is not applicable, charter schools must specify as such.

Budgeted Expenditures

For each action/service, list and describe budgeted expenditures for each school year to implement these actions, including where those expenditures can be found in the LEA's budget. The LEA must reference all fund sources for each proposed expenditure. Expenditures must be classified using the California School Accounting Manual as required by *Education Code* sections 52061, 52067, and 47606.5.

Expenditures that are included more than once in an LCAP must be indicated as a duplicated expenditure and include a reference to the goal and action/service where the expenditure first appears in the LCAP.

If a county superintendent of schools has jurisdiction over a single school district, and chooses to complete a single LCAP, the LCAP must clearly articulate to which entity's budget (school district or county superintendent of schools) all budgeted expenditures are aligned.

Demonstration of Increased or Improved Services for Unduplicated Students

This section must be completed for each LCAP year. When developing the LCAP in year 2 or year 3, copy the Demonstration of Increased or Improved Services for Unduplicated Students table and mark the appropriate LCAP year. Using the copy of the table, complete the table as required for the current year LCAP. Retain all prior year tables for this section for each of the three years within the LCAP.

Estimated Supplemental and Concentration Grant Funds

Identify the amount of funds in the LCAP year calculated on the basis of the number and concentration of low income, foster youth, and English learner students as determined pursuant to 5 CCR 15496(a)(5).

Percentage to Increase or Improve Services

Identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all students in the LCAP year as calculated pursuant to 5 CCR 15496(a)(7).

Consistent with the requirements of 5 CCR 15496, describe how services provided for unduplicated pupils are increased or improved by at least the percentage calculated as compared to services provided for all students in the LCAP year. To improve services means to grow services in quality and to increase services means to grow services in quantity. This description must address how the action(s)/service(s) limited for one or more unduplicated student group(s), and any schoolwide or districtwide action(s)/service(s) supported by the appropriate description, taken together, result in the required proportional increase or improvement in services for unduplicated pupils.

If the overall increased or improved services include any actions/services being funded and provided on a schoolwide or districtwide basis, identify each action/service and include the required descriptions supporting each action/service as follows.

For those services being provided on an LEA-wide basis:

- For school districts with an unduplicated pupil percentage of 55% or more, and for charter schools and county offices of education: Describe how these services are **principally directed to and effective in** meeting its goals for unduplicated pupils in the state and any local priorities.
- For school districts with an unduplicated pupil percentage of less than 55%: Describe how these services are **principally directed to and effective in** meeting its goals for unduplicated pupils in the state and any local priorities. Also describe how the services are **the most effective use of the funds to meet these** goals for its unduplicated pupils. Provide the basis for this determination, including any alternatives considered, supporting research, experience or educational theory.

For school districts only, identify in the description those services being funded and provided on a schoolwide basis, and include the required description supporting the use of the funds on a schoolwide basis:

- For schools with 40% or more enrollment of unduplicated pupils: Describe how these services are **principally directed to and effective in** meeting its goals for its unduplicated pupils in the state and any local priorities.
- For school districts expending funds on a schoolwide basis at a school with less than 40% enrollment of unduplicated pupils: Describe how these services are **principally directed to** and how the services are **the most effective use of the funds to** meet its goals for English learners, low income students and foster youth, in the state and any local priorities.

State Priorities

Priority 1: Basic Services addresses the degree to which:

- A. Teachers in the LEA are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- B. Pupils in the school district have sufficient access to the standards-aligned instructional materials; and
- C. School facilities are maintained in good repair.

Priority 2: Implementation of State Standards addresses:

- A. The implementation of state board adopted academic content and performance standards for all students, which are:
 - a. English Language Arts – Common Core State Standards for English Language Arts
 - b. Mathematics – Common Core State Standards for Mathematics
 - c. English Language Development
 - d. Career Technical Education
 - e. Health Education Content Standards
 - f. History-Social Science
 - g. Model School Library Standards
 - h. Physical Education Model Content Standards
 - i. Next Generation Science Standards
 - j. Visual and Performing Arts
 - k. World Language; and
- B. How the programs and services will enable English learners to access the CCSS and the ELD standards for purposes of gaining academic content knowledge and English language proficiency.

Priority 3: Parental Involvement addresses:

- A. The efforts the school district makes to seek parent input in making decisions for the school district and each individual school site;
- B. How the school district will promote parental participation in programs for unduplicated pupils; and
- C. How the school district will promote parental participation in programs for individuals with exceptional needs.

Priority 4: Pupil Achievement as measured by all of the following, as applicable:

- A. Statewide assessments;
- B. The Academic Performance Index;
- C. The percentage of pupils who have successfully completed courses that satisfy UC or CSU entrance requirements, or programs of study that align with state board approved career technical educational standards and framework;
- D. The percentage of English learner pupils who make progress toward English proficiency as measured by the CELDT;
- E. The English learner reclassification rate;
- F. The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher; and
- G. The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, or any subsequent assessment of college preparedness.

Priority 5: Pupil Engagement as measured by all of the following, as applicable:

- A. School attendance rates;
- B. Chronic absenteeism rates;

- C. Middle school dropout rates;
- D. High school dropout rates; and
- E. High school graduation rates;

Priority 6: School Climate as measured by all of the following, as applicable:

- A. Pupil suspension rates;
- B. Pupil expulsion rates; and
- C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

Priority 7: Course Access addresses the extent to which pupils have access to and are enrolled in:

- A. A broad course of study including courses described under Sections 51210 and 51220(a)-(i), as applicable;
- B. Programs and services developed and provided to unduplicated pupils; and
- C. Programs and services developed and provided to individuals with exceptional needs.

Priority 8: Pupil Outcomes addresses pupil outcomes, if available, for courses described under Sections 51210 and 51220(a)-(i), as applicable.

Priority 9: Coordination of Instruction of Expelled Pupils (COE Only) addresses how the county superintendent of schools will coordinate instruction of expelled pupils

Priority 10. Coordination of Services for Foster Youth (COE Only) addresses how the county superintendent of schools will coordinate services for foster children, including:

- A. Working with the county child welfare agency to minimize changes in school placement
- B. Providing education-related information to the county child welfare agency to assist in the delivery of services to foster children, including educational status and progress information that is required to be included in court reports;
- C. Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services; and
- D. Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

Local Priorities address:

- A. Local priority goals; and
- B. Methods for measuring progress toward local goals.

APPENDIX A: PRIORITIES 5 AND 6 RATE CALCULATION INSTRUCTIONS

For the purposes of completing the LCAP in reference to the state priorities under *Education Code* sections 52060 and 52066, as applicable to type of LEA, the following shall apply:

(a) "Chronic absenteeism rate" shall be calculated as follows:

- (1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where "chronic absentee" means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.
- (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
- (3) Divide (1) by (2).

(b) "Middle School dropout rate" shall be calculated as set forth in *California Code of Regulations*, title 5, Section 1039.1.

(c) "High school dropout rate" shall be calculated as follows:

- (1) The number of cohort members who dropout by the end of year 4 in the cohort where "cohort" is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.
- (2) The total number of cohort members.
- (3) Divide (1) by (2).

(d) "High school graduation rate" shall be calculated as follows:

- (1) The number of cohort members who earned a regular high school diploma [or earned an adult education high school diploma or passed the California High School Proficiency Exam] by the end of year 4 in the cohort where "cohort" is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.
- (2) The total number of cohort members.
- (3) Divide (1) by (2).

(e) "Suspension rate" shall be calculated as follows:

- (1) The unduplicated count of pupils involved in one or more incidents for which the pupil was suspended during the academic year (July 1 – June 30).
- (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
- (3) Divide (1) by (2).

(f) "Expulsion rate" shall be calculated as follows:

- (1) The unduplicated count of pupils involved in one or more incidents for which the pupil was expelled during the academic year (July 1 – June 30).
- (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
- (3) Divide (1) by (2).

NOTE: Authority cited: Sections 42238.07 and 52064, *Education Code*. Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.6, 47606.5, 48926, 52052, 52060, 52061, 52062, 52063, 52064, 52066, 52067, 52068, 52069, 52070, 52070.5, and 64001,; 20 U.S.C. Sections 6312 and 6314.

APPENDIX B: GUIDING QUESTIONS

Guiding Questions: Annual Review and Analysis

- 1) How have the actions/services addressed the needs of all pupils and did the provisions of those services result in the desired outcomes?
- 2) How have the actions/services addressed the needs of all subgroups of pupils identified pursuant to *Education Code* Section 52052, including, but not limited to, English learners, low-income pupils, and foster youth; and did the provision of those actions/services result in the desired outcomes?
- 3) How have the actions/services addressed the identified needs and goals of specific school sites and were these actions/services effective in achieving the desired outcomes?
- 4) What information (e.g., quantitative and qualitative data/metrics) was examined to review progress toward goals in the annual update?
- 5) What progress has been achieved toward the goal and expected measurable outcome(s)? How effective were the actions and services in making progress toward the goal? What changes to goals, actions, services, and expenditures are being made in the LCAP as a result of the review of progress and assessment of the effectiveness of the actions and services?
- 6) What differences are there between budgeted expenditures and estimated actual annual expenditures? What were the reasons for any differences?

Guiding Questions: Stakeholder Engagement

- 1) How have applicable stakeholders (e.g., parents and pupils, including parents of unduplicated pupils and unduplicated pupils identified in *Education Code* Section 42238.01; community members; local bargaining units; LEA personnel; county child welfare agencies; county office of education foster youth services programs, court-appointed special advocates, and other foster youth stakeholders; community organizations representing English learners; and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?
- 2) How have stakeholders been included in the LEA's process in a timely manner to allow for engagement in the development of the LCAP?
- 3) What information (e.g., quantitative and qualitative data/metrics) was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal setting process? How was the information made available?
- 4) What changes, if any, were made in the LCAP prior to adoption as a result of written comments or other feedback received by the LEA through any of the LEA's engagement processes?
- 5) What specific actions were taken to meet statutory requirements for stakeholder engagement pursuant to *Education Code* sections 52062, 52068, or 47606.5, as applicable, including engagement with representatives of parents and guardians of pupils identified in *Education Code* Section 42238.01?
- 6) What specific actions were taken to consult with pupils to meet the requirements 5 CCR 15495(a)?
- 7) How has stakeholder involvement been continued and supported? How has the involvement of these stakeholders supported improved outcomes for pupils, including unduplicated pupils, related to the state priorities?

Guiding Questions: Goals, Actions, and Services

- 1) What are the LEA's goal(s) to address state priorities related to "Conditions of Learning": Basic Services (Priority 1), the Implementation of State Standards (Priority 2), and Course Access (Priority 7)?
- 2) What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes": Pupil Achievement (Priority 4), Pupil Outcomes (Priority 8), Coordination of Instruction of Expelled Pupils (Priority 9 – COE Only), and Coordination of Services for Foster Youth (Priority 10 – COE Only)?
- 3) What are the LEA's goal(s) to address state priorities related to parent and pupil "Engagement": Parental Involvement (Priority 3), Pupil Engagement (Priority 5), and School Climate (Priority 6)?
- 4) What are the LEA's goal(s) to address any locally-identified priorities?
- 5) How have the unique needs of individual school sites been evaluated to inform the development of meaningful district and/or individual school site goals (e.g., input from site level advisory groups, staff, parents, community, pupils; review of school level plans; in-depth school level data analysis, etc.)?
- 6) What are the unique goals for unduplicated pupils as defined in *Education Code* sections 42238.01 and bgroups as defined in section 52052 that are different from the LEA's goals for all pupils?
- 7) What are the specific expected measurable outcomes associated with each of the goals annually and over the term of the LCAP?
- 8) What information (e.g., quantitative and qualitative data/metrics) was considered/reviewed to develop goals to address each state or local priority?
- 9) What information was considered/reviewed for individual school sites?
- 10) What information was considered/reviewed for subgroups identified in *Education Code* Section 52052?
- 11) What actions/services will be provided to all pupils, to subgroups of pupils identified pursuant to *Education Code* Section 52052, to specific school sites, to English learners, to low-income pupils, and/or to foster youth to achieve goals identified in the LCAP?
- 12) How do these actions/services link to identified goals and expected measurable outcomes?
- 13) What expenditures support changes to actions/services as a result of the goal identified? Where can these expenditures be found in the LEA's budget?

LCAP Expenditure Summary

Total Expenditures by Funding Source						
Funding Source	2016-17 Annual Update Budgeted	2018-17 Annual Update Actual	2017-18	2018-19	2019-20	2017-18 through 2019-20 Total
All Funding Sources	22,573,740.00	23,566,316.00	46,554,470.00	37,116,442.00	34,911,673.00	118,582,585.00
	0.00	0.00	0.00	0.00	0.00	0.00
Base	17,200,853.00	18,234,773.00	36,196,830.00	29,259,024.00	28,983,833.00	94,439,687.00
Common Core Standards Implementation Funds	0.00	125,858.00	0.00	0.00	0.00	0.00
Federal Funds	123,140.00	312,905.00	23,409.00	24,628.00	0.00	48,037.00
Special Education	3,410,117.00	3,774,152.00	7,952,946.00	5,669,222.00	5,358,171.00	18,980,339.00
Supplemental	0.00	0.00	0.00	0.00	0.00	0.00
Supplemental and Concentration	1,063,480.00	401,920.00	1,337,548.00	1,245,710.00	0.00	2,583,258.00
Title I	776,150.00	716,708.00	854,124.00	727,452.00	378,470.00	1,960,046.00
Title II	0.00	0.00	189,613.00	190,406.00	191,199.00	571,218.00

* Totals based on expenditure amounts in goal and annual update sections.

Total Expenditures by Object Type						
Object Type	2016-17 Annual Update Budgeted	2016-17 Annual Update Actual	2017-18	2018-19	2019-20	2017-18 through 2019-20 Total
All Expenditure Types	22,573,740.00	23,566,316.00	46,554,470.00	37,116,442.00	34,911,673.00	118,582,585.00
	0.00	0.00	0.00	0.00	0.00	0.00
1000-1999: Certificated Personnel Salaries	18,193,425.00	17,719,775.00	35,665,043.00	27,922,824.00	26,068,483.00	89,656,350.00
2000-2999: Classified Personnel Salaries	297,782.00	372,608.00	306,125.00	308,125.00	0.00	614,250.00
3000-3999: Employee Benefits	3,009,362.00	5,384,841.00	10,497,531.00	8,799,722.00	8,793,990.00	28,091,243.00
4000-4999: Books And Supplies	1,010,317.00	11,135.00	5,217.00	5,217.00	0.00	10,434.00
5000-5999: Services And Other Operating Expenditures	25,354.00	52,957.00	18,854.00	18,854.00	49,200.00	86,908.00
5800: Professional/Consulting Services And Operating Expenditures	37,500.00	25,000.00	61,700.00	61,700.00	0.00	123,400.00

* Totals based on expenditure amounts in goal and annual update sections.

Total Expenditures by Object Type and Funding Source							
Object Type	Funding Source	2016-17 Annual Update Budgeted	2016-17 Annual Update Actual	2017-18	2018-19	2019-20	2017-18 through 2019-20 Total
All Expenditure Types	All Funding Sources	22,573,740.00	23,566,316.00	46,554,470.00	37,116,442.00	34,911,673.00	118,582,585.00
		0.00	0.00	0.00	0.00	0.00	0.00
1000-1999: Certificated Personnel Salaries		0.00	0.00	0.00	0.00	0.00	0.00
1000-1999: Certificated Personnel Salaries	Base	13,945,481.00	13,896,917.00	27,765,823.00	22,102,403.00	21,596,766.00	71,464,992.00
1000-1999: Certificated Personnel Salaries	Common Core Standards Implementation Funds	0.00	108,818.00	0.00	0.00	0.00	0.00
1000-1999: Certificated Personnel Salaries	Federal Funds	68,520.00	97,399.00	0.00	0.00	0.00	0.00
1000-1999: Certificated Personnel Salaries	Special Education	2,767,143.00	2,950,893.00	6,073,525.00	4,209,716.00	4,037,977.00	14,321,218.00
1000-1999: Certificated Personnel Salaries	Supplemental and Concentration	754,086.00	161,679.00	972,586.00	880,272.00	0.00	1,852,858.00
1000-1999: Certificated Personnel Salaries	Title I	658,195.00	504,069.00	720,259.00	597,583.00	300,890.00	1,618,732.00
1000-1999: Certificated Personnel Salaries	Title II	0.00	0.00	132,850.00	132,850.00	132,850.00	398,550.00
2000-2999: Classified Personnel Salaries		0.00	0.00	0.00	0.00	0.00	0.00
2000-2999: Classified Personnel Salaries	Base	0.00	0.00	0.00	0.00	0.00	0.00
2000-2999: Classified Personnel Salaries	Federal Funds	15,500.00	106,903.00	15,500.00	16,500.00	0.00	32,000.00
2000-2999: Classified Personnel Salaries	Special Education	131,681.00	0.00	140,024.00	141,024.00	0.00	281,048.00
2000-2999: Classified Personnel Salaries	Supplemental and Concentration	150,601.00	142,739.00	150,601.00	150,601.00	0.00	301,202.00
2000-2999: Classified Personnel Salaries	Title I	0.00	122,966.00	0.00	0.00	0.00	0.00
3000-3999: Employee Benefits		0.00	0.00	0.00	0.00	0.00	0.00
3000-3999: Employee Benefits	Base	2,224,872.00	4,303,926.00	8,401,507.00	7,127,121.00	7,387,067.00	22,915,695.00

Total Expenditures by Object Type and Funding Source							
Object Type	Funding Source	2016-17 Annual Update Budgeted	2016-17 Annual Update Actual	2017-18	2018-19	2019-20	2017-18 through 2019-20 Total
3000-3999: Employee Benefits	Common Core Standards Implementation Funds	0.00	17,040.00	0.00	0.00	0.00	0.00
3000-3999: Employee Benefits	Federal Funds	15,549.00	53,441.00	4,338.00	4,557.00	0.00	8,895.00
3000-3999: Employee Benefits	Special Education	495,193.00	823,259.00	1,739,397.00	1,318,482.00	1,320,194.00	4,378,073.00
3000-3999: Employee Benefits	Supplemental	0.00	0.00	0.00	0.00	0.00	0.00
3000-3999: Employee Benefits	Supplemental and Concentration	155,793.00	97,502.00	210,861.00	211,337.00	0.00	422,198.00
3000-3999: Employee Benefits	Title I	117,955.00	89,673.00	133,865.00	129,869.00	77,580.00	341,314.00
3000-3999: Employee Benefits	Title II	0.00	0.00	7,563.00	8,356.00	9,149.00	25,068.00
4000-4999: Books And Supplies		0.00	0.00	0.00	0.00	0.00	0.00
4000-4999: Books And Supplies	Base	1,000,500.00	3,730.00	500.00	500.00	0.00	1,000.00
4000-4999: Books And Supplies	Federal Funds	1,717.00	7,405.00	1,717.00	1,717.00	0.00	3,434.00
4000-4999: Books And Supplies	Special Education	5,100.00	0.00	0.00	0.00	0.00	0.00
4000-4999: Books And Supplies	Supplemental and Concentration	3,000.00	0.00	3,000.00	3,000.00	0.00	6,000.00
5000-5999: Services And Other Operating Expenditures		0.00	0.00	0.00	0.00	0.00	0.00
5000-5999: Services And Other Operating Expenditures	Base	2,500.00	5,200.00	1,500.00	1,500.00	0.00	3,000.00
5000-5999: Services And Other Operating Expenditures	Federal Funds	11,854.00	47,757.00	1,854.00	1,854.00	0.00	3,708.00
5000-5999: Services And Other Operating Expenditures	Special Education	11,000.00	0.00	0.00	0.00	0.00	0.00
5000-5999: Services And Other Operating Expenditures	Supplemental and Concentration	0.00	0.00	500.00	500.00	0.00	1,000.00
5000-5999: Services And Other Operating Expenditures	Title II	0.00	0.00	15,000.00	15,000.00	49,200.00	79,200.00

Total Expenditures by Object Type and Funding Source							
Object Type	Funding Source	2016-17 Annual Update Budgeted	2016-17 Annual Update Actual	2017-18	2018-19	2019-20	2017-18 through 2019-20 Total
5800: Professional/Consulting Services And Operating Expenditures		0.00	0.00	0.00	0.00	0.00	0.00
5800: Professional/Consulting Services And Operating Expenditures	Base	27,500.00	25,000.00	27,500.00	27,500.00	0.00	55,000.00
5800: Professional/Consulting Services And Operating Expenditures	Federal Funds	10,000.00	0.00	0.00	0.00	0.00	0.00
5800: Professional/Consulting Services And Operating Expenditures	Supplemental and Concentration	0.00	0.00	0.00	0.00	0.00	0.00
5800: Professional/Consulting Services And Operating Expenditures	Title II	0.00	0.00	34,200.00	34,200.00	0.00	68,400.00

* Totals based on expenditure amounts in goal and annual update sections.

Total Expenditures by Goal				
Goal	2017-18	2018-19	2019-20	2017-18 through 2019-20 Total
Goal 1	46,154,906.00	36,702,013.00	34,911,673.00	117,768,592.00
Goal 2	396,564.00	411,429.00	0.00	807,993.00
Goal 3	3,000.00	3,000.00	0.00	6,000.00

* Totals based on expenditure amounts in goal and annual update sections.

Center Joint Unified School District

AGENDA REQUEST FOR:**Dept./Site:** Superintendent's Office**Action Item** X **To:** Board of Trustees**Information Item** **Date:** May 17, 2017**# Attached Pages** **From:** Scott A. Loehr, Superintendent**Principal/Administrator Initials:** **SUBJECT:** Global Youth Charter School Closure

As a result of a continued decline in student enrollment over the past few years, staff has continued to review school finances. Staff now believes we are at a crucial point to make the decision to close the school.

Based on financial implications, it is recommended that the Board approve the closure of Global Youth Charter School and surrender the charter to the state at the end of the 2016-2017 school year.

RECOMMENDATION: The Center Joint Unified School District Board of Trustees approved the Closure of Global Youth Charter School at the end of the 2016-2017 School Year.

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Personnel Department

Action Item X

Date: May 17, 2017

Information Item

To: Board of Trustees

Attached Pages 3

From: David Grimes 
Director of Personnel and Student Services

Subject: Declaration of Need for Fully Qualified Educators 2017/2018 SY

The Department of Education and the Commission on Teacher Credentialing regulations for the issuance of emergency teaching credentials require individual districts to submit a "Declaration of Need for Fully Qualified Educators" each year for any *anticipated* certificated positions that may need to be filled with an individual holding an emergency credential.

In the event a District may wish to employ any teacher(s) needing emergency credentials, school districts are required to file a "Declaration of Need for Fully Qualified Educators" at the beginning of each school year. The "Declaration of Need for Fully Qualified Educators" is to be approved by the Board and will be valid for one school year. Each year, a new "Declaration of Need for Fully Qualified Educators" must be filed at the Commission on Teacher Credentialing.

Recommendation: Approve Declaration of Need for Fully Qualified Educators as Submitted.



DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

☒ Original Declaration of Need for year: 2017/2018

☐ Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: Center Joint Unified School District

District CDS Code: 73973

Name of County: Sacramento

County CDS Code: 34

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on 05 / 17 / 2017 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► *Enclose a copy of the board agenda item*

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2018.

Submitted by (Superintendent, Board Secretary, or Designee):

David Grimes

Name

(916) 336-6415

Fax Number

8408 Watt Avenue

Antelope, CA

Signature

(916) 338-6404

Telephone Number

95843

Mailing Address

davidgrimes@centerusd.org

Email Address

Dir. Personnel/Student Serv.

Title

05/17/2017

Date

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► *Enclose a copy of the public announcement*

Submitted by Superintendent, Director, or Designee:

Name	Signature	Title
Fax Number	Telephone Number	Date
Mailing Address		
EMail Address		

- This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
<input checked="" type="checkbox"/> CLAD/English Learner Authorization (applicant already holds teaching credential)	4
<input type="checkbox"/> Bilingual Authorization (applicant already holds teaching credential)	
List target language(s) for bilingual authorization:	
<input checked="" type="checkbox"/> Resource Specialist	4
<input type="checkbox"/> Teacher Librarian Services	
<input type="checkbox"/> Visiting Faculty Permit	

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	4
Special Education	4
TOTAL	8

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved intern program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? ☐ Yes ☒ No

If no, explain. We use Fortune School of Education

Does your agency participate in a Commission-approved college or university intern program? ☒ Yes ☐ No

If yes, how many interns do you expect to have this year? 4

If yes, list each college or university with which you participate in an intern program.

California State University Sacramento

Chapman University

National University

If no, explain why you do not participate in an intern program.

This form must be signed by either:

☒ The district superintendent of schools and filed at the school district office if the holder of any Emergency 30-Day Substitute Teaching Permit will be employed as a substitute in a public school operated by a school district.

OR

☐ The county superintendent of schools and filed at the county superintendent of schools' office if the holder of any Emergency 30-Day Substitute Teaching Permit will be employed as a substitute in a county-operated school.

Certification and Authorized Signature

The district superintendent of schools or the county superintendent of schools has reviewed the information contained in this statement of need and certifies one the following:

☐ Either a credentialed person is not available or one or more credentialed persons are available, but are not deemed qualified by the district or county, as applicable, to serve as a day-to-day substitute teacher.

OR

☒ The situation or circumstances that necessitate the use of an emergency permit holder are as follows: (Attach additional sheets, if necessary.)

The Substitute Teacher pool does not contain enough fully credentialed
teachers. Center Joint Unified School District needs to employ teachers
with Emergency Permits to insure that all classrooms are staffed.

I hereby certify that all of the information contained in this statement of need is true and correct.

Center Joint Unified School District 05/17/2017

Signature of the District Superintendent

District

Date

Signature of the County Superintendent of Schools

County

Date

It is not necessary to submit this form to the Commission on Teacher Credentialing.

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Curriculum & Instruction

Date: May 17, 2017

Action Item _____

To: Board of Trustees

Information Item X _____

From: Rebecca Lawson,
Coordinator of Curriculum____

Attached Pages ____

Administrator's Initials: _____

SUBJECT: Instructional Materials Adoption Grades 9-12
English Language Arts/English Language Development Textbooks

The English Department at Center High School (grades 9-12) reached agreement in recommending the textbooks My Perspective published by Pearson. The department further recommended that be our 9th-12th grade adopted English Language Arts/English Language Development curriculum. With the adoption of these materials, we will have completed our adoption cycle for English Language Development materials.

XVI-C

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:	May 17, 2017	# Attached Pages <u> </u>
From:	Scott A. Loehr, Superintendent	
Principal/Administrator Initials:	<u> </u>	

SUBJECT: First Reading: Board Policies/Regulations/Exhibits

Replace BP 0410 - Nondiscrimination in District Programs and Activities
 Replace BP 0420.41 - Charter School Oversight
 Replace BP 0460 - Local Control and Accountability Plan
 Replace AR 1340 - Access to District Records
 Replace BP/AR 3260 - Fees and Charges
 Replace BP/AR 3311 - Bids
 Add BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures
 Add AR 3311.2 - Lease-Leaseback Contracts
 Add AR 3311.3 - Design-Build Contracts
 Add AR 3311.4 - Procurement of Technological Equipment
 Add BP 3470 - Debt Issuance and Management
 Replace AR 3543 - Transportation Safety and Emergencies
 Replace BP/AR 4030 - Nondiscrimination in Employment
 Replace AR 4112.22 - Staff Teaching English Learners
 Replace E 4112.9/4212.9/4312.9 - Employee Notifications
 Replace BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment
 Replace BP 4151/4251/4351 - Employee Compensation
 Delete BP 4157.1/4257.1/4357.1 - Work-Related Injuries
 Add AR 4157.1/4257.1/4357.1 - Work-Related Injuries
 Replace AR 4161.1/4361.1 - Personal Illness/Injury Leave
 Replace AR 4261.1 - Personal Illness/Injury Leave
 Replace BP 5030 - Student Wellness
 Replace BP 5111 - Admission
 Replace BP 5111.1 - District Residency
 Replace AR 5111.1 - District Residency
 Replace BP/AR 5113 - Absences and Excuses
 Add BP 5116.2 - Involuntary Student Transfers
 Replace AR 5125.3 - Challenging Student Records
 Replace BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions
 Replace BP/AR 5141.52 - Suicide Prevention
 Replace E 5145.6 - Parental Notifications
 Replace AR 5148 - Child Care and Development
 Replace BP/AR 5148.2 - Before/After School Programs
 Replace AR 5148.3 - Preschool/Early Childhood Education
 Replace BP 6111 - School Calendar
 Replace BP 6117 - Year-Round Schedules
 Replace BP/AR 6142.2 - World/Foreign Language Instruction
 Replace BP 6142.4 - Service Learning/Community Service Classes

Replace BP 6142.94 - History-Social Science Instruction
Replace AR 6143 - Courses of Study
Replace BP 6144 - Controversial Issues
Replace BP 6146.1 - High School Graduation Requirements
Replace BP 6154 - Homework/Makeup Work
Delete AR 6154 - Homework/Makeup Work
Replace BP/AR 6164.6 - Identification and Education Under Section 504
Replace BP/AR/E 6173 - Education for Homeless Children
Add AR 6173.3 - Education for Juvenile Court School Students
Replace BP/AR 6174 - Education for English Learners
Delete E 6174 - Education for English Learners
Replace BP 6176 - Weekend/Saturday Classes
Replace BP/AR 6185 - Community Day School
Replace BB 9240 - Board Training
Replace BB 9323 - Meeting Conduct
Replace E 9323.2 - Actions by the Board

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

AGENDA ITEM: XVI-D

CSBA Sample

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0410(a)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

Note: Government Code 11138 mandates districts to adopt rules and regulations to ensure that district programs and activities are free from unlawful discrimination. In accordance with various provisions of state and federal law, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on race or ethnicity, nationality, sex, sexual orientation, gender, gender identity, gender expression, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55. Government Code 11135 prohibits discrimination based on all the foregoing characteristics and on age, disability, and an individual's genetic information. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-7) prohibits discrimination on the basis of race, color, and national origin. Title IX (20 USC 1681-1688) prohibits discrimination on the basis of sex. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability. For policy language protecting students against discrimination and harassment, see BP/AR 5145.3 - Nondiscrimination/Harassment and BP/AR 5145.7 - Sexual Harassment.

Education Code 260 and 5 CCR 4900-4965 require the Governing Board to monitor district compliance with these state and federal laws. The federal laws are enforced by the Office for Civil Rights of the U.S. Department of Education, and the California Department of Education may investigate complaints regarding discrimination pursuant to 5 CCR 4600-4687.

Similarly, Government Code 12940 provides protections for employees, job applicants, unpaid interns, and volunteers against unlawful discrimination and harassment. Government Code 12940, as amended by AB 556 (Ch. 691, Statutes of 2013), prohibits employers from discriminating against employees and job applicants based on their military or veteran status. In addition, Government Code 12940 prohibits employers from discriminating against employees and job applicants based on genetic information, gender identity, and gender expression, and requires employers to reasonably accommodate employees' religious dress and grooming practices. For policy language addressing these prohibitions/protections as they relate to volunteers, see BP 1240 - Volunteer Assistance; and in relation to employees, unpaid interns, and job applicants, see BP 4030 - Nondiscrimination in Employment.

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

- (cf. 1240 - Volunteer Assistance)
- (cf. 4030 - Nondiscrimination in Employment)
- (cf. 4032 - Reasonable Accommodation)
- (cf. 4033 - Lactation Accommodation)
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
- (cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
- (cf. 5131.2 - Bullying)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

(cf. 5145.3 - Nondiscrimination/Harassment)
 (cf. 5145.7 - Sexual Harassment)
 (cf. 5146 - Married/Pregnant/Parenting Students)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)
 (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
 (cf. 6164.6 - Identification and Education Under Section 504)
 (cf. 6178 - Career Technical Education)
 (cf. 6200 - Adult Education)

Note: Education Code 221.2-221.3 (the California Racial Mascot Act), as added by AB 30 (Ch. 767 Statutes of 2015), declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames in public schools to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname beginning January 1, 2017. The following paragraph expands this prohibition to include any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice.

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Note: Pursuant to Education Code 221.5, as amended by AB 1266 (Ch. 85, Statutes of 2013), a district is required to permit a student to participate in sex-segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of his/her gender as listed on his/her educational records. See BP/AR 5145.3 - Nondiscrimination/Harassment. It should be noted that an attempt is currently in progress to qualify a referendum on AB 1266 for the November 2014 ballot. However, even as the eventual outcome is unknown as of this writing, the district still has an obligation under other existing state and federal laws to accommodate the needs of transgender and gender nonconforming students; see BP/AR 5145.3 - Nondiscrimination/Harassment. Districts with questions about the rights of transgender and gender nonconforming students should consult legal counsel as appropriate. For further information, see CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students and its Interim Updated Legal Guidance: Regarding Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, Privacy, and Facilities.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any **derogatory or discriminatory name, image, practice, or other barrier** that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, **including the use of facilities**. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.9, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the bases of disability and sex in its educational programs or activities. In addition, Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016) requires that, on or before July 1, 2017, districts must post specified information relating to Title IX on their web sites. To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. In addition, 20 USC 6311 and 6312 require that districts receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

Note: Pursuant to the ADA and its implementing regulations, 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective and the district can demonstrate that the structural change would result in a fundamental

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

alteration in the nature of the activity or an undue financial or administrative burden. However, pursuant to 28 CFR 35.151, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs issued by the U.S. Department of Justice.

In addition, pursuant to 28 CFR 35.136, a district must permit an individual with a disability to be accompanied by a service animal on district premises when, without the animal's assistance, the individual with a disability will not be able to access or participate in a district program or activity. For language addressing this mandate, see AR 6163.2 - Animals at School. Districts with questions about compliance with the ADA should consult with legal counsel as appropriate.

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. **When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.**

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

Note: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting or would be an undue burden, then the district need not provide them.

In addition, Government Code 54953.2 requires that all Board meetings meet the protections of the ADA and implementing regulations (28 CFR 35.160 and 36.303). In effect, the district must ensure that such meetings are accessible to persons with disabilities and that, upon the request of any person with a disability, disability-related accommodations, such as auxiliary aids and services, are made available.

A U.S. Department of Justice technical assistance publication, Accessibility of State and Local Government Websites to People with Disabilities, affirms that the ADA applies to district-sponsored web sites. Examples of technical standards for web site accessibility are available from the World Wide Web Consortium, California Department of Education's standards for state web sites, and other sources; see BP 1113 - District and School Web Sites.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, **assistive technologies or other modifications to increase accessibility to district and school web sites,** notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

Note: Pursuant to 28 CFR 35.107, a district that has 50 or more employees is required to designate at least one employee to coordinate the district's efforts to comply with the ADA. The designated employee could be the same individual or position responsible for the district's compliance with state and federal laws and regulations governing educational programs as identified in the district's uniform complaint procedures. The following paragraph, which identifies the person or position identified in the AR 1312.3 - Uniform Complaint Procedures as the responsible employee, may be modified if the district chooses to designate another person or position.

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Director of Student Services
8408 Watt Avenue, Antelope, CA 95843
(916) 338-6320

Legal Reference: (see next page)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

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Interim Updated Legal Guidance: Regarding Protecting Transgender and Gender Nonconforming Students: Privacy and Facilities Against Sex Discrimination, September 27, 2013 July 2016

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Management Resources: (continued)

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

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

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Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

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Nondiscrimination in Employment Practices in Education, August 1991

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2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschools.org>

Pacific ADA Center: <http://www.adapacific.org>

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

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Center USD

Board Policy

Nondiscrimination In District Programs And Activities

BP 0410

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(cf. 6145.2 - Athletic Competition)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, application form, or other recruitment materials distributed to these groups.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand and, when required by law, in a language other than English.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

(cf. 6163.2 - *Animals At School*)
(cf. 7110 - *Facilities Master Plan*)
(cf. 7111 - *Evaluating Existing Buildings*)

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 6020 - *Parent Involvement*)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

(cf. 9320 - *Meetings and Notices*)
(cf. 9322 - *Agenda/Meeting Materials*)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*
48985 *Notices to parents in language other than English*
51007 *Legislative intent: state policy*

GOVERNMENT CODE

11000 *Definitions*
11135 *Nondiscrimination in programs or activities funded by state*
11138 *Rules and regulations*
12900-12996 *Fair Employment and Housing Act*
54953.2 *Brown Act compliance with Americans with Disabilities Act*

PENAL CODE

422.55 *Definition of hate crime*
422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*
4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities in Education Act*
1681-1688 *Discrimination based on sex or blindness, Title IX*
2301-2415 *Carl D. Perkins Vocational and Applied Technology Act*
6311 *State plans*
6312 *Local education agency plans*

Legal Reference continued: (see next page)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

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100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

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106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

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Management Resources:

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Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Pacific ADA Center: <http://www.adapacific.org>

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

CSBA Sample

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.41(a)

CHARTER SCHOOL OVERSIGHT

Note: The following optional policy may be revised to reflect district practice. The Governing Board is obligated to monitor the performance of any charter school it authorizes in order to ensure the school's compliance with legal requirements and progress toward meeting measurable outcomes specified in the charter. Information about the school's performance ~~will be needed~~ is necessary when determining whether ~~or not~~ to grant a renewal of the charter or whether a revocation of the charter is warranted; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, pursuant to Education Code 47604, if the district complies with all oversight responsibilities required by law, it will not be liable for the debts or obligations of any charter school that operates as or is operated by a nonprofit public benefit corporation pursuant to Corporations Code 5110-6910.

Pursuant to Education Code 47605, if the State Board of Education (SBE) approves a petition upon appeal after the Board and County Board of Education have denied the petition, the SBE may, by mutual agreement, designate its supervisory and oversight responsibilities to the Board or to any local educational agency in the county in which the charter school is located.

The Governing Board recognizes its ongoing responsibility to ensure oversee that any charter school the Board has authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

Note: Education Code 47604.32 requires the district to visit each charter school at least once every year. CSBA's publication Charter Schools: A Manual Guide for Governance Teams recommends more frequent visits, perhaps two or three times during the school year, in order to monitor school operations more closely and develop relationships with the staff at the charter school.

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 47604, if a charter school operates as or is operated by a nonprofit public benefit corporation, the Board is entitled to a single representative on the board of directors of the nonprofit public benefit corporation. CSBA's publication Charter Schools: A Manual Guide for Governance Teams recommends that the district consult with legal counsel and consider any potential conflict of interest that may arise from having an individual Board member vote as a member of the charter board of directors on issues on which the Board will need to provide oversight. CSBA's manual guide suggests that an alternative approach may be for the district to designate its charter school contact, appointed pursuant to Education Code 47604.32, to sit on the charter board attend meetings of the charter school board.

CHARTER SCHOOL OVERSIGHT (continued)

~~Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, on the corporation's board of directors. The Superintendent or designee shall attend meetings of the charter school board whenever possible and shall periodically meet with a representative of the charter school.~~

Waivers

Note: A charter school is not authorized to submit general waiver requests to the SBE on its own behalf. Rather, the district must submit the waiver request for the charter school. A general waiver request form is available on the California Department of Education's (CDE) web site. Exceptions for which the charter school may directly apply for a waiver include a federal waiver of the Carl Perkins Career and Technical Education Act and a specific waiver of instructional time penalties.

~~If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall apply for the submit such a waiver request to the SBE on behalf of the charter school.~~

(cf. 1431 - Waivers)

Provision of District Services

Note: The following optional section may be revised to reflect district practice. A charter school may elect to receive its funding directly from the County Superintendent of Schools pursuant to Education Code 47651 and be directly responsible for the provision of payroll, human resources, maintenance and operations, legal services, and other administrative operations. Alternatively, a charter school may receive its funding through the district that granted its charter, as is the case with most "dependent" charter schools. CSBA's publication Charter Schools: A Manual Guide for Governance Teams recommends one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school, including any services that will be provided by the district; see BP 0420.4 - Charter School Authorization.

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. ~~The district may charge the charter school may be~~

CHARTER SCHOOL OVERSIGHT (continued)

~~charged~~ for the actual costs of the reporting services, but shall not ~~be required~~ ~~the charter school~~ to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may ~~only~~ be made ~~only~~ with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to ~~expand establish or move~~ operations to one or more additional sites ~~within the district's boundaries~~, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision ~~of the approved charter~~.

Monitoring Charter School Performance

Note: The district has a responsibility to ~~ensure oversees~~ that the charter school complies with all applicable legal requirements. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

Note: Education Code 47605 requires that measurable student outcomes for "all groups of students served by the charter school" be included in the school's charter petition and that these outcomes be aligned with the state priorities for the local control and accountability plan (LCAP) as stated in Education Code 52060; see AR 0420.4 - Charter School Authorization. Pursuant to Education Code 47607, "all groups of students served by the charter school" means all numerically significant subgroups of students served by the charter school, as defined in Education Code 52052. Education Code 52052, ~~as amended by AB 104 (Ch. 13, Statutes of 2015)~~, defines a numerically significant subgroup as a subgroup with at least 30 students (or at least 15 foster youth or homeless students) in the school, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, ~~when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school~~. For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the SBE.

CHARTER SCHOOL OVERSIGHT (continued)

In addition, Education Code 47605 requires that the charter petition include methods for measuring the charter school's progress toward achieving student outcomes. Although these methods the measures of the school's progress may vary, Education Code 47605 requires that charter schools conduct any statewide assessments applicable to other public schools. In addition, Education Code 47604.32 and 47604.33, as amended by SB 828 (Ch. 29, Statutes of 2016), requires the district to ensure that the charter school submits an annual update of school goals and actions to achieve those goals, its LCAP as required by Education Code 47606.5. Education Code 47606.5 requires that the charter school's LCAP include a review of progress toward its goals, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes in the specific actions that the charter school will make as a result of the review and assessment.

At a minimum, the charter school must demonstrate that it is meeting its Academic Performance Index growth targets pursuant to Education Code 52051.5-52052 and, if the school receives federal Title I funding, that it is making "adequate yearly progress" (AYP) as defined by the SDE in accordance with 20 USC 6311.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), and shall include, at a minimum, a consideration of whether the school is meeting its Academic Performance Index growth targets established pursuant to Education Code 52052 and is making "adequate yearly progress" pursuant to 20 USC 6311, as applicable.

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, an annual update, aligned to the template adopted by the SDE, of school goals, actions, and related expenditures of the school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Note: Education Code 47613 authorizes the district to charge the charter school, within specified limits, for the costs of supervisory oversight of the school. Education Code 47613 provides that the costs of supervisory oversight include, but are not limited to, costs incurred for technical assistance or intervention pursuant to Education Code 47607.3; see the section "Technical Assistance/Intervention" below. CSBA's publication Charter Schools: A Manual Guide for Governance Teams suggests that supervisory oversight activities also might include site visits, reviews of performance data and financial reports, and legal auditing. The actual provision of administrative or support services would not likely be considered supervisory oversight for purposes of charging supervisory oversight costs to the charter school. Those services may be purchased separately by the charter school.

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue for actual costs of supervisory oversight up to three percent of the charter school's revenue or, if the facility is provided under Education Code 47614,

CHARTER SCHOOL OVERSIGHT (continued)

the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

Technical Assistance/Intervention

Note: Education Code 47607.3, as added by AB 97 (Ch. 47, Statutes of 2013), requires the provision of technical assistance to a charter school under the circumstances described below:

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

Note: Pursuant to 20 USC 6311, if a charter school receiving Title I funds fails to make AYP for two or more consecutive years, the school will be identified for program improvement pursuant to 20 USC 6316; see BP/AR 0520.2 Title I Program Improvement Schools. U.S. Department of Education nonregulatory guidance, *The Impact of the New Title I Requirements on Charter Schools*, clarifies that the entity which authorizes the charter is responsible for ensuring that the school complies with accountability provisions. As amended by the Every Student Succeeds Act (P.L. 114-95), 20 USC 6311 provides for a new system of school support and improvement for Title I schools beginning in the 2017-18 school year. Until then, charter schools that have been identified for program improvement (PI) for failure to make "adequate yearly progress" for two or more consecutive years must continue to implement their improvement plans. However, because of the repeal of 20 USC 6316 by P.L. 114-95, schools in the second year of PI or beyond are no longer required to arrange for supplemental educational services from an approved service provider.²⁵ Instead, the CDE has elected to require the provision of alternative supports, defined and administered by the school, to eligible students beginning with the 2016-17 school year; see the CDE's *Every Student Succeeds Act 2016-17 School Year Transition Plan* (April 2016).

If a charter school receiving federal Title I funding fails to make AYP, as defined pursuant to 20 USC 6311, for two or more consecutive years, the school shall be identified for program improvement, it shall implement improvement strategies in accordance with 20 USC 6316 its existing school improvement plan.

(cf. 0520.2 - Title I Program Improvement Schools)

CHARTER SCHOOL OVERSIGHT (continued)

Note: Education Code 47607 requires the Board to consider specified criteria of academic performance when determining whether to deny a petition for charter renewal or to revoke a charter, with achievement of all student subgroups served by the charter school being the most important factor; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, Education Code 47607.3, ~~as added by AB 97 (Ch. 47, Statutes of 2013)~~, requires the Board to consider revocation of a charter whenever it finds that the charter school ~~has failed, or is unable~~ to implement the recommendations of the California Collaborative for Educational Excellence or continues to demonstrate persistent or acute inadequate performance.

In accordance with law, the Board may deny a charter's ~~school's~~ renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

Complaints

Note: Pursuant to Education Code 52075, ~~as added by AB 97 (Ch. 47, Statutes of 2013)~~, charter schools are required to establish policies and procedures, ~~on or before June 30, 2014~~, addressing complaints of noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures) or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes). See AR 1312.3 - Uniform Complaint Procedures for applicable procedures.

Each charter school shall ~~establish and~~ maintain ~~processes, policies and procedures~~ to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

~~Note: Pursuant to Education Code 52075, as added by AB 97 (Ch. 47, Statutes of 2013), a complainant may appeal the charter school's decision to the SPI and will receive a written appeal decision within 60 days of the SPI's receipt of the appeal.~~

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

CHARTER SCHOOL OVERSIGHT (continued)

School Closure

Note: The following optional section may be revised to reflect district practice. Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a responsible entity to conduct closure-related activities; (2) notifications to specified persons and entities; (3) provision of information about students' grade level, course completion, and district of residence; (4) transfer and maintenance of student and personnel records; (5) completion of an independent final audit; and (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed.

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify the CDE when a charter school ceases operation for any reason. The CDE's web site also recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school should announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

The CDE's web site recommends that charter school closures occur at the end of a school year if it is feasible to maintain a legally compliant program until then.

In the event that the Board revokes or denies renewal of a charter or the school ~~operation~~ ~~operation~~ for any ~~other~~ reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days ~~of the Board's action~~, if ~~renewal of the charter is denied, the charter is revoked, or~~ the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference: (see next page)

CHARTER SCHOOL OVERSIGHT (continued)

Legal Reference:

EDUCATION CODE

215 Suicide prevention policy

220 Nondiscrimination

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School meals

39831.3 Transportation safety plan

39843 Disciplinary action against bus driver; report to Department of Motor Vehicles

42100 Annual statement of receipts and expenditures

44030.5 Reporting change in employment status due to alleged misconduct

44237 Criminal record summary

44691 Information on detection of child abuse

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools

48000 Minimum age of admission for kindergarten; transitional kindergarten

48010-48011 Minimum age of admission (first grade)

48850-48859 Educational placement of foster youth and homeless students

48907 Students' exercise of free expression; rules and regulations

48950 Student speech and other communication

49011 Student fees

49061 Student records

49110 Authority of issue work permits

49414 Epinephrine auto-injectors

49475 Health and safety, concussions and head injuries

51224.7 Mathematics placement policy

51225.6 Instruction in cardiopulmonary resuscitation

51745-51749.3 Independent study

52051.5-52052 Academic performance index, applicability to charter schools

52060-52077 Local control and accountability plans

52075 Uniform complaint procedures

56026 Special education

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

60850-60859 High school exit examination

69432.9 Cal Grant program; notification of grade point average

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

CHARTER SCHOOL OVERSIGHT (continued)

Legal Reference: (continued)

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

3540-3549.3 Educational Employment Relations Act

81000-91014 Political Reform Act of 1974

HEALTH AND SAFETY CODE

104420 Tobacco Use Prevention Education grant program

104559 Tobacco-free schools

LABOR CODE

1198.5 Personnel records related to performance and grievance

PENAL CODE

667.5 Definition of violent felony

1192.7 Definition of serious felony

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

Article 16, Section 8.5 Public finance; school accountability report card

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

11700.1-11705 Independent study

11960-11969 Charter schools

15497.5 Local control and accountability plan template

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress State plan

6319 Qualifications of teachers and paraprofessionals

7223-7225 7221-7221j Charter schools

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

300.18 Highly qualified special education teachers

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 *Ops. Cal. Atty. Gen.* 166 (2006)

80 *Ops. Cal. Atty. Gen.* 52 (1997)

78 *Ops. Cal. Atty. Gen.* 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources: (see next page)

CHARTER SCHOOL OVERSIGHT (continued)

Management Resources:

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Charter Schools: A Manual Guide for Governance Teams, rev. 20092016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Every Student Succeeds Act 2016-17 School-Year Transition Plan, April 2016

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Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

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The Impact of the New Title I Requirements on Charter Schools, July 2004

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California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

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Center USD

Board Policy

Charter School Oversight

BP 0420.41

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board recognizes its ongoing responsibility to ensure that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)

(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact for each charter school. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, to serve as a voting or nonvoting member of the corporation's board of directors.

Provision of District Services

The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

The charter school may separately purchase administrative or other services from the district or any other source. (Education Code 47613)

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing

services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the Superintendent or designee submit a general waiver request to the State Board of Education (SBE) on its behalf.

Material Revisions to Charter

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to expand operations to one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision.

Monitoring Charter School Performance

The Superintendent or designee shall regularly report to the Board on the charter school's performance, based on the academic and fiscal accountability measures specified in the approved charter.

In providing general oversight of a charter school, the Board and the Superintendent or designee shall determine whether the school complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32.

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33)

The Board shall monitor each charter school to determine whether it is achieving the outcomes for student learning set forth in the charter agreement. In addition, the Board shall determine whether the charter school makes "adequate yearly progress" as defined by the SBE and federal Title I accountability requirements. If a charter school fails to make

adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy, and administrative regulations.

(cf. 0520.2 - Title I Program Improvement Schools)

Evaluation data for the charter school shall be considered in the Board's determination of the renewal or revocation of a charter.

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school closes for any other reason, the Superintendent or designee shall provide assistance, when applicable in accordance with the charter and/or a memorandum of understanding, to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School meals

42100 Annual statement of receipts and expenditures

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools

48000 Minimum age of admission for kindergarten; transitional kindergarten

48010-48011 Minimum age of admission (first grade)

48907 Students' exercise of free expression; rules and regulations

48950 Student speech and other communication

49061 Student records

49110 Authority of issue work permits

51745-51749.3 Independent study

52052 Alternative accountability system

56026 Special education

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

60850-60859 High school exit examination

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

54950-54963 The Ralph M. Brown Act

LABOR CODE

1198.5 Personnel records related to performance and grievance

PENAL CODE

667.5 Definition of violent felony

1192.7 Definition of serious felony

Legal Reference continued: (see next page)

Legal Reference: (continued)

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress

6319 Qualifications of teachers and paraprofessionals

7223-7225 Charter schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

300.18 Highly qualified special education teachers

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops. Cal. Atty. Gen. 166 (2006)

80 Ops. Cal. Atty. Gen. 52 (1997)

78 Ops. Cal. Atty. Gen. 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 11-01, November 9, 2011

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: The following policy is optional. Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). A template for the plan and related requirements for LCAP development are contained in 5 CCR 15494.15497.5, as amended by Register 2015, No. 2. Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

The ECAP is a key component of the state accountability system. Pursuant to Education Code 52064.5, the State Board of Education (SBE) has adopted evaluation rubrics (called the "California School Dashboard") which will assist districts in evaluating their progress toward the goals in their LCAP. Under the flexibility provided by the federal Every Student Succeeds Act (ESSA) (P.L. 114-95), California has begun to streamline local, state, and federal requirements into a single, coherent system for planning, accountability, and school improvement and support.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Note: Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. The LCAP template in 5 CCR 15497.5, as added by Register 2015, No. 2, presents guiding questions to consider in plan development and groups these priorities into categories of Conditions of Learning, Pupil Outcomes, and Engagement. See the accompanying administrative regulation for further information about the required content of the LCAP.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership.

A template for the LCAP and related requirements are contained in 5 CCR 15494-15497.5. According to California Department of Education (CDE) correspondence dated January 18, 2017, for the 2017-18 school year, districts scheduled for Federal Program Monitoring and/or applying for Title III funds must also complete an LCAP Addendum that was developed by the CDE to ensure alignment of local, state, and federal planning efforts. Districts may use an electronic template, accessible on the CDE's web site, to create their LCAP.

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Language Learners)

Note: Education Code 52062 requires the district to ensure that the specific actions included in the LCAP are consistent with strategies in the single plan for student achievement (SPSA) submitted by each school pursuant to Education Code 64001; see BP/AR 0420 - School Plans/Site Councils for SPSA requirements. In addition, the LCAP template in 5 CCR 15497.5 allows for the LCAP to be supplemented with information contained in other plans, including the Title I local educational agency plan required by 20 USC 6312 (see BP/AR 6171 - Title I Programs).

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. Pursuant to Education Code 52052, ~~as amended by AB 104 (Ch. 13, Statutes of 2015)~~, a numerically significant subgroup includes ethnic subgroups, students with disabilities, socioeconomically disadvantaged students, English learners, foster youth, and homeless students, when there are at least 30 students in the subgroup (or 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval of the ~~State Board of Education (SBE)~~.

State regulations do not provide examples of consultation with groups other than students, but consultations might include the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations.

The district may expand the following paragraph to reflect district practice.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, ~~as amended by Register 2015, No. 2~~, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495 as amended, must include a majority of parents/guardians of English learners. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15495. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 305, as amended by Proposition 58 (November 2016) and effective July 1, 2017; the LCAP parent and community engagement process must include solicitation of input as described in the following paragraph. Also see BP/AR 6174 - Education for English Language Learners for further information regarding the types of language acquisition programs that may be offered to students.

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

Note: Pursuant to Education Code 42127, the Board cannot adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**Submission of Plan to County Superintendent of Schools**

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent. The County Superintendent may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. He/she is required to approve the LCAP on or before October 8 if he/she determines that (1) the LCAP adheres to the template in 5 CCR 15497.5 ~~as added by Register 2015, No. 2~~; (2) the district budget includes expenditures sufficient to implement the specific actions in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497, ~~as added by Register 2015, No. 2~~, requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

Monitoring Progress

Note: The following optional paragraph may be revised to reflect the district's timeline for reviewing evaluations of the progress and effectiveness of strategies included in the LCAP. Such reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

~~In September 2016, the SBE adopted evaluation rubrics to assist districts in evaluating their strengths, weaknesses, and areas that require improvement. The rubrics include all of the state priorities described in Education Code 52060, SBE standards for district and school performance, and SBE expectations for improvement in regard to those state priorities.~~

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance based on evaluation rubrics adopted by the State Board of Education pursuant to Education Code 52064.5. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**Technical Assistance/Intervention**

Note: Pursuant to Education Code 52071, the Board may, at its discretion and at the district's expense, request technical assistance as described in items #1-3 below. In addition, the County Superintendent is required to provide such technical assistance whenever he/she does not approve the district's LCAP and/or the district fails to improve student achievement across more than one state priority described in Education Code 52060, as determined using the SBE evaluation rubric.

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference: (see next page)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Legal Reference:

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities or School Success Program grants for LCAP implementation

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

15494-15497.5 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

Impact of Local Control Funding Formula on Board Policies, November 2013

Local Control Funding Formula 2013, Governance Brief, August 2013

State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Every Student Succeeds Act - Update #6, January 18, 2017

LCFF Frequently Asked Questions

WEB SITES

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

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

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LOCAL CONTROL AND ACCOUNTABILITY PLAN

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Language Learners)

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 6171 - Title I Programs)

(cf. 7110 - Facilities Master Plan)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in various student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 6020 - Parent Involvement)

Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

Technical Assistance/Intervention

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference:

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

15494-15497.5 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Impact of Local Control Funding Formula on Board Policies, November 2013

Local Control Funding Formula 2013, Governance Brief, August 2013

State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

WEB SITES

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

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

CSBA Sample

Administrative Regulation

Community Relations

AR 1340(a)

ACCESS TO DISTRICT RECORDS

Note: Article I, Section 3 of the California Constitution grants any person the right to access information concerning meetings and writings of state and local government bodies, officials, and agencies as long as the constitutional rights of privacy and due process are protected. Courts broadly interpret rules or laws granting access and narrowly interpret those denying access; thus, the burden is on the district to demonstrate the need for restricting access to public records.

The following optional administrative regulation lists those records defined as public and ~~in contrast those defined as confidential to which there is no public access, and~~ It is not intended to provide an all-inclusive list of ~~all of the~~ records that may be defined as either public and/or confidential.

Definitions

Note: Pursuant to Government Code 6252, a "public record" includes any writing that relates to district business as defined below.

Emails discussing district business are considered public records. However, the law is unclear as to whether emails discussing district business sent from an employee's or Governing Board member's home computer or personal digital assistant would be considered a public record that is "retained in the normal course of business" and thus subject to disclosure. ~~Although an appellate court ruled that the California Public Records Act does not require public access to communications by public officials using exclusively private cell phones or email accounts, the case has been appealed to the California Supreme Court.~~ If a district receives a request for such records, legal counsel should be consulted, as appropriate. See BB 9012 - Board Member Electronic Communications.

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)

(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, **photocopying**, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment. (Government Code 6252)

ACCESS TO DISTRICT RECORDS (continued)

Public Records

Note: While not specifically enumerated in Government Code 6252, items #1-~~1415~~ below are items which fall within the definition of "public records."

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies
8. School-based program plans (Education Code 52850)

(cf. 0420 - School Plans/Site Councils)

9. Information and data relevant to the evaluation and modification of district plans

(cf. 0440 - District Technology Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

ACCESS TO DISTRICT RECORDS (continued)

Note: Although Government Code 6254 exempts from disclosure those records pertaining to pending litigation, the Attorney General opined in 71 Ops.Cal.Atty.Gen. 235 (1988) that records predating the filing of the lawsuit are subject to the documents initiating the lawsuit are not exempt from disclosure. In *Fairley v. Superior Court*, a California Court of Appeal concurred and further held that documents were exempted only if they were prepared for use in litigation. (See item #2 in the section "Confidential Records" below.) The following item reflects the opinion of the court and the Attorney General. The Board should consult legal counsel if it believes that any tort claim or other document related to litigation should not be disclosed.

11. **Records pertaining to claims and litigation against the district which have been adjudicated or settled** ~~Claims filed against the district and records pertaining to pending litigation~~ (Government Code 6254, 6254.25; *Fairley v. Superior Court*; 71 Ops.Cal.Atty.Gen. 235 (1988))

(cf. 3320 - Claims and Actions Against the District)

12. **Statements of economic interests required by the Conflict of Interest Code** (Government Code 81008)

(cf. 9270 - Conflict of Interest)

Note: Generally, the names and salaries of public employees are subject to disclosure under the Public Records Act. However, in *International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County*, the California Supreme Court held that the salaries of public employees, linked to individual employee names (including peace officers), must be disclosed. The California Supreme Court recognized that, in some circumstances instances, the salaries of certain employees might be exempt from disclosure, depending on the facts and circumstances of the particular individual (e.g., anonymity of an undercover police officer); however, the presumption is that salary records are open and the burden is on the district maintaining the record to demonstrate why the particular record would be exempt from disclosure. Additionally, in *Sacramento County Employees Retirement System v. Superior Court*, a California Court of Appeal held that the names and corresponding pension benefits of members of a county retirement system are subject to disclosure and are not considered "individual records of members" protected by Government Code 31532.

13. **Documents containing names, salaries, and pension benefits of district employees**

~~1314~~ **Employment contracts and settlement agreements** (Government Code 53262)

(cf. 2121 - Superintendent's Contract)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

(cf. 4141/4241 - Collective Bargaining Agreement)

Note: The following item reflects an Attorney General Opinion (64 Ops.Cal.Atty.Gen. 186 (1981)) which opined that, a person must, upon request, be provided a copy of a textbook or other written instructional material unless the provision would result in a copyright infringement or unreasonable burden to the district. In addition, pursuant to Education Code 49091.10, parents/guardians must be allowed to inspect all instructional materials. See BP/AR 5020 - Parent Rights and Responsibilities.

ACCESS TO DISTRICT RECORDS (continued)

415. Instructional materials including, but not limited to, textbooks (**Education Code 49091.10** **64 Ops. Cal. Atty. Gen. 186 (1981)**)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Note: In accordance with Government Code 6252.5, Board members have the same access to public records of the district as do members of the public. When Board members are authorized to access public records, Government Code 6252.7 prohibits the district from discriminating between Board members as to when and which record, or portion of the record, will be made available. See BB 9322 - Agenda/Meeting Materials.

Governing Board members shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public. Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

Note: Government Code 6254.29 specifies that the Public Records Act does not require a district to disclose an employee's social security number and states the Legislature's intent that districts redact social security numbers from any records being disclosed to the public. In addition, Government Code 6254.3, as amended by AB 2843 (Ch. 830, Statutes of 2016), prohibits disclosure of an employee's personal cell phone number and birth date.

The Superintendent or designee shall ensure that any public record containing personal information is redacted to ensure that such information is not disclosed to a member of the public. When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, or social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record is not disclosed to the public. (Government Code 6254.29, 6254.3)

Confidential Public Records

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25; Fairley v. Superior Court, 71 Ops. Cal. Atty. Gen. 235 (1988))
3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.5/4212.5/4312.5) - Criminal Record Check)

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

~~(cf. 5125 - Student Records)~~

~~(cf. 5125.1 - Release of Directory Information)~~

The home addresses, home telephone numbers, personal cell phone numbers, or birthdate of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an ~~unless the~~ employee who performs law enforcement-related functions, or the birth date of any employee, or requests in writing that the information shall not be disclosed

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact the employee.

(cf. 4140/4240/4340 - Bargaining Units)

ACCESS TO DISTRICT RECORDS (continued)

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

4.5 Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

5.6 Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

6.7 Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)

Note: SB 445 (Ch. 80, Statutes of 2011) added Government Code 6267 to make the written and electronic records of library patrons confidential, except with regard to any person who is acting within the scope of his/her duties in the administration of the library, authorized in writing by the patron, or responding to an order of a court.

7.8 Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to a person acting within the scope of his/her duties in the administration of the library, to a person authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

ACCESS TO DISTRICT RECORDS (continued)

Note: The following exemption protects attorney-client privileged communications and attorney work product, as well as other work product prepared for use in pending litigation or claims. Pursuant to the Rules of Professional Conduct of the State Bar of California, when an attorney has been hired to represent the district as a whole, this privilege may only be waived by the Board.

- 8.9** Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

- 9.10** Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

(cf. 0450 - Comprehensive Safety Plan)

- 10.11** Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

- 11.12** Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

- 12.13** Computer software developed by the district (Government Code 6254.9)

- 13.14** Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)

- 14.15** Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

- 15.16** Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

ACCESS TO DISTRICT RECORDS (continued)

Note: Item #16 below reflects an exemption often referred to as the "catch-all" or "public interest" exemption pursuant to Government Code 6255. This exemption allows a district to withhold a record based on analysis of the specific facts of the situation and in light of the competing public interests. This exemption also includes the "deliberative process privilege" which is designed to protect a district's decision-making process in order to encourage candid discussions within the district. Legal counsel should be consulted to determine whether a request for a record falls under this exemption.

16. ~~Any other r~~Records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Note: Court decisions have held that a public record request may be made orally, by phone, or in writing, including by email, fax, or hand delivery. The district may ask, but not require, that the person put an oral request in writing.

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request

ACCESS TO DISTRICT RECORDS (continued)

4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Note: Government Code 6253 states that copies of records must be provided "promptly." The term "promptly" is not defined in law, but Government Code 6253 also states that a district may not delay or obstruct the copying of records. Thus, if the records are held in a manner that allows for prompt disclosure, the records generally should not be withheld because of the 10-day response period or the 14-day extension detailed above.

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

Note: The following optional paragraph is for use by districts that charge for copies. See the accompanying Board policy.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

Note: Pursuant to Government Code 6253, as amended by AB 2853 (Ch. 275, Statutes of 2016), in addition to having public records available for inspection during office hours, the district may, in response to a public records request, post public records on its web site and refer the requesting member of the public to the location on the web site where the public record is posted, as provided below.

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

ACCESS TO DISTRICT RECORDS (continued)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

Note: Government Code 6253.1 requires the district to assist a person requesting to inspect or obtain a copy of a public record as specified below. This assistance is <u>not</u> required if the district grants the request and the records are made available or if the request is denied on the grounds that the records are confidential.
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If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.
2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

ACCESS TO DISTRICT RECORDS (continued)

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

(11/08 11/11) 12/16

Center USD

Administrative Regulation

Access To District Records

AR 1340

Community Relations

Definitions

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)

(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment.

Public Records

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies

8. School-based program plans (Education Code 52850)

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

9. Information and data relevant to the evaluation and modification of district plans

(cf. 0440 - District Technology Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

10. Initial proposals of exclusive employee representatives and of the district
(Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

11. Claims filed against the district and records pertaining to pending litigation
(Government Code 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235
(1988))

(cf. 3320 - Claims and Actions Against the District)

12. Statements of economic interests required by the Conflict of Interest Code
(Government Code 81008)

(cf. 9270 - Conflict of Interest)

13. Employment contracts and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

(cf. 4141/4241 - Collective Bargaining Agreement)

14. Instructional materials including, but not limited to, textbooks (64 Ops.Cal.Atty.Gen.
186 (1981))

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Governing Board members shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public.
(Government Code 6252.5)

The Superintendent or designee shall ensure that any public record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

Confidential Records

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically prepared for litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))

3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

The home addresses and home telephone numbers of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed

(cf. 4140/4240/4340 - Bargaining Units)

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their

enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

5. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)
6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)
7. Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

9. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

(cf. 0450 - Comprehensive Safety Plan)

10. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

11. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

12. Computer software developed by the district (Government Code 6254.9)

13. Information security records, the disclosure of which would reveal vulnerabilities to, or increase potential for an attack on, the district's information technology system (Government Code 6254.19)
14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes
16. Records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3260(a)

FEES AND CHARGES

Note: Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity as defined in Education Code 49010. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. ~~Additionally,~~ Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. However, pursuant to 5 CCR 350, a district is permitted, in certain circumstances, to impose fees that are specifically authorized by law. See the accompanying administrative regulation for a list of permissible fees.

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

Note: The following optional paragraph may be revised to reflect district practice. The prohibition against student fees pursuant to Education Code 49011 does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, ~~and on~~ providing prizes or other recognition for participants in such fundraising activities. However, according to California Department of Education's (CDE) Fiscal Management Advisory 15-01, Pupil Fees: Parent Service Hours, the prohibition against student fees does bar a district from requiring volunteer hours or payment in lieu of performing volunteer hours as a condition of admission, enrollment, continued enrollment, sibling preference, attendance, participation in educational activities, or receipt of credit or privileges related to educational activities.

FEES AND CHARGES (continued)

The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, and/or providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. However, the district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. It also ~~and~~ shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

Note: The following paragraph is optional and may be revised to reflect district practice.

The Superintendent or designee may provide additional information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Complaints

Note: Pursuant to Education Code 49013, a district is mandated to adopt policy and procedures which allow complaints to be filed using the uniform complaint procedures when the district is alleged to have violated the prohibition against requiring unauthorized student fees. See BP/AR 1312.3 - Uniform Complaint Procedures for language implementing this mandate.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 49013 ~~provides for~~ requires districts found in violation of the prohibition against requiring student fees to design a remedy which may include reasonable efforts to fully identify and reimburse all affected individuals as specified in 5 CCR 4600, as amended by Register 2013, No. 38. See AR 1312.3 - Uniform Complaint Procedures for additional language reflecting these requirements.

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

FEES AND CHARGES (continued)

Note: Education Code 49013 requires the district to include information about the prohibition against requiring unauthorized student fees in the annual notification required pursuant to 5 CCR 4622.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification **of uniform complaint procedures required** to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services
 8250 Child care and development services for children with disabilities
 8263 Child care eligibility
 8422 21st Century High School After School Safety and Enrichment for Teens programs
 8482.6 After School Education and Safety programs
 8760-8774 Outdoor science and conservation programs
 17453.1 District sale or lease of Internet appliances or personal computers to students or parents
 17551 Property fabricated by students
 19910-19911 Offenses against libraries
 32033 Eye protective devices
 32221 Insurance for athletic team member
 32390 Fingerprinting program
 35330-35332 Excursions and field trips
 35335 School camp programs
 38080-38086.1 Cafeteria establishment and use
 38120 Use of school band equipment on excursions to foreign countries
 39801.5 Transportation for adults
 39807.5 Payment of transportation costs
 39837 Transportation of students to places of summer employment
 48050 Residents of adjoining states
 48052 Tuition for foreign residents
 48904 Liability of parent or guardian
 49010-49013 Student fees
 49065 Charge for copies
 49066 Grades, effect of physical education class apparel
 49091.14 Prospectus of school curriculum
 51810-51815 Community service classes
 52612 Tuition for adult classes
 52613 Nonimmigrant foreign nationals aliens
 56504 School records; students with disabilities
 60410 Students in classes for adults

Legal Reference continued: (see next page)

FEES AND CHARGES (continued)

Legal Reference: (continued)

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 8

1184 Foreign students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees: Damage to School Property, Fiscal Management Advisory 16-01, September 16, 2016

Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony,

Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

Center USD

Board Policy

Fees And Charges

BP 3260

Business and Noninstructional Operations

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socio-economic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, the district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student and shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

Whenever district employees, volunteers, students, parents/guardians, or educational or civic organizations participate in such events or activities, the Superintendent or designee shall emphasize that participation in the event or activity is voluntary.

FEES AND CHARGES (continued)

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification required to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee may provide additional information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference: (see next page)

FEES AND CHARGES (continued)

Legal Reference:

EDUCATION CODE

8239 *Preschool and wraparound child care services*
8250 *Child care and development services for children with disabilities*
8263 *Child care eligibility*
8482.6 *After School Education and Safety programs*
8760-8774 *Outdoor science and conservation programs*
17453.1 *District sale or lease of Internet appliances or personal computers to students or parents*
17551 *Property fabricated by students*
19910-19911 *Offenses against libraries*
32033 *Eye protective devices*
32221 *Insurance for athletic team member*
32390 *Fingerprinting program*
35330-35332 *Excursions and field trips*
35335 *School camp programs*
38080-38086 *Cafeteria establishment and use*
38120 *Use of school band equipment on excursions to foreign countries*
39801.5 *Transportation for adults*
39807.5 *Payment of transportation costs*
39837 *Transportation of students to places of summer employment*
48050 *Residents of adjoining states*
48052 *Tuition for foreign residents*
48904 *Liability of parent or guardian*
49010-49013 *Student fees*
49065 *Charge for copies*
49066 *Grades, effect of physical education class apparel*
49091.14 *Prospectus of school curriculum*
51810-51815 *Community service classes*
52612 *Tuition for adult classes*
52613 *Nonimmigrant aliens*
56504 *School records; students with disabilities*
60410 *Students in classes for adults*

GOVERNMENT CODE

6253 *Request for copy; fee*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

CODE OF REGULATIONS, TITLE 5

350 *Fees not permitted*

4600-4687 *Uniform complaint procedures*

UNITED STATES CODE, TITLE 8

1184 *Foreign students*

Legal Reference continued: (see next page)

FEES AND CHARGES (continued)

Legal Reference: (continued)

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony,

Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

Policy

adopted: November 19, 2014

CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3260(a)

FEES AND CHARGES

Note: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law and should be revised to reflect the types of fees that have been approved by the Governing Board; see the accompanying Board policy. Other permissible fees may exist and be identified in the future. For further information about fees and charges, see the California Department of Education's (CDE) Fiscal Management Advisory 12-02, Fees, Deposits and Other Charges.

Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees may be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult with legal counsel.

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

Note: In its Fiscal Management Advisory 12-02, the CDE interprets Education Code 35330 as permitting the district, at its discretion, to charge fees for any field trip, provided that no student is prevented from participating in a field trip due to a lack of funds. However, Education Code 35330 prohibits the use of district funds or district transportation allowances for an out-of-state field trip, and thus the district must charge participating students a fee for such trips and/or use non-district funds such as donations from a parent-teacher or community organization, education foundation, or school fundraiser specifically designated for this purpose.

3. Expenses of students' participation in a field trip or excursion within the state or to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

FEES AND CHARGES (continued)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

Note: Education Code 17551 permits the district to sell to a student any nonperishable property of the district which has been fabricated by the student, as provided in item #6 below. ~~California Department of Education~~ {CDE} Fiscal Management Advisory 12-02 clarifies that this cost applies to materials the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)
7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)
9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

Note: Education Code 17453.1 permits the district to sell or lease Internet appliances or personal computers to students as provided in item #10 below. CDE Fiscal Management Advisory 12-02 defines "Internet appliance" as a technological product that allows connection or access to an online educational network and clarifies that Internet appliances and personal computers are deemed supplemental and not an essential part of a district's educational program.

10. Sale or lease of ~~Internet appliances or~~ personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, for the purpose of providing access to the district's educational computer network, provided that the items are sold or leased to parents/guardians at no more than cost, as long as and the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

FEES AND CHARGES (continued)

11. ~~Fees for any An adult education or secondary school~~ community service class in civic, vocational, ~~illiteracy~~, health, homemaking, and technical and general education not to exceed the cost of maintaining the class (Education Code 51810, ~~51815~~)

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

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual cost² of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Funds)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or ~~willfully~~ damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

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

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

FEES AND CHARGES (continued)*(cf. 5111.2 - Nonresident Foreign Students)*

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects ~~or classes~~ for which high school credit is granted when taken by a person who does not hold a high school diploma, ~~or, effective July 1, 2015,~~ classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

*(cf. 5148 - Child Care and Development)**(cf. 5148.3 - Preschool/Early Childhood Education)*

Note: Pursuant to Education Code 8422 and 8482.6, as amended by AB 2615 (Ch. 470, Statutes of 2016), districts are permitted to charge family fees for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Centers (21st CCLC), and 21st Century High School After School Safety and Enrichment for Teens programs, as long as fees are waived or reduced for families with students who are eligible for free or reduced-price meals. In regard to ASES and 21st CCLC, commencing July 1, 2017, no fees may be charged if the district knows the student is a homeless youth or in foster care.

20. ~~After School Education and Safety Programs as long as no eligible student is denied the ability to participate because of inability to pay the fee~~ Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6)

*(cf. 5148.2 - Before/After School Programs)**(cf. 6173 - Education for Homeless Children)**(cf. 6173.1 - Education for Foster Youth)*

Note: In Fiscal Management Advisory 12-02, the CDE lists Advanced Placement and International Baccalaureate examination fees ~~item #21 below~~ as permissible. ~~Districts with questions concerning this item should consult legal counsel. Some districts choose to reduce the cost of the fees for low-income students through the use of district funds or other funding sources; see BP 6141.4 - International Baccalaureate Program and BP 6141.5 - Advanced Placement.~~

FEES AND CHARGES (continued)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)

Note: In its Addendum to Fiscal Management Advisory 12-02 issued in October 2013, the CDE clarifies that a district that requires its students to wear a cap and gown as a condition for their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor.

(11/12 4/14) 3/17

Center USD

Administrative Regulation

Fees And Charges

AR 3260

Business and Noninstructional Operations

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)
3. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)
7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and

FEES AND CHARGES (continued)

exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)
9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)
10. Sale or lease of Internet appliances or personal computers for the purpose of providing access to the district's educational computer network, at no more than cost, as long as the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

11. Fees for any community service class in civic, vocational, illiteracy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810, 51815)

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

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

(cf. 5020 - Parent Rights and Responsibilities)

FEES AND CHARGES (continued)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Funds)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3554 - Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

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

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects or for which high school credit is granted when taken by a person who does not hold a high school diploma or, effective July 1, 2015, classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

20. After School Education and Safety Programs, as long as no eligible student is denied the ability to participate because of inability to pay the fee (Education Code 8482.6)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.5 - Advanced Placement)

FEES AND CHARGES (continued)

CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3311(a)

BIDS

Note: Pursuant to Public Contract Code 20111 ~~and 22002~~, public contracts for the lease or purchase of equipment, materials, supplies, or services or for "public projects," as defined, are required to be competitively bid when they involve expenditure of specified amounts.

An alternative procedure for public works projects is provided pursuant to the Uniform Public Construction Cost Accounting Act (~~UPCCAA~~) (Public Contract Code ~~2203022000-22045~~)¹ as described below; see ~~BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures~~. Also see ~~AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment for procedures applicable to those contracts~~.

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. ~~3230 - Federal Grant Funds~~)

(cf. 3300 - Expenditures and Purchases)

(cf. ~~3311.1 - Uniform Public Construction Cost Accounting Procedures~~)

(cf. ~~3311.2 - Lease-Leaseback Contracts~~)

(cf. ~~3311.3 - Design-Build Contracts~~)

(cf. ~~3311.4 - Procurement of Technological Equipment~~)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements ~~regarding contracting, after, for~~ competitive bidding. (Public Contract Code 20116, ~~22033~~)

Note: Requirements for competitive bidding, including notice and advertising, are specified in Public Contract Code 20110-20118.4. See the accompanying administrative regulation.

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

Note: Pursuant to Public Contract Code 20111.5, the district is permitted, but not required, to establish prequalification procedures for any contract for which bids are legally required; see the accompanying administrative regulation. However, pursuant to Public Contract Code 20111.6, a district with average daily attendance of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and

BIDS (continued)

plumbing subcontractors for public projects of \$1 million or more awarded on or after January 1, 2014, if School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds are used. In addition, the Governing Board is required to adopt a uniform system of rating bidders based on completed questionnaires and financial statements which must address, at a minimum, the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations for such purpose.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101 on the basis of a completed questionnaire and financial statements.

(cf. 9270 - Conflict of Interest)

Note: Districts should be careful in crafting bid specifications, as a misleading specification that results in a lower bid than might have been made may make the district liable for the extra work done or expenses incurred by the contractor. In Los Angeles Unified School District v. Great American Insurance Co., the California Supreme Court held in favor of a contractor who was misled by the district's nondisclosure of material information that would have affected the contractor's bid.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describes in appropriate detail the quality, delivery, and service required, and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Note: Pursuant to Public Contract Code 20111, a contract required to be put out to bid must be awarded to the lowest responsible bidder. As defined in Public Contract Code 1103, a "responsible bidder" is one who possesses the quality, fitness, and capacity, and experience to satisfactorily perform the proposed work. (City of Inglewood - Los Angeles County Civic Center Authority v. Superior Court)

However, a bid may be awarded to other than the lowest responsible bidder when conditions specified in law exist. For example, a district is permitted to give preference to minorities, women, veterans, and small businesses in accordance with Public Contract Code 2000-2002. In addition, Education Code 17250.10-17250.55, as added by AB 1358 (Ch. 752, Statutes of 2015), authorize the district to award a design build contract for a public works project in excess of \$1 million on the basis of either low bid or "best value," as defined. See "Award of Contract" section in the accompanying administrative regulation.

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

Note: Pursuant to Public Contract Code 20118, districts may be exempt from the bidding requirements and may "piggyback" onto the bid of any public corporation or agency for specific items when the Board determines it is in the best interest of the district. See the accompanying administrative regulation for a list of those items that may be leased or purchased using this procedure.

BIDS (continued)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies, any personal property to the extent authorized by law. (Public Contract Code 20118)

Note: The following optional paragraph is for use by districts that have elected to use the alternative contracting procedure for public works pursuant to the UPCCAA (Public Contract Code 22030-22045) and should be deleted by districts that have not elected to use such alternative procedure. Pursuant to Public Contract Code 22030, the district may participate in the UPCCAA only if the Board adopts a resolution requiring the use of the UPCCAA in district contracting and notifies the State Controller of that action. In the event of a conflict with any other provision of law relative to bidding procedures, the UPCCAA shall apply to any district that has adopted a resolution and so notified the Controller. According to the California Uniform Construction Cost Accounting Commission's "Frequently Asked Questions," available on its web site, withdrawal from the UPCCAA requires the Board to file a resolution of the election to withdraw with the State Controller.

In electing to be subject to the UPCCAA, a district thereby agrees to follow the cost accounting procedures set forth in the Cost Accounting Policies and Procedures Manual of the California Uniform Construction Cost Accounting Commission. According to the "Frequently Asked Questions" on the Commission's web site, school districts may use the statewide Standardized Account Code Structure to comply with tracking requirements.

Pursuant to Public Contract Code 22032, projects of \$45,000 or less may be performed by the district's own work force; projects of \$175,000 or less may use a more informal bidding procedure as specified; and projects over \$175,000 require formal bidding procedures. See the accompanying administrative regulation for related requirements.

In circumstances where the informal bidding procedure is authorized, Public Contract Code 22034 allows the Board to delegate the authority to award contracts to an appropriate district administrator. Public Contract Code 22039 allows the Board to delegate the adoption of plans, specifications, and working details for projects subject to formal bidding procedures. The following paragraph may be revised to reflect district practice.

For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures. [MOVED TO BP 3111.1 - UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES]

Legal Reference: (see next page)

BIDS (continued)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*
 17250.10-17250.55 *Design-build contracts*
 17406 *Lease-leaseback contracts*
 17595 *Purchase of supplies through Department of General Services*
 17602 *Purchase of surplus property from federal agencies*
 38083 *Purchase of perishable foodstuffs and seasonable commodities*
 38110-38120 *Apparatus and supplies*
 39802 *Transportation services*

BUSINESS AND PROFESSIONS CODE

7056 *General engineering contractor*
 7057 *General building contractor*

CODE OF CIVIL PROCEDURE

446 *Verification of pleadings*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*
 4330-4334 *Preference for California-made materials*
 6252 *Definition of public record*
 53060 *Special services and advice*
 54201-54205 *Purchase of supplies and equipment by local agencies*

PUBLIC CONTRACT CODE

1102 *Emergencies*
~~1103 Definition; responsible bidder~~
 2000-2002 *Responsive bidders*
 3000-3010 *Roofing projects*
 3400 *Bids, specifications by brand or trade name not permitted*
 3410 *United States produce and processed foods*
~~4113 Prime contractor; subcontractor~~
 6610 *Bid visits*
 12200 *Definitions, recycled goods, materials and supplies*
 20101-20103.7 *Public construction projects, requirements for bidding*
 20103.8 *Award of contracts*
~~20107 Bidder's security~~
~~20110-20118.4 Contracting by school districts Local Agency Public Construction Act; school district~~
 20189 *Bidder's security, earthquake relief*
~~22002 Definition of public project~~
~~2203022000-22045 Alternative procedures for public projects (UPCCAA)~~
~~22050 Alternative emergency procedures~~
 22152 *Recycled product procurement*

COURT DECISIONS

~~McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)~~
~~Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261~~
Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739
Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425
Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241
Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449
City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 *Ops. Cal. Atty. Gen. 1 (2006)*

BIDS (continued)

Management Resources:

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

WEB SITES

CSBA: [http:// www.csba.org](http://www.csba.org)

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

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

California Department of General Services: <https://www.dgs.ca.gov>

California Uniform Construction Cost Accounting Commission:

http://www.seo.ca.gov/ard_cuccac.htm

(8/13 5/16) 12/16

Center USD

Board Policy

Bids

BP 3311

Business and Noninstructional Operations

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements regarding contracting after competitive bidding. (Public Contract Code 20116, 22033)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

(cf. 9270 - Conflict of Interest)

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required, and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

Legal Reference:

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*
17250.10-17250.55 *Design-build contracts*
17406 *Lease-leaseback contract*
17595 *Purchase of supplies through Department of General Services*
17602 *Purchase of surplus property from federal agencies*
38083 *Purchase of perishable foodstuffs and seasonable commodities*
38110-38120 *Apparatus and supplies*
39802 *Transportation services*

CODE OF CIVIL PROCEDURE

446 *Verification of pleadings*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*
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PUBLIC CONTRACT CODE

1102 *Emergencies*
2000-2002 *Responsive bidders*
3000-3010 *Roofing projects*
3400 *Bids, specifications by brand or trade name not permitted*
3410 *United States produce and processed foods*
6610 *Bid visits*
12200 *Definitions, recycled goods, materials and supplies*
20101-20103.7 *Public construction projects, requirements for bidding*
20103.8 *Award of contracts*
20107 *Bidder's security*
20110-20118.4 *Contracting by school districts*
20189 *Bidder's security, earthquake relief*
22002 *Definition of public project*
22030-22045 *Alternative procedures for public projects (UPCCAA)*
22050 *Alternative emergency procedures*
22152 *Recycled product procurement*

Legal Reference continued: (see next page)

Legal Reference: (continued)

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 Ops. Cal. Atty. Gen. 1 (2006)

Management Resources:

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

WEB SITES

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

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

California Uniform Construction Cost Accounting Commission:

http://www.sco.ca.gov/ard_cuccac.html

CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3311(a)

BIDS

Note: Pursuant to Government Code 54202, districts are mandated to establish bidding procedures governing the purchase of equipment and supplies. ~~as specified in~~ The following administrative regulation reflects the competitive bidding procedures applicable to these purchases, as well as contracts for certain services, public works projects, and repairs and maintenance, when the contract exceeds the amount specified in law.

An alternative procedure for public works projects is provided pursuant to the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045), which allows public projects of \$45,000 or less to be performed by district employees and public projects of \$175,000 or less to be awarded through an informal bidding process. See BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures. Districts that have adopted the UPCCAA procedures should modify the following regulation to delete or revise conflicting provisions related to contracts for public works. Also see AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment for procedures applicable to those contracts.

Advertised/Competitive Bids

The district shall advertise for ~~competitive bids~~ any of the following: (Public Contract Code 20111)

1. ~~when any~~ A public project contract that involves an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility.

~~Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)~~

~~(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)~~

~~(cf. 3311.2 - Lease-Leaseback Contracts)~~

~~(cf. 3311.3 - Design-Build Contracts)~~

Note: For items #1-3 the contracts specified in item #2a-d below, Public Contract Code 20111 requires the Superintendent of Public Instruction (SPI) to annually establish a bid limit that reflects U.S. Department of Commerce data. The following ~~optional~~ paragraph allows the amount to escalate automatically once the SPI has made the annual determination. For 2016, the bid limit is \$87,800.

2. ~~The district shall also advertise for competitive bids when a~~ A contract that exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

BIDS (continued)

- 1.a.** The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district

(cf. 3230 - Federal Grant Funds)

(cf. 3311.4 - Procurement of Technological Equipment)

- 2.b.** Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters

- 3.c.** Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. ~~The district may accept a bid that has been submitted electronically or on paper.~~ (Public Contract Code 20112)

(cf. 1113 - District and School Web Sites)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

BIDS (continued)

1. All bidders shall certify in writing the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

The bid and shall be accompanied by one of the following a forms of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20107, 20111, 20112)

a. Cash

b. A cashier's check made payable to the district

e. A certified check made payable to the district

d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)

BIDS (continued)

Note: Public Contract Code 20103.8 specifies that, in those cases when the bid includes items that may be added to or deducted from the scope of the work in the contract, the bid solicitation must specify the method to be used to determine the lowest bid, as detailed below. Districts should consult with legal counsel, as appropriate, if they have questions regarding as to the applicability of this law to school districts and other unclear provisions of this law.

6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
 - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
 - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
 - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

Note: For a bid to be successful, it must conform to specifications (i.e., it must be "responsive") and the bidder must be determined to be able to perform the work (i.e., he/she must be "responsible" as defined in Public Contract Code 1103). There is no right to a due process hearing when the district has merely found the bid to be nonresponsive. However, the district must be careful in making a determination on the "nonresponsiveness" of a bid based on anything other than the documents submitted; investigation of information outside of the submitted bid. In addition, when relying on outside investigation or information to disqualify a bidder, the district must follow the hearing procedures applicable for a finding of "non-responsibility." (*Great West Contractors Inc. v. Irvine Unified School District*) To avoid any confusion, the district should provide clear and comprehensive bid specifications to bidders.

When rejecting the lowest responsive bid on the basis that the bidder is nonresponsive, the district must inform the bidder of the evidence used when making the determination and afford him/her a hearing with the right to present evidence that he/she is responsible. (*City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court and Great West Contractors Inc. v. Irvine Unified School District*)

BIDS (continued)

7. **In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by from responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract, in determining the lowest bid.**
- a. **When a bid is disqualified as determined to be nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information determination.**
 - b. **When the lowest bidder is determined to be nonresponsive, the Superintendent or designee shall notify the bidder of his/her right to present evidence of his/her responsibility at a hearing before the Board.**
8. **Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.**
- 9.8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

10. **When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.**

Prequalification Procedure

Note: The following section is optional. Pursuant to Public Contract Code 20111.6, as amended by AB 566 (Ch. 214, Statutes of 2015), a district with average daily attendance (ADA) of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and plumbing subcontractors for any public project of \$1 million or more awarded on or after January 1, 2015, when the project uses or is reimbursed from School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds.

Additionally, pursuant to Public Contract Code 20111.5, districts are permitted, but not required, to establish prequalification procedures for other contracts which, by law, require competitive bidding.

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized

BIDS (continued)

~~proposal form~~ **prequalification questionnaire and financial record** which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

Note: Pursuant to Public Contract Code 20111.6, districts' authority to set timelines for bid submittal and opening as specified in the following paragraph apply to contracts awarded on or after January 1, 2015 and will be in effect only until January 1, 2019. In addition, Public Contract Code 20111.6, as amended by AB 566 (Ch. 214, Statutes of 2015), clarifies that the requirement for prequalification applies to projects that will be reimbursed from future state school bonds, not just those that use funds "received" from state construction bonds.

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (~~Education Code 17406-17407~~; Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in **Public Contract Code 4113 or the Business and Professions Code 4113, 7056, or 7057**, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

BIDS (continued)**Award of Contract**

~~Note: The following optional section may be revised to reflect district practice. Pursuant to Public Contract Code 20111, the district is required to award a contract to the lowest responsible bidder except in the circumstances specified in items #1-3 below. In addition, Education Code 17250.15 and 17250.25, as added by AB 1358 (Ch. 752, Statutes of 2015), authorize the district to award a design-build contract for a public works project in excess of \$1 million to either the low bid or best value, as provided in item #4 below.~~

The district shall award each contract to the lowest responsible bidder³ except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student³ who are³ is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)

Note: Pursuant to Public Contract Code 2000-2002, a district is permitted to establish bidding requirements that facilitate the participation of minority, women, disabled veteran, and small business enterprises in contracts. Though minorities and women are included in Public Contract Code 2000, Article 1, Section 31(a) of the California Constitution prohibits the granting of preferences based on race, sex, color, ethnicity, etc., in state employment and contracting. The district should consult legal counsel if there is any question about the granting of preferences to any such business.

3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. **When procuring a lease-leaseback contract; in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406**

(cf. 3311.2 - Lease-Leaseback Contracts)

- 4.5 When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with the section "Design Build Contracts" below Education Code 17250.20, in which case the Board may award the contract to either

BIDS (continued)

the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

(cf. 3311.3 - Design-Build Contracts)

Protests by Bidders

Note: The law does not specify a procedure for handling protests by bidders. The following optional section provides one such procedure and should be modified to reflect district practice.

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

Note: The following paragraph provides a process for appealing a bid award to the Board. Although the law does not specify the notice to be given in this circumstance, CSBA recommends at least three business days which may be modified to reflect district practice.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

~~Alternative Bid Procedures for Technological Supplies and Equipment~~ [SECTION MOVED TO NEW AR 3311.4]

~~Design-Build Contracts~~ [SECTION MOVED TO NEW AR 3311.3]

Limitation on Use of Sole Sourcing

Note: "Sole sourcing" is the practice by which one brand name product is specified, although comparable, competitive products are available. Public Contract Code 3400 allows sole sourcing in limited circumstances and requires that the specification of the designated product be followed by the words "or equal," so that bidders for such a contract are able to base their bids on the use of other products of equal functionality that may result in cost savings for the district. The following section is optional.

BIDS (continued)

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code ~~3002~~ 3400)

1. Does not directly or indirectly limit bidding to any one specific concern
2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

Note: The following optional paragraph is for use by districts with ADA of more than 2,500. For the repair or replacement of the roof of a public facility, a material must meet the requirements specified below to be considered "equal" pursuant to Public Contract Code 3000-3010.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. ~~(Public Contract Code 3002)~~

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or request for proposal (RFP), that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 - Actions by the Board)

BIDS (continued)**Bids Not Required**

Note: The following paragraph lists those items that may be purchased through a "piggybacked" bid; see the accompanying Board policy. Many districts have used the piggyback procedure to purchase portable and relocatable buildings. The Attorney General has opined (89 Ops.Cal.Atty.Gen. 1, 2006) that a district may not rely on the piggyback exception to contract for the acquisition and installation of factory-built modular building components (i.e., roofs and walls) for installation on a permanent foundation. However, this opinion does not apply to typical portable or relocatable single-classroom buildings, because they lack a permanent foundation and building mobility. Districts considering using the piggyback process for relocatables, portables, modulares, and the like should consult district legal counsel. While Attorney General opinions are not binding, they are often given deference by the court and may also be considered by the State Allocation Board when making funding decisions.

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

(cf. 3512 - Equipment)

Note: The following optional paragraph reflects the authority granted to public agencies pursuant to Government Code 4217.10-4217.18 to enter into energy service contracts without competitive bidding when the agency's governing body determines that the contract is in the best interest of the agency based on the "costs-benefits" analysis specified in Government Code 4217.12.

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost and saving comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

(cf. 3511 - Energy and Water Management)

(cf. 9320 - Meetings and Notices)

BIDS (continued)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

Note: Pursuant to Public Contract Code 20113, a district may award contracts without competitive bidding in emergency situations, as specified below. In Marshall v. Pasadena Unified School District, a court held that the definition of "emergency" in Public Contract Code 1102 is applicable. Public Contract Code 1102 defines "emergency" as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

(cf. 3517 - Facilities Inspection)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

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Center USD

Administrative Regulation

Bids

AR 3311

Business and Noninstructional Operations

Advertised/Competitive Bids

The district shall advertise for competitive bids when any public project contract involves an expenditure of \$15,000 or more. *Public project* means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

The district shall also advertise for competitive bids when a contract exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

(cf. 1113 - District and School Web Sites)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
 - a. Cash
 - b. A cashier's check made payable to the district
 - c. A certified check made payable to the district
 - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
 - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.

- b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
- c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

- 7. The district shall consider only responsive bids from responsible bidders in determining the lowest bid.
- 8. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
- 9. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

- 10. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

Prequalification Procedure

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized proposal form which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Education Code 17406, 17407; Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in the Business and Professions Code 4113, 7056, or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

Award of Contract

The district shall award each contract to the lowest responsible bidder except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with the section "Design-Build Contracts" below, in which case the Board may award the contract to either the low bid or the best value to the

district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

(cf. 9270 - Conflict of Interest)

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.

5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

Design-Build Contracts

When it is in the best interest of the district, the Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

The procurement process for design-build projects shall be as follows: (Education Code 17250.25)

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to, the size, type, and desired design character of the project; performance specifications covering the quality of materials, equipment, workmanship, preliminary plans, or building layouts; or any other information deemed necessary to describe adequately the district's needs. The documents may include operations during a training or transition period, but shall not include long-term operations for a project. The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.
2. The district shall prepare and issue a request for qualifications in order to prequalify or develop a short list of the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:
 - a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity

- b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction experience, acceptable safety record, and all other non-price-related factors
- c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

The district also may identify specific types of subcontractors that must be included in the statement of qualification and proposal.

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce, as defined in Education Code 17250.25, to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17250.25)

- 3. The district shall prepare a request for proposals that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The request for proposals shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.
- 4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
- 5. For those projects utilizing best value as a selection method, the following procedures shall be used:
 - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
 - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.

- c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
- d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

Sole Sourcing

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3400)

- 1. Does not directly or indirectly limit bidding to any one specific concern
- 2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

- 1. To conduct a field test or experiment to determine its suitability for future use
- 2. To match others in use on a particular public improvement that has been completed or is in the course of completion
- 3. To obtain a necessary item that is only available from one source
- 4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 - Actions by the Board)

Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

(cf. 3512 - Equipment)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

(cf. 3511 - Energy and Water Management)

(cf. 9320 - Meetings and Notices)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

(cf. 3517 - Facilities Inspection)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

Lease-Leaseback Contract

Upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeship occupation in the building and construction trades. (Education Code 17406, 17407.5)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

(cf. 9124 - Attorney)

Regardless of the funding source, when any lease-leaseback agreement is for a public project, involves an expenditure of \$1,000,000 or more, and meets other criteria in Public Contract Code 20111.6, the prequalification requirements specified in the "Prequalification Procedure" section above shall be followed. (Education Code 17406)

Uniform Public Construction Cost Accounting Act

Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project, as follows:

1. Public projects of \$45,000 or less may be performed by district employees by force account, negotiated contract, or purchase order. (Public Contract Code 22032)
2. Contracts for public projects of \$175,000 or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)
 - a. The Superintendent or designee shall maintain a list of qualified contractors, identified according to categories of work.
 - b. The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain more information about the project, and states the time and place for submission of bids. The notice shall be disseminated by mail, fax, or email to one or both of the following:

- (1) To all contractors on the district's list for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due
 - (2) To all construction trade journals identified pursuant to Public Contract Code 22036
 - c. The district shall review the informal bids and award the contract, except that:
 - (1) If all bids received through the informal process are in excess of \$175,000, the contract may be awarded to the lowest responsible bidder, provided that the Board adopts a resolution with a four-fifths vote to award the contract at \$187,500 or less and the Board determines the district's cost estimate was reasonable.
 - (2) If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.
3. Public projects of more than \$175,000 shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)
 - a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:
 - (1) Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that bids will be opened.
 - (2) By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to notice required above, the district may give such other notice as it deems proper.

- b. The district shall award the contract as follows:
 - (1) The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.
 - (2) At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district

employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

- (3) If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

In cases of emergency when repair or replacements are necessary, the Board may proceed at once to replace or repair a facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts, in accordance with the contracting procedures in Public Contract Code 22050. The work may be done by day labor under the direction of the Board and/or contractor. (Public Contract Code 22035)

CSBA Sample Board Policy

Add

Business and Noninstructional Operations

BP 3311.1(a)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

Note: The following optional policy is for use by districts that elect to use an alternative procedure for awarding contracts for public works projects pursuant to the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045), which establishes a higher bid limit and a more informal bidding process for certain projects. See BP/AR 3311 - Bids for traditional bidding procedures pursuant to Public Contract Code 20110-20118.4.

Pursuant to Public Contract Code 22032, projects of \$45,000 or less may be performed by the district's own work force, projects of \$175,000 or less may use a more informal bidding procedure as specified, and projects over \$175,000 require formal bidding procedures. See the accompanying administrative regulation for related requirements.

In order to participate in the UPCCAA, Public Contract Code 22030 requires the Governing Board to adopt a resolution electing to use the UPCCAA for district contracting and to notify the State Controller of that action. In the event of a conflict with any other provision of law relative to bidding procedures, the UPCCAA shall apply for any district that has adopted a resolution and so notified the Controller. According to the California Uniform Construction Cost Accounting Commission's "Frequently Asked Questions," available on its web site, once the Board has adopted such a resolution, it can only withdraw from the UPCCAA by adopting a resolution of the election to withdraw and filing that resolution with the State Controller.

In awarding contracts for public works projects involving district facilities, the Governing Board desires to obtain the best value to the district and ensure the qualifications of contractors to complete the project in a satisfactory manner. For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law.

(cf. 3311 - Bids)

(cf. 7110 - Facilities Master Plan)

Note: The following paragraph may be revised to reflect district practice. In circumstances where the informal bidding procedure is authorized, Public Contract Code 22034 allows the Board to delegate the authority to award contracts to an appropriate district administrator. Public Contract Code 22039 allows the Board to delegate the ~~adoption of authority to adopt~~ plans, specifications, and working details for projects subject to formal bidding procedures.

The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES (continued)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 22033)

Note: In electing to be subject to the UPCCAA, the district thereby agrees to follow the cost accounting procedures set forth in the Cost Accounting Policies and Procedures Manual of the California Uniform Construction Cost Accounting Commission, pursuant to Public Contract Code 22017 and ~~20019~~ 22019. According to the "Frequently Asked Questions" on the Commission's web site, districts may use the statewide Standardized Account Code Structure to comply with tracking requirements.

Projects awarded through the UPCCAA shall be subject to the cost accounting procedures established by the California Uniform Construction Cost Accounting Commission. (Public Contract Code 22030)

Emergency Actions

Note: Public Contract Code 22035 allows the district to replace or repair a school facility without going through the UPCCAA process in cases of emergency in accordance with Public Contract Code 22050. Public Contract Code 1102 defines "emergency" as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

In cases of emergency ~~When~~ formal bids are required by law but an emergency necessitates immediate repair or replacements are necessary, the Board may, upon a four-fifths vote of the Board, proceed at once to replace or repair a facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts, in accordance with the contracting procedures in Public Contract Code 22050. The work may be done by day labor under the direction of the Board and/or contractor. The emergency action shall subsequently be reviewed by the Board in accordance with Public Contract Code 22050 and shall be terminated at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed by giving notice for bids to let contracts. (Public Contract Code 1102, 22035, 22050)

(cf. 9323.2 - Actions by the Board)

Legal Reference: (see next page)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES (continued)

Legal Reference:

PUBLIC CONTRACT CODE

1102 Definition of emergency

20110-20118.4 Local Agency Public Construction Act, school districts

22000-22020 California Uniform Construction Cost Accounting Commission

22030-22045 Alternative procedures for public projects (UPCCAA), especially:

22032 Applicability of procedures based on amount of project

22034 Informal bidding procedure

22035 Emergency need for repairs or replacement

22037-22038 Formal bidding procedures for projects exceeding \$175,000

22050 Alternative emergency procedures

Management Resources:

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

WEB SITES

CSBA: [http:// www.csba.org](http://www.csba.org)

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

California Uniform Construction Cost Accounting Commission:

http://www.sco.ca.gov/ard_cuccac.html

CSBA Sample Administrative Regulation

Add

Business and Noninstructional Operations

AR 3311.1(a)

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

Note: The following administrative regulation is for use when the Governing Board has adopted a resolution to use the alternative procedures of the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045) for awarding public works projects; see the accompanying Board policy.

According to the California Uniform Construction Cost Accounting Commission's "Frequently Asked Questions," available on its web site, a district participating in the UPCCAA is subject to other requirements of the Public Contract Code in areas where the UPCCAA is silent. See BP/AR 3311 - Bids for traditional bidding procedures pursuant to Public Contract Code 20110-20118.4.

Public Contract Code 22032 establishes the following requirements based on the amount of the public project. Pursuant to Public Contract Code 22020, the Commission reviews these monetary limits every five years and recommends to the State Controller whether they need to be adjusted. The State Controller is required to notify all public agencies of any adjustment to these limits.

Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project, as follows:

1. Public projects of \$45,000 or less may be performed by district employees by force account, negotiated contract, or purchase order. (Public Contract Code 22032)

Note: Public Contract Code 22034 requires any public agency participating in UPCCAA to adopt an informal bidding ordinance, with specified components, to govern the selection of contractors to perform public projects of \$175,000 or less, as described in item #2 below. The Commission's "Frequently Asked Questions" clarify that, for school districts and other agencies that cannot legally adopt ordinances, a board policy, administrative regulation, or other legally applicable action of the board may be substituted.

2. Contracts for public projects of \$175,000 or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)
 - a. The Superintendent or designee shall maintain a list of qualified contractors, identified according to categories of work.

Note: Public Contract Code 22034, as amended by SB 184 (Ch. 269, Statutes of 2015), authorized distribution of the following bid notice by fax or email as well as by mail.

- b. The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain more information about the project, and states the time and place for submission of bids. The notice shall be disseminated by mail, fax, or email to one or both of the following: (1) to all contractors on the district's list for the category of

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES
(continued)

work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due. ~~In addition, the Superintendent or designee may mail, fax, or email a notice inviting informal bids (2) To~~ all construction trade journals identified pursuant to Public Contract Code 22036.

- c. The district shall review the informal bids and award the contract, except that:
 - (1) If all bids received through the informal process are in excess of \$175,000, the contract may be awarded to the lowest responsible bidder, provided that the **Governing** Board adopts a resolution with a four-fifths vote to award the contract at \$187,500 or less and the Board determines the district's cost estimate ~~was~~ **is** reasonable.
 - (2) If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.
- 3. Public projects of more than \$175,000 shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)

Note: Pursuant to Public Contract Code 22037, if there is no newspaper of general circulation published in the jurisdiction of the district, the district must post the bid notice in three locations as described below. Public Contract Code 22037 requires that these locations be identified in the agency's ordinance or regulation. Item #3a(1) may be revised to include such locations.

- a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:
 - (1) Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that bids will be opened.
 - (2) By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to the notice required above, the district may give such other notice as it deems proper.

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES
(continued)

- b. The district shall award the contract as follows:
- (1) The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.
 - (2) At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.
 - (3) If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

(cf. 3311 - Bids)

CSBA Sample Administrative Regulation

Add

Business and Noninstructional Operations

AR 3311.2(a)

LEASE-LEASEBACK CONTRACTS

Note: The following ~~optional section~~ administrative regulation addresses construction financing contracts that are commonly described as "lease-leaseback" contracts. Education Code 17406, as amended by AB 2316 (Ch. 521, Statutes of 2016), no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process. Education Code 17406, as amended, mandates that any district choosing to award a lease-leaseback contract adopt and publish procedures and guidelines for evaluating the qualifications of proposers that ensure the fair and impartial selection of the "best value" for the district. In addition, for any project that will involve the use of preconstruction services, the request for sealed proposals must require proposers to include the fee to perform the preconstruction services as part of their sealed proposal to the district. Such procedures and guidelines must include, at a minimum, the provisions specified in Education Code 17406 as reflected in the following regulation:

~~This construction~~ The lease-leaseback financing method should only be used in coordination with competent technical consultants and legal counsel to ensure all legal requirements are met. Pursuant to Education Code 17407.5, as added by AB 566 (Ch. 214, Statutes of 2015), the contractor must provide an enforceable commitment to the district that it will use a certain percentage of skilled and trained workers to complete project-related work that is within an "apprenticeable occupation" as defined in Labor Code 3075.

~~Upon a determination that it is in the best interest of the district and without advertising for bids, the Board~~ The district may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)

(cf. 3280 - Sale or Lease of District-Owned Real Property)
(cf. 3312 - Contracts)

Any lease-leaseback contract shall be awarded through a competitive "best value" procurement process whereby a person, firm, or corporation is selected on the basis of objective criteria for evaluating the qualifications of proposers, with the resulting selection representing the best combination of price and qualifications. To make this determination, the district shall use the following procedures: (Education Code 17400, 17406)

1. Request for Sealed Proposals: The Superintendent or designee shall prepare a request for sealed proposals which shall include:
 - a. An estimate of the project's price
 - b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed

LEASE-LEASEBACK CONTRACTS (continued)

- c. The key elements of the contract to be awarded
 - d. A description of the format that proposals shall follow and the elements they shall contain
 - e. The standards the district will use in evaluating proposals
 - f. The date on which proposals are due
 - g. The timetable the district will follow in reviewing and evaluating proposals
2. Notice: At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:
- a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112
 - b. Providing notice in a trade paper of general circulation published in the county where the project is located

Note: The following paragraph is optional and may be revised to reflect district practice

The Superintendent or designee also may post the notice on the district's web site or through an electronic portal

Note: Pursuant to Education Code 17406, the prequalification requirements for contracts that meet the criteria specified in Public Contract Code 20111.6 are also applicable to lease-leaseback contracts. As amended by AB 566 (Ch. 214, Statutes of 2015), Education Code 17406 requires prequalification for such projects irrespective of whether or not they are funded locally or through state sources, and makes the provision applicable to all districts, not just those with ADA of 2,500 or more. See "Prequalification Procedure" section above.

3. Prequalification: A proposer shall be prequalified in accordance with Public Contract Code 20111.6(b)-(m) in order to submit a proposal. Any electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements.

(cf. 3311 - Bids)

4. Evaluation Criteria: The request for sealed proposals shall identify all criteria that the district will consider in evaluating the proposals and qualifications of

LEASE-LEASEBACK CONTRACTS (continued)

the proposers, including relevant experience, safety record, price proposal, and other factors specified by the district. The price proposal shall include, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district.

The request for sealed proposals shall specify whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score and whether proposers must achieve any minimum qualification score for award of the contract. For each scored criterion, the district shall identify the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score.

5. **Evaluation of Proposals:** All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.

6. **Award of Contract:** The award of the contract shall be made by the Governing Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.

If the selected proposer refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the second highest best value score, if deemed in the best interest of the district. If that proposer then refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the third highest best value score.

Upon issuance of a contract award, the district shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the contract award and the contract file shall provide sufficient information to satisfy an external audit.

7. **Rejection of Proposals:** At its discretion, the Board may reject all proposals and request new proposals.

LEASE-LEASEBACK CONTRACTS (continued)

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code ~~17406~~ 17407.5)

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

(cf. 9124 - Attorney)

Legal Reference:

EDUCATION CODE

17400 Definitions

17406 Lease-leaseback contract

17407.5 Use of a skilled and trained workforce

PUBLIC CONTRACT CODE

20111.6 Prequalification procedures

20112 Notices

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Management Resources:

WEB SITES

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

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

CSBA Sample Administrative Regulation

Add

Business and Noninstructional Operations

AR 3311.3(a)

DESIGN-BUILD CONTRACTS

Note: As an alternative to the more traditional design-bid-build process (see BP/AR 3311 - Bids) or a lease-leaseback process (see AR 3311.2 - Lease-Leaseback Contracts), the district may enter into a design-build contract for a public works project in excess of \$1 million pursuant to Education Code 17250.10-17250.55] as added by AB 1358 (Ch. 752 Statutes of 2015). As defined by Education Code 17250.15, "design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity. Education Code 17250.15 and 17250.25 provide that such contracts may be awarded to either the low bid or best value, as defined. Pursuant to Education Code 17250.50 and 17250.55, this authority applies to bid requests issued on or after July 1, 2016 and will be repealed January 1, 2025 unless legislation is enacted to delete or extend that date.

~~When it is in the best interest of the district,~~ The Governing Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 7110 - Facilities Master Plan)

(cf. 7140 - Architectural and Engineering Services)

~~Design-build documents shall not include provisions for long-term project operations, but the documents may include operations during a training or transition period, but shall not include long-term operations for a project. (Education Code 17250.25)~~

The procurement process for design-build projects shall be as follows: (Education Code 17250.25, 17250.35)

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to:
 - a. ~~t~~The size, type, and desired design character of the project;
 - b. ~~p~~Performance specifications ~~that~~ covering the quality of materials, equipment, ~~and~~ workmanship
 - c. Preliminary plans or building layouts
 - d. ~~a~~Any other information deemed necessary to describe adequately the district's needs;

~~The documents may include operations during a training or transition period, but shall~~

DESIGN-BUILD CONTRACTS (continued)

~~not include long-term operations for a project.~~ The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

2. The district shall prepare and issue a request for qualifications in order to prequalify¹ or develop a short list of² the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:
 - a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity
 - b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction ~~experience-expertise~~, acceptable safety record, and all other non-price-related factors
 - c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

The district also may identify specific types of subcontractors that must be included in the statement of qualifications and proposal.

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce, as defined in Education Code 17250.25, to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. ~~(Education Code 17250.25)~~

3. The district shall prepare a request for proposals **(RFP)** that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The ~~request for proposals~~ **RFP** shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method ~~for a project~~, the district may reserve the right to request proposal revisions and hold discussions and

DESIGN-BUILD CONTRACTS (continued)

negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.

4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. For those projects utilizing best value as a selection method, the following procedures shall be used:
 - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
 - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
 - c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
 - d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

*Legal Reference:***EDUCATION CODE**

17250.10-17250.55 *Design-build contracts*

*Management Resources:***WEB SITES**

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

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

California Department of Education, Facilities: <http://www.cde.ca.gov/ls/fa>

CSBA Sample Administrative Regulation

Add

Business and Noninstructional Operations

AR 3311.4(a)

PROCUREMENT OF TECHNOLOGICAL EQUIPMENT

Note: The following administrative regulation is optional. As an alternative to competitive bidding procedures (see BP/AR-3311 - Bids), Public Contract Code 20118.2 authorizes the issuance of a request for proposals for district procurement of electronic equipment and apparatus, with the contract being awarded to the proposal that is most beneficial to the district considering price and all other factors.

Rather than seek competitive bids, the district may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for ~~construction or for the procurement of~~ any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

(cf. 0440 - District Technology Plan)

(cf. 3230 - Federal Grant Funds)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

~~The competitive negotiation process shall include, but not be limited to, the following requirements:~~ Whenever the competitive negotiation process is determined to be appropriate for such procurements, the district shall use the following procedures: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources, and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.

PROCUREMENT OF TECHNOLOGICAL EQUIPMENT

6. The ~~Governing~~ Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district, ~~with~~ ~~considering~~ price and all other factors ~~considered~~.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. — Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer. (Public Contract Code 20118.2)

Legal Reference:

PUBLIC CONTRACT CODE

20118.2 Contracting by school districts; technological equipment

Add

CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3470(a)

DEBT ISSUANCE AND MANAGEMENT

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the Governing Board adopt a debt management policy prior to issuing any debt, such as general obligation bonds, tax and revenue anticipation notes (TRANs), and certificates of participation. The policy must include (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use. SB 1029 declares the intent of the Legislature that, consistent with the recommendation of the Government Finance Officers Association (GFOA), local agencies adopt comprehensive written debt management policies that are reflective of local, state, and federal laws and regulations. Districts are encouraged to consult legal counsel and their financial advisor in developing this policy. The following policy should be revised to reflect district practice.

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

(cf. 3000 - Concepts and Roles)

(cf. 3460 - Financial Reports and Accountability)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

Note: Article 16, Section 18 of California Constitution contains the basic "debt limitation" (i.e., the constraints on discretionary borrowing) applicable to school districts. Under so-called "traditional authority," a measure authorizing the issuance of general obligation bonds may be approved by two-thirds of the electorate; under Proposition 39, a measure authorizing the issuance of general obligation bonds may be approved by 55 percent of the electorate (see BP/AR 7214 - General Obligation Bonds). Lease financings, such as certificates of participation, are not considered "indebtedness" for purposes of the Constitutional debt limitation and are not subject to voter approval. For further information, see the California Debt and Investment Advisory Commission's (CDIAC) California Debt Issuance Primer.

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and

DEBT ISSUANCE AND MANAGEMENT (continued)

coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

Note: Pursuant to 15 USC 78o-4 (Section 15B of Securities Exchange Act of 1934), any financial advisor retained by the district must be duly registered with both the Securities Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) and must also hold any certifications and/or licenses required by the SEC and/or MSRB.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

(cf. 3312 - Contracts)
(cf. 3600 - Consultants)
(cf. 9270 - Conflict of Interest)

Goals

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include policy goals related to the district's planning goals and objectives. The following section should be revised to reflect district goals.

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues

DEBT ISSUANCE AND MANAGEMENT (continued)

4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 7000 - Concepts and Roles)

Authorized Purposes for the Issuance of Debt

<p>Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the purposes for which debt proceeds may be used. The following section should be revised to reflect purposes that the Board has determined may be appropriate purposes for issuing debt in the district.</p>

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

DEBT ISSUANCE AND MANAGEMENT (continued)*(cf. 3100 - Budget)**(cf. 3110 - Transfer of Funds)*

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the types of debt that may be issued. The following section should be revised to reflect the types of debt instruments authorized by the Board.

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt
 - a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
 - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
 - c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)
2. Long-Term Debt

Note: The California Constitution, Article 13A, Sections 1(b)(2) and 1(b)(3), Education Code 15100-15262 and 15264-15276, and Government Code 53506-53509.5 authorize the district to issue general obligation bonds requiring either two-thirds voter approval or 55 percent voter approval, subject to specific accountability requirements. Voter-approved general obligation bonds typically provide the lowest cost of

DEBT ISSUANCE AND MANAGEMENT (continued)

borrowing and, by providing for the levy of additional ad valorem property taxes to service the debt, do not impact the district's general fund. See BP/AR 7214 - General Obligation Bonds for requirements pertaining to the issuance of general obligation bonds.

- a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)

(cf. 7214 - General Obligation Bonds)

Note: Districts may establish a community facilities district for school facility purposes in accordance with the Mello-Roos Community Facilities Act (Government Code 53311-53368.3). The boundaries of the Mello-Roos district may include the entire school district, but usually include only a portion of the district, such as an area with new housing developments. The bonds sold by the community facilities district are paid for by a special tax on the properties within that community facilities district's boundaries. See BP 7212 - Mello Roos Districts.

- b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)

(cf. 7212 - Mello Roos Districts)

3. Lease financing, including certificates of participation (COPs)
 - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)

Note: Authority for lease financings is based in part on judicial rulings finding that leases that meet certain conditions do not constitute indebtedness subject to a vote of the electorate.

- b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
5. Temporary borrowing from other sources such as the County Treasurer

DEBT ISSUANCE AND MANAGEMENT (continued)

Note: Education Code 42133 prohibits the issuance of non-voter approved debt when the district has a qualified or negative certification regarding the district's ability to meet its fiscal obligations, except as provided below. Pursuant to Education Code 42131, a "qualified certification" indicates that the district may not meet its financial obligations for the current fiscal year and two subsequent fiscal years, and a "negative" certification indicates that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year. See BP 3460 - Financial Reports and Accountability for further information about such certifications.

COPs, TRANS, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

Relationship of Debt to District Facilities Program and Budget

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable. The following section should be revised to reflect district practice.

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

Note: The following paragraph is optional.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

DEBT ISSUANCE AND MANAGEMENT (continued)

Structure of Debt Issues

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

Note: Education Code 15106 limits the district's total outstanding bonded debt (i.e., the principal portion only) to 1.25 or 2.5 percent of the assessed valuation of the taxable property of a non-unified and unified district, respectively. Consequently, Education Code 15106 limits the issuance of new debt when the district has total bonded indebtedness in excess of the applicable percentage of the assessed valuation in the district. TRAns and lease payment obligations in support of COPs generally do not count against this limit except as provided in Education Code 17422.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

Method of Sale

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

DEBT ISSUANCE AND MANAGEMENT (continued)

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

Investment of Proceeds

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

(cf. 3430 - Investing)

Note: Pursuant to Education Code 15146, the proceeds of the sale of bonds, exclusive of any premium received, must be deposited in the county treasury to the credit of the building fund of the district. As amended by AB 2738 (Ch. 472, Statutes of 2016), Education Code 15146 prohibits districts from withdrawing proceeds from the sale of bonds at any time for purposes of making investments outside the county treasury.

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

Refunding/Restructuring

Note: The following section may be revised to reflect district practice. The GFOA's Analyzing and Issuing Refunding Bonds states that a test often used to assess the appropriateness of a refunding is the achievement of a minimum net present value savings. According to the GFOA, a common threshold is that the savings, as a percentage of the refunding bonds, should be at least 3-5 percent. However, the GFOA recognizes that it may be appropriate to approve refunding that results in lower anticipated savings in some circumstances, such as when interest rates are at low levels or the time remaining to maturity is limited and thus future opportunities to achieve greater savings are not likely to occur.

DEBT ISSUANCE AND MANAGEMENT (continued)

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

Internal Controls

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the internal control procedures that the district has implemented or will implement to ensure that the proceeds of the proposed debt issuance will be directed to the intended use. Examples of internal control standards for the management of bond funds are contained in the U.S. Government Accountability Office's Internal Control System Checklist. These include factors related to the internal control environment, risk assessment, control activities, information and communications, and monitoring. Because internal controls and accountability measures may be lengthy, districts may choose to develop an administrative regulation, exhibit, or other document that provides further details and that may be updated as needed. Also see BP 3400 - Management of District Assets/Accounts. The following section should be revised to reflect district practice.

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

(cf. 3314 - Payments for Goods and Services)

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

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

DEBT ISSUANCE AND MANAGEMENT (continued)

Records/Reports

Note: Government Code 8855 requires that the district report any proposed issuance of debt to the CDIAC at least 30 days prior to the sale of the debt issue. Typically, bond counsel will file the report on behalf of the district. As amended by SB 1029 (Ch. 307, Statutes of 2016), Government Code 8855 requires that the report include a certification that the district has adopted a debt policy and that the issuance is consistent with that policy.

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

Note: SB 1029 (Ch. 307, Statutes of 2016) amended Government Code 8855 to add the following requirement for an annual report of debt issuance, applicable to any final sale of debt on or after January 21, 2017. The report covers the period from July 1 to June 30, and must be submitted electronically on a form provided by CDIAC within seven months of the end of the reporting period (January 31).

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

Note: Pursuant to 17 CFR 240.15c2-12, most financings are required to have official disclosure statements which include the terms of the bond, security, risk factors, financial and operating information concerning the issuer, and background information. In addition, districts must provide ongoing disclosure in the form of annual reports and event notices pursuant to 17 CFR 240.15c2-12. Such disclosures must be made to the MSRB through its Electronic Municipal Market Access repository or any successor repository, as well as to investors and other persons or entities entitled to disclosure. For further information, see CDIAC's California Debt Issuance Primer and the GFOA's Understanding Your Continuing Disclosure Requirements.

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

Note: 26 CFR 1.6001-1 requires districts to retain records for as long as the contents thereof are material in the administration of any internal revenue law. Records related to debt issuance may affect tax liability in both past and future tax years. In order to be consistent with specific record retention requirements, the Internal Revenue Service (IRS) publication Tax Exempt Bond FAQs Regarding Record Retention Requirements, available on the IRS web site, recommends that material records should be kept for as long as the debt is outstanding, plus three years after the final payment of the debt. Although the IRS recommendation is specific to tax-exempt bonds, districts should also retain records related to other forms debt issuance for the same length of time.

DEBT ISSUANCE AND MANAGEMENT (continued)

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

*Legal Reference:***EDUCATION CODE**

5300-5441 Conduct of elections
 15100-15262 Bonds for school districts and community college districts
 15264-15276 Strict accountability in local school construction bonds
 15278-15288 Citizen's oversight committees
 15300-15425 School Facilities Improvement Districts
 17150 Public disclosure of non-voter-approved debt
 17400-17429 Leasing of district property
 17450-17453.1 Leasing of equipment
 17456 Sale or lease of district property
 17596 Duration of contracts
 42130-42134 Financial reports and certifications

ELECTIONS CODE

1000 Established election dates

GOVERNMENT CODE

8855 California Debt and Investment Advisory Commission
 53311-53368.3 Mello-Roos Community Facilities Act
 53410-53411 Bond reporting
 53506-53509.5 General obligation bonds
 53550-53569 Refunding bonds of local agencies
 53580-53595.55 Bonds
 53850-53858 Tax and revenue anticipation notes
 53859-53859.08 Grant anticipation notes

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation
 Article 16, Section 18 Debt limit

Legal Reference continued: (see next page)

DEBT ISSUANCE AND MANAGEMENT (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 15
78o-4 Registration of municipal securities dealers
UNITED STATES CODE, TITLE 26
54E Qualified Zone Academy Bonds
CODE OF FEDERAL REGULATIONS, TITLE 17
240.10b-5 Prohibition against fraud or deceit
240.15c2-12 Municipal securities disclosure
CODE OF FEDERAL REGULATIONS, TITLE 26
1.103 Interest on state and local bonds
1.141 Private activity bonds
1.148 Arbitrage and rebate
1.149 Hedge bonds
1.6001-1 Records

Management Resources:

CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS
California Debt Issuance Primer
GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS
An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016
Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015
Investment of Bond Proceeds, Best Practice, September 2014
Selecting and Managing Municipal Advisors, Best Practice, February 2014
Debt Management Policy, Best Practice, October 2012
Analyzing and Issuing Refunding Bonds, Best Practice, February 2011
INTERNAL REVENUE SERVICE PUBLICATIONS
Tax Exempt Bond FAQs Regarding Record Retention Requirements
Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016
U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS
Internal Control System Checklist
WEB SITES
California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>
Government Finance Officers Association: <http://www.gfoa.org>
Internal Revenue Service: <https://www.irs.gov>
Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):
<http://www.emma.msrb.org>
U.S. Government Accountability Office: <http://www.gao.gov>
U.S. Securities and Exchange Commission: <https://www.sec.gov>

CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3543(a)

TRANSPORTATION SAFETY AND EMERGENCIES

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of ~~2015 (AB 92, Ch. 10, Statutes of 2015)~~ 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the ~~2015-16~~2016-17 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Note: The following regulation is for use by districts that provide school bus transportation services and employ their own school bus drivers. Districts that contract out for all transportation services may revise this regulation as appropriate to ensure that the contracting firm meets all legal requirements regarding transportation safety.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment ~~listed specified~~ in 13 CCR 1215, ~~including. The report shall indicate~~ any defect or deficiency discovered by or reported to ~~him/her, the driver~~ which would affect safe operation or result in mechanical breakdown of the bus, or, ~~indicating that if~~ no defect or deficiency was discovered or reported, ~~shall so indicate~~. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

~~In the event of a school bus accident, the driver shall immediately notify the California Highway Patrol, the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219) [MOVED DOWN]~~

~~The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures. [MOVED DOWN]~~

~~(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)~~

Passenger Restraint Systems

Note: Pursuant to Vehicle Code 27316 and 27316.5, any school bus or student activity bus purchased or leased for use in California must be equipped with a passenger restraint system if the bus was manufactured on or after the dates specified in law, as described below. Although it is the manufacturer's responsibility to

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

ensure installation of appropriate passenger restraint systems, the district should be aware that buses manufactured or purchased from outside California may need to be modified to comply with the state's requirements. In addition, according to the California Department of Education's (CDE) Passenger Restraints Frequently Asked Questions, districts may, but are not required to, retrofit older school buses with passenger restraint systems ~~with the original equipment manufacturer's approval~~. In determining whether to retrofit buses, the CDE recommends that districts consider the age of the bus, the total cost of the retrofit, and the required reinspection of the bus by the California Highway Patrol.

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:
 - a. Is designed for carrying 16 or fewer passengers and the driver
 - b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

Note: The following optional paragraph reflects legislative intent of Vehicle Code 27316.

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Note: Pursuant to Vehicle Code 27316, no person, district, or organization may be held criminally liable if a passenger improperly uses or fails to use the passenger restraint system. However, the CDE's Passenger Restraints Frequently Asked Questions encourages districts to develop procedures to enforce disciplinary actions for nonuse or improper use of the passenger restraint system.

The following optional paragraph may be expanded to specify the steps that should be taken by the driver to reasonably ensure that all passengers are properly restrained (e.g., verbal instructions to students, visual inspection), which may vary depending on the age/grade levels of the students. Such steps also may be incorporated in district regulations adopted pursuant to 5 CCR 14103 related to student conduct on buses, bus driver authority, and the suspension of riding privileges; see BP/AR 5131.1 - Bus Conduct.

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Electronic Communications Devices

Note: Vehicle Code 23123 prohibits any person from driving a motor vehicle while using a wireless telephone, except under the conditions described below. Pursuant to the definitions in Vehicle Code 415 and 545, a "motor vehicle" would include a school bus or student activity bus. In addition, Vehicle Code 23125 prohibits a person from driving a school bus while using a wireless telephone except for work-related or emergency purposes. Vehicle Code 23123.5, as amended by AB 1785 (Ch. 660, Statutes of 2016), prohibits the driver of a motor vehicle (including a school bus or school activity bus pursuant to Vehicle Code 415 and 545) from using an electronic wireless communications device for any purpose, including, but not limited to, text-based communication, but provides an exception for voice-operated and hands-free operation or for a function that requires only a single swipe or tap of the driver's finger as long as the device is mounted on the windshield, dashboard, or center console of the vehicle. The following paragraph limits the use of any electronic communications device to work-related or emergency purposes. The district should consult legal counsel if it is considering allowing broader use of such devices.

A bus driver ~~shall not drive~~ is prohibited from driving a school bus or student activity bus while using a wireless telephone except under the following conditions: (Vehicle Code 23123, 23125) or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands free listening and talking, provided it is used in that manner while driving
2. For emergency purposes, including, but not limited to, a call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
3. For work-related purposes

(cf. 3513.1 - Cellular Phone Reimbursement)

Note: Vehicle Code 23123.5 generally prohibits any person from driving a motor vehicle while using an electronic wireless communications device for text based communication. AB 1536 (Ch. 92, Statutes of 2012) amended Vehicle Code 23123.5 to add an exception for the use of voice operated and hands free operation of an electronic wireless communications device. At its discretion, the district may establish conditions that are more restrictive than law and should revise the following paragraph accordingly:

A bus driver shall not drive while using an electronic wireless communications device to write, send, or read a text based communication, including, but not limited to, text messages, instant messages, and email, unless the device is specifically designed and configured to allow voice operated and hands free operation and is used in that manner. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

Safe Bus Operations

Note: Pursuant to Education Code 39834, any Governing Board member, employee, or other person who knowingly operates or permits operation of a school bus in excess of its seating capacity is guilty of a misdemeanor. However, the Board is authorized to adopt policy that allows seating capacities to be exceeded in cases of emergency; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Note: Vehicle Code 34501.6 mandates any district that provides student transportation to adopt procedures that limit bus operation when atmospheric conditions reduce visibility, as described below, and that give drivers for school activity trips discretionary authority to discontinue operation when it is unsafe.

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

Note: The district should modify items #1-2 below to reflect grade levels offered by the district. A district that does not maintain any of grades prekindergarten through 8 should delete items #1-2.

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include address all of the following: (Education Code 39831.3)

1. ~~Procedures for d~~Determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. ~~Procedures for b~~Boarding and exiting a school bus at a school or other trip destination

Note: SB 1072 (Ch. 721, Statutes of 2016) amended Education Code 39831.3 to require that the transportation plan include the procedures specified in items #4-5 below.

4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or youth bus

Note: The procedures included in the transportation safety plan to ensure that a student is not left unattended on a bus may include the requirements of Vehicle Code 28160, as added by SB 1072 (Ch. 721, Statutes of 2016). Pursuant to Vehicle Code 28160, on or before the beginning of the 2018-19 school year, each school bus, school activity bus, youth bus, and child care motor vehicle (i.e., vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

care provider to transport children) must be equipped with a "child safety alert system" (i.e., a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle). Student activity buses may be exempt from this requirement if certain procedures are followed, as specified in Vehicle Code 28160.

Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP). (Education Code 39831.3)

Parental Notifications

Note: The following section is for use by districts that offer any of grades prekindergarten through 6 and should be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions ~~for safety while~~ **safely** walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)**Student Instruction**

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.

Note: Item #2 below is for use by districts that offer any of grades prekindergarten through 8 and should be revised to reflect the grade levels offered by the district.

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
 - a. Proper loading and unloading procedures, including escorting by the driver
 - b. How to safely cross the street, highway, or private road
 - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
 - d. Proper passenger conduct
 - e. Bus evacuation procedures
 - f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the California Highway Patrol CHP.

(cf. 3580 - District Records)

Note: Item #3 below applies to all students in grades prekindergarten through 12 and may be revised to reflect grade levels offered by the district.

- 3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Bus Accidents

In the event of a school bus accident, the driver shall immediately notify the CHP; and the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR.1219)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

*Legal Reference:*EDUCATION CODE

39830-398423 Transportation, school buses

39860 Contract for transportation; requirement that student not be left unattended

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545-546 Definition of school bus and student activity bus

22112 Loading and unloading passengers

~~23123 Use of wireless telephone prohibited while driving motor vehicle~~

~~23123.5 Text communications prohibited while driving motor vehicle~~ Use of wireless telephone or communications device while driving; exceptions

23125 Use of wireless telephone prohibited while driving school bus

27316-27316.5 Passenger restraint systems

28160 Child safety alert system

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and bus operations of school buses

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Passenger Restraints Frequently Asked Questions

WEB SITES

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

American School Bus Council: <http://www.americanschoolbuscouncil.org>

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tm>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.ncsbs.org>

National Transportation Safety Board: <http://www.nts.gov>

*U.S. Department of Transportation, National Highway Traffic Safety Administration:
<http://www.nhtsa.dot.gov>*

(11/08 11/12) 12/16

Center USD

Administrative Regulation

Transportation Safety And Emergencies

AR 3543

Business and Noninstructional Operations

Cautionary Notice: AB 1610 (Ch. 724, Statutes of 2010) amended Government Code 17581.5 to relieve districts from the obligation to implement specified statutes whenever they are identified in the Budget Act as being ones for which state mandate reimbursement is not provided for that fiscal year. As a result, certain provisions of the following administrative regulation that reflect those requirements may be suspended. It is recommended that districts consult legal counsel prior to suspending any provisions.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment listed in 13 CCR 1215, including any defect or deficiency discovered by or reported to him/her which would affect safe operation or result in mechanical breakdown of the bus, or indicating that no defect or deficiency was discovered or reported. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

In the event of a school bus accident, the driver shall immediately notify the California Highway Patrol, the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Passenger Restraint Systems

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:

- a. Is designed for carrying 16 or fewer passengers and the driver
- b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)
(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Electronic Communications Devices

A bus driver shall not drive a school bus or student activity bus while using a wireless telephone, except under the following conditions: (Vehicle Code 23123, 23125)

1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving
2. For emergency purposes, including, but not limited to, a call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
3. For work-related purposes

(cf. 3513.1 - Cellular Phone Reimbursement)

A bus driver shall not drive while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email, unless the device is specifically designed and configured to allow voice-operated and hands-free operation and is used in that manner. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic

wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include all of the following: (Education Code 39831.3)

1. Procedures for determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Procedures for boarding and exiting a school bus at a school or other trip destination
A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)

Parental Notifications

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safety while walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.
2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
 - a. Proper loading and unloading procedures, including escorting by the driver
 - b. How to safely cross the street, highway, or private road
 - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
 - d. Proper passenger conduct
 - e. Bus evacuation procedures
 - f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the California Highway Patrol.

- 3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

39830-39842 *Transportation, school buses*

51202 *Instruction in personal and public health and safety*

PENAL CODE

241.3 *Assault against school bus driver*

243.3 *Battery against school bus driver*

VEHICLE CODE

415 *Definition of motor vehicle*

545-546 *Definition of school bus and student activity bus*

22112 *Loading and unloading passengers*

23123 *Use of wireless telephone prohibited while driving motor vehicle*

23123.5 *Text communications prohibited while driving motor vehicle*

23125 *Use of wireless telephone prohibited while driving school bus*

27316-27316.5 *Passenger restraint systems*

34500 *California Highway Patrol responsibility to regulate safe operation of school buses*

34501.5 *California Highway Patrol responsibility to adopt rules re: safe operation of school buses*

34501.6 *School buses; reduced visibility*

34508 *California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses*

CODE OF REGULATIONS, TITLE 5

14100-14105 *School buses and student activity buses*

CODE OF REGULATIONS, TITLE 13

1200-1293 *Motor carrier safety*

2480 *Airborne toxic control measure; limitation on bus idling*

CODE OF REGULATIONS, TITLE 19

574-575.3 *Inspection and maintenance of fire extinguishers*

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 *Motor vehicle standards, including school buses*

Management Resources:

WEB SITES

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

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.ncsbs.org>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration:
<http://www.nhtsa.dot.gov>

Regulation

approved: April 17, 2013

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Board Policy

All Personnel

BP 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: The following Board policy and accompanying administrative regulation are mandated pursuant to Government Code 11138 and 2 CCR 11023, as added by Register 2015, No. 50. The California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibits employers from discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, sex, sexual orientation, gender, gender identity, gender expression, religious creed, physical or mental disability, medical condition, marital status, or genetic information. Pursuant to 2 CCR 11009, as amended by Register 2015, No. 50, these same protections apply to unpaid interns and volunteers. Consequently, the district is required to also notify unpaid interns and volunteers about these protections. For more information about volunteers, see BP/AR 1240 - Volunteer Assistance.

The same or similar protections are available to employees and job applicants under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

The Governing Board is determined to provide district employees, interns, volunteers and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

(cf. 1240 - Volunteer Assistance)

(cf. 4111/4211/4311 - Recruitment and Selection)

The Board prohibits No district employees from discriminating shall be discriminated against or harassing harassed by any coworker, supervisor, manager, or other district employee or job applicant person with whom the employee comes in contact in the course of employment on the basis of the person's employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation, or his/he association with a person or group with one or more of these actual or perceived characteristics.

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

NONDISCRIMINATION IN EMPLOYMENT (continued)

Note: The following paragraph illustrates unlawful discriminatory practices as specified in Government Code 12940. Pursuant to Labor Code 1197.5, an employer is prohibited from paying an employee at wage rates less than the rates to employees of the opposite sex for work requiring equal skill, effort, and responsibility and performed under similar conditions, except when the payment is based on some other bona fide factor such as education, training, or experience. In addition, Labor Code 1197.5, as amended by SB 1063 (Ch. 866, Statutes of 2016), prohibits the payment of different wage rates to employees for similar work based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation under the bona fide factor exception.

The Board also prohibits discrimination against any employee or job applicant. Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. **Discrimination** in hiring, compensation, terms, conditions, and other privileges of employment
2. **and the taking of any an adverse employment action, including, but not limited to, such as termination or the denial of employment, promotion, job assignment, or training, against an employee or job applicant based on any of the categories listed above.**

(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

3. **Harassment consists of a Unwelcome conduct, whether verbal, physical, or visual, conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it as to adversely affects an individual's employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance, or creating an intimidating, hostile, or offensive work environment.**

Note: Item #4 below addresses the numerous specific practices prohibited under Government Code 12940 or 2 CCR 11006-11086 in relation to certain protected categories. For example, because "sex" as defined in Government Code 12926 includes pregnancy, childbirth, breastfeeding, or related medical conditions, any of these conditions may be the basis for an employee's sex discrimination claim. As the specific prohibitions are too numerous to list in policy, it is recommended that district legal counsel be consulted when questions arise as to any specific claim.

4. **Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:**
 - a. **Prohibited sSex discrimination includes discrimination based on an employee's or job applicant's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status.**

NONDISCRIMINATION IN EMPLOYMENT (continued)*(cf. 4033 - Lactation Accommodation)**(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

b. **Prohibited discrimination on the basis of religious creed includes Religious creed discrimination based on an employee's or job applicant's religious belief or observance, including his/her religious dress or grooming practices. In accordance with Government Code 12940, prohibited discrimination on the basis of religious creed also includes or based on the district's failure or refusal to use reasonable means to accommodate an employee's or job applicant's religious belief, observance, or practice which conflicts with an employment requirement. However, the district shall not accommodate an employee's religious dress practice or religious grooming practice if it requires segregation of the individual from other employees or the public or if it would result in a violation of this policy or any law prohibiting discrimination.**

c. **Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity.**

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. **Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition.**

(cf. 4032 - Reasonable Accommodation)

Note: Retaliation against complainants or other participants in the grievance procedures is prohibited by Government Code 12940 and 34 CFR 110.34. In addition to the general prohibition against retaliation, Government Code 12940, as amended by AB 987 (Ch. 122, Statutes of 2015), provides that an employee or job applicant who requests accommodation for his/her physical or mental disability or religious belief is protected from retaliation as specified below. CSBA recommends that this protection be extended to all protected characteristics and has modified the policy accordingly.

In Thompson v. North American Stainless LP, the U.S. Supreme Court held that a third party may file an anti-retaliation suit.

The Board also prohibits retaliation against any district employee or job applicant who opposes any discriminatory employment practice by the district or its employees, agents, or

NONDISCRIMINATION IN EMPLOYMENT (continued)

representative¹ or who complains, testifies, assists, or in any way participates in the district's complaint ~~procedures~~ ~~process~~ pursuant to this policy. No employee ~~or job applicant~~ who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Note: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of ~~harassment prohibited conduct~~ of another employee or individual may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940 provides that an employer may be responsible for the sexual harassment of employees by nonemployees where the employer knows or should have known of the conduct and failed to take immediate and corrective action. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

See the accompanying administrative regulation for requirements related to the identification of the employee who will be responsible for compliance with the nondiscrimination laws.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who ~~does~~ reports such incidents from retaliation.

Note: Government Code 12940 requires districts to take all reasonable steps, including training, to prevent prohibited discrimination and harassment. In addition, 2 CCR 11023, as added by Register 2015, No. 15, imposes an affirmative duty on the district to create a workplace environment that is free from all prohibited practices. The U.S. Equal Employment Opportunity Commission, in its April 2006 ~~New Compliance Manual Section 15: Race and Color Discrimination~~, suggests proactive preventive measures for employers, including the adoption of transparent recruitment, hiring, and promotion processes; provision of training to employees; and periodic review of employment practices. For details of such measures, see the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, ~~and discrimination, or other related conduct~~, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

NONDISCRIMINATION IN EMPLOYMENT (continued)

In addition, the Superintendent or designee shall post in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Legal Reference continued: (see next page)

NONDISCRIMINATION IN EMPLOYMENT (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

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

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

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

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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Center USD

Board Policy

Nondiscrimination In Employment

BP 4030

Personnel

The Governing Board is determined to provide district employees and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

The Board also prohibits discrimination against any employee or job applicant in compensation, terms, conditions, and other privileges of employment and the taking of any adverse employment action, including, but not limited to, termination or the denial of employment, promotion, job assignment, or training, against an employee or job applicant based on any of the categories listed above.

(cf. 4032 - Reasonable Accommodation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

Prohibited discrimination on the basis of religious creed includes discrimination based on an employee's or job applicant's religious belief or observance, including his/her religious dress or grooming practices. In accordance with Government Code 12940, prohibited discrimination on the basis of religious creed also includes the district's failure or refusal to use reasonable means to accommodate an employee's or job applicant's religious belief, observance, or practice which conflicts with an employment requirement. However, the district shall not accommodate an employee's religious dress practice or religious grooming practice if it requires segregation of the individual from other employees or the public or if it would result in a violation of this policy or any law prohibiting discrimination.

Prohibited sex discrimination includes discrimination based on an employee's or job applicant's pregnancy, childbirth, breastfeeding, or any related medical condition.

(cf. 4033 - Lactation Accommodation)

Harassment consists of unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that

it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

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

The Board also prohibits retaliation against any district employee or job applicant who opposes any discriminatory employment practice by the district or its employee, agent, or representative or who complains, testifies, assists, or in any way participates in the district's complaint procedures pursuant to this policy. No employee or job applicant who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who does report such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

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

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

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

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11019 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

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Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources: (see next page)

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

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

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

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

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

CSBA Sample Administrative Regulation

All Personnel

AR 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: Pursuant to Government Code 11138 and 2 CCR 11023, as added by Register 2015, No. 50, districts are mandated to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to 2 CCR 11009, as amended by Register 2015, No. 50, it is unlawful to discriminate against any person who serves in an unpaid internship or other limited-duration program to gain unpaid work experience, on any basis protected by Government Code 12940.

All allegations of discrimination in employment, including those involving an intern, volunteer, or job applicant, shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws, as provided in the following paragraph. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and his/her contact information:

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Personnel
8408 Watt Avenue
Antelope, CA 95843
(916) 338-6413

Measures to Prevent Discrimination

Note: Pursuant to Government Code 12940 and 2 CCR 11023, as added by Register 2015, No. 50, the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023, as added, specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated. The following section reflects "best practices" for preventing unlawful harassment or discrimination, as identified in the California Department of Fair Employment and Housing

NONDISCRIMINATION IN EMPLOYMENT (continued)

(DFEH) and the U.S. Equal Employment Opportunity Commission (EEOC) informational publications. Examples of such publications are the DFEH's *California Law Prohibits Workplace Discrimination and Harassment* and the EEOC's *New Compliance Manual Section 15: Race and Color Discrimination*. Districts should investigate these and other relevant publications and determine which practices to adopt.

To prevent unlawful discrimination, harassment, and retaliation against district employees, volunteers, interns, and job applicants in district employment, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, to employees, volunteers, interns, job applicants, and the general public by: (5 CCR 4960; 34 CFR 100.6, 106.9)

- a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
- b. Posting them in all district schools and offices, including staff lounges and other prominent locations
- c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

2. Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)

- a. Printing and providing a copy of the policy to all employees with an acknowledgment form for each employee to sign and return
- b. Sending the policy via email with an acknowledgment return form
- c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
- d. Discussing district policy with employees upon hire and/or during a new hire orientation session
- e. Any other way that ensures employees receive and understand the policy

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

NONDISCRIMINATION IN EMPLOYMENT (continued)

- 23.** Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior
- 34.** Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

Note: Pursuant to 2 CCR 11023, as added by Register 2015, No. 50, if the district has 50 or more employees, its sexual harassment prevention training must include instruction for its supervisors as specified in the following paragraph:

Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024 (2 CCR 11023)

(cf. 1240 - Volunteer Assistance)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

- 45.** Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
- 6.** For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

Complaint Procedure

Note: 34 CFR 106.8 and 110.25 mandate any district that receives federal financial assistance to adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging discrimination on the basis of sex or age. 2 CCR 11023, as added by Register 2015, No. 50, mandates that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Courts have held that an employer may mitigate liability for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take

NONDISCRIMINATION IN EMPLOYMENT (continued)

advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, EEOC outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with the EEOC or the DFEH.

While the EEOC's guidance recommends a "prompt" investigation, neither the law nor the EEOC delineates a specific time frame for resolution. The EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

The following section, including the listed timelines, is consistent with the EEOC's guidance and should be modified to reflect district practice.

Any complaint ~~by an employee or job applicant~~ alleging **unlawful** discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant ~~who is an employee shall~~ may inform his/her direct supervisor. However, if the supervisor is the person against whom the employee is complaining, the employee shall inform, another supervisor, the coordinator, or the Superintendent or, if available, a complaint hotline or an ombudsman. A job applicant shall inform the coordinator or the Superintendent or designee.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

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

(cf. 4032 - Reasonable Accommodation)

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the **alleged discriminatory or harassing** behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

NONDISCRIMINATION IN EMPLOYMENT (continued)

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the ~~allegations~~ **investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. He/she shall also inform the parties that the investigation** will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents ~~do not occur~~ **are prevented**. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the ~~complainant parties~~ **complainant parties** and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, ~~correct the effect on~~ **provide appropriate options for remedial actions and resolutions for** the complainant, and ensure that retaliation or further discrimination or harassment ~~does not occur~~ **is prevented**.

NONDISCRIMINATION IN EMPLOYMENT (continued)

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

Note: Items #1-3 below state the time limits within which employees must file their complaints. The EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about time frames for filing charges of unlawful discrimination or harassment with the EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the employer's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to the EEOC when the matter falls within the EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: Pursuant to Government Code 12960, an employee has one year to file a complaint with DFEH, although that period may be extended under certain circumstances, such as when a person obtains knowledge of the unlawful practice after the expiration of the one-year period.

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with the EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

NONDISCRIMINATION IN EMPLOYMENT (continued)

3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

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Center USD

Administrative Regulation

Nondiscrimination In Employment

AR 4030
Personnel

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Personnel
8408 Watt Avenue
Antelope, CA 95843
(916) 338-6413

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, and retaliation against district employees, volunteers, interns, and job applicants, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, to employees, volunteers, interns, job applicants, and the general public by: (5 CCR 4960; 34 CFR 100.6, 106.9)
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
 - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
 - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available
2. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

4. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

Complaint Procedure

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant who is an employee shall inform his/her supervisor. However, if the supervisor is the person against whom the employee is complaining, the employee shall inform the coordinator or the Superintendent. A job applicant shall inform the coordinator or the Superintendent or designee.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

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

(cf. 4032 - Reasonable Accommodation)

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

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the allegations will be

kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the complainant and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, correct the effect on the complainant, and ensure that retaliation or further discrimination or harassment does not occur.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.
AR 4030(d)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

CSBA Sample Administrative Regulation

Certificated Personnel

AR 4112.22(a)

STAFF TEACHING ENGLISH ~~LANGUAGE~~ LEARNERS

Note: ~~A teacher who is~~ To be assigned to provide English language development (ELD), specially designed academic instruction in English (SDAIE), and/or primary language instruction, as defined below, ~~a teacher~~ must hold an appropriate authorization from the Commission on Teacher Credentialing (CTC).

Education Code 44258.9 requires the County Superintendent of Schools to monitor district teacher assignments and vacancies and to investigate district efforts to ensure that a teacher in an assignment requiring authorization to teach English learners completes the necessary requirements. ~~If a school is ranked in deciles 1-3 on the statewide Academic Performance Index, the County Superintendent must annually report on the appropriate English learner certification held by teachers in any class with at least 20 percent English learners.~~ See BP 4113 - Assignment.

Definitions

Note: Proposition 58 (November 2016) amended Education Code 306 to revise the definition of "English learner" to conform with federal law, as follows:

~~English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Instruction for English language development (ELD) means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English, that is specially designed to meet the needs of English learners. (Education Code 44253.2)

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

Primary language instruction includes both *primary language development* designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and *content instruction delivered in the primary language* in any subject area. (Education Code 44253.2)

(cf. 6174 - Education for English Language Learners)

Teacher Qualifications

Note: Education Code 44253.1-44253.11, related Title 5 regulations, and CTC leaflet CL-622, Serving English Learners, describe requirements pertaining to the qualifications of teachers of English learners.

It is the authorization listed on a document issued by the CTC, not the title of the document, which determines if and how an individual is authorized to serve English learners. Teacher preparation programs for multiple subject, single subject, and education specialist candidates include embedded coursework that allows them to earn an English learner authorization (authorizing ELD and SDAIE instruction) or a bilingual authorization (authorizing ELD, SDAIE, and primary language instruction) directly on their teaching credential. A teacher also may qualify to provide ELD and SDAIE instruction by completing coursework and/or passing CTC-approved examinations leading to a Crosscultural, Language and Academic Development (CLAD) certificate. The CTC is no longer issuing new Bilingual, Crosscultural, Language and Academic Development (BCLAD) certificates, but current holders of valid BCLAD certificates may continue to provide ELD, SDAIE, and primary language instruction.

Pursuant to Education Code 44253.11, a teacher with an appropriate prerequisite credential may enroll in a CTC-approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing the teacher to provide instruction in SDAIE.

5 CCR 80021 and 80021.1, as amended by Register 2010, No. 43, provide that all Short-Term Staff Permits and Provisional Internship Permits will be issued with an English learner authorization, unless the district requests the bilingual authorization and the applicant verifies target-language proficiency. The CTC also may issue emergency CLAD and bilingual authorization permits pursuant to 5 CCR 80024.7-80024.8, as amended by Register 2010, No. 43. See AR 4112.2 - Certification.

The CTC's "Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California" clarifies that any teacher with one or more K-12 English learner students in his/her class is required to have ~~an~~ a CTC authorization ~~for~~ to provide ELD, ~~and/or~~ SDAIE, and/or primary language instruction, as appropriate. State law does not specify any exemption based on the number of English learners in a class, the type of class (e.g., elective), or type of setting (e.g., special education or career technical education). According to the FAQs, districts have discretion to establish an employment requirement that all teachers, even those who currently have no English learners, possess an authorization to teach English learners. Districts that choose to do so should modify the following paragraph accordingly.

~~The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary~~

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

language instruction. Only a teacher who possesses an appropriate authorization issued by the Commission on Teacher Credentialing (CTC) shall provide ELD, SDAIE, and/or primary language instruction in a class with one or more English learners.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4113 - Assignment)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)

(cf. 4131 - Staff Development)

The **Governing Board** **district** may, for the purpose of providing primary language instruction, hire bilingual teachers who are employed in public or private schools of a foreign country, state, territory, or possession, provided such teachers speak English fluently and hold the necessary sojourn credential issued by the CTC. After the initial two-year sojourn credential expires, the teacher may annually apply to the CTC for an extension for a total period of not more than five years. Any application for renewal shall include verification by the Superintendent or designee that termination of the employment would adversely affect an existing bilingual program and that attempts to secure the employment of a qualified certificated California teacher have been unsuccessful. (Education Code 44856)

Legal Reference: (see next page)

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

Legal Reference:

EDUCATION CODE

306 Definition, English learner

~~44253.1-44253.11 Certification for bilingual crosscultural competence Qualifications of teachers of English learners~~

44258.9 County superintendent review of teacher assignments

44259.5 Standards for teachers of all students, including English language learners

44380-44386 Alternative certification

44856 Employment of teachers from foreign countries

52160-52178 Bilingual-Bicultural Act of 1976

62001-62005. 5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

80015 Requirements for the CLAD certification or English learner authorization

80015.1-80015.4 Requirements for CLAD, English learner authorization or bilingual authorization

80021 Short-Term Staff Permit

80021.1 Provisional Internship Program

80024.7-80024.8 Emergency CLAD and bilingual permits

UNITED STATES CODE, TITLE 20

6601-6651 Training and recruiting high-quality teachers

6801-7014 Language instruction for English learners and immigrant students

~~7801 Definition of English learner~~

COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Administrator's Assignment Manual

Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California

~~CL-622 Serving English Learners, December 2010~~

~~CL-626B Bilingual Authorizations, November 2010~~

~~CL-626C Crosscultural, Language and Academic Development (CLAD) Certificate, November 2010~~

~~CL-568 The Sojourn Certificated Employee Credential, August 2009~~

~~CL-824 Certificate of Completion of Staff Development~~

WEB SITES

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

California Association for Bilingual Education: ~~<http://www.bilingualeducation.org>~~

~~<http://www.gocabe.org>~~

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

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

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

Center USD

Administrative Regulation

Staff Teaching English Language Learners

AR 4112.22 4212.22

Personnel

Definitions

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)

Instruction for English language development (ELD) means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English, that is specially designed to meet the needs of English learners. (Education Code 44253.2)

Primary language instruction includes both primary language development designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and content instruction delivered in the primary language in any subject area. (Education Code 44253.2)

(cf. 6174 - Education for English Language Learners)

Teacher Qualifications

The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary language instruction.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4113 - Assignment)

(cf. 4222 - Teacher Aides/Paraprofessionals)

A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC-approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)

(cf. 4131 - Staff Development)

Legal Reference:

EDUCATION CODE

306 Definition, English learner

44253.1-44253.11 Certification for bilingual-crosscultural competence

44258.9 County superintendent review of teacher assignments

44259.5 Standards for teachers of all students, including English language learners

44380-44386 Alternative certification

44856 Employment of teachers from foreign countries

52160-52178 Bilingual-Bicultural Act of 1976

52180-52186 Bilingual teacher training assistance program

62001-62005. 5 Evaluation and sunseting of programs

99230-99242 Mathematics and Reading Professional Development Program

CODE OF REGULATIONS, TITLE 5

6100-6125 Teacher qualifications, No Child Left Behind Act

80015 Requirements for the CLAD certification or English learner authorization

80015.1-80015.4 Requirements for CLAD, English learner authorization or bilingual authorization

80021 Short-Term Staff Permit

80021.1 Provisional Internship Program

80024.7-80024.8 Emergency CLAD and bilingual permits

UNITED STATES CODE, TITLE 20

6319 Highly qualified teachers

6601-6651 Training and recruiting high-quality teachers

6801-7014 Language instruction for English learners and immigrant students

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-622 Serving English Learners, December 2010

CL-626B Bilingual Authorizations, November 2010

CL-626C Crosscultural, Language and Academic Development (CLAD) Certificate, November 2010

CL-568 The Sojourn Certificated Employee Credential, August 2009

WEB SITES

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

California Association for Bilingual Education: <http://www.bilingualeducation.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

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

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

Regulation
approved: October 19, 2011

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Exhibit

All Personnel

E 4112.9(a)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11023-11024	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR 6112	Public hearing on alternative schedule
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonists
Electronically to all employees, no more than twice per school year per child needing medication	Education Code 49414.7	AR 5141.21	Request for volunteers to administer emergency antiseizure medication; training to be provided

E 4112.9(b)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; <u>34 CFR 84.205</u> <u>84.210</u>	BP 4020 BP 4159 4259 4359	District's drug- and alcohol- free workplace; actions to be taken if violated; available employee assistance programs
Upon employment:	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

E 4112.9(c)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11096 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees and job applicants	34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time

E 4112.9(d)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employees in district with ADA of 250 or more by March 15 of employee's second consecutive year of employment	Education Code 44929.21	AR 4117.6	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

E 4112.9(e)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing

E 4112.9(f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To classified employee charged with mandatory leave of absence offense, in merit system district	Education Code 44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, procedures, and employee rights
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
IV. To Administrative/Supervisory Personnel			
To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term

E 4112.9(g)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. To Administrative/Supervisory Personnel (continued)			
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
V. To Individual Employees Under Special Circumstances			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.21 <u>1798.29</u>	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To employees returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification

E 4112.9(h)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204, 5193	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049; 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

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Center USD

Exhibit

Employee Notifications

E 4112.9, 4212.9, 4312.9
All Personnel

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11023	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR 6112	Public hearing on alternative schedule
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
Electronically to all employees, no more than twice per school year per child needing medication	Education Code 49414.7	AR 5141.21	Request for volunteers to administer emergency antiseizure medication; training to be provided
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees	Government Code 8355; 41 USC 8102	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees via employee handbook, or to each new employee	2 CCR 11096; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees and job applicants	34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employees in district with ADA of 250 or more by March 15 of employee's second consecutive year of employment	Education Code 44929.21	AR 4117.6	Whether or not employee is reelected for next school year

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To classified employee charged with mandatory leave of absence offense, in merit system district	Education Code 44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, procedures, and employee rights
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
IV. To Administrative/Supervisory Personnel			
To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. To Administrative/Supervisory Personnel (continued)			
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
V. To Individual Employees Under Special Circumstances			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.21	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204, 5193	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

CSBA Sample Board Policy

All Personnel

BP 4119.11(a)

SEXUAL HARASSMENT

4219.11

4319.11

Note: Education Code 231.5 mandates the district to have a written policy on sexual harassment. As part of this mandate, the district also should adopt a sexual harassment policy related to students; see BP/AR 5145.7 - Sexual Harassment.

Generally, courts recognize two types of conduct as constituting sexual harassment. "Quid Pro Quo" ("this for that") sexual harassment is considered to have occurred when a person in a position of authority makes another individual's educational or employment benefits conditional upon that other person's willingness to engage in unwanted sexual behavior (e.g., promising a promotion for sex). "Hostile environment" sexual harassment, on the other hand, is conduct by the perpetrator that is so severe, persistent, or pervasive that it creates a hostile, intimidating, or abusive educational or professional environment for another. Sexual harassment also covers retaliatory behavior against a complainant, witness, or other participant in the complaint process. Pursuant to Government Code 12940 and 2 CCR 11009, as amended by Register 2015, No. 50, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.

Sexual harassment may be a violation of is prohibited pursuant to Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17) and/or Title IX of the Education Amendments of 1972 (42 USC 2000h-2-2000h-6), as well as the California Fair Employment and Housing Act, Government Code 12900-12996.

Government Code 12940 and 34 CFR 106.9 extend protection against sexual harassment to job applicants. In addition, pursuant to Government Code 12940, employers may be held liable for sexual harassment committed against their workers by clients, customers, or other third parties if they knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)

Note: Federal and state courts have provided guidance that may help employers avoid liability or mitigate damages in sexual harassment cases. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court outlined ways in which measures that may enable employers may be able to reduce damages, including establishing anti-harassment policies, communicating those policies to employees, consistently enforcing their policies, preserving the confidentiality of employees who report harassment, and preventing retaliation against reporting employees. The United States v. Burlington Industries, Inc. Supreme Court has held, in Burlington Industries v. Ellerth, that, for certain claims under federal law, an employer may defend against sexual harassment claims by proving that: (1) reasonable care was exercised to prevent and promptly correct any sexually harassing behavior, and (2) the employee (victim) failed to take advantage of the preventive and corrective opportunities provided by the employer.

BP 4119.11(b)

4219.11

4319.11

SEXUAL HARASSMENT (continued)

Pursuant to Government Code 12950.1, employers with 50 or more employees are required to provide two hours of sexual harassment training to supervisory employees. See the accompanying administrative regulation for timelines and training requirements.

Items #1-4 below reflect the courts' guidance and Government Code 12950.1, and should be modified to reflect district practice.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff

(cf. 4112.9/4212.9/4312.9 - *Employee Notifications*)

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (§ ~~CCR 4964.2~~ CCR 11023)

Note: Because an employee's (especially a supervisor's) knowledge or notice of sexual harassment may subject the district to liability, it is recommended that the district require its employees with knowledge or notice of sexual harassment to report the harassment to the appropriate authorities. Pursuant to 2 CCR 11034, as amended by Register 2015, No. 50, the district may be liable for sexual harassment committed by a supervisor, coworker, or a third party. In addition, as part of its affirmative duty to prevent sexual harassment, the district is required pursuant to 2 CCR 11023, as amended by Register 2015, No. 50, to instruct supervisors to report complaints.

Any district employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

SEXUAL HARASSMENT (continued)

Note: In Faragher v. City of Boca Raton, one of the factors relied on by the U.S. Supreme Court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints.

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment ~~against a district employee, job applicant, or student is~~ in violation of this policy ~~and~~ is subject to disciplinary action, up to and including dismissal.

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

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

Note: In addition to district sanction against employees who engage in sexual harassment, Government Code 12940 provides that such employees may be held personally liable in a court of law for any damage to the victim(s).

Legal Reference: (see next page)

BP 4119.11(d)
4219.11
4319.11

SEXUAL HARASSMENT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

~~7287.8 Retaliation~~

~~7288.0 Sexual harassment training and education~~

~~11009 Employment discrimination~~

~~11021 Retaliation~~

~~11023 Harassment and discrimination prevention and correction~~

~~11024 Sexual harassment training and education~~

~~11034 Terms, conditions, and privileges of employment~~

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

(7/05 12/15) 12/16

Center USD

Board Policy

Sexual Harassment

BP 4119.11, 4219.11, 4319.11

Personnel

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

(cf. 4030 - Nondiscrimination in Employment)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing periodic training to all staff regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures in order to avoid harm.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

2. Publicizing and disseminating the district's sexual harassment policy to staff.

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Ensuring prompt, thorough and fair investigation of complaints.
4. Taking timely and appropriate corrective/remedial actions after completion of investigation. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments.

Any district employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately contact his/her supervisor, the principal, district administrator or Superintendent to obtain procedures for filing a complaint. Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

All complaints and allegations of sexual harassment shall be kept confidential to the extent

necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a district employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)

(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*

GOVERNMENT CODE

12900-12996 *Fair Employment and Housing Act, especially:*

12940 *Prohibited discrimination*

12950.1 *Sexual harassment training*

LABOR CODE

1101 *Political activities of employees*

1102.1 *Discrimination: sexual orientation*

CODE OF REGULATIONS, TITLE 2

7287.8 *Retaliation*

7288.0 *Sexual harassment training and education*

CODE OF REGULATIONS, TITLE 5

4900-4965 *Nondiscrimination in elementary and secondary education programs receiving state financial assistance*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*

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

2000h-2-2000h-6 *Title LX, 1972 Education Act Amendments*

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 *Dissemination of policy*

COURT DECISIONS

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Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncala v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Legal Reference: (see next page)

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WEB SITES

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Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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

CSBA Sample Administrative Regulation

All Personnel

AR 4119.11(a)

SEXUAL HARASSMENT

4219.11

4319.11

Note: The following administrative regulation is mandated pursuant to Education Code 231.5 and includes reasonable steps for preventing the occurrence of discrimination and harassment as required pursuant to Government Code 12940 (California Fair Employment and Housing Act). The focus of this administrative regulation is on sexual harassment by and of employees. Pursuant to Government Code 12940 and 2 CCR 11009, as amended by Register 2015, No. 50, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.

~~The focus of this administrative regulation is on sexual harassment of employees.~~ For information related to the sexual harassment of involving students, see BP/AR 5145.7 - Sexual Harassment.

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Note: In *Oncale v. Sundowner Offshore Services, Inc.*, the U.S. Supreme Court held that same-sex sexual harassment could be actionable under Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17).

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; ~~5 CCR 4916.2~~ **CCR 11034**)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of ~~such the conduct by the individual~~ is used as the basis for an employment decision affecting ~~him/her~~ **the individual**.
- ~~4.3~~ Submission to or rejection of the conduct ~~by the other individual~~ is used as the basis for any decision affecting ~~him/her~~ **the individual** regarding benefits, services, honors, programs, or activities available at or through the district.

Note: Pursuant to Government Code 12940, conduct may meet the definition of sexual harassment specified in item #3 below constitutes sexual harassment if it is sufficiently severe, pervasive, or offensive to create a hostile or abusive work environment for the victim, regardless of whether or not the alleged harasser is motivated by sexual desire for the victim.

SEXUAL HARASSMENT (continued)

3. ~~The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. Regardless of whether or not the alleged harasser was motivated by sexual desire, the conduct is sufficiently severe, persistent, pervasive, or objectively offensive as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity. Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.~~

Note: Pursuant to Government Code 12940, the district may be held liable for sexual harassment committed against employees by clients, customers, or other third parties if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment. The following paragraph clarifies that sexual harassment may include acts by supervisors, co-workers, or other parties and should be modified to reflect district practice.

~~Other examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting include, but are not limited to:~~

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

Note: The following ~~optional~~ paragraph is consistent with a district's ~~obligation~~ affirmative duty to protect its employees from sex discrimination, including sexual harassment, pursuant to 2 CCR 11023, as added by Register 2015, No. 50, and may be modified to reflect district practice. Although training is not legally required for all employees, Government Code 12940 requires districts to take reasonable steps to prevent harassment. In addition, since the language of BP/AR 5145.7 - Sexual Harassment requires employees to

SEXUAL HARASSMENT (continued)

report sexual harassment against students, training such employees to recognize and address sexual harassment ~~and address reports of~~ incidents furthers the district's interest in protecting both employees and students against prohibited conduct. Thus, it is strongly recommended that districts periodically provide sexual harassment training or information to all their employees, especially those who work at school sites.

Provision of periodic training to all district employees could also help foster a positive work environment and mitigate damages against a district in the event of sexual harassment litigation. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court held that employers that have taken reasonable steps to prevent and correct workplace sexual harassment may be able to reduce damages in the event of a lawsuit. Such steps may include establishing anti-harassment policies and communicating those policies to employees.

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. ~~Such~~ The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

Note: The remainder of this section is for use by districts with 50 or more employees. Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment suits. Additionally, provision of supervisor training may be a factor in determining whether a district has taken reasonable steps to prevent discrimination and harassment pursuant to Government Code 12940.

Government Code 12950.1 requires such districts to provide two hours of sexual harassment training and education once every two years to every supervisory employee, defined as any employee with the authority to take employment action, including hiring, transferring, suspending, and disciplining other employees, or recommend such action if the exercise of that authority is not merely routine or clerical in nature. All newly hired supervisors or employees promoted to a supervisory position must receive the training within six months of their hire or assumption of the supervisory position. Compliance with this law does not insulate the district from any liability for harassment.

Governing Board members, as elected officials, are not usually considered "supervisors"; however, since Board members have the authority to hire, reward, or discipline the Superintendent and other employees, Board members may also be required to receive sexual harassment training. Districts should consult with legal counsel to ensure that the appropriate individuals receive training.

~~Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment suits. Districts with fewer than 50 employees may delete or modify the remainder of this section to reflect district practice.~~

AR 4119.11(d)
4219.11
4319.11

SEXUAL HARASSMENT (continued)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A *supervisory employee* is any employee with having the authority, in the interest of the district to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or to effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - *Administrative and Supervisory Personnel*)

Note: Government Code 12950.1 and 2 CCR ~~11023~~ 11024, as amended and renumbered by Register 2015, No. 50, require that the training for supervisory employees contain specified components and be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

The district's sexual harassment training and education program for supervisory employees shall include the provision of be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR ~~11023~~ 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, against and the prevention, and correction of sexual harassment, and the remedies available to the victims of sexual harassment victims in employment civil actions, and potential district and/or individual exposure or liability
2. Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

Note: Pursuant to Government Code 12950.1, the prevention of abusive conduct must be included as a component of the sexual harassment training for supervisors.

SEXUAL HARASSMENT (continued)

- ~~3. A component on the prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance~~
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
- 4.6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
- ~~3.7. A component on the definition and~~ prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
- ~~5. All other contents of mandated training specified in 2 CCR 11023~~

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR ~~11023~~ 11024)

Notifications

Note: Education Code 231.5 requires that the district provide copies of its policy on sexual harassment to staff, as specified below. In addition, 2 CCR 11023~~4~~ requires that supervisory employees undergoing mandatory training receive a copy of the district's policy and acknowledge receipt of the policy; see item #6 in the section "Training" above.

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

SEXUAL HARASSMENT (continued)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

Note: Government Code 12950 requires the Department of Fair Employment and Housing (DFEH) to develop posters and information sheets on employment discrimination and the illegality of sexual harassment. These documents are available on DFEH's web site.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

AR 4119.11(g)
4219.11
4319.11

SEXUAL HARASSMENT (continued)

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

(3/08 10/15) 12/16

Center USD

Administrative Regulation

Sexual Harassment

AR 4119.11

Personnel

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 5 CCR 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. Regardless of whether or not the alleged harasser was motivated by sexual desire, the conduct is sufficiently severe, persistent, pervasive, or objectively offensive as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects

3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee with the authority to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or to effectively recommend such action.

The district's sexual harassment training and education program for supervisory employees shall include the provision of: (Government Code 12950.1; 2 CCR 11023)

1. Information and practical guidance regarding federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment
2. Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation
3. A component on the prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
4. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
5. All other contents of mandated training specified in 2 CCR 11023

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11023)

Notifications

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

CSBA Sample Board Policy

All Personnel

BP 4151(a)

4251

EMPLOYEE COMPENSATION

4351

Note: Districts that include provisions related to employee compensation in their collective bargaining agreements should modify or delete the following optional policy accordingly.

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

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

(cf. 4000 - Concepts and Roles)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

Note: Education Code 45023 and 45162 requires the Governing Board to adopt and publish a certificated employee salary schedules for certificated and classified employees, respectively. Pursuant to Education Code 45028, every certificated employee, except persons employed in administrative or supervisory positions, must be classified on the salary schedule on the basis of a uniform allowance for years of training and years of experience. In addition, Education Code 45028 specifies that a certificated employee may not be classified or paid differently solely because of the grade level at which he/she serves. However, Government Code 3543.2 permits the district and exclusive bargaining representative to "mutually agree" to a salary schedule based on criteria other than training and years of experience. For districts operating under a merit system, Education Code 45268 specifies that the personnel commission will recommend a salary schedule for classified employees to the Board for approval and that the Board may not amend the schedule without first giving the commission an opportunity to respond to the amendments.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and negotiated collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

EMPLOYEE COMPENSATION (continued)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4312.1 - ~~Contracts~~ Contracts)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments instead of by the school month. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

Education Code 45038 and 45039 authorize a district to pay employees in either 10, 11, or 12 equal installments. In 2007, the Internal Revenue Service (IRS) issued new rules, Pursuant to 26 CFR 1.409A-1, as amended by 72 Fed. Reg. 19234, regarding tax implications for the practice of paying employees who work 10 months per year but are paid over a 12-month period so that they receive a paycheck every month. This is a form of "deferred compensation." If the district allows employees to "elect" whether to receive their paychecks in such a manner, then according to the IRS, such employees must submit written election forms to the district in order to avoid any additional tax on the deferred compensation. If the district requires employees to receive their paychecks in such a manner without offering them an option, then the employees do not need to complete election forms, but the district must develop a written document describing how the employees will be paid, including the dates, schedule, and amounts of payment.

Education Code 45048 and 45165 specifies when salary payments must be made provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board:

The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

EMPLOYEE COMPENSATION (continued)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

Note: Pursuant to the federal Fair Labor Standards Act (FLSA) (29 CFR 553.20), employees who are not specifically exempted by law must receive overtime pay at a rate not less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours per work week. Furthermore, state law (Labor Code 510) entitles employees to an overtime pay rate after working eight hours in one day, unless an alternative schedule allowed by law is approved.

Pursuant to 29 CFR 541.0-541.710, employees are exempt from the FLSA overtime rules if they are executive, administrative, or professional staff, as defined, and their salary is at or above the salary level established in 29 CFR 541.600, as amended by 81 Fed. Reg. 32391. This salary level will automatically be updated every three years beginning January 1, 2020 according to the method specified in 29 CFR 541.607. Because the federal salary limit qualifying for exemption is higher than the California salary test, the federal limit prevails.

When calculating the overtime rate of pay, 29 USC 207 requires that all remuneration for employment paid to or on behalf of the employee, with specified exclusions, be considered as part of the employee's regular rate of pay. In *Flores v. City of San Gabriel*, the appeals court ruled that cash payments made in lieu of benefits must be included in the calculation.

Overtime pay requirements are not applicable to school administrators or teachers in elementary or secondary schools under specific exemptions in 29 USC 213 and 29 CFR 541.303. Pursuant to 29 CFR 541.303 and 541.600, teachers do not need to meet the salary level requirement to be exempt from overtime rules. 29 CFR 541.204 provides that administrators must either meet the salary level requirement or be compensated on a salary basis that is at least equal to the entrance salary for teachers in the administrator's school to be exempt from overtime rules.

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

Note: The following optional paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

BP 4151(d)
4251
4351

EMPLOYEE COMPENSATION (continued)

Pursuant to 29 CFR 553.21, an employee must be allowed to use earned compensatory time within a "reasonable period" after making the request. 29 CFR 553.25 provides that a "reasonable period" is determined on a case-by-case basis by considering customary work practices such as the normal work schedule, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff.

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

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

Legal Reference: (see next page)

EMPLOYEE COMPENSATION (continued)

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

UNITED STATES CODE, TITLE 29

201-219 Fair Labor Standards Act, especially:

203 Definitions

207 Overtime

213 Exemptions from minimum wage and overtime requirements

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

CODE OF FEDERAL REGULATIONS, TITLE 29

516.4 Notice of minimum wage and overtime provisions

516.5-516.6: Records

541.0-541.710 Exemptions for executive, administrative, and professional employees

553.1-553.51 Fair Labor Standards Act; applicability to public agencies

COURT DECISIONS

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation Section 409A of the Internal Revenue Code, January 2008

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

National School Boards Association: <http://www.nsba.org>

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

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

(2/97 7/08) 10/16

Center USD

Board Policy

Employee Compensation

BP 4151 4251,4351
Personnel

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)
(cf. 3400 - Management of Districts Assets/Accounts)
(cf. 4000 - Concepts and Roles)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for review at the district office.
(Education Code 45023, 45028)

(cf. 4121 - Temporary/Substitute Personnel)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4312.1 - Contacts)

The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.

(cf. 4140/4240 - Bargaining Units)

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:
45023 Availability of salary schedule
45028 Salary schedule for certificated employees
45160-45169 Salaries for classified employees
45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation -

Section 409A of the Internal Revenue Code, January 2008

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

National School Boards Association: <http://www.nsba.org>

Policy CENTER UNIFIED SCHOOL DISTRICT

adopted: October 15, 2008 Antelope, California

Delete

Center USD

Board Policy

Work-Related Injuries

BP 4157.1 4257.1,4357.1

Personnel

The Governing Board desires to provide its employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process in order to reduce costs and facilitate employee recovery.

(cf. 3320 - Claims and Actions Against the District)
(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4157.2/4257.2/4357.2 - Ergonomics)
(cf. 4161.11/4361.11 - Industrial Accident/Illness Leave)
(cf. 4261.11 - Industrial Accident/Illness Leave)

An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Upon learning of an injury, a supervisor shall promptly report the incident to the Superintendent or designee and the insurance carrier as appropriate.

The Superintendent or designee shall ensure that every new employee is notified of his/her right to receive workers' compensation if injured at work and that injured employees are given notice of rights in accordance with law.

The Superintendent or designee shall ensure that notifications regarding workers' compensation are posted in accordance with law.

Legal Reference:

EDUCATION CODE

44984 Industrial accident and illness leaves, certificated employees

45192 Industrial accident and illness leaves, classified employees

LABOR CODE

3200-4855 Workers' compensation, especially:

3550-3553 Employee notice

3600-3605 Conditions of liability

3760 Report of injury to insurer

4600 Provision of medical and hospital treatment by employer

4906 Disclosures and statements

5400-5413 Notice of injury or death
6409.1 Reports
CODE OF REGULATIONS, TITLE 8
15596 Notice of employee rights

Management Resources:

WEB SITES

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

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: October 16, 2002 Antelope, California

CSBA Sample

Administrative Regulation

All Personnel

AR 4157.1(a)

4257.1

WORK-RELATED INJURIES

4357.1

The Governing Board desires to provide its In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that in order to reduces costs and facilitates employee recovery.

(cf. 3320 - Claims and Actions Against the District)

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

Note: Pursuant to Labor Code 6409.1, the district must file a report concerning any work-related injury within five days of learning of the injury and mail or fax the form to the district's insurer.

An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Upon learning of an injury, a supervisor shall promptly report the incident to the Superintendent or designee and the insurance carrier as appropriate. [MOVED DOWN]

Note: As amended by AB 749 (Ch. 6, Statutes of 2002), Labor Code 3550.3551 requires the district to give employees information about workers' compensation benefits at the time of hire and again once an injury occurs. AB 749 sets forth additional requirements, developed by the state Commission on Health and Safety on Workers' Compensation, to be included on the notice effective January 1, 2003. Most insurance carriers provide a brochure for this purpose or one can be obtained from the state Division of Workers Compensation.

Pursuant to Labor Code 5401, the district must give or send by first class mail an employee claim form to an injured employee within one working day of finding out about the on the job injury. The insurance carrier will supply the district with forms for this purpose.

The Superintendent or designee shall ensure that notify every new employee, at the time of hire or by the end of the first pay period, is notified of his/her right to receive workers' compensation benefits if injured at work and that injured employees are given notice of rights in accordance with law. (Labor Code 3551; 8 CCR.15596)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

AR 4157.1(b)
4257.1
4357.1

WORK-RELATED INJURIES (continued)

Note: Labor Code 3550, 3553 and 8 CCR 15996 require employers to post a notice in a conspicuous place giving employees information on the district's workers' compensation benefits, including information as to where to get medical care for work injuries. Labor Code 3550 provides that failure to post this notice is a misdemeanor and may result in civil penalty. Most insurers provide a sample posting notice.

The Superintendent or designee shall ensure that notifications regarding workers' compensation are posted in accordance with law. In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, he/she shall report the injury or illness to his/her supervisor, the Superintendent or designee as soon as practicable.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to his/her dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

Note: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice provided to all employees at the time of hire, the notice that must be posted in a conspicuous place, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's web site or through the district's insurer. For districts that employ Spanish-speaking employees, the information must be made available in English and Spanish.

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

AR 4157.1(c)
4257.1
4357.1

WORK-RELATED INJURIES (continued)

Note: Pursuant to Labor Code 6409.1, the district must file a report concerning any work-related injury within five days of learning of the injury and mail or fax the form to the district's insurer injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with the DIR or, if the district is insured through a third party insurer, with the insurer. The district should select the option below that corresponds to the manner in which it insures for workers' compensation.

OPTION 1: (Districts insured for workers' compensation through a third party insurer)

Upon learning of an a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, a supervisor the Superintendent or designee shall promptly report the incident to the Superintendent or designee and the district's insurance carrier within five days after obtaining knowledge of the injury or illness, as appropriate. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the insurance carrier within five days after being notified of or learning about the death. (Labor Code 6409.1)

OPTION 2: (Districts insured for workers' compensation through self insurance)

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the DIR within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the DIR within five days after being notified of or learning about the death. (Labor Code 6409.1)

Note: The following paragraph is for use by districts that selected either Option 1 or 2 above:

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report by telephone or email to the Division of Occupational Safety and Health. (Labor Code 6409.1)

Legal Reference: (see next page)

AR 4157.1(d)
4257.1
4357.1

WORK-RELATED INJURIES (continued)

Legal Reference:

EDUCATION CODE

44984 *Industrial accident and illness leaves, certificated employees*

45192 *Industrial accident and illness leaves, classified employees*

LABOR CODE

3200-4855 *Workers' compensation, especially:*

3550-3553 *Employee notice*

3600-3605 *Conditions of liability*

3760 *Report of injury to insurer*

4600 *Provision of medical and hospital treatment by employer*

4906 *Disclosures and statements*

5400-5413 *Notice of injury or death*

6409.1 *Reports*

CODE OF REGULATIONS, TITLE 8

15596 *Notice of employee rights*

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

A Guidebook for Injured Workers, 2014

Notice to Employees – Injuries Caused by Work

Time of Hire Pamphlet

Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility

WEB SITES

California Department of Industrial Relations, Division of Occupational Safety and Health:

<http://www.dir.ca.gov/dosh>

California Department of Industrial Relations, Division of Workers Compensation:

<http://www.dir.ca.gov/dwc>

(10/95 7/02) 10/16

Center USD

Administrative Regulation

Work-Related Injuries

AR 4157.1 4257.1,4357.1
Personnel

Notifications

The Superintendent or designee shall post a notice of employee rights related to workers' compensation and shall provide this information in writing to new employees. (Labor Code 3550-3551)

This notice shall also include a statement of the district's policy requiring employees to report work-related injuries as soon as practicable.

Employees shall also be informed that pursuant to Labor Code 4906, it is a felony for an employee to make a false workers' compensation claim.

District Responsibilities

Supervisors receiving reports of a work-related employee injury shall gather appropriate information, including but not limited to:

1. The date, time and place of the injury
2. The name, occupation and signature of the injured employee
3. Details of how the injury occurred
4. The names of any witnesses

Supervisors shall promptly remit information about work-related injuries to the Superintendent or designee.

Whenever a work-related injury results in lost work time beyond the date of the injury or requires medical treatment beyond first aid, the employee shall be given a workers' compensation claim form and a notice of potential eligibility for benefits within one working day of the reported injury. (Labor Code 5401) In the case of stress claims, the claim form shall be provided only if the employee indicates that he/she is going to a physician or is unable to work.

Within five working days of obtaining knowledge of any injury which results in lost time beyond the date of the injury or which requires medical treatment beyond first aid, the

Superintendent or designee shall file a complete report of the injury with the district's insurer.
(Labor Code 6409.1)

Employee Responsibilities

Upon receiving treatment for a work-related injury, the employee shall obtain a medical verification of his/her condition, indicating any limitations on the employee's ability to work, the anticipated time needed for recovery from these limitations, and the type of work modification needed.

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

To qualify for workers' compensation, employees must notify their supervisor of a work-related injury within 30 days. (Labor Code 5400)

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

CSBA Sample

Administrative Regulation

Certificated Personnel

AR 4161.1(a)

4361.1

PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Education Code 44978 provides a minimum of 10 days of personal illness or injury leave (sick leave) per year for certificated employees working five days a week. The Governing Board may allow additional days at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including temporary and substitute employees. Pursuant to Labor Code 246, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~, a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his/her employment or each calendar year or 12-month period. ~~Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years.~~

The provisions of Labor Code 245-249 are very broad and only district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, this administrative regulation has been drafted to include the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this administrative regulation accordingly.

For additional requirements of Labor Code 245-249, see the section titled "Healthy Workplaces, Healthy Families Act Requirements" below. For paid sick leave for temporary and substitute certificated employees, see BP/AR 4121 - Temporary/Substitute Personnel. For sick leave for classified employees, see AR 4261.1 - Personal Illness/Injury Leave.

Certificated employees employed five school days ~~a-per~~ week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave), ¹per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave ~~per year~~ due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

PERSONAL ILLNESS/INJURY LEAVE (continued)

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

Note: Optional item #4 below may be revised as desired to specify a different minimum increment for sick leave.

4. Medical and dental appointments, in increments of not less than one hour
5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

Note: Pursuant to Labor Code 246.5, as added by AB 1522 (Ch. 317, Statutes of 2014), paid sick leave may be used for the purposes specified in item #6 below. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, for the purposes specified in items #6-7 below.

To attend to the illness of their family members, as specified in item #6 below, family members include, but are not limited to, an employee's grandparent, grandchild, and sibling, not just his/her child, parent, spouse, or domestic partner. In addition, the law defines child as a "biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis." For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #6 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.

For more details of AB 1522 requirements, see section "Healthy Workplaces, Healthy Families Act"

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~Requirements" below~~ For additional information about leaves for victims of domestic violence, sexual assault, or stalking ~~granted in accordance with item #7 below~~, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

6. ~~In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 246.5)~~ a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care **(Labor Code 233, 246.5)**
- ~~b.7~~ Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking **(Labor Code 233, 246.5)**

For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

Note: The following paragraph is optional.

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

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

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

Note: Pursuant to Education Code 44979-44980, a certificated employee is entitled to have his/her accumulated sick leave transferred with him/her in the circumstances specified in the following optional paragraph.

PERSONAL ILLNESS/INJURY LEAVE (continued)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

Note: Education Code 44978.2, as added by SB 1180 (Ch. 728, Statutes of 2016), provides that an employee hired on or after January 1, 2017, who is a military veteran with a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher) is entitled to additional sick leave with pay for up to 10 days. Such leave may only be taken during the first year of employment for the purpose of undergoing medical treatment, as specified below.

In addition to any other entitlement for sick leave with pay, a newly hired certificated employee who is a military veteran with a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)

The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Note: Pursuant to Education Code 44978.2, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice:

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Notification of Absence

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

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate

PERSONAL ILLNESS/INJURY LEAVE (continued)

of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 44977, an employee who is absent for up to five months after exhausting all his/her available sick leave must receive his/her regular salary minus the cost of a substitute. Option 1 below reflects this requirement. However, Education Code 44983 provides that Education Code 44977 does not apply to those districts that adopt a rule that gives certificated employees 50 percent or more of their regular salary during the period of absence. Option 2 below is for use by districts that choose to specify such a level of compensation; these districts are mandated to adopt a rule to this effect.

When an employee is absent for a period of more than five months, or is absent for a cause other than illness, Education Code 44977 and 44983 provide that the amount deducted from his/her salary shall be determined according to the rules and regulations adopted by the Board as long as such rules are not in conflict with State Board of Education regulations. If not covered in the district's negotiated agreement, the district may add provisions in this section reflecting salary deductions for employees absent longer than five months.

OPTION 1:

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or ~~injury~~ **injury/accident**, continues to be absent from his/her duties for an additional period of up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. **(Education Code 44977)**

An employee shall not be provided more than one five-month period per illness or ~~injury~~ **injury/accident**. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. **(Education Code 44977)**

Note: Option 2 below is mandated for use by districts that choose to provide employees at least 50 percent of their regular salary during the period of absence pursuant to Education Code 44983. The following paragraph specifies 50 percent and should be modified by districts that have set a higher percentage.

PERSONAL ILLNESS/INJURY LEAVE (continued)

OPTION 2:

~~After a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or injury/accident, continues to be absent for an additional period of up to five months, he/she shall receive 50 percent of his/her regular salary during the additional period of absence. (Education Code 44983)~~

Absence Beyond Five-Month Period/Reemployment List

Note: The following paragraph is required for districts that select Option 1 (i.e., differential pay) in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above and should be carefully considered by districts that select Option 2 (i.e., 50 percent pay). Education Code 44978.1 requires the establishment of a reemployment list for employees who are unable to resume their duties after the five-month period provided pursuant to Education Code 44977. Although Education Code 44978.1 does not explicitly require a reemployment list for districts selecting Option 2, such districts should be aware that failure to establish a reemployment list may subject employees to termination following a five-month absence. Therefore, any district that selects Option 2 and currently maintains a reemployment list for employees who are absent beyond the five-month period or that wishes to establish such a list, should consult legal counsel before changing its policy or practices.

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Differential Pay for Parental Leave

Note: The following paragraph is for use by districts that selected either Option 1 or Option 2, and section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights entered into before January 1, 2016. Pursuant to Education Code 44977.5, as added by AB 375 (Ch. 400, Statutes of 2015) as amended by AB 2393 (Ch. 883, Statutes of 2016), the district is required to provide differential pay to a certificated employee when he/she has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to ~~maternity or paternity~~ parental leave for the birth of the employee's child or placement of a child with the employee for adoption or foster care (baby bonding), pursuant to Government Code 12945.2 (California Family Rights Act). Such an employee is entitled to receive differential pay, calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above, for up to 12 work weeks. Among the many questions generated by the new law are whether the 12 weeks differential pay for maternity/paternity leave would be in addition to the five months differential leave pay pursuant to Education Code 44977 (Option 1 above) and whether the law applies to districts that provide their employees at least 50 percent of their regular salary instead of differential pay during such period of

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~absence, as permitted by Education Code 44983 (Option 2 above). The following paragraph reflects CSBA's interpretation of the law. Any district with a question regarding the interpretation to be given to this new law should consult its legal counsel.~~

As amended, Education Code 44977.5 provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 44977.5 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

~~In addition,~~ During each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of ~~maternity or paternity~~ parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for up to 12 school work weeks, ~~his/her regular salary minus the actual cost of a substitute to fill the position or, if no substitute was employed, the amount that would have been paid had a substitute been employed.~~ The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such ~~maternity or paternity parental~~ leave. Such parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 44977.5 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

Verification Requirements

Note: Education Code 44978 mandates the Board to adopt regulations requiring proof of illness or injury and prescribing the means of verification. However, Education Code 44978 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. For verification requirements for employees on leave pursuant to the Family and Medical Leave Act, see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. The following section should be modified to reflect district practice and any procedures which have been specified in negotiated agreements.

~~Previously, Labor Code 233 authorized a district to apply the same conditions and restrictions placed upon its employees' use of sick leave for their own illness to any use of sick leave for illnesses of an employee's family members. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), this authorization no longer exists. As amended, Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #6-7 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.~~

PERSONAL ILLNESS/INJURY LEAVE (continued)

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or his/her family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, as added by AB 1522 (Ch. 317, Statutes of 2014), all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action

PERSONAL ILLNESS/INJURY LEAVE (continued)

against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting **and/or** using sick leave is prohibited by law and **that** an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
 2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE

44964 Power to grant leave of absence in case of illness, accident, or quarantine

44965 Granting of leaves of absence for pregnancy and childbirth

44976 Transfer of leave rights when school is transferred to another district

44977 Salary deduction during absence from duties up to five months after sick leave is exhausted

44977.5 ~~Salary deduction during absence from duties for maternity or paternity~~ Differential pay during parental leave up to 12 weeks after sick leave is exhausted

44978 Provisions for sick leave of certificated employees

44978.1 Inability to return to duty; placement in another position or on reemployment list

44978.2 ~~Leave for military service connected disability~~

44979 Transfer of accumulated sick leave to another district

44980 Transfer of accumulated sick leave to a county office of education

44981 Leave of absence for personal necessity

44983 Exception to sick leave when district adopts specific rule

44984 Industrial accident or illness

44986 Leave of absence for disability allowance applicant

LABOR CODE

220 Sections inapplicable to public employees

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

234 Absence control policy

245-249 Healthy Workplaces, Healthy Families Act of 2014

CODE OF REGULATIONS, TITLE 5

5601 Transfer of accumulated sick leave

UNITED STATES CODE, TITLE 42

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

Center USD

Administrative Regulation

Personal Illness/Injury Leave

AR 4161.1, 4361.1
Certificated Personnel

Certificated employees employed five school days a week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave), per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4361.11 - Industrial Accident/Illness Leave)

6. In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 246.5)
 - a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
 - b. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Notification of Absence

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or injury, continues to be absent from his/her duties for an additional period up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary.

An employee shall not be provided more than one five-month period per illness or injury. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

In addition, during each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of maternity or paternity leave (baby bonding) pursuant to Government Code 12945.2 shall receive, for up to 12 school weeks, his/her regular salary minus the actual cost of a substitute to fill the position or, if no substitute was employed, the amount that would have been paid had a substitute been employed. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such maternity or paternity leave. (Education Code 44977.5)

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may, at any time, require additional written verification by the employee's physician or other authorized health care provider. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting or using sick leave is prohibited by law and an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:

EDUCATION CODE

- 44964 Power to grant leave of absence in case of illness, accident, or quarantine
- 44965 Granting of leaves of absence for pregnancy and childbirth
- 44976 Transfer of leave rights when school is transferred to another district
- 44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
- 44977.5 Salary deduction during absence from duties for maternity or paternity leave up to 12 weeks after sick leave is exhausted
- 44978 Provisions for sick leave of certificated employees
- 44978.1 Inability to return to duty; placement in another position or on reemployment list
- 44979 Transfer of accumulated sick leave to another district
- 44980 Transfer of accumulated sick leave to a county office of education
- 44981 Leave of absence for personal necessity
- 44983 Exception to sick leave when district adopts specific rule
- 44984 Industrial accident or illness
- 44986 Leave of absence for disability allowance applicant

LABOR CODE

- 220 Sections inapplicable to public employees
- 230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
- 230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
- 233 Illness of child, parent, spouse or domestic partner
- 234 Absence control policy
- 245-249 Healthy Workplaces, Healthy Families Act of 2014

CODE OF REGULATIONS, TITLE 5

- 5601 Transfer of accumulated sick leave

UNITED STATES CODE, TITLE 42

- 2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

- 1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

- Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

Regulation

approved: October 19, 2016

CSBA Sample

Administrative Regulation

Classified Personnel

AR 4261.1(a)

PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Twelve days of paid personal illness or injury leave (sick leave) per year is the minimum prescribed by Education Code 45191 for classified employees employed five days a week in both merit and non-merit system districts. The Governing Board may allow more sick leave at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including classified employees. Pursuant to Labor Code 246, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~, a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his/her employment or each calendar year or 12-month period. ~~Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years.~~

The provisions of Labor Code 245-249 are very broad and only district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, this administrative regulation reflects the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this administrative regulation accordingly.

~~For additional requirements of Labor Code 245-249, See sections titled "Short-Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below for more details of AB 1522 requirements.~~ For sick leave for certificated employees, see AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)
2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

Note: Optional item #4 below may be revised to specify a different minimum increment.

4. Medical or dental appointments, in increments of not less than one hour
5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. ~~4161.11/4261.11/4361.11~~ - Industrial Accident/Illness Leave)

Note: Pursuant to Labor Code 246.5, as added by AB 1522 (Ch. 317, Statutes of 2014), paid sick leave may also be used for the purposes specified in item #6 below. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, for the purposes specified in items #6-7 below.

To attend to the illness of their family members, as specified in item #6 below, family members include, but are not limited to, an employee's grandparent, grandchild, and sibling, not just his/her child, parent, spouse, or domestic partner. In addition, the law defines child as a "biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis." For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #6 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.

For additional information about leaves for victims of domestic violence, sexual assault, or stalking granted in accordance with item #7 below, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

PERSONAL ILLNESS/INJURY LEAVE (continued)

For more details of AB 1522 requirements, see sections titled "Short Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below. For additional information about leaves for victims of domestic violence, sexual assault, or stalking, see AR 4161.2/4261.2/4361.2, Personal Leaves.

6. In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 245.5, 246.5) a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)
- b.7. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement: (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

Note: The following paragraph is optional.

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

Note: Pursuant to Education Code 45202, a classified employee who is terminated after at least one year of employment for any reason unrelated to discipline is entitled to have his/her accumulated sick leave transferred with him/her in certain circumstances. The following paragraph, which provides for the notification of employees as a way to implement this provision, is optional and may be revised to reflect district practice.

PERSONAL ILLNESS/INJURY LEAVE (continued)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

Note: Education Code 45191.5, as added by SB 1180 (Ch. 728, Statutes of 2016), provides that an employee hired on or after January 1, 2017, who is a military veteran with a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher) is entitled to additional sick leave with pay for up to 12 days. Such leave may only be taken during the first year of employment for the purpose of undergoing medical treatment, as specified below.

In addition to any other entitlement for sick leave with pay, a newly hired classified employee who is a military veteran with a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)

The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Note: Pursuant to Education Code 45191.5, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Notification of Absence

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

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute

PERSONAL ILLNESS/INJURY LEAVE (continued)

may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 45196, a district is authorized to pay any employee who has exhausted his/her paid leaves his/her salary minus the actual pay received by a substitute for the remainder of a five-month absence to which the employee is entitled (Option 1 below). Alternatively, such an employee may be compensated at 50 percent or more of his/her salary for up to 100 working days, regardless of whether or not a substitute is hired (Option 2 below).

Districts that maintain a catastrophic leave program for their classified employees should specify how the program will affect the differential leave pay to which the employee may be entitled.

OPTION 1:

~~Note: In 53 Ops. Cal. Atty. Gen. 111 (1970), the Attorney General clarified that a classified employee is entitled to a total period of five months, commencing with the first day of illness, during which the amount deducted from his/her salary may not exceed the sum which is actually paid a substitute. This five-month period runs concurrently with any other paid leave. After the employee has exhausted all paid leaves, he/she is entitled to differential pay for the balance of the five-month period.~~

~~In California School Employees Association v. Tustin Unified School District, the court ruled that a district could deduct from the absent employee's salary only the cost of an outside substitute employee, not the cost of existing classified employee(s) working additional hours to fill the position during the absence.~~

~~Pursuant to Education Code 45196, the amount paid to a substitute must be less than the absent employee's salary unless the Board has adopted a salary schedule for substitutes.~~

~~A classified employee who has exhausted all paid leaves, including sick leave, shall for the remainder of the five-month period of absence to which he/she is entitled, receive his/her salary minus the actual amount paid a substitute to fill the employee's position during his/her absence. (Education Code 45196)~~

~~The five-month period shall commence on the first day of the leave of absence and shall run concurrently with any other paid leave.~~

OPTION 2:

Note: Education Code 45196 authorizes, but does not require, a district to annually credit regular classified

PERSONAL ILLNESS/INJURY LEAVE (continued)

employees with at least 100 working days of paid sick leave, and to compensate any such employee at 50 percent or more of the employee's regular salary for the remainder of the 100 working days after the employee has exhausted all leaves for which he/she would be entitled to a full salary. Any district that chooses this option is mandated to adopt a rule to that effect. Such districts should note that this option is exclusive of other paid leave, holidays, or vacation. In California School Employees Association v. Colton Joint Unified School District, the court ruled that the district's practice of coordinating or combining vacation with the 100 days differential leave contradicts the express provision of Education Code 45196.

The following paragraph may be revised to specify more than 100 working days and/or the level of compensation the district will pay an employee, if it chooses to pay more than 50 percent of the employee's salary.

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or ~~injury~~ **accident**, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

Differential Pay for Parental Leave

Note: The following section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights. Pursuant to Education Code 45196.1, as added by AB 2393 (Ch. 883, Statutes of 2016), the district is required to provide differential pay to a classified employee when he/she has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to parental leave for the birth of the employee's child or placement of a child with the employee for adoption or foster care (baby bonding), pursuant to Government Code 12945.2 (California Family Rights Act). Such an employee is entitled to receive differential pay, calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above, for up to 12 work weeks.

Education Code 45196.1 provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 45196.1 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

During each school year, any classified employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. Such parental leave shall run concurrently with the parental leave

PERSONAL ILLNESS/INJURY LEAVE (continued)

taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 45196.1 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

Extension of Leave

Note: Pursuant to Education Code 45195, the following extension of leave may be either paid or unpaid, and the Board may grant full pay for the full 18 months' allowable absence, if desired.

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

Note: Education Code 45191 mandates the Board to adopt regulations that require proof of illness or injury and prescribe the means of verification. However, Education Code 45191 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. The following section should be modified to reflect district practice and any procedures that have been specified in negotiated agreements.

~~Previously, Labor Code 233 authorized a district to apply the same conditions and restrictions placed upon its employees' use of sick leave for their own illness to any use of sick leave for illnesses of an employee's family members. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), this authorization no longer exists. As amended, Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #6-7 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who~~

PERSONAL ILLNESS/INJURY LEAVE (continued)

is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or his/her family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

PERSONAL ILLNESS/INJURY LEAVE (continued)**Short-Term and Substitute Employees**

Note: Pursuant to Labor Code 245-249, ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, the district is required to grant a minimum of one hour of paid sick leave for every 30 hours worked by an employee who works for 30 days within a year of his/her employment. In implementing this requirement, Labor Code 246, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~, permits the district to use any of the options specified below. Option 1 provides for paid leave accrual based on one hour for every 30 hours worked. Option 2 allows an accrual method that provides for a regular accrual basis and ensures that the employee receives 24 hours of paid sick leave by the 120th calendar day of his/her employment. Option 3 is for any district that credits employees with 24 hours of paid sick leave at the beginning of each year and does not allow unused sick leave to carry over to the next year. In addition, pursuant to Labor Code 245.5, ~~as amended by AB 304~~, retired annuitants who have not reinstated to the applicable public retirement system are excluded from participation in these leave benefit provisions. The district should select the option below which corresponds to its approach under Labor Code 246.

See section below titled "Healthy Workplaces, Healthy Families Act Requirements" for additional ~~details of AB 1522~~ requirements.

OPTION 1:

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

OPTION 2:

~~Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall accrue, on a regular basis, paid sick leave of up to 24 hours by the 120th calendar day of his/her employment or each calendar year or 12-month period. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)~~

OPTION 3:

~~Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)~~

Note: The following paragraph applies to all the above options.

PERSONAL ILLNESS/INJURY LEAVE (continued)

Any short-term or substitute employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. (Labor Code 246)

Note: The following paragraph applies to all of the above options and reflects the intent of the Healthy Workplaces, Healthy Families Act to enable California workers to address their own and their family's health needs and to provide them with economic security when they need to take time off work for reasons of domestic violence, sexual assault, or stalking. The following paragraph may be revised to include additional reasons for which short-term or substitute employees may use sick leave, pursuant to district policy or practice. Pursuant to Labor Code 247.5, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~ a district is not required to inquire into the purposes for which an employee uses paid leave.

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days

PERSONAL ILLNESS/INJURY LEAVE (continued)

- b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
- 2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
 - 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)*
- 4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves of absence and vacations

45191 Leaves of absence for illness and injury

~~45191.5 Leave for military service connected disability~~

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

~~45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted~~

45202 Transfer of accumulated sick leave and other benefits

LABOR CODE

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

245-249 Healthy Workplaces, Healthy Families Act of 2014

COURT DECISIONS

California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Attv.Gen. 111 (1970)

Center USD

Administrative Regulation

Personal Illness/Injury Leave

AR 4261.1 **Classified Personnel**

Classified employees employed five days a week are entitled to 12 days leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)

2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical or dental appointments, in increments of not less than one hour

5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. 4261.11 - Industrial Accident/Illness Leave)

6. In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 245.5, 246.5)

- a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care

- b. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or injury, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of

any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may, at any time, require additional written verification by the employee's physician or medical practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting or using sick leave is prohibited by law and an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
 2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available
- (cf. 4112.9/4212.9/4312.9 - Employee Notifications)*
4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves of absence and vacations

45191 Leaves of absence for illness and injury

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

45202 Transfer of accumulated sick leave and other benefits

LABOR CODE

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

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ATTORNEY GENERAL OPINIONS

53 Ops. Cal. Atty. Gen. 111 (1970)

Regulation

approved: October 19, 2016

CSBA Sample Board Policy

Students

BP 5030(a)

STUDENT WELLNESS

Note: The Healthy, Hunger-Free Kids Act of 2010 (42 USC 1758b) mandates each district participating in the National School Lunch Program (42 USC 1751-1769f) or any program in the Child Nutrition Act of 1966 (42 USC 1771-17913), including the School Breakfast Program, to adopt a districtwide school wellness policy. The following policy fulfills this mandate and should be revised to reflect district practice. Other policies in the district's policy manual will likely contain additional provisions supporting this wellness policy, such as BP 3312 - Contracts, BP/AR 3550 - Food Service/Child Nutrition Program, BP/AR 3552 - Summer Meal Program, BP/AR 3553 - Free and Reduced Price Meals, BP/AR 3554 - Other Food Sales, BP/AR 6142.7 - Physical Education and Activity, and BP/AR 6142.8 - Comprehensive Health Education.

Although the Governing Board has discretion under 42 USC 1758b to determine specific policies appropriate for its schools, the U.S. Department of Agriculture (USDA) is required to develop regulations, 7 CFR 210.30, as added by 81 Fed. Reg. 50151, that provides a framework and guidelines to assist districts in establishing their student wellness policies, including minimum content requirements, assurance of stakeholder participation in the development and updates, and periodic assessment and disclosure of compliance with the district's wellness policy, and to provide technical assistance through the Centers for Disease Control and Prevention (CDC). Currently, the U.S. Department of Agriculture (USDA) and Centers for Disease Control and Prevention (CDC) provide resources and implementation tools on their web sites. In addition, CSBA's Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide summarizes research on the relationship between nutrition and physical activity and student achievement, provides worksheets for policy development, and contains other resources that may be useful in the development of the wellness policy.

The following paragraph links student wellness with the components of a coordinated school health approach recommended in the California Department of Education's (CDE) Health Framework for California Public Schools and may be revised to reflect district practice.

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

- (cf. 1020 - Youth Services)
- (cf. 3513.3 - Tobacco-Free Schools)
- (cf. 3514 - Environmental Safety)
- (cf. 5131.6 - Alcohol and Other Drugs)
- (cf. 5131.61 - Drug Testing)
- (cf. 5131.62 - Tobacco)
- (cf. 5131.63 - Steroids)
- (cf. 5141 - Health Care and Emergencies)
- (cf. 5141.22 - Infectious Diseases)

STUDENT WELLNESS (continued)*(cf. 5141.3 - Health Examinations)**(cf. 5141.31 - Immunizations)**(cf. 5141.32 - Health Screening for School Entry)**(cf. 5141.6 - School Health Services)**(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)**(cf. 6164.2 - Guidance/Counseling Services)***School ~~Health~~ ~~Wellness~~ Council/~~Committee~~**

Note: 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, requires that districts permit specified stakeholders ~~be permitted~~ to participate in the development, implementation, and periodic review and update of the district's wellness policy. One method to achieve continuing involvement of those groups and other key stakeholders ~~is could be~~ through the creation of a school ~~wellness health~~ council, as recommended in the CDE's Health Framework for California Public Schools. Pursuant to Government Code 54952, committees created by formal action of the Board are subject to open meeting laws (the Brown Act); see AR 1220 - Citizen Advisory Committees.

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b, 7 CFR 210.30)

Note: The remainder of this section is optional and may be revised to reflect district practice.

To fulfill this requirement, the Superintendent or designee may appoint a school ~~wellness health~~ council or other district committee, ~~whose membership shall include representatives of these groups and a wellness council coordinator.~~ The council may include ~~representatives of the groups listed above, as well as He/she also may invite participation of other groups or individuals, such as~~ health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)**(cf. 9140 - Board Representatives)*

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The ~~school health wellness~~ council/~~committee~~ shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/~~committee~~ may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

STUDENT WELLNESS (continued)

Goals for Nutrition, Physical Activity, and Other Wellness Activities

Note: 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151 mandates that the district's wellness policy include goals for the activities specified below.

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.30)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Note: The remainder of this section provides policy language to address this mandated topic and should be revised to reflect district practice.

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer Learning Programs)

~~To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give aways, or other means.~~

~~(cf. 1325 - Advertising and Promotion)~~

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical

STUDENT WELLNESS (continued)

education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

(cf. 5142.2 - Safe Routes to School Program)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1 - Joint Use Agreements)

Professional development ~~shall~~ **may** be regularly offered to **the nutrition program director, managers, and staff, as well as health education teachers, and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills related to student health and wellness.**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.~~

~~*(cf. 1100 - Communication with the Public)*~~

~~*(cf. 1112 - Media Relations)*~~

~~*(cf. 1113 - District and School Web Sites)*~~

~~*(cf. 1114 - District Sponsored Social Media)*~~

~~*(cf. 6020 - Parent Involvement)*~~

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

STUDENT WELLNESS (continued)*(cf. 5131.2 - Bullying)**(cf. 5145.3 - Nondiscrimination/Harassment)*

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

Nutritional Guidelines for All Foods Available at School

Note: 42 USC 1758b mandates that the district's wellness policy include nutritional guidelines that are consistent with federal nutrition standards, as specified below. Also see AR 3550 - Food Service/Child Nutrition Program.

For all foods and beverages available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

Note: The remainder of this section provides policy language to address this mandated topic and should be revised to reflect district practice.

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

*(cf. 3550 - Food Service/Child Nutrition Program)**(cf. 3552 - Summer Meal Program)**(cf. 3553 - Free and Reduced Price Meals)**(cf. 5141.27 - Food Allergies/Special Dietary Needs)**(cf. 5148 - Child Care and Development)**(cf. 5148.3 - Preschool/Early Childhood Education)*

Note: Pursuant to 42 USC 1758, schools participating in the National School Lunch Program are required to make free drinking water available for consumption at locations where meals are served during meal service. In addition, Education Code 38086 requires all California schools to make free drinking water available during school meal times, unless the Board adopts a resolution demonstrating that the district is unable to comply due to fiscal constraints or health or safety concerns. See AR 3550 - Food Service/Child Nutrition Program for policy language related to these requirements. Also see CSBA's policy brief Increasing Access to Drinking Water in Schools for further information and sample strategies for providing water and encouraging consumption. Information on potential funding sources to comply with the potable water requirement is available on the CDE web site.

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area during meal times in accordance with Education Code 38086 and 42

STUDENT WELLNESS (continued)

USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

Note: Pursuant to 7 CFR 210.30, as added by 81 Fed. Reg. 50151, districts are mandated to include, within the wellness policy, standards for all foods and beverages which are made available to students outside the district's food services program (e.g., sales through vending machines, student stores, and fundraisers). Nutrition standards and other requirements pertaining to such food sales outside the food services program (e.g., sales through vending machines, student stores, and fundraisers) are addressed in AR 3554 - Other Food Sales. Pursuant to 42 USC 1758b, the USDA is required to establish nutrition standards for all foods sold and served in school at any time during the school day, although exemptions may be allowed for school sponsored fundraisers if the fundraisers are approved by the school and are infrequent. Districts will be required to implement the standards beginning one school year following the approval of the federal rule.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

(cf. 3312 - Contracts)
(cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

Note: Pursuant to 7 CFR 210.30, as added by 81 Fed. Reg. 50151, only those foods and beverages that are allowed for sale on campus during the school day may be marketed within the district. The Analysis of Comments to the federal regulations, 81 Fed. Reg. 50151 pg. 50159-50160, clarifies that this includes, but is not limited to, marketing by way of signage, vending machine exteriors, menu boards, coolers, trash cans, cups and scoreboards, but does not apply to materials for educational purposes. It also states that existing items do not need to be immediately replaced, but as new contracts are signed and/or durable equipment replaced, these guidelines should be followed.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)

STUDENT WELLNESS (continued)

(cf. 1325 - Advertising and Promotion)

Program Implementation and Evaluation

Note: 42 USC 1758b and 7 CFR 210.30 require the district to identify an individual with the authority and responsibility to ensure that each district school complies with the wellness policy. The Analysis of Comments to the federal regulations, 81 Fed. Reg. 50151 pg. 50155, recommends that districts provide a means of contacting the designated individual by providing a district or school phone number and/or email address.

The Superintendent shall designate the individual(s) identified below as the individual(s) responsible for ensuring one or more district or school employees, as appropriate, to ensure that each school site complies with this the district's wellness policy. (42 USC 1758b; 7 CFR 210.30)

Nutritional Services Supervisor
8408 Watt Avenue, Antelope, CA 95843
(916) 338-6416

Categoricals Coordinator
8408 Watt Avenue, Antelope, CA 95843
(916) 338-6343

(cf. 0500 - Accountability)

(cf. 3555 - Nutrition Program Compliance)

Note: 42 USC 1758b requires assessment of the implementation of the wellness policy but does not define any specific timeline. CSBA's publication Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies recommends that a report on the implementation of the wellness policy be provided to the Board at least once every two years. The following optional paragraph may be revised to reflect district practice. 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, require an assessment of the implementation and compliance of the wellness policy as specified in the paragraph below. At its discretion, the district may revise the following paragraph to reflect a more frequent schedule.

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every two three years. (42 USC 1758b; 7 CFR 210.30)

Note: 42 USC 1758b requires that the district assessment include a comparison of the district's policy with model wellness policies. See the USDA's web site for model policies and best practices recommended by federal and state agencies and nongovernmental organizations.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

STUDENT WELLNESS (continued)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

Note: Items #1-89 below are optional and may be revised to reflect district practice. For further information about the following indicators and a list of other possible indicators, see CSBA's Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies. The guide also describes possible data sources that may be used for each indicator and includes a sample report format. Indicators selected by the district may include a mix of process measures (e.g., level of student participation, number of classes, staffing, and costs) as well as outcome measures that assess the policy's impact on students (e.g., physical fitness test results, Body Mass Index, and food choices).

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods and beverage sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards
5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards
- 5.6. Results of the state's physical fitness test at applicable grade levels
- 6.7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
- 7.8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program

STUDENT WELLNESS (continued)

- 8.9** A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

~~The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before and after school program staff, and/or other appropriate persons.~~ [MOVED UP]

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

~~The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)~~ [MOVED TO "NOTIFICATIONS" SECTION]

Note: In addition to the district self-assessment described above, 7 CFR 210. 18, as amended by 81 Fed. Reg. 50151, requires that the CDE conduct administrative reviews of all districts at least once every three years to ensure that districts are complying with their wellness policy. See section "Records" below for information about records that may be required for this assessment. The USDA's Food and Nutrition Service may grant a one-year extension to the CDE's three-year review cycle if needed for efficient state management of the program.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

~~In addition,~~ The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

Posting Requirements

~~Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)~~

STUDENT WELLNESS (continued)

Notifications

Note: Pursuant to Education Code 49432, as amended by SB 1169 (Ch. 280, Statutes of 2016), 42 USC 1758b, and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, the district is required to inform the public of the content and implementation of the wellness policy and the district's progress towards meeting the goals of the policy; as described below:

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available to the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)

(cf. 5145.6 - Parental Notifications)

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

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

Note: As amended by SB 1169 (Ch. 280, Statutes of 2016), Education Code 49432 no longer requires schools to post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or other central eating areas. Education Code 49432 continues to authorize, but does not require, schools to post a summary of nutrition and physical activity laws and regulations. The following paragraph is optional.

Each school ~~shall also may~~ post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education CDE.

Records

Note: 7 CFR 210.30, as added by 81 Fed. Reg. 50151, requires the district to retain records to document compliance with the federal regulation. The following paragraph outlines the records that, at a minimum, must be retained by the district:

STUDENT WELLNESS (continued)

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)

Legal Reference: (see next page)

STUDENT WELLNESS (continued)**Legal Reference:****EDUCATION CODE**

33350-33354 CDE responsibilities re: physical education

~~38086~~ **Free fresh drinking water**

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49561.2 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

~~51210.1~~ **51210.2 Physical education, grades 1-6**~~51210.4~~ **Nutrition education**

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51795-51796.5a School instructional gardens

51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations

15510 Mandatory meals for needy students

15530-15535 Nutrition education

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769a National School Lunch Program, especially:

1758b Local wellness policy

1771-1791.3 Child Nutrition Act, especially:

1773 School Breakfast Program

1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31.3 National School Lunch Program, especially:

~~210.30~~ **Wellness policy**

220.1-220.22 National School Breakfast Program

COURT DECISIONSFrazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781**Management Resources:****CSBA PUBLICATIONS**Integrating Physical Activity into the School Day, Governance Brief, April 2010Increasing Access to Drinking Water in Schools, Policy Brief, March/April 2013Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012Physical Activity and Physical Education in California Schools, Research Brief, April 2010Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

STUDENT WELLNESS (continued)*Management Resources: (continued)***CSBA PUBLICATIONS (continued)***Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009**Physical Education and California Schools, Policy Brief, rev. October 2007**School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009**Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003***CALIFORNIA PROJECT LEAN PUBLICATIONS***Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006***CENTER FOR COLLABORATIVE SOLUTIONS***Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010 January 2011***CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS***School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005 rev. 2011***FEDERAL REGISTER***Rules and Regulations, January 26, 2012, Vol. 77, Number 17, pages 4088-4167 July 29, 2016, Vol. 81, Number 146, pages 50151-50170***NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS***Fit, Healthy and Ready to Learn, 2000 rev. 2011***U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS***Dietary Guidelines for Americans, 2005 2010**Changing the Scene: Improving the School Nutrition Environment: A Guide to Local Action, 2006***WEB SITES***CSBA: <http://www.csba.org>**Action for Healthy Kids: <http://www.actionforhealthykids.org>**Alliance for a Healthier Generation: <http://www.healthiergeneration.org>**California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>**California Department of Public Health: <http://www.cdph.ca.gov>**California Healthy Kids Resource Center: <http://www.californiahealthykids.org>**California Project LEAN (Leaders Encouraging Activity and Nutrition):**<http://www.californiaprojectlean.org>**California School Nutrition Association: <http://www.calsna.org>**Center for Collaborative Solutions: <http://www.ccscenter.org>**Centers for Disease Control and Prevention: <http://www.cdc.gov>**Dairy Council of California: <http://www.dairycouncilofca.org>**National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>**National Association of State Boards of Education: <http://www.nasbe.org>**School Nutrition Association: <http://www.schoolnutrition.org>**Society for Nutrition Education: <http://www.sne.org>**U.S. Department of Agriculture, Food Nutrition Service, wellness policy:**<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>**U.S. Department of Agriculture, Healthy Meals Resource System: <http://healthymeals.fns.usda.gov>*

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Center USD

Board Policy

Student Wellness

BP 5030

Students

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020 - Youth Services)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)

(cf. 6164.2 - Guidance/Counseling Services)

School Health Council/Committee

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

To fulfill this requirement, the Superintendent or designee may appoint a school health council or other district committee whose membership shall include representatives of these groups. He/she also may invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

The school health council/committee shall advise the district on health-related issues,

activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer Learning Programs)

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

(cf. 1325 - Advertising and Promotion)

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

(cf. 5142.2 - Safe Routes to School Program)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1 - Joint Use Agreements)

Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

Nutritional Guidelines for Foods Available at School

For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district

schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

(cf. 3312 - Contracts)

(cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

(cf. 1230 - School-Connected Organizations)

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

Program Implementation and Evaluation

The Superintendent shall designate one or more district or school employees, as appropriate, to ensure that each school site complies with this policy. (42 USC 1758b)

(cf. 0500 - Accountability)

(cf. 3555 - Nutrition Program Compliance)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every two years.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from

the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards
5. Results of the state's physical fitness test at applicable grade levels
6. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
7. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
8. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)

In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments

as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

33350-33354 CDE responsibilities re: physical education
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49561 Meals for needy students
49565-49565.8 California Fresh Start pilot program
49570 National School Lunch Act
51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51222 Physical education
51223 Physical education, elementary schools
51795-51796.5 School instructional gardens
51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769 National School Lunch Program, especially:
1758b Local wellness policy
1771-1791 Child Nutrition Act, especially:
1773 School Breakfast Program
1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program
220.1-220.23 National School Breakfast Program

COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS

Increasing Access to Drinking Water in Schools, Policy Brief, March 2013
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012
Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009
Physical Education and California Schools, Policy Brief, rev. October 2007
School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

Management Resources continued: (see next page)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009

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

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005

FEDERAL REGISTER

Rules and Regulations, January 26, 2012, Vol. 77, Number 17, pages 4088-4167

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2005

Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000

WEB SITES

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

Action for Healthy Kids: <http://www.actionforhealthykids.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

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

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

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

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

CSBA Sample

Board Policy

Students

BP 5111(a)

ADMISSION

Note: Pursuant to Education Code 48200, all children ages 6-18 years are subject to compulsory full-time education, unless specifically exempted. See BP/AR 5112.1 - Exemptions from Attendance for further information about such exemptions.

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Note: Admission requirements include age criteria for grades K-1; see the accompanying administrative regulation. Other admission requirements are addressed in AR 5111.1 - District Residency, BP/AR 5141.31 - Immunizations, and AR 5141.32 - Health Screening for School Entry.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

Note: State and federal law require the immediate enrollment of homeless youth (Education Code 48850; 48852.7; 42 USC 11432) and foster youth (Education Code 48853.5), regardless of their ability to provide the school with records normally required for enrollment; see BP/AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth. In addition, Education Code 49701 requires the district to facilitate the enrollment of children of military families and to ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements; see BP/AR 6173.2 - Education of Children of Military Families.

~~The Office for Civil Rights, U.S. Department of Education, has issued a "Dear Colleague" letter to clarify that districts may not adopt enrollment procedures that discourage the participation of students based on the actual or perceived citizenship or immigration status of the student or parent/guardian, as such practices would violate federal laws granting all students equal access to education. Thus, the district may not inquire into a student's citizenship or immigration status as a condition of enrollment.~~

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

ADMISSION (continued)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

Note: Education Code 48645.5 prohibits the district from denying enrollment to a child solely for reason of his/her contact with the juvenile justice system as specified in the following paragraph. Also see AR 6173.3 Education for Juvenile Court School Students. Pursuant to Education Code 48647, as added by AB 2276 (Ch. 901, Statutes of 2014), districts are strongly encouraged to work together with other agencies, including, but not limited to, the county office of education and the county probation department, to facilitate smooth transition of children from the juvenile court schools into regular schools.

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 6173.3 - Education for Juvenile Court School Students)

Note: In Plyler v. Doe, the U.S. Supreme Court ruled that, under the Fourteenth Amendment of the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a joint Dear Colleague Letter and joint fact sheet, Information on the Rights of All Children to Enroll in School, issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented.

Undocumented children in California not only have a right to attend school, but are mandated to do so under state compulsory education laws (Education Code 48200). Furthermore, every student has a right to attend school free from discrimination, harassment, violence, intimidation, and bullying; see BP 0410 - Nondiscrimination in District Programs and Activities and BP/AR 5145.3 Nondiscrimination/Harassment.

Although districts may require proof of residency within the district (e.g., utility or phone bill, property tax payment receipt, rental property lease agreement, etc.), they should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school; see BP/AR 5111.1 - District Residency.

If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing such information to U.S. Immigration and Customs Enforcement, as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order.

For further discussion of these issues, see CSBA's Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status. The legal guidance also includes a sample board resolution that may be used to inform students, parents/guardians, and the community of students' rights under current law to attend a district school regardless of their citizenship or immigration status.

ADMISSION (continued)

The Superintendent or designee shall not inquire into or request documentation of a student's citizenship or immigration status, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Any information obtained about a student's or parent/guardian's citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

Note: The following optional paragraph is for use by districts that request the social security number of a student or his/her parent/guardian for enrollment purposes. 5 USC 552a Note provides that a district may not deny enrollment to a student if he/she or his/her parent/guardian chooses not to provide a social security number. Thus, while CSBA's Legal Guidance of Providing All Children Equal Access to Education, Regardless of Immigration Status recommends against requesting social security numbers, a district that chooses to do so must inform the enrolling student or parent/guardian that the disclosure is voluntary.

A student shall not be denied enrollment based on the parent/guardian's refusal to provide the student's or parent/guardian's social security number. During the enrollment process, a student and parent/guardian shall be informed that disclosure of their social security number is voluntary. (5 USC 552a Note)

Note: The following optional paragraph may be revised to reflect district practice. Education Code 48354 requires the district to give priority for enrollment to students residing in the district, including students applying for intradistrict open enrollment, over students transferring from a school identified under the Open Enrollment Act (Education Code 48350-48361). Thus, the district needs to align the application windows for various attendance options in a manner that will allow the district to meet legal requirements pertaining to admissions priorities. See BP/AR 5116.1 - Intradistrict Open Enrollment and BP/AR 5118 - Open Enrollment Act Transfers for application windows applicable to those options.

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5118 - Open Enrollment Act Transfers)

Note: Education Code 49452.9, as added by AB 2706 (Ch. 827, Statutes of 2014) amended by AB 2308 (Ch. 570, Statutes of 2016), extends beyond the 2017-18 school year the requirement that requires the district's

ADMISSION (continued)

enrollment forms ~~for the 2015-16, 2016-17, and 2017-18 school years to~~ include an informational item about affordable health care options and available enrollment assistance. Pursuant to Education Code 49452.9, the district could accomplish this by developing an informational item or amending its existing forms, or by using a template or attaching a fact sheet to be developed by the California Department of Education.

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

Legal Reference:**EDUCATION CODE**

46300 *Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten*

46600 *Agreements for admission of students desiring interdistrict attendance*

48000 *Minimum age of admission (kindergarten)*

48002 *Evidence of minimum age required to enter kindergarten or first grade*

48010 *Minimum age of admission (first grade)*

48011 *Admission from kindergarten or other school; minimum age*

48050-48053 *Nonresidents*

48200 *Children between ages of 6 and 18 years (compulsory full-time education)*

48350-48361 *Open Enrollment Act*

48850-48859 *Educational placement of homeless and foster youth*

~~48645.5 Enrollment of former juvenile court school students~~

49076 *Access to records by persons without written consent or under judicial order*

49408 *Information of use in emergencies*

49452.9 *Health care coverage options and enrollment assistance*

49700-49704 *Education of children of military families*

HEALTH AND SAFETY CODE

120325-120380 *Education and child care facility immunization requirements*

121475-121520 *Tuberculosis tests for students*

CODE OF REGULATIONS, TITLE 5

200 *Promotion from kindergarten to first grade*

201 *Admission to high school*

CODE OF REGULATIONS, TITLE 17

6000-6075 *School attendance immunization requirements*

UNITED STATES CODE, TITLE 5

~~552a Note: Refusal to disclose social security number~~

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

COURT DECISIONS

~~*Plyler v. Doe, 457 U.S. 202 (1982)*~~

ADMISSION (continued)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

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

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, May 6, 2014, May 8, 2014

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

U.S. Department of Justice: <https://www.justice.gov>

(11/11 4/15) 2/17

ADMISSION

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

(cf. 5111.1 - District Residency)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

(cf. 5125 - Student Records)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5119 - Students Expelled from Other Districts)

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

ADMISSION (continued)

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

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

*Legal Reference:***EDUCATION CODE**

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

46600 Agreements for admission of students desiring interdistrict attendance

48000 Minimum age of admission (kindergarten)

48002 Evidence of minimum age required to enter kindergarten or first grade

48010 Minimum age of admission (first grade)

48011 Admission from kindergarten or other school; minimum age

48050-48053 Nonresidents

48200 Children between ages of 6 and 18 years (compulsory full-time education)

48350-48361 Open Enrollment Act

48850-48859 Educational placement of homeless and foster youth

49076 Access to records by persons without written consent or under judicial order

49408 Information of use in emergencies

49452.9 Health care coverage options and enrollment assistance

49700-49704 Education of children of military families

HEALTH AND SAFETY CODE

120325-120380 Education and child care facility immunization requirements

121475-121520 Tuberculosis tests for students

CODE OF REGULATIONS, TITLE 5

200 Promotion from kindergarten to first grade

201 Admission to high school

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 42

11431-11435 McKinney Homeless Assistance Act

*Management Resources:***U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Dear Colleague Letter, May 6, 2011

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

CSBA Sample

Board Policy

Students

BP 5111.1(a)

DISTRICT RESIDENCY

Note: Education Code 48200 requires the district to provide an education to any student who resides within the district's attendance area. Education Code 48204, as amended by AB 224 (Ch. 554, Statutes of 2015), specifies additional circumstances under which students will be deemed to meet the residency requirements for school attendance, including, but not limited to, through parent/guardian employment within district boundaries under certain conditions and interdistrict transfers; see the accompanying administrative regulation.

If the Governing Board elects to authorize investigations to verify students' residency, it is mandated to adopt policy with specified components pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015). See sections "Investigation of Residency" and "Appeal of Enrollment Denial" below.

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

Note: The U.S. Department of Education's Office for Civil Rights, in its publication *Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents*, states that districts may not adopt enrollment procedures that discourage the participation of students based on the student's or the parent/guardian's actual or perceived citizenship or immigration status, as such practices would violate federal laws granting all students equal access to education. In *Plyler v. Doe*, the U.S. Supreme Court ruled that, under the Fourteenth Amendment of the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a joint Dear Colleague Letter and joint
fact sheet, Information

DISTRICT RESIDENCY (continued)

on the Rights of All Children to Enroll in School, issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented. Thus, while the district may require proof that a student resides within the district (see accompanying administrative regulation for allowable evidence of residency), it should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school. Also see BP 5111 - Admission and CSBA's Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

Note: When a district chooses to grant residency status to students whose parent/guardian is employed within district boundaries for at least 10 hours per school week (see section "Residency Based on Parent/Guardian Employment (Allen Bill Transfers)" in the accompanying administrative regulation), Education Code 48204 encourages the district to notify the parent/guardian in writing when admission is denied and to provide reasons for the denial. The following optional paragraph provides that written notice will be provided to parents/guardians whenever enrollment is denied on any basis related to residency and may be revised to reflect district practice.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

Note: The following section should be revised to reflect district practice. To conduct an investigation into the residency claim of a student as authorized by Education Code 48204.1, a district is mandated, pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015), to adopt a policy with specified components. The policy must (1) identify the circumstances under which the district may initiate an investigation, including, at a minimum, a requirement that the district is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency; (2) describe the investigatory methods that may be used, including whether the district may employ the services of a private investigator; (3) require staff to make reasonable efforts to determine whether the student resides in the district before hiring a private investigator (if allowed at all); (4) prohibit surreptitious photographing or video-recording of students who are being investigated; and (5) provide for an appeals process.

The district should consult legal counsel if questions arise regarding the appropriateness of efforts to verify residency.

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

DISTRICT RESIDENCY (continued)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

Note: If the district chooses to authorize investigations into the residency claim of a student as described in the section "Investigation of Residency" above, it is mandated pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015), to adopt a policy which provides for an appeals process. The timelines specified in the following section may be revised to reflect district practice.

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

Note: The district may select and/or revise either of the following options to indicate who will be responsible for making the final decision regarding the student's residency claim. Option 1 is for use by districts that assign

DISTRICT RESIDENCY (continued)

a district employee other than the Superintendent to make the initial residency determination, and provides that the Superintendent will make the final decision following the appeals process. Option 2 is for use by districts in which the Superintendent is responsible for the initial residency determination, and provides that the decision may be appealed to the Governing Board.

OPTION 1: In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

~~**OPTION 2:** In an appeal of the Superintendent's determination that district residency requirements were not met, the Board shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision at its next regularly scheduled meeting following the parent/guardian's request for the appeal. The Board's decision shall be final.~~

Enrollment Not Requiring District Residency

Note: The following optional paragraph is for use by any district maintaining grades 9-12 that (1) has petitioned for certification from the U.S. Department of Homeland Security's Student and Exchange Visitor Program to enroll a nonimmigrant foreign student who is in the United States on an F-1 visa and/or (2) admits high school students from other countries through an international exchange program under the sponsorship of a government-approved agency. For further information about enrollment of nonresident foreign students, see AR 5111.2 - Nonresident Foreign Students, BP/AR 6145.6 - International Exchange, and CSBA's Legal Guidance Regarding International Student Exchange Placement Organizations.

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)
(cf. 6145.6 - International Exchange)

Note: The following optional paragraph is for use by any district adjacent to another state or foreign country from which students may commute to the district and should be revised to reflect district circumstances. Pursuant to Education Code 48050 and 48052, any district that admits such students must be reimbursed by the parents/guardians of the students or by the district of residence for the total cost of educating the student and may not include such students in computing average daily attendance for purpose of obtaining apportionment of state funds.

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

DISTRICT RESIDENCY (continued)*(cf. 6178.2 - Regional Occupational Center/Program)***Legal Reference:****EDUCATION CODE**

220 Prohibition of discrimination

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.2 Evidence of residency

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONSKatz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47**Management Resources:****CSBA PUBLICATIONS**Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONSFact Sheet: Information on the Rights of All Children to Enroll in SchoolDear Colleague Letter: School Enrollment Procedures, May 6, 2011-May 8, 2014**WEB SITES**CSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>U.S. Department of Justice: <https://www.justice.gov/>

Center USD

Board Policy

District Residency

BP 5111.1

Students

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)
(cf. 5125 - Student Records)

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)

(cf. 6145.6 - International Exchange)

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

(cf. 6178.2 - Regional Occupational Center/Program)

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.2 Evidence of residency

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

Management Resources:

CSBA PUBLICATIONS

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

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

Information on the Rights of All Children to Enroll in School: Questions and Answers for States,

School Districts and Parents, 2012

WEB SITES

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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Policy

adopted: March 16, 2016

CSBA Sample Administrative Regulation

Students

AR 5111.1(a)

DISTRICT RESIDENCY

Criteria for Residency

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)

Note: State law provides a number of options under which a student may attend school in a district other than the district where he/she resides. For instance, a student attending a school identified as low achieving on the state's Open Enrollment List may transfer to a school in any other district in the state subject to certain conditions, pursuant to Education Code 48350-48361; see BP/AR 5118 - Open Enrollment Act Transfer. If the district chooses to enter into an interdistrict attendance agreement pursuant to Education Code 46600-46611, a student may request a permit to attend school in a different district when both the district of residence and the district of proposed attendance have agreed to allow interdistrict attendance. If the Governing Board has declared the district to be a "school district of choice" pursuant to Education Code 48300-48316, the district may accept a specific number of interdistrict transfers into the district through a random, unbiased selection process. See BP/AR 5117 - Interdistrict Attendance for further information about these options. Pursuant to Education Code 48204, 48301, and 48356, students admitted under any of these options are deemed to have met district residency requirements. The district should revise item #3 as appropriate to reflect options provided by the district.

3. The student ~~has been~~ is admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, "school district of choice" transfer, or Open Enrollment Act transfer. (Education Code 46600, 48204, 48301, 48356)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)

DISTRICT RESIDENCY (continued)

7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)

(cf. 6183 - Home and Hospital Instruction)

Note: Education Code 48204, as amended by SB 200 (Ch. 174, Statutes of 2015) and AB 224 (Ch. 554, Statutes of 2015), provides that a student can meet residency requirements based on the location of his/her parent/guardian's employment under the circumstances described in item #8 below.

8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

Note: Pursuant to Education Code 48204.3, as added by SB 1455 (Ch. 312, Statutes of 2016), a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation (i.e., a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense or the U.S. Coast Guard) within district boundaries.

9. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within district boundaries. (Education Code 48204.3)

(cf. 6173.2 - Education of Children of Military Families)

Residency Based on Parent/Guardian Employment (Allen Bill Transfers)

Note: The following section is optional. Education Code 48204 permits, but does not require, districts to admit a student whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week (so-called "Allen bill transfers"). If the district chooses to grant residency status to such students, it may nevertheless deny enrollment to students under the circumstances identified in items #1-3 below. SB 200 (Ch. 174, Statutes of 2015) and AB 224 (Ch. 554, Statutes of 2015) amended Education Code 48204 to provide that this option will become inoperative on July 1, 2017 unless extended by future legislation. AB 2537 (Ch. 106, Statutes of 2016) amended Education Code 48204 to indefinitely extend the district's authority to grant residency under these circumstances.

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

DISTRICT RESIDENCY (continued)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.
3. Other circumstances exist that are not arbitrary.

Note: The following paragraph is optional. In 84 Ops.Cal.Att'y.Gen. 198 (2001), the Attorney General opined that overcrowding is not an "arbitrary consideration" within the meaning of Education Code 48204. Therefore, a district may deny an application when the district's school facilities are overcrowded at the relevant grade level. The Attorney General also clarified that, once a student is admitted, he/she must be allowed to continue to attend school in the district through the highest grade level offered by the district, even if the school subsequently becomes overcrowded at the relevant grade level. Although Attorney General opinions are not binding on the courts, they are generally afforded deference when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

Note: Education Code 48204 prescribes limits on the number of net Allen bill transfers out of the district (the difference between the number of students entering and exiting the district) that a district may allow each fiscal year, unless waived by the sending district. The limits are based on the average daily attendance (ADA) of the district, as follows: five percent of ADA for districts with 500 or less ADA; three percent of ADA or 25 students, whichever is greater, for districts with an ADA of 501-2,500; and one percent of ADA or 75 students, whichever is greater, for districts with an ADA of 2,501 or more. The following paragraph may be modified to specify the percentage that applies to the district's ADA.

Even if the district has not authorized Allen bill transfers into the district, Education Code 48204 provides that the district may disallow transfers out of the district, within the specified limits, by students whose parent/guardian is employed within the boundaries of another district.

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

DISTRICT RESIDENCY (continued)

Proof of Residency

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following: (Education Code 48204.1)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student

Note: Pursuant to Education Code 48204, a student shall be deemed a resident of the district if he/she lives with a caregiving adult within district boundaries; see item #5 in section "Criteria for Residency" above. Family Code 6552 provides an affidavit which authorizes a caregiver 18 years of age or older to enroll a minor in school and requires the caregiver's attestation that the student lives with the caregiver. If the student stops living with the caregiver, Family Code 6550 requires the caregiver to so notify the school.

9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

(cf. 5141 - Health Care and Emergencies)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

Note: The following paragraph is for use by districts in which there is a military installation within district boundaries. Pursuant to Education Code 48204.3, as added by SB 1455 (Ch. 312, Statutes of

DISTRICT RESIDENCY (continued)

2016), a parent/guardian who is seeking residency status based on his/her transfer or pending transfer to a military installation within district boundaries may provide any of the following types of proof of residence.

A parent/guardian who is transferred or pending transfer into a military installation within district boundaries shall provide proof of residence within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code 48204.3)

Note: Federal and state law require the immediate enrollment of homeless youth (Education Code 48852.7; 42 USC 11432), and foster youth (Education Code 48853.5), or student who has had contact with the juvenile justice system (Education Code 48645.5) regardless of their his/her ability to provide the school with records normally required for enrollment, including proof of residency. If a dispute arises over the enrollment of a homeless or foster youth, the student must be allowed to attend school while the district liaison conducts a dispute resolution process. See BP/AR/E 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.

The California Department of Education's web site provides sample forms to obtain a declaration and affidavit from the parent/guardian or other qualified adult relative of a homeless child attesting that the family does not have a fixed, regular, adequate nighttime residence and indicating the current location where the family lives.

The Superintendent or designee shall make a reasonable effort to secure evidence that a homeless or foster youth resides within the district, including, but not limited to, a utility bill, letter from a homeless shelter, hotel/motel receipt, or affidavit from the student's parent/guardian or other qualified adult relative.

However, any homeless or foster youth or student who has had contact with the juvenile justice system shall not be required immediately enrolled in school even if he/she is unable to provide proof of residency as a condition of enrollment in district schools. (Education Code 48645.5; 48852.7, 48853.5; 42 USC 11432)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.3 - Education for Juvenile Court School Students)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location. [MOVED UP]

DISTRICT RESIDENCY (continued)

Safe at Home/Confidential Address Program

Note: Government Code 6205-6210 authorize the Secretary of State to provide victims of domestic violence, stalking, or sexual assault with a substitute address to use in place of their residence, work, or school address in all public records. Under this program, the Secretary of State receives any mail sent to the substitute address and forwards it to the program participant's confidential address. Pursuant to Government Code 6207, the district must accept and use the substitute address designated by the Secretary of State as a participant's substitute address for all communication and correspondence with program participants. The participant will present a laminated identification card containing his/her substitute address and a four-digit authorization number. The district may verify the enrollment of a student in the program by contacting the Safe At Home program.

Program participants have been advised by the Secretary of State to provide administrators with their actual residence location only for school emergency purposes and to establish residency within the district.

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

(cf. 3580 - District Records)

Center USD

Administrative Regulation

District Residency

AR 5111.1
Students

Criteria for Residency

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student has been admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, "school district of choice" transfer, or Open Enrollment Act transfer. (Education Code 46600, 48204, 48301, 48356)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)

(cf. 6183 - Home and Hospital Instruction)

8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

Residency Based on Parent/Guardian Employment (Allen Bill Transfers)

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10

hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.
3. Other circumstances exist that are not arbitrary.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

Proof of Residency

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following: (Education Code 48204.1)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian

8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student
9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

(cf. 5141 - Health Care and Emergencies)

The Superintendent or designee shall make a reasonable effort to secure evidence that a homeless or foster youth resides within the district, including, but not limited to, a utility bill, letter from a homeless shelter, hotel/motel receipt, or affidavit from the student's parent/guardian or other qualified adult relative.

However, a homeless or foster youth shall not be required to provide proof of residency as a condition of enrollment in district schools. (Education Code 48852.7, 48853.5; 42 USC 11432)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

Safe at Home/Confidential Address Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

(cf. 3580 - District Records)

CSBA Sample Board Policy

Students

BP 5113(a)

ABSENCES AND EXCUSES

Note: The following optional policy may be revised to reflect district practice. Pursuant to Education Code 48200, children between ages 6-18 years and 18 are subject to compulsory, full-time education, except when otherwise exempted.

~~Pursuant to Education Code 42238.8, the determination of an absence as excused or unexcused is irrelevant for accounting purposes. However, verification of excused absences is still relevant necessary for purposes of enforcement of compulsory education laws and for the determination of whether a student is truant. Pursuant to Education Code 48260, students with a valid excused absence are not truant. In addition, this classification is important since California's welfare system (CalWORKS), Welfare and Institutions Code 11253.5, sets family grant eligibility requirements based upon whether a child is "regularly attending school." See BP/AR 5113.1 - Chronic Absence and Truancy.~~

For examples of strategies for reducing chronic absences, see BP/AR 5113.1 - Chronic Absence and Truancy and CSBA's policy brief, Improving Student Achievement by Addressing Chronic Absence. For information about the impact of absences on a student's grades, see BP 5121 - Grades/Evaluation of Student Achievement.

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

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

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

Note: The following paragraph is optional. Pursuant to Education Code 46014, the Governing Board may allow students to be absent for religious exercises or instruction. If the Board allows such absences, it must first adopt a resolution permitting an excused absence for this purpose. The Board is also mandated to adopt regulations governing students' attendance at such exercises or instruction and the reporting of these absences; see accompanying administrative regulation.

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

ABSENCES AND EXCUSES (continued)

Inasmuch as school attendance and class participation ~~is an~~ ^{are} integral part of ~~to~~ students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours.

Note: ~~The following paragraph applies to all districts. Districts that maintain only elementary grades should delete the reference to grades 7-12 students in the paragraph.~~

At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)
[MOVED TO AR]

~~(cf. 5145.6 - Parental Notifications)~~

Note: The California Supreme Court (*American Academy of Pediatrics et al v. Lungren et al*) has clarified that students do not need parent/guardian consent before receiving confidential medical services. The Attorney General reached the same conclusion in 87 Ops. Cal. Atty. Gen. 168 (2004). Pursuant to Education Code 46010.1 and the California Supreme Court in *American Academy of Pediatrics et al v. Lungren et al* (1997), minor students do not need parent/guardian consent to obtain confidential medical services, and schools are authorized to excuse a student from school to obtain such services.

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

Note: 5 CCR 421 requires the Board to approve reasonable methods for verifying student absences due to illness or quarantine. See the accompanying administrative regulation for examples of methods of verification.

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

Effect of Absence on Grades/Credits — SECTION DELETED

Legal Reference: (see next page)

ABSENCES AND EXCUSES (continued)

Legal Reference:

EDUCATION CODE

1740 *Employment of personnel to supervise attendance (county superintendent)*

~~2550-2558.6 Computation of revenue limits~~

37201 *School month*

37223 *Weekend classes*

41601 *Reports of average daily attendance*

42238-42250.1 *Apportionments*

46000 *Records (attendance)*

46010-46014 *Absences*

46100-46119 *Attendance in kindergarten and elementary schools*

46140-46147 *Attendance in junior high and high schools*

48200-48208 *Children ages 6-18 (compulsory full-time attendance)*

48210-48216 *Exclusions from attendance*

48240-48246 *Supervisors of attendance*

48260-48273 *Truants*

48292 *Filing complaint against parent*

48320-48324 *School attendance review boards*

48340-48341 *Improvement of student attendance*

~~48980 Parental notifications~~

49067 *Unexcused absences as cause of failing grade*

49701 *Provisions of the interstate compact on educational opportunities for military children*

ELECTIONS CODE

12302 *Student participation on precinct boards*

FAMILY CODE

6920-6929 *Consent by minor for medical treatment*

VEHICLE CODE

13202.7 *Driving privileges; minors; suspension or delay for habitual truancy*

WELFARE AND INSTITUTIONS CODE

601-601.4 *Habitually truant minors*

11253.5 *Compulsory school attendance*

CODE OF REGULATIONS, TITLE 5

306 *Explanation of absence*

420-421 *Record of verification of absence due to illness and other causes*

ATTORNEY GENERAL OPINIONS

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

66 *Ops. Cal. Atty. Gen. 244 (1983)*

COURT DECISIONS

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

Management Resources:

CSBA PUBLICATIONS

Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010

WEB SITES

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

(11/99 11/11) 3/17

Center USD

Board Policy

Absences And Excuses

BP 5113

Students

The Governing Board believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Truancy)

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 46010, 48216, 48205)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students, and to all students in grades 7 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

(cf. 5145.6 - Parental Notifications)

Students in grades K-6 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

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

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6154 - Homework/Makeup Work)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)
2550-2558.6 Computation of revenue limits
37201 School month
37223 Weekend classes
41601 Reports of average daily attendance
42238-42250.1 Apportionments
46000 Records (attendance)
46010-46014 Absences
46100-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children ages 6-18 (compulsory full-time attendance)
48210-48216 Exclusions from attendance
48240-48246 Supervisors of attendance
48260-48273 Truants
48292 Filing complaint against parent
48320-48324 School attendance review boards
48340-48341 Improvement of student attendance
49067 Unexcused absences as cause of failing grade

ELECTIONS CODE

12302 Student participation on precinct boards

FAMILY CODE

6920-6929 Consent by minor

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

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

COURT DECISIONS

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

Management Resources:

CDE MANAGEMENT ADVISORIES

0114.98 School Attendance and CalWORKS, Management Bulletin 98-01

CSBA ADVISORIES

0520.97 Welfare Reform and Requirements for School Attendance

WEB SITES

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

Policy
adopted: May 17, 2000

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample

Administrative Regulation

Students

AR 5113(a)

ABSENCES AND EXCUSES

Excused Absences

Note: Items #1-11 below reflect absences that are authorized by law to be considered as excused absences. Pursuant to Education Code 42238.8, the determination of an absence as "excused" or "unexcused" is not relevant for accounting purposes. However, verification of excused absences is relevant for purposes of enforcing the compulsory state attendance laws, determining the grant eligibility of a student's family for the CalWORKS program, and, when authorized by the Governing Board, assignment of a failing grade to a student for excessive absences; see accompanying Board policy.

A student's absence shall be excused for any of the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)

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

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court

ABSENCES AND EXCUSES (continued)

- b. Attendance at a funeral service
- c. Observation of a holiday or ceremony of his/her religion
- d. Attendance at religious retreats ~~for no more than~~ ~~not to exceed~~ four hours per semester
- e. Attendance at an employment conference
- f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process

Note: Education Code 48205 allows excused absences for service on a precinct board as specified in item #8 below. Elections Code 12302, as amended by AB 554 (Ch. 150, Statutes of 2015), authorizes an elections official to appoint a maximum of five students per precinct to serve under the direct supervision of precinct board members if the students possess specified qualifications (e.g., at least 16 years old, a United States citizen or lawfully admitted for permanent residence in the United States, grade point average of 2.5) and their appointment is approved by the Board.

- 8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

Note: AB 387 (Ch. 610, Statutes of 2011) amended Education Code 48205 to include student absence due to the reason described in item #9 below as a type of excused absence.

- 9. To spend time with ~~an~~ ~~his/her~~ immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

Note: AB 1593 (Ch. 92, Statutes of 2016) amended Education Code 48205 to add attendance at the student's own naturalization ceremony as an excused absence.

- 10. ~~To attend his/he~~ naturalization ceremony to become a United States citizen (Education Code 48205)

Note: Item #10-11 below should be listed only if the Governing Board has chosen to allow absences for religious instruction or exercises. See the accompanying Board policy. If these absences are allowed, Education Code 46014 mandates that the Board adopt regulations governing students' attendance at

ABSENCES AND EXCUSES (continued)

religious exercises or instruction and the reporting of such absences. These regulations should be included here and should include all of items #a and #b #11a-d below.

1011. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy, subject to the following conditions: (Education Code 46014)

a. The student's parent/guardian shall provide written consent for the absence.

a.b. In such instances, tThe student shall attend at least the minimum school day.

bc. The student shall be excused from school for this purpose on no more than four days per school month.

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

Method of Verification

Note: 5 CCR 420-421 provide guidelines for verifying absences due to illness; quarantine; medical, dental, or eye appointments; or attending funeral service of a member of ~~the a student's~~ immediate family. 5 CCR 421 authorizes a student's absence to be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or any other qualified district employee assigned to make such verification. The following section should be revised to reflect district-adopted methods of verification and to specify employee(s) assigned to verify absences.

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee

ABSENCES AND EXCUSES (continued)

- d. Date(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
 4. Physician's verification.

Note: The following optional paragraph provides a means of verifying an excuse for confidential medical services without inquiring into the nature of the medical services.

- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the contact medical office to confirm the time of the appointment.

Note: The following optional paragraph provides that, after a specified number of absences for illness on multiple occasions, verified by methods listed in #1-3 above, the student may be required to bring a note from a physician to verify his/her illness. If a student does not have access to medical services in order to obtain such verification, the district may need to provide financial assistance or assist the student in obtaining the medical consultation if it is required. The district should modify the number of absences below to reflect district practice.

- b. When If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences. has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

Note: The requirement in item #1 below is for use by districts that have chosen to allow absences for religious instruction or exercises. If the Board allows such absences to be excused, it must first adopt a resolution permitting an excused absence for this purpose. See the accompanying Board policy.

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property.

ABSENCES AND EXCUSES (continued)

designated by a religious group, church, or denomination (Education Code 46014, 48980)

Note: The requirement in item #2 applies to all districts. Districts that maintain only elementary grades should delete the reference to students in grades 7-12 below.

- 2. Notify students in grades 7-12 and the parents/guardians of all students that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)**
- 3. Notify parents/guardians that a student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of Education Code 48205 in the notice (Education Code 48980)**

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

(cf. 5145.6 - Parental Notifications)

(cf. 6154 - Homework/Makeup Work)

(11/07 11/11) 3/17

Center USD

Administrative Regulation

Absences And Excuses

AR 5113

Students

Excused Absences

A student's absence shall be excused for the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)

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

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion
 - d. Attendance at religious retreats not to exceed four hours per semester
 - e. Attendance at an employment conference

- f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
 - 8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)
- (cf. 6142.3 - Civic Education)
- 9. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)
 - a. In such instances, the student shall attend at least the minimum school day.
 - b. The student shall be excused for this purpose on no more than four days per school month.

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

Method of Verification

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

- 1. Written note, fax, or email from parent/guardian or parent representative.
- 2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
- 3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.

4. Physician's verification.

- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
- b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

Regulation
approved: February 20, 2008

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Board Policy

Add

Students

BP 5116.2(a)

INVOLUNTARY STUDENT TRANSFERS

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5116.1 - Intradistrict Open Enrollment)

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

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

(cf. 6173.3 - Education for Juvenile Court School Students)

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

Students Convicted of Violent Felony or Misdemeanor

Note: Education Code 48929, as added by SB 1343 (Ch. 154, Statutes of 2016), authorizes a district to involuntarily transfer a student who has been convicted of a violent felony as defined in Penal Code 667.5(c) (including, but not limited to, attempted murder, rape, assault, kidnapping, and robbery) or a misdemeanor associated with possession of a firearm as specified in Penal Code 29805, whenever the student is enrolled at the same school as a student who was a victim of the crime.

In order to exercise this authority, Education Code 48929 mandates the Governing Board to adopt, at a regularly scheduled meeting, policy that contains the following provisions: (1) a requirement that the student and his/her parent/guardian be notified of the right to request a meeting with the principal or designee; (2) a requirement that the school first attempt to resolve the conflict using restorative justice, counseling, or other services; (3) whether the decision to transfer a student is subject to periodic review and the procedure for conducting the review; and (4) the process to be used by the Board to consider and approve or disapprove the recommendation of the principal or designee to transfer the student. Education Code 48929 also requires the district to provide notice of the policy to parents/guardians as part of the annual parental notification required by Education Code 48980.

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)

INVOLUNTARY STUDENT TRANSFERS (continued)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6164.2 - Guidance and Counseling Services)

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

Note: The following paragraph may be revised to reflect district practice. Education Code 48929 mandates that the Board adopt policy describing the process to be used by the Board to consider and take action on the recommendation to transfer a student under this law, but does not prescribe any such process.

Education Code 35146 provides that the Board must meet in closed session to address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. See BB 9321 - Closed Session Purposes and Agendas.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the district's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

INVOLUNTARY STUDENT TRANSFERS (continued)

Other Involuntary Transfers

Students may be involuntarily transferred under either of the following circumstances:

Note: Item #1 below is for use by districts that maintain high schools. Education Code 48432 requires such districts to establish and maintain continuation education schools or classes whenever there are any students residing in the district who are subject to compulsory continuation education. Pursuant to Education Code 48432.5, districts that assign students to continuation schools are mandated to adopt rules and regulations governing procedures for involuntary transfer of students to continuation schools. See BP/AR 6184 - Continuation Education for language fulfilling this mandate.

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)

(cf. 6184 - Continuation Education)

Note: Education Code 48660-48666 authorize districts to establish community day schools for expelled students, certain probation-referred students pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or through another formal district process. Pursuant to Education Code 48662, districts establishing a community day school are mandated to adopt policy that provides procedures for the involuntary transfer of students to the school. See BP/AR 6185 - Community Day Schools for language fulfilling this mandate.

2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (Education Code 48662)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6185 - Community Day School)

Legal Reference: (see next page)

INVOLUNTARY STUDENT TRANSFERS (continued)

Legal Reference:

EDUCATION CODE

35146 Closed sessions; student matters

48430-48438 Continuation classes, especially:

48432.5 Involuntary transfer to continuation school

48660-48666 Community day schools, especially:

48662 Involuntary transfer to community day school

48900 Grounds for suspension and expulsion

48929 Transfer of student convicted of violent felony or misdemeanor

48980 Notice at beginning of term

PENAL CODE

667.5 Violent felony, definition

29805 Misdemeanors involving firearms

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating laws defining crime; ward of court

Management Resources:

WEB SITES

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

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

CSBA Sample Administrative Regulation

Students

AR 5125.3(a)

CHALLENGING STUDENT RECORDS

Note: The following administrative regulation provides a process by which, pursuant to Education Code 49070, parents/guardians and students who are 18 years old or attending a postsecondary institution may request an amendment to any incorrect, inaccurate, or misleading information in student records maintained by the district. For details of student records that the district may maintain, see BP/AR 5125 - Student Records.

At the beginning of each school year or, for a student enrolled after the beginning of the school year, at the time of enrollment, parents/guardians shall be notified of the availability of the above following procedures for challenging the contents of student records. Any student who is 18 years of age or attends a postsecondary institution shall have the sole right to challenge the contents of his/her records. (Education Code 49061, 49063)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

Procedures for Challenging Record

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code 49070; 34 CFR 99.20)

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted
5. Misleading
6. In violation of the privacy or other rights of the student

Within 30 days of receiving a request to correct or remove any information from a record, the Superintendent or designee shall meet with the parent/guardian and with the district employee (if still employed) who recorded the that information in question, if he/she is presently employed by the district. The Superintendent shall then sustain or deny the allegations. (Education Code 49070)

CHALLENGING STUDENT RECORDS (continued)

If the parent/guardian's allegations are sustained, the Superintendent shall order the correction or removal and destruction of the information. (Education Code 49070) [MOVED TO SECTION "RESOLUTION OF CHALLENGE/APPEALS"]

When a student grade is challenged, If the challenge involves a student's grade, the teacher who gave the grade shall be given an opportunity to state orally, and/or in writing, or both, the reasons for which the grade was given. Insofar as practicable, he/she the teacher shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, the a student's grade as determined by the teacher shall be final. (Education Code 49066)

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

Resolution of Challenge/Appeals

After considering all relevant information, The Superintendent or designee shall then sustain or deny the parent/guardian's allegations. (Education Code 49070)

If the parent/guardian's allegations are sustained, the Superintendent or designee shall order the correction or removal and destruction of the information. (Education Code 49070)

If the Superintendent or designee denies the allegations, the parent/guardian may, write within 30 days, to appeal the decision in writing to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the district employee (if still employed) who recorded the information in question, if he/she is presently employed by the district. The Board shall then decide whether or not to sustain or deny the allegations. The decision of the Board shall be final. (Education Code 49070)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

If it the Board sustains any or all of the allegations, the Superintendent or designee shall immediately order the correction or removal and destroy destruction of the pertinent information from the student's records and shall inform the parent/guardian in writing that the information has been corrected or destroyed. (Education Code 49070)

The decision of the Board shall be final. If the parent/guardian does not file an appeal, or if the appeal is denied by the Board, decision of the Superintendent or Board is unfavorable to the parent/guardian, the parent/guardian shall be informed of his/her have the right to submit a written statement of objections to the information. This statement shall become a part of the student's record. Any statement submitted by the parent/guardian shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the related part of the record is disclosed. (Education Code 49070; 34 CFR 99.21)

CHALLENGING STUDENT RECORDS (continued)**Hearing Panel**

Note: The following optional section is for use by districts that choose to use a hearing panel to assist in making determinations regarding challenges to student records, as authorized by Education Code 49071.

Both The Superintendent or designee and/or the Board have the option of appointing may appoint a hearing panel to assist in making the decision determinations regarding a challenge to student records or an appeal, as applicable. The hearing panel may be used at the discretion of the Superintendent or the Board provided that the parent/guardian gives written consents to releasing relevant student record information to the panel members. Such a hearing panel shall consist of the following persons: (Education Code 49070-49071)

1. A chairperson who is a principal of a public school other than the school at which the record is on file

Note: Pursuant to Education Code 49071, the hearing panel must include a certificated employee appointed by the chair of the district's certificated employee council or, if no such council exists, a certificated employee appointed by the parent/guardian. Item #2 below may be revised to reflect district practice.

2. A certificated employee appointed by the district's certificated employee council or, if no such council exists, by a parent/guardian
3. A parent/guardian appointed by the Superintendent or designee or the Board, whoever convenes the panel

If possible, the members of the hearing panel shall not be acquainted with the student, his/her parent/guardian, or the employee who recorded the information, except when the parent/guardian appoints the certificated employee pursuant to item #2 above (Education Code 49071)

The panel shall be provided with verbatim copies of the information that is the subject of the controversy. The panel shall, in closed session, hear the parent/guardian's objections to the student record and, if the employee is presently employed by the district, the employee's testimony. The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities. The panel shall submit, to the Superintendent or designee or the Board as applicable, its written findings setting forth the facts and decisions of the panel. (Education Code 49071)

CHALLENGING STUDENT RECORDS (continued)

~~The right to challenge a record becomes the sole right of the student when the student becomes 18 or attends a postsecondary institution. (Education Code 49061) [MOVED TO TOP OF AR]~~

~~At the beginning of each school year, parents/guardians shall be notified of the availability of the above procedures for challenging student records. (Education Code 49063) [MOVED TO TOP OF AR]~~

Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49066 Grades; change of grade; physical education grade

49070 Challenging content of records

49071 Hearing panel

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

~~1681-1688 Title IX of the Education Amendments of 1972~~

CODE OF FEDERAL REGULATIONS, TITLE 34

~~99.1-99.67 Family Educational Rights and Privacy, especially:~~

~~99.20-99.22 Procedures for amending educational records~~

(2/95 2/96) 10/16

Center USD

Administrative Regulation

Challenging Student Records

AR 5125.3
Students

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code 49070)

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted
5. Misleading
6. In violation of the privacy or other rights of the student

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)

When a student grade is challenged, the teacher who gave the grade shall be given an opportunity to state orally, in writing, or both, the reasons for which the grade was given. Insofar as practicable, he/she shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith or incompetency, the student's grade as determined by the teacher shall be final. (Education Code 49066)

Within 30 days of receiving a request to correct or remove information from a record, the Superintendent or designee shall meet with the parent/guardian and with the employee (if still employed) who recorded the information in question. The Superintendent shall then sustain or deny the allegations. (Education Code 49070)

If the parent/guardian's allegations are sustained, the Superintendent shall order the correction or removal and destruction of the information. (Education Code 49070)

If the Superintendent denies the allegations, the parent/guardian may write within 30 days to appeal the decision to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the employee (if still

employed) who recorded the information in question. The Board shall then decide whether or not to sustain or deny the allegations. If it sustains any or all of the allegations, the Superintendent shall immediately correct or remove and destroy the information from the student's records. (Education Code 49070)

The decision of the Board shall be final. If the decision of the Superintendent or Board is unfavorable to the parent/guardian, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student's record. (Education Code 49070)

Both the Superintendent and the Board have the option of appointing a hearing panel to assist in making the decision. The hearing panel may be used at the discretion of the Superintendent or the Board provided that the parent/guardian consents to releasing record information to panel members. (Education Code 49070, 49071)

The right to challenge a record becomes the sole right of the student when the student becomes 18 or attends a postsecondary institution. (Education Code 49061)

At the beginning of each school year, parents/guardians shall be notified of the availability of the above procedures for challenging student records. (Education Code 49063)

(cf. 1312 - Complaints Concerning the Schools)
(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

49061 Definitions

49063 Notification of parents of their rights

49066 Grades; change of grade; physical education grade

49070 Challenging content of records

49071 Hearing panel

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act of 1974

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: June 19, 1996 Antelope, California

CSBA Sample Board Policy

Students

BP 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following optional policy and accompanying administrative regulation apply to the administration of medication to students pursuant to Education Code 49414, 49414.3, 49414.5, 49414.7, 49423, and 49423.1; and the permissive guidelines in 5 CCR 600-611, and guidelines related to the training and supervision of nonmedical employees providing emergency medical assistance to students who suffer epileptic seizures (5 CCR 620-627). Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

Education Code 49414.7, which authorized trained, unlicensed school personnel to administer medication to students with epilepsy suffering from seizures, is repealed on its own terms effective January 1, 2017. Although the procedures in Education Code 49414.7 are no longer required, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication, pursuant to the general authority in Education Code 49423 and 5 CCR 600-611 as interpreted by the California Supreme Court in *American Nurses Association v. Torlakson*.

For students identified as qualified for services under the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), prescribed medication must be administered in accordance with the student's individualized education program or Section 504 services plan. See also BP/AR 5141.24 - Specialized Health Care Services, BP/AR 6159 - Individualized Education Program, and BP/AR 6164.6 - Identification and Education Under Section 504.

This policy and regulation do not address situations in which a district might be engaged in a collaborative arrangement with another entity for the provision of school health services to students; see BP/AR 5141.6 - School Health Services.

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

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

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Note: 5 CCR 604 authorizes a parent/guardian to administer medication to his/her child or designate an individual to administer the medication, as specified below. In addition, California law allows students to carry and self-administer medication needed for the treatment or management of certain medical conditions, when the district has received a written request from the student's parent/guardian and written authorization from the student's authorized health care provider, as specified in the accompanying administrative regulation. Students have legal authorization to self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine for anaphylactic reactions pursuant to Education Code 49423, and inhaled asthma medication pursuant to Education Code 49423.1. Pursuant to 5 CCR 605, districts may choose to allow students to carry and self-administer other types of medication beyond those specifically authorized by the Education Code.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)
 (cf. 5141 - Health Care and Emergencies)
 (cf. 5141.22 - Infectious Diseases)
 (cf. 5141.23 - Asthma Management)
 (cf. 5141.27 - Food Allergies/Special Dietary Needs)
 (cf. 6116 - Classroom Interruptions)

The Superintendent or designee shall make available epinephrine auto-injectors at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

Note: The following optional paragraph is for use by any district that, at its discretion, chooses to make emergency naloxone hydrochloride or other opioid antagonist available at its schools for the purpose of providing emergency medical aid, pursuant to Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016). In choosing to make such medications available, the district should be aware of the possibility of increased liability and should consult legal counsel accordingly.

~~The Board authorizes the Superintendent or designee to make available naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)~~

Note: The following optional paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention recommend that a district's emergency and disaster preparedness plan include procedures for dealing with medical emergencies, such as a pandemic flu outbreak or public disaster. See CSBA's fact sheet Pandemic Influenza.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

~~In addition,~~ The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

Note: Various provisions of state law allow districts to train nonmedical district employees (i.e., those who do not possess a medical license) to provide medical assistance to students at school when a credentialed school nurse or other licensed individual is unavailable. For example, Education Code 49414, 49414.3, 49414.5, 49423, and 49423.1, ~~and 49414.7 specifically~~ authorize the use of trained, unlicensed school employees to administer ~~emergency~~ medications to students suffering from allergic reactions, ~~opioid overdose, severe hypoglycemia, or asthma, and epileptic seizures.~~ Moreover, in American Nurses Association v. Torlakson, the California Supreme Court held that, as with other prescription medications, state law permits trained, unlicensed school personnel to administer insulin to students ~~in school in accordance with a written health care provider statement and parental consent where a physician has determined that unlicensed school personnel may safely and appropriately administer the medication.~~ The medication must be administered in accordance with a written health care provider statement and parental consent.

~~Any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)~~

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation, and, ~~as applicable,~~ the written statement provided by the student's parent/guardian and authorized health care provider. ~~and~~ Such personnel shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

~~Note: Certain medication-specific statutes that authorize unlicensed district employees to administer medication to students require that such employees be trained. For example, Education Code 49414.7 requires training by qualified medical personnel for unlicensed district employees who volunteer to administer emergency antiseizure medications to students who suffer epileptic seizures. Guidelines for the training and supervision of such unlicensed school employees have been adopted as 5 CCR 620-627 and are specified in the accompanying administrative regulation.~~

~~When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon,~~ The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.3 49414.5, 49414.7 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Legal Reference:

EDUCATION CODE

48980 Notification at beginning of term
49407 Liability for treatment
49408 Emergency information
49414 Emergency epinephrine auto-injectors
49414.3 Emergency medical assistance; administration of medication for opioid overdose
49414.5 Providing school personnel with voluntary emergency training
49414.7 Emergency medical assistance; administration of epilepsy medication
49422-49427 Employment of medical personnel, especially:
49423 Administration of prescribed medication for student
49423.1 Inhaled asthma medication
49480 Continuing medication regimen; notice

Legal Reference continued: (see next page)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Legal Reference: (continued)

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

~~4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist~~

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

~~620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel~~

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.App.4th 570

Management Resources:

CSBA PUBLICATIONS

~~Pandemic Influenza, Fact Sheet, September 2007~~

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

Training Standards for the Administration of Epinephrine Auto-Injectors, ~~December 2004~~ rev. 2015

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

Program Advisory on Medication Administration, 2005

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:
<http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

(11/11 12/13) 12/16

Center USD

Board Policy

Administering Medication And Monitoring Health Conditions

BP 5141.21

Students

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan as applicable.

(cf. 6159 - Individualized Education Program)

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

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 6116 - Classroom Interruptions)

In addition, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

Any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-

injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)

When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon, the Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

- 48980 Notification at beginning of term
- 49407 Liability for treatment
- 49408 Emergency information
- 49414 Emergency epinephrine auto-injectors
- 49414.5 Providing school personnel with voluntary emergency training
- 49414.7 Emergency medical assistance: administration of epilepsy medication
- 49422-49427 Employment of medical personnel, especially:
- 49423 Administration of prescribed medication for student
- 49423.1 Inhaled asthma medication
- 49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

- 2700-2837 Nursing, especially:
- 2726 Authority not conferred
- 2727 Exceptions in general
- 3501 Definitions

CODE OF REGULATIONS, TITLE 5

- 600-611 Administering medication to students
- 620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel

UNITED STATES CODE, TITLE 20

- 1232g Family Educational Rights and Privacy Act of 1974
- 1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

- 794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.App.4th 570

Management Resources:

CSBA PUBLICATIONS

Pandemic Influenza, Fact Sheet, September 2007

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:
<http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

Policy

adopted: April 23, 2014

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Administrative Regulation

Students

AR 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following administrative regulation reflects requirements for the administration of medication to students on a continuing medication regimen or in emergency medical situations at school or a school-related activity. The district should consult legal counsel as necessary to ensure that all legal requirements are met.

Education Code 49414.7, which authorized trained, unlicensed school personnel to administer anti-seizure medication to students with epilepsy, repealed on its own terms effective January 1, 2017. However, districts may choose to continue to train unlicensed school personnel to administer anti-seizure medication under the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson. Such administration must be contingent upon a physician's written authorization for unlicensed personnel to administer the medication to the particular student. The district may revise the following regulation to reflect any district requirements related to the administration of such medication.

Definitions

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

~~*Emergency medical assistance for a student suffering an epileptic seizure* means the administration of an emergency antiseizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures. (Education Code 49414.7; 5 CCR 621)~~

Note: Education Code 49414, as amended by AB 1386 (Ch. 374, Statutes of 2016), defines "epinephrine auto-injector" as follows.

~~*Epinephrine auto-injector* means a disposable drug delivery system with a spring activated needle that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis device~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - *Asthma Management*)

(cf. 5141.27 - *Food Allergies/Special Dietary Needs*)

Note: Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), provides the following definition of "opioid antagonist." See section "Emergency Medication for Opioid Overdose" below for requirements for districts that choose to provide opioid antagonists to school nurses or other designated school personnel to administer to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

***Opioid antagonist* means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)**

Notifications to Parents/Guardians

Note: Pursuant to Education Code 48980, districts must notify parents/guardians, at the beginning of each school year, of their rights and responsibilities (see section "Parent/Guardian Responsibilities" below) under Education Code 49423 pertaining to the administration of medication by school employees and self-administration of epinephrine by students. Though notification is not required for self-administration of any medication other than epinephrine, it is recommended that the annual notification include other medications to facilitate implementation by school personnel.

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6 - *Parental Notifications*)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Note: The following paragraph is optional:

When a student requires medication during the school day in order to participate in the educational program, the Superintendent or designee shall, as appropriate, inform the student's parents/guardians that the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794).

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)*

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

Note: Education Code 49423 and 5 CCR 600 authorize districts to administer prescribed medication only upon receipt of written statements from the student's authorized health care provider and parent/guardian. Education Code 49414.7 and 5 CCR 626 require similar statements before school personnel may administer emergency antiseizure medication to students. In addition, appropriate statements must be received before students are allowed to carry and self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine pursuant to Education Code 49423, or asthma medication pursuant to Education Code 49423.1. Districts may choose to allow students to carry and self-administer other types of medication beyond those authorized by the Education Code. If so, the district should modify the following section accordingly. See the accompanying Board policy.

1. Providing parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600, 626)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)

~~Note: Pursuant to Education Code 49414.7, if the district chooses to participate in a program to train nonmedical school employees who volunteer to provide emergency medical assistance to students suffering from epileptic seizures when licensed health care professionals are not available onsite, it must establish a district plan that includes item #3 below.~~

- ~~3. If the student suffers from epilepsy, notifying the principal or designee whenever the student has had an emergency antiseizure medication administered to him/her within the past four hours on a school day. (Education Code 49414.7)~~

~~Note: Pursuant to 5 CCR 606, the district is authorized to establish rules for the delivery and storage of medication on a school site.~~

- 4.3.** Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

Parent/Guardian Statement

Note: 5 CCR 603 authorizes the district to establish specific requirements regarding the parent/guardian's written statement. The following list should be modified to reflect the district's requirements.

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

Health Care Provider Statement

Note: Education Code 49423 and 49423.1 and 5 CCR 602 list items that the authorized health care provider's written statement must contain, as specified in items #1-4~~5~~ below. ~~Education Code 49414.7 and 5 CCR 626 contain requirements similar to items #1-3 for the administration of emergency epilepsy medication.~~ Districts that request additional information in the statement should modify the following list accordingly.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer ~~auto-injectable epinephrine or~~ prescribed ~~diabetes or asthma~~ medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code ~~49414.7~~ 49423, 49423.1; 5 CCR 602, ~~626~~)
2. The name of the medication (Education Code ~~49414.7~~ 49423, 49423.1; 5 CCR 602, ~~626~~)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code ~~49414.7~~ 49423, 49423.1; 5 CCR 602, ~~626~~)
4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code ~~49414.5~~ 49423, 49423.1; 5 CCR 602)
5. **For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)**

Note: Items ~~#5-7~~ 6-8 below may be revised to reflect district practice.

- ~~5.6.~~ For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
- ~~6.7.~~ Possible side effects of the medication
- ~~7.8.~~ Name, address, telephone number, and signature of the student's authorized health care provider

~~When authorizing a district employee to administer emergency antiseizure medication to a student, the authorized health care provider's written statement shall also include the following: (Education Code 49414.7; 5 CCR 626)~~

- ~~1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

2. Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services
3. A protocol for observing the student after a seizure, including, but not limited to, whether he/she should rest in the school office or return to his/her class and the length of time he/she should be under direct observation
4. A statement that, following a seizure, a school administrator or other staff member shall contact the school nurse and the student's parent/guardian to continue the observation plan

District Responsibilities

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

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

Note: 5 CCR 601 specifies items that districts may, but are not required to, include in the medication log, as provided in item #4 below.

4. Maintain for each student a medication log which may:
 - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

- b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

Note: 5 CCR 601 specifies items that may be included in the medication record, as detailed below. In addition, 5 CCR 607 authorizes the district to establish policies regarding documentation of medication, including the maintenance of the medication record.

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student

6. Ensure that student confidentiality is appropriately maintained

(cf. 5125 - Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take his/her medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet
10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

Note: 5 CCR 609 authorizes the district to establish policies regarding unused, discontinued, or outdated medication.

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance
14. ~~Provide immediate medical assistance if needed,~~ Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

Additional Requirements for Management of Epileptic Seizures [SECTION DELETED]

Emergency Epinephrine Auto-Injectors

Note: ~~As amended by SB 1266 (Ch. 321, Statutes of 2014),~~ Education Code 49414 requires districts to provide epinephrine auto-injectors to school nurses or other employees who volunteer and receive training, which they may use to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. ~~SB 1266 deleted the requirement to develop a district plan related to the use of epinephrine auto-injectors~~

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

(cf. 4112.9/4212.9/4312.9 - *Employee Notifications*)

Note: Education Code 49414 specifies topics to be included in training for employees who volunteer to be trained in the use of epinephrine auto-injectors. ~~As amended by SB 1266 (Ch. 321, Statutes of 2014),~~ Education Code 49414 requires the Superintendent of Public Instruction (SPI), in consultation with specified agencies and organizations, to review the minimum standards for the training at least every five years. These standards are available on the California Department of Education's web site.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414³ and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Note: Education Code 49414 ~~as amended by SB 1266 (Ch. 321, Statutes of 2014)~~ specifies the type of epinephrine auto-injectors that must be provided to each school and the district personnel authorized to obtain the prescriptions. The following paragraphs may be revised to reflect the position(s) assigned to fulfill this responsibility and the grade levels maintained by the district.

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

(cf. 3290 - Gifts, Grants and Bequests)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 - District Records)

Emergency Medication for Opioid Overdose

Note: The following section is optional. Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes, but does not require, districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. Districts that choose to provide the medication must meet specified requirements as provided below. Such districts may revise the following section to indicate the grade levels at which such medication will be available (e.g., at secondary schools only).

The district may elect to make emergency naloxone hydrochloride or another opioid antagonist available at schools for the purpose of providing emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. In determining whether to make this medication available, the Superintendent or designee shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and training personnel to administer the medication. (Education Code 49414.3)

When available at the school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code 49414.3)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist, describing the training that the volunteer will receive, and explaining the right of the volunteer to rescind his/her offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on his/her offer to volunteer and that there will be no retaliation against any employee for rescinding his/her offer to volunteer. (Education Code 49414.3)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Note: Pursuant to Education Code 49414.3, the training provided to designated school personnel must be based on standards adopted by the SPI in consultation with specified agencies and organizations. The SPI is required to review those standards at least once every five years. Required topics of the training include (1) techniques for recognizing symptoms of an opioid overdose; (2) standards and procedures for the storage, restocking, and emergency use of the medication; (3) basic emergency follow-up procedures; and (4) recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation. In addition, the CDE is required to include on its web site a clearinghouse for best practices in training nonmedical personnel to administer an opioid antagonist to students.

The principal or designee may designate one or more volunteer employees to receive initial and annual refresher training, based on standards adopted by the SPI, regarding the storage and emergency use of naloxone hydrochloride or another opioid antagonist. The training shall be provided at no cost to the employee, conducted during his/her regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school for reference. (Education Code 49414.3)

A school nurse, other qualified supervisor of health, or, if the district does not have a qualified supervisor of health, a district administrator shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (Education Code 49414.3)

If the medication is used, the school nurse, other qualified supervisor of health, or district administrator, as applicable, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (Education Code 49414.3)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering naloxone hydrochloride or another opioid antagonist for emergency aid shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414.3)

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414.3, including, but not limited to, the acceptance of the naloxone hydrochloride or another opioid antagonist from a manufacturer or wholesaler. (Education Code 49414.3)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code 4119.8)

(12/13 12/14) 12/16

Center USD

Administrative Regulation

Administering Medication And Monitoring Health Conditions

AR 5141.21

Students

Definitions

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

Emergency medical assistance for a student suffering an epileptic seizure means the administration of an emergency antiseizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures. (Education Code 49414.7; 5 CCR 621)

Epinephrine auto-injector means a disposable drug delivery system with a spring-activated needle that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Notifications to Parents/Guardians

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Providing parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)
3. If the student suffers from epilepsy, notifying the principal or designee whenever the student has had an emergency antiseizure medication administered to him/her within the past four hours on a school day. (Education Code 49414.7)
4. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Parent/Guardian Statement

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

Health Care Provider Statement

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer auto-injectable epinephrine or prescribed diabetes or asthma medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)
2. The name of the medication (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)
4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
6. Possible side effects of the medication
7. Name, address, telephone number, and signature of the student's authorized health care provider

When authorizing a district employee to administer emergency antiseizure medication to a student, the authorized health care provider's written statement shall also include the following: (Education Code 49414.7; 5 CCR 626)

1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

2. Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services
3. A protocol for observing the student after a seizure, including, but not limited to, whether he/she should rest in the school office or return to his/her class and the length of time he/she should be under direct observation
4. A statement that, following a seizure, a school administrator or other staff member shall contact the school nurse and the student's parent/guardian to continue the observation plan

District Responsibilities

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered
4. Maintain for each student a medication log which may:
 - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
 - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication
5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

(cf. 5125 - Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take his/her medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet
10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose
12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances
13. Provide immediate medical assistance if needed and report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

Additional Requirements for Management of Epileptic Seizures

In addition to applicable provisions in the sections above, the Superintendent or designee shall make arrangements for assisting students with epilepsy who may suffer a seizure at school. Such arrangements shall include the following: (Education Code 49414.7; 5 CCR 620-627)

1. **Services or Accommodations:** Whenever a parent/guardian requests that a nonmedical district employee be trained to provide emergency medical assistance to his/her child, the parent/guardian shall be notified that the child may qualify for services or accommodations pursuant to 20 USC 1400-1482, the Individuals with

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Disabilities Education Act (IDEA), or 29 USC 794, Section 504 of the federal Rehabilitation Act of 1973 (Section 504).

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

The Superintendent or designee shall assist the parent/guardian to explore that option and shall encourage him/her to adopt the option if the student is determined to be eligible for such service or accommodation.

If the student's parent/guardian refuses to have him/her assessed for services or accommodations under IDEA or Section 504, the Superintendent or designee may develop an individualized health plan, seizure action plan, or other appropriate health plan designed to acknowledge and prepare for the student's health care needs in school.

2. **Request for Volunteers:** The Superintendent or designee shall distribute an electronic notice to school staff no more than twice per school year per student whose parent/guardian has requested provision of emergency medical assistance pursuant to Education Code 49414.7. The notice shall be in bold print and, in accordance with Education Code 49414.7, shall contain a description of the request for a volunteer school employee, the training that such volunteer school employee will receive, the voluntary nature of the program, and the timelines for the volunteer school employee to rescind his/her offer. No other means of soliciting volunteer school employees shall be conducted.

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

If no employee volunteers to administer emergency antiseizure medication to a student, the Superintendent or designee shall again notify the student's parent/guardian of the option to have the student assessed for services and accommodations under IDEA or Section 504.

3. **Training:** Any employee who volunteers to administer an emergency antiseizure medication shall receive from a licensed health care professional the training specified in 5 CCR 623 before administering such medication. The training shall include, but is not limited to:
 - a. Recognition and treatment of different types of seizures
 - b. Administration of an emergency antiseizure medication

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

- c. Basic emergency follow-up procedures, including, but not limited to, a requirement for the principal or designee to call the emergency 911 telephone number and to contact the student's parent/guardian, but not necessarily to transport the student to an emergency room
- d. Techniques and procedures to ensure student privacy

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5022 - Student and Family Privacy Rights)

When a trained employee has not administered an emergency antiseizure medication to a student within two years after completing the training and a student who may need the administration of an emergency antiseizure medication is enrolled in the school, the employee shall be retrained in order to retain the ability to administer an emergency antiseizure medication.

- 4. Notification of Administration: The Superintendent or designee shall establish a process for notifying the credentialed school nurse, or the Superintendent or designee as applicable, whenever an employee administers an emergency antiseizure medication to a student at a school site.
- 5. Supervision of Volunteers: Volunteer school employees shall be supervised by a licensed health care professional in accordance with 5 CCR 627.

Emergency Epinephrine Auto-Injectors

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414, and shall be based on the standards developed by the Superintendent of Public

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Instruction. Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained by the district. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying of the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

(cf. 3290 - Gifts, Grants and Bequests)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 - District Records)

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. Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the Governing Board of any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. Those components are addressed in the following policy and the accompanying administrative regulation. Also see the California Department of Education's model policy required by Education Code 215.

The following policy and accompanying administrative regulation should be revised to reflect district practice. Pursuant to Education Code 215, the policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. It is recommended that districts 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 leading cause of death among youth and should be taken seriously that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. 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 measures and strategies for suicide prevention, intervention, and postvention.

In developing measures and strategies for use by the district, the Superintendent or designee may involve consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, local health agencies, and mental health 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

SUICIDE PREVENTION (continued)

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.

Such measures and Suicide prevention strategies ~~may shall~~ include, but ~~are~~ not ~~be~~ limited to,;

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior-high, and high school counselor. Item #1 may be revised to specify other categories of employees who will receive the training.

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students in the secondary grades

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Items #2-7 below reflect optional strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

(cf. 6142.8 - Comprehensive Health Education)

3. Efforts ~~to promote for promoting~~ a positive school climate that enhances students' feelings of connectedness with the school and ~~that~~ is characterized by caring staff and harmonious interrelationships among students

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(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. **[MOVED TO AR]**

~~(cf. 6142.8 Comprehensive Health Education)~~

- 4.** The Superintendent or designee may offer parents/guardians education or provision of information to parents/guardians regarding which describes risk factors and warning signs of suicide, 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.
- 5.** Students shall be encouraged Encouragement for students to notify a teacher, principal, counselor, appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.
- 6.** Crisis intervention procedures for addressing suicide threats or attempts
- 7.** Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate.

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

SUICIDE PREVENTION (continued)**Staff Development [MOVED TO AR]**

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

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:

SUICIDE PREVENTION (continued)

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.
[MOVED TO AR]

(cf. 5138 - Conflict Resolution/Peer Mediation)

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**

215 Student suicide prevention policies

32280-32289 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

Legal Reference continued: (see next page)

SUICIDE PREVENTION (continued)

Legal Reference: (continued)

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting 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, 2009

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

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2019

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Preventing Suicide: A Toolkit for High Schools, 2012

National Strategy for Suicide Prevention: Goals and Objectives for Action, 2001rev. 2012

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <https://afsp.org>

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

American School Counselor Association: <https://www.schoolcounselor.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

California Department of Health Care Services, Suicide Prevention Program:

<http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>

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

National Association of School Psychologists: <https://www.nasponline.org>

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

Trevor Project: <http://thetrevorproject.org>

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

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

Center USD

Board Policy

Suicide Prevention

BP 5141.52

Students

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

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)

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

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)

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

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)

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>

Policy
adopted: November 4, 2009

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

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. Pursuant to Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), districts serving students in grades 7-12 are mandated to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide). See the accompanying Board policy. The following administrative regulation provides additional strategies that fulfill the mandate and may be revised to reflect district practice.

Examples of suicide prevention strategies are available in the California Department of Education's (CDE) model policy created in response to AB 2246, the U.S. Department of Health and Human Services publication Preventing Suicide: A Toolkit for High Schools, and resources issued by other state and federal agencies and organizations. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP 5145.9 - Hate-Motivated Behavior.

Staff Development

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. The following section may be revised to reflect district practice.

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students at the secondary level. 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.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

SUICIDE PREVENTION (continued)

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups; see the accompanying Board policy. One strategy to specifically address their needs is to increase staff awareness of the higher rates of suicide among these groups, as provided in item #1 below.

- 1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth**

Note: Staff development may include training about risk factors associated with suicide, as provided in item #2 below. Information about risk factors is available from the CDE, Centers for Disease Control and Prevention, American Association of Suicidology, American Foundation for Suicide Prevention, Trevor Project, and other agencies and organizations.

- 2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors**

(cf. 5131.6 - Alcohol and Other Drugs)

- 3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent**
- 4. Protective factors that may help to decrease a person's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community**
- 5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health**
- 6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups**

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

- 7. District procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide**

SUICIDE PREVENTION (continued)**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. The state's content standards for health education include voluntary 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 paragraph to reflect grade levels offered by the district.

At appropriate secondary grades, the district's suicide prevention instruction shall be designed to help students. The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum at appropriate secondary grades and 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 ~~and self-esteem~~
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 ~~services for~~ 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. Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address suicide intervention. The following section should be revised to reflect district practice.

SUICIDE PREVENTION (continued)

In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289; see BP/AR 0450 - Comprehensive Safety Plan

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.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, he/she shall promptly notify the principal or school counselor.

Note: Education Code 49602 generally protects the confidentiality of information of a personal nature disclosed to a school counselor by a student age 12 years or older or by a parent/guardian. However, in certain circumstances, the counselor may disclose such information to avert a clear and present danger to the health, safety, or welfare of the student. Also see BP 6164.2 - Guidance/Counseling Services

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

(cf. 5141 - Health Care and Emergencies)

A school employee shall act only within the authorization and scope of his/her credential or license. An employee is not authorized to diagnose or treat mental illness unless he/she is specifically licensed and employed to do so. (Education Code 215)

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Ensure the student's physical safety by one of the following, as appropriate:

a.1. Immediately securing immediate medical treatment and/or mental health services as necessary if a suicide attempt has occurred

b.2. Securing/Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened

SUICIDE PREVENTION (continued)

- e.3.** 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

4. Removing other students from the immediate area as soon as possible

(cf. 0450 - Comprehensive Safety Plan)

(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.** The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat as soon as feasible

(cf. 5125 - Student Records)

Note: The following paragraph is optional. If a student's parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide, the Superintendent or designee shall consider whether a referral to child protective services for child neglect is needed. Pursuant to Penal Code 11164-11174.3, the Child Abuse and Neglect Reporting Act, school employees who are mandated reporters are required to report child abuse or neglect, as defined in law, when they have knowledge of or reasonably suspect that a child is a victim of child abuse or neglect. See BP/AR 5141.4 - Child Abuse Prevention and Reporting

- 4.** The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether he/she is required, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency

(cf. 5141.4 - Child Abuse Prevention and Reporting)

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

- 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

SUICIDE PREVENTION (continued)

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.

Postvention

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address suicide postvention. The following section should be revised to reflect district practice.

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 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.

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

Note: Research has identified an increased risk of suicide among youth who are grieving the suicide of another (so-called "suicide contagion"). The National Association of School Psychologists, in its Preventing Suicide, Guidelines for Administrators and Crisis Teams, recommends that memorials should be implemented with care so as not to sensationalize or glamorize suicide and thereby increase the suicide risk to other students. If a memorial is conducted for a student who dies by suicide, the association suggests a living memorial, such as making donations to a local crisis center, participating in an event that raises awareness about suicide prevention, or providing other opportunities for service activities in the school.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. He/she shall 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.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

SUICIDE PREVENTION (continued)

(cf. 1112- Media Relations)

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

(6/96 7/09) 3/17

Center USD

Administrative Regulation

Suicide Prevention

AR 5141.52
Students

Instruction

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

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

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 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)

Regulation
approved: November 4, 2009

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample

Exhibit

Students

E 5145.6(a)

PARENTAL NOTIFICATIONS

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2015 (AB 93, Ch. 10, Statutes of 2015) extends the suspension of these requirements through the 2015-16 fiscal year. The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures (UCP) as mandated by 5 CCR 4622. Pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015), the district is required to include information about specified educational rights of foster youth and homeless students in its annual UCP notification.

In addition to the notices required by law, there are other notices that districts are recommended to distribute. For example, AR 5145.3 - Nondiscrimination/Harassment includes an optional notice regarding the rights of transgender and gender-nonconforming students. Furthermore, although the California High School Exit Examination is suspended through the 2017-18 school year pursuant to Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), and therefore the notice described in Education Code 60850 is not currently required, districts may choose to notify parents/guardians of the suspension of the exam and the possibility that it could subsequently be reinstated.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 46010.1	BP 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of Sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	BP 5113 AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	BP 5113 AR 5113 AR BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; <u>inspection rights and procedures</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.61	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment.	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students entering grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education; right to view A/V materials, who's teaching whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, <u>within 20 working</u> days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When student has been placed in structured English immersion program	Education Code 310-311; 5 CCR 11309	AR 6174	Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is identified as English learner and district receives Title I or Title III funds for English learner programs; not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 440; 20 USC 7012 6312	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, <u>option to remove student from program at any time</u> , exit requirements of program
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	<u>Right to priority enrollment; how to request priority enrollment</u>
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3112 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified <u>a</u> <u>as</u> truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designed
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
To person holding educational rights, within 30 days of foster youth, or homeless youth's, or former juvenile court school student being transferred between high schools	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
Within 14 days of instruction At least 14 days before HIV prevention or sexual health instruction if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/ guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6316	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who <u>in attendance will attend</u> participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. Classroom Notices			
In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities

(4/15 5/16) 3/17

Center USD

Exhibit

Parental Notifications

E 5145.6
Students

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2015 (AB 93, Ch. 10, Statutes of 2015) extends the suspension of these requirements through the 2015-16 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules
Beginning of each school year	Education Code 46010.1	BP 5113	Absence for confidential medical services
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	BP 5113 AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	BP 5113 AR 5113 AR 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year 4622	Education Code 49013; 5 CCR	AR 1312.3 remedies	Uniform complaint procedures, available appeals, civil law
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.61	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
When child first enrolls in a public school, if the school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
When students entering grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, 20 days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When student has been placed in structured English immersion program	Education Code 310-311; 5 CCR 11309	AR 6174	Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
When student is identified as English learner and district receives Title III funds, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 440; 20 USC 7012	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, exit requirements of program
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified a truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school premises
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
To person holding educational rights, within 30 days of foster or homeless youth's transfer between high schools	Education Code 51225.1	AR 6173 AR 6173.1	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
Within 14 days of instruction if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.24	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6316	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards
V. Classroom Notices			
In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities

CSBA Sample

Administrative Regulation

Students

AR 5148(a)

CHILD CARE AND DEVELOPMENT

Note: The following administrative regulation is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE) and reflects provisions generally applicable to programs under the Child Care and Development Services Act (Education Code 8200-8499.7). The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), and BP/AR 5148.3 - Preschool/Early Childhood Education for requirements pertaining to the California State Preschool Program (Education Code 8235-8239).

The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers. For example, for the Alternative Payment Program (Education Code 8220-8227.3; 5 CCR 18220-18231), 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, reimbursement of providers, and family fee collection. For the Resource and Referral program (Education Code 8210-8216; 5 CCR 18240-18248), 5 CCR 18244 mandates written referral policies and written complaint procedures.

In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., AR 3514.2 - Integrated Pest Management, BP/AR 1240 - Volunteer Assistance, food safety standards and nutrition requirements in BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's child care and development program.

Licensing

Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by the California Department of Social Services unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not limited to, any program that (1) is a "public recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, or (6) provides activities that are of an instructional nature in a classroom-like setting when K-12 students are normally not in session and the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

CHILD CARE AND DEVELOPMENT (continued)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

Note: Items #1-8 below list components of child care and development programs required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these program components; see the accompanying Board policy. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. ~~A. The use of a~~ developmental profile ~~recording-reflecting~~ each child's physical, cognitive, social, and emotional development ~~which shall be used~~ to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program ~~which that~~ complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)
 (cf. 5148.3 - Preschool/Early Childhood Education)
 (cf. 6159 - Individualized Education Program)
 (cf. 6164.4 - Identification of Individuals for Special Education)
 (cf. 6164.6 - Identification and Education Under Section 504)
 (cf. 6174 - Education for English Language Learners)

3. A staff development program which complies with 5 CCR 18274

(cf. 4131 - Staff Development)
 (cf. 4231 - Staff Development)
 (cf. 4331 - Staff Development)

4. Parent/guardian involvement and education ~~which that~~ complies with 5 CCR 18275 and involves parents/guardians through an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

CHILD CARE AND DEVELOPMENT (continued)

(cf. 6020 - Parent Involvement)

5. A health and social services component ~~which that~~ complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

(cf. 1020 - Youth Services)

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.23 - Asthma Management)

(cf. 5141.6 - School Health Services)

6. A community involvement component ~~which tha~~ complies with 5 CCR 18277

Note: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. These standards require that children age 2 or older, with specified exceptions, be served only low-fat or nonfat milk, no more than one serving per day of 100 percent juice, and no beverage with added sweetener and that clean and safe drinking water be readily available and accessible throughout the day. In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. A nutrition component ~~which that~~ ensures ~~that~~ children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including ~~a~~ meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Note: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system developed by the CDE. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale using forms selected by the CDE. Each contractor is required to submit a summary of the self-evaluation findings to the CDE by June 1 of each year. In addition, every three years, the CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency ~~which to~~ reviews compliance with program requirements. The FPM/CMR instrument is available on the CDE's web site.

8. An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

CHILD CARE AND DEVELOPMENT (continued)

Note: Item #9 below is optional and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic media.

9. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Staffing Ratios

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exceptions. Health and Safety Code 1597.055, as amended by SB 792, incorporates the immunization requirements into the qualifications of day care teachers and adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes any child care facility other than a family day care home, including infant centers, preschools, extended day care facilities, and school-age child care centers.

Any person employed at a district child care center and any volunteer who provides care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If a person meets all other requirements for employment or volunteering, as applicable, but needs additional time to obtain and provide his/her immunization records, the person may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that he/she has been immunized as required. In addition, each employee and volunteer shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration that he/she has declined the vaccination.
3. In the case of the influenza vaccine required during the first year of employment

CHILD CARE AND DEVELOPMENT (continued)

or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)
(cf. 4112.4 - Health Examinations)

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.6 - Personnel Files)

In addition to the above immunization requirements, teachers employed in a child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

Note: CDE contracts provide funding only for services to families who meet the criteria for subsidized services as specified in Education Code 8263. The district may also provide services to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on "Fees and Charges" below.

Pursuant to 5 CCR 18105, districts contracting with the CDE to offer child care services are mandated to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

The following section should be revised to reflect the district's contract(s) with the CDE.

The district's subsidized child care and development services may be available to infants and children through age 12 years of age and to individuals with disabilities through age 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on the CDE's web site. The family's or child's eligibility must be certified by a person designated by the district.

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of

CHILD CARE AND DEVELOPMENT (continued)

protective services or have been identified as being] or at risk of being] abused, neglected, or exploited.

2. The family has a need for child care based on **either of the following:**

- a.]** ~~The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are either working, seeking employment, participating in vocational education and training programs leading directly to a recognized trade, paraprofession, or profession, are employed or seeking employment; are seeking permanent housing for family stability; or temporarily or permanently are incapacitated~~

Note: AB 982 (Ch. 567, Statutes of 2015) amended Education Code 8263 to expand the list of entities that can identify a child in need of subsidized child care to include a local educational agency liaison for homeless children and youth, a Head Start program, or a transitional shelter and to expand the list of children to be identified to include a homeless child]

- b.]** ~~Alternatively, a family satisfies the need requirement if The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of child protective services, as being, or at risk of being, neglected, abused, or exploited, or as being homeless~~

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to Education Code 8263 and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no

CHILD CARE AND DEVELOPMENT (continued)

child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

~~Note: Education Code 8263.4 provides that the preferred placement for children ages 11-12 years is in a before-school or after-school program and that such children will be eligible for subsidized child care services only for the portion of care that is not available in a before-school or after-school program. AB 1944 (Ch. 460, Statutes of 2014) amended Education Code 8263.4 to delete a requirement that the parent/guardian certify in writing that a before-school or after-school program is unavailable before receiving subsidized child care services.~~

The district shall allow eligible children ~~ages~~ 11-12 years ~~of age~~ to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children ~~ages~~ 11-12 years ~~of age~~, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

~~Note: The following optional paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.~~

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

~~Note: 5 CCR 18094 and 18118 require the district to provide written notification to the parent/guardian as to whether his/her application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on the CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below. He/she must file a request for a hearing with the district within 14 calendar days of receiving the notice. Within 10 calendar days after receiving the request, the district must notify the parent/guardian of the time and place of the hearing. Within 10 calendar days after the hearing, the district must mail or deliver the written decision. If the parent/guardian disagrees with the district's written decision, he/she may appeal to the CDE's Early Education and Support Division within 14 calendar days.~~

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

(cf. 5145.6 - Parental Notifications)

~~Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on the CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122 using the same procedures described above for appeals for denial of services; see section "Rights of Parents/Guardians" below.~~

CHILD CARE AND DEVELOPMENT (continued)

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Note: Education Code 8273 requires the Superintendent of Public Instruction (SPI) to establish a fee schedule for families using child care services through a CDE contract, including families who are eligible for subsidized child care services based on the criteria specified in item #1 in the section "Eligibility and Enrollment" above. ~~A new schedule of family fees for child care services went into effect July 1, 2014.~~ See CDE Management Bulletin 14-03a.

Pursuant to 5 CCR 18109 and the CDE's Frequently Asked Questions to Management Bulletin 14-03a, the district may charge a full-time, part-time, or "cost of care" fee calculated pursuant to 5 CCR 18109, whichever is less, depending on the number of hours that a child will receive services.

Education Code 8250 and 5 CCR 18110 prohibit districts from assessing fees for children enrolled in a program for severely disabled children or a federally based migrant program. Districts may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program ~~which that~~ is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule

CHILD CARE AND DEVELOPMENT (continued)

established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8273.2, 8447; 5 CCR 18078, 18108-18110)

Note: Education Code 8273.1 and 5 CCR 18110 specify circumstances under which families are exempt from the fee for child care services, as provided below. As amended by SB 858 (Ch. 32, Statutes of 2014), Education Code 8273.1 adds an exemption for income-eligible families whose child is enrolled in a part-day California State Preschool Program; also see BP/AR 5184.3 - Preschool/Early Childhood Education

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

Note: Pursuant to Education Code 8273 and CDE Management Bulletin 14-03a, family fees must be assessed at initial enrollment and reassessed at recertification or when the family data file is updated due to a change in status.

Pursuant to 5 CCR 18114, districts contracting with the CDE to offer child care services are mandated to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative definition of delinquency for Alternative Payment programs offered pursuant to Education Code 8220-8224.

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

Note: The following paragraph is for use by districts contracting with the CDE to offer child care services that wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees) and may be modified to delete diapers as appropriate for the age of the children served.

CHILD CARE AND DEVELOPMENT (continued)

Education Code 8273.3 mandates that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year.

The Superintendent or designee shall establish a process ~~which—tha~~ involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

Note: Education Code 8263.3 specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. ~~Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below. CDE Management Bulletin 12-07 clarifies this order for all child care and development programs except CalWORKS Stage 2 programs and California State Preschool Programs (see AR 5148.3 Preschool/Early Childhood Education for information about disenrollment from preschool programs).~~

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Note: ~~The following optional paragraph reflects the appeal process described in CDE Management Bulletin 12-07. The district's decision is final and there is no further opportunity for appeal to the CDE.~~

~~Whenever the district issues a notice to the families who will be disenrolled due to funding reduction, a parent/guardian may appeal the decision only on the grounds that the factors used to determine the family's disenrollment are incorrect. He/she shall submit the appeal within 14 calendar days of receipt of the notice, or within 19 calendar days if the notice was mailed.~~

CHILD CARE AND DEVELOPMENT (continued)

The Superintendent or designee shall review the appeal and notify the parent/guardian, in writing, of the district's final decision within 10 calendar days of receiving the appeal request. Services shall continue to be provided pending the appeal decision.

Health Examination

Note: Education Code 8263 provides that the physical examination and evaluation, including immunizations, required of children enrolling in a child care center may be waived if a parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. However, Health and Safety Code 120335, as amended by SB 277 (Ch. 35; Statutes of 2015), eliminated the personal beliefs exemption for immunization requirements unless the parent/guardian files a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations.

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within ~~six weeks~~ 30 days of enrollment, unless (Education Code 8263)

The requirement for a physical examination and evaluation may be waived if a parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. (Education Code 8263)

A child may be exempted from the immunization requirements only if: (Education Code 8263; Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child
2. The parent/guardian ~~submits~~ submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to his/her religious personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

(cf. 5141.22 - Infectious Diseases)
 (cf. 5141.3 - Health Examinations)
 (cf. 5141.31 - Immunizations)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

CHILD CARE AND DEVELOPMENT (continued)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

Note: Pursuant to 5 CCR 18066, districts contracting with the CDE to offer child care services are mandated to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

Note: 5 CCR 18066 mandates a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Note: 5 CCR 18066 mandates that providers adopt a policy governing unexcused absences which may include reasonable limitations, if any. The following paragraph may be revised to reflect district practice.

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

CHILD CARE AND DEVELOPMENT (continued)

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

Note: The following ~~section is two paragraphs are~~ for use by districts that operate one or more licensed child care centers (see "Licensing" section above), but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of his/her rights as specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Note: The remainder of this section is for use by all districts and applies to licensed and unlicensed child care programs.

In addition, if a parent/guardian disagrees with any district action to deny his/her child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, he/she may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, he/she may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

CHILD CARE AND DEVELOPMENT (continued)

Records

Note: CDE contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports, through the CDE's online management information system, regarding any families receiving subsidized services during that month.

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by the CDE.

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(4/13 7/15) 10/16

Center USD

Administrative Regulation

Child Care and Development

AR 5148(a)
Students

Licensing

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

The district's child care and development program shall include the following components:

1. A developmental profile recording each child's physical, cognitive, social, and emotional development which shall be used to plan and conduct developmentally and age-appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program which complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification of Individuals for Special Education)

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

(cf. 6174 - Education for English Language Learners)

3. A staff development program which complies with 5 CCR 18274

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

4. Parent/guardian involvement and education which comply with 5 CCR 18275 and involve parents/guardians through an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component which complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

(cf. 1020 - Youth Services)

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.23 - Asthma Management)

(cf. 5141.6 - School Health Services)

6. A community involvement component which complies with 5 CCR 18277

7. A nutrition component which ensures that children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including at meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

8. An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

9. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Staffing Ratios

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

Eligibility and Enrollment

The district's subsidized child care and development services may be available to infants and children through age 12 years and to individuals with disabilities through age 21 years in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited.
2. The family has a need for child care based on the unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are either working, seeking employment, participating in vocational education and training programs, seeking permanent housing for family stability, or temporarily or permanently incapacitated. Alternatively, a family satisfies the need requirement if the child is identified by a legal, medical, social services agency, or emergency shelter as a recipient of child protective services or as being, or at risk of being, neglected, abused, or exploited.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children ages 11-12 years to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children ages 11-12 years, except for children with disabilities, shall be eligible for subsidized child care services only for the

portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

(cf. 5145.6 - Parental Notifications)

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Except when offering a program which is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8273.2, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool

Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

The Superintendent or designee shall establish a process which involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Whenever the district issues a notice to the families who will be disenrolled due to funding reduction, a parent/guardian may appeal the decision only on the grounds that the factors used to determine the family's disenrollment are incorrect. He/she shall submit the appeal within 14 calendar days of receipt of the notice, or within 19 calendar days if the notice was mailed.

The Superintendent or designee shall review the appeal and notify the parent/guardian, in writing, of the district's final decision within 10 calendar days of receiving the appeal request. Services shall continue to be provided pending the appeal decision.

Health Examination

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within six weeks of enrollment, unless the parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. (Education Code 8263)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.
3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of his/her rights as specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Records

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by the CDE.

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: October 21, 2015 Antelope, California

CSBA Sample Board Policy

Students

BP 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Note: The following optional policy is for use by districts providing before-school and/or after-school programs and should be revised to reflect the program(s) offered by the district. For eligible programs in grades K-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the funds after school programs in grades K-9, with priority given to schools with the highest percentage of students eligible for free or reduced price meals. The federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), for students in grades K-9 and the federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs for students in grades 9-12, are restricted to applicants that primarily serve students in Title I schoolwide programs or serve a high percentage of students from low income families. Under both of these federal programs, competitive priority for funding is given to applications jointly submitted by school districts and community organizations for an expiring grant or for programs in schools identified for program improvement under 20 USC 6316. Under 21st CCLC, funding priority is also given to applications that will provide year-round expanded learning programming. Under ASSETs, funding priority is also given for the expansion of existing grants. See the accompanying administrative regulation for major requirements of each program.

The following policy is applicable to all three programs, unless otherwise noted, and may be adapted by districts that offer other programs through district funding or alternative other sources. If the district does not offer both a before-school and after-school program, it may modify the following policy as appropriate.

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

Note: The following paragraph reflects a requirement for collaborative planning for both ASES (Education Code 8482.5) and ASSETs (Education Code 8422). 20 USC 7174 requires 21st CCLC programs to must be developed in collaboration with the school(s) the students attend, but collaboration with other entities is at the discretion of the district. neither state nor federal law requires collaboration with other community agencies or organizations. Districts offering only 21st CCLC programs may revise the following paragraph to reflect district practice.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

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

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETs programs is restricted to schools receiving federal Title I funding. In addition, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311; (2) serve students at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for Programs Proposing to Serve High School Students."

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

(cf. 1020 - Youth Services)

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

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

(cf. 6020 - Parent Involvement)

The establishment of aAny program to be established shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

Note: The following optional paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to both ASES and 21st CCLC), the program administrator is required to establish minimum qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies. See the accompanying administrative regulation for further information about requirements related to staffing. A district offering an ASSETs program must establish its expectations for staff qualifications.

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. **(Education Code 8483.4)**

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~The Each~~ program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, ~~the each~~ program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.7 - Physical Education and Activity)

Note: Pursuant to Education Code 8482.6 (applicable to both ASES and 21st CCLC) and Education Code 8422 (applicable to ASSETs programs), as added and amended by AB 2615 (Ch. 470, Statutes of 2016), the district may charge fees to participating families as long as those fees are waived or reduced for families with students who are eligible for free or reduced-price meals. ~~or conduct individual eligibility determinations based on need or income.~~ Option 1 below is for use by districts that choose not to charge family fees. Option 2 is for use by districts that will charge a permissible family fee to cover unfunded costs of the program. ~~Districts that choose Option 2 may waive or subsidize the fee for some families based on economic need or other factors.~~

OPTION 1: ~~No fee shall be charged for participation in the program.~~

OPTION 2: A family fee may be charged to participating families based on the actual cost of services, as long as the fee is waived or reduced for families with students who are eligible for free or reduced-price meals. ~~The fee may be waived or subsidized based on economic need or other critical needs. (Education Code 8422, 8482.6)~~

Note: The following paragraph is for use by districts selecting Option 2 that offer an ASES and/or 21st CCLC program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8482.6, as added by AB 2615 (Ch. 470, Statutes of 2016), commencing July 1, 2017, no family fees may be charged for these programs if the district knows the participating student is a homeless youth or in foster care.

In regard to the After School Education and Safety program and/or 21st Century Community Learning Center program, no fee shall be charged for a student identified as a homeless or foster youth. (Education Code 8482.6)

(cf. 3260 - Fees and Charges)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

Note: The remainder of this policy is for use by districts that selected either Option 1 or 2 above.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

The following optional paragraph is for use by districts with programs serving students ages 11-12 years. Education Code 8263.4 provides that the preferred placement for students ages 11-12 years is in a before-school or after-school program rather than in subsidized child care and development services. When subsidized child care services are also available, students ages 11-12 years will be eligible for subsidized child care services only for the portion of care that is not available in a before-school or after-school program. See AR 5148 - Child Care and Development.

Eligible students ages 11-12 years shall be placed in a before-school or after-school program, if and when available, rather than subsidized child care and development services. During the time that the before-school or after-school program does not operate, such students ages 11-12 years may be provided the option of enrolling in child care and development services in accordance with the priorities established in AR 5148 - Child Care and Development. (Education Code 8263.4)

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

To assist in evaluations of program effectiveness, the district may refer to the California Department of Education's (CDE) Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality. In addition, CDE's publication A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools describes available assessment tools that are closely aligned with the program standards. These publications are available on CDE's web site.

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores, high school exit examination scores, English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The district should consult with legal counsel if it has any questions regarding the sharing of student data.

In addition, Education Code 8427 and 8484, as amended by SB 1221 (Ch. 370, Statutes of 2014), require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

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

(cf. 0500 - Accountability)

Note: The following paragraph is for use by districts that offer an ASES or 21st ~~ELCC~~ CCLC program, and may be adapted by districts that offer ASSETs or other programs. Education Code 8482.3 requires districts offering an ASES or 21st CCLC program to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

~~Every three years, the program Superintendent or designee shall review its the after school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years. (Education Code 8482.3)~~

(cf. 3580 - District Records)

Legal Reference:**EDUCATION CODE**

8263 Eligibility and priorities for subsidized child development services

8263.4 Enrollment of students ages 11-12 years

8273.1 Family fees, exemptions

8350-8359.1 Programs for CalWORKS recipients

8360-8370 Personnel qualifications

8420-8428 21st Century After-School Program for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

8490-8490.7 Distinguished After School Health Recognition Program

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

35021.3 After-school physical recreation instructors

45125 Criminal record check

45330 Paraprofessionals; instructional aides

45340-45349 Paraprofessionals; instructional aides

49024 Criminal background check; Activity Supervisor Clearance Certificate

49430-49434 Nutrition standards

~~49540-49546 Child Care Food Program~~

49553 Free or reduced-price meals

~~60851.1 Suspension of high school exit examination~~

~~69530-69547.9 69430-69460 Cal Grant program~~

UNITED STATES CODE, TITLE 20

6311 State plans

6314 Title I schoolwide programs

7171-7176 21st Century Community Learning Centers

UNITED STATES CODE, TITLE 42

1766-1766a Child and Adult Care Food Program

11434a Education for homeless children and youths

CODE OF FEDERAL REGULATIONS, TITLE 7

226.17 Child care center nNutrition standards

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Request for Application for Programs Proposing to Serve High School Students, September 2016

21st Century Community Learning Centers (21st CCLC) FAQs, Elementary/Middle School Programs, September 2016

Management Resources continued: (see next page)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

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

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

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

California After School Physical Activity Guidelines, 2009

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

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

California Healthy Kids Survey: <https://chks.wested.org>

California School-Age Consortium: <http://calsac.org>

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

Partnership for Children and Youth: <http://partnerforchildren.org>

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

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

BEFORE/AFTER SCHOOL PROGRAMS

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program and provide safe alternatives for students. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, its curriculum, and district and state academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

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

(cf. 1020 - Youth Services)

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

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

(cf. 6020 - Parent Involvement)

The establishment of any program shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, the program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.7 - Physical Education and Activity)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

A fee may be charged to participating families based on the actual cost of services. The fee may be waived or subsidized based on economic need or other critical needs.

Eligible students ages 11-12 years shall be placed in a before-school or after-school program, if and when available, rather than subsidized child care and development services. During the time that the before-school or after-school program does not operate, students ages 11-12 years may be provided the option of enrolling in child care and development services in accordance with the priorities established in AR 5148 - Child Care and Development. (Education Code 8263.4)

(cf. 3260 - Fees and Charges)

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

(cf. 0500 - Accountability)

Legal Reference: (see next page)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Legal Reference:

EDUCATION CODE

8263 Eligibility and priorities for subsidized child development services
8263.4 Enrollment of students ages 11-12 years
8273.1 Family fees, exemptions
8350-8359.1 Programs for CalWORKS recipients
8360-8370 Personnel qualifications
8420-8428 21st Century After-School Program for Teens
8482-8484.65 After School Education and Safety Program
8484.7-8484.9 21st Century Community Learning Centers
8490-8490.7 Distinguished After School Health Recognition Program
17264 New construction; accommodation of before- and after-school programs
35021.3 After-school physical recreation instructors
45125 Criminal record check
45330 Paraprofessionals; instructional aides
35340-45349 Paraprofessionals; instructional aides
49024 Criminal background check; Activity Supervisor Clearance Certificate
49430-49434 Nutrition standards
49553 Free or reduced-price meals
69530-69547.9 Cal Grant program
UNITED STATES CODE, TITLE 20
6314 Title I schoolwide programs
6319 Program improvement
7171-7176 21st Century Community Learning Centers
UNITED STATES CODE, TITLE 42
1766-1766a Child and Adult Care Food Program
CODE OF FEDERAL REGULATIONS, TITLE 7
226.17 Nutrition standards

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

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

California After School Physical Activity Guidelines, 2009

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

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California Healthy Kids Survey: <https://chks.wested.org>

California School-Age Consortium: <http://calsac.org>

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

Partnership for Children and Youth: <http://partnerforchildren.org>

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

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

CSBA Sample Administrative Regulation

Students

AR 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Note: The district should revise the following administrative regulation to reflect the before and/or after school program(s) it offers and the grade levels it offers at which the programs are offered. In addition to the program requirements described below, before-school and after-school programs may be subject to other district policies contained throughout this policy manual (e.g., such as BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, food safety standards and nutrition requirements in and BP/AR 3550 - Food Service/Child Nutrition Program). The district should consult legal counsel if it has questions regarding the applicability of other laws to the district's programs.

Grades K-9

Note: The following section is for use by districts providing before-school and/or after-school programs funded by the state After School Education and Safety Program (ASES) (Education Code 8482-8484.65) or the federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176). Both ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school. Pursuant to Education Code 8484.75, programs funded through the 21st CCLC program are generally subject to the same program requirements applicable to ASES programs, with the exception of specified provisions primarily related to allocation of funds.

~~Both ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school. Funding would not be awarded to a program that serves only grade 9 in a high school. Such a program may be eligible for funding under the 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176); see section "Grades 9-12" below.~~

The following section applies to both ASES and 21st CCLC programs except where otherwise noted, and should be revised to reflect the program(s) offered by the district.

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program ~~may~~ shall serve students in any of grades K-9 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75; 8484.8)

Note: The following paragraph is optional. Education Code 8483.3 gives competitive priority for state ASES funding to programs that meet the following criterion:

Consistent with state funding priorities, the district shall, to the extent feasible, give priority to establishing ASES programs that serve students in schools with the highest percentage of students eligible for free and reduced price meals;

~~(cf. 3553 - Free and Reduced Price Meals)~~

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs or serve a high percentage of students from low-income families. (Education Code 8484.8; 20 USC 7173)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 6171 - Title I Programs)

Note: The following paragraph is optional. Pursuant to Education Code 8484.8 and 20 USC 7173, competitive priority for 21st CCLC funding is given to applications that meet the following criteria:

Consistent with federal funding priorities, the district shall, to the extent feasible, give priority to establishing 21st CCLC programs in schools that are identified for program improvement under 20 USC 6316 and/or programs that will provide year round expanded learning opportunities.

(cf. 0520.2 - Title I Program Improvement Schools)

Note: The remainder of this section applies to both ASES and 21st CCLC programs.

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

Note: Education Code 8482.3 requires that the program include an educational enrichment component which may include physical fitness. Pursuant to Education Code 8483.55 and 8484.8, the California Department of Education (CDE) has developed voluntary California After School Physical Activity Guidelines which are available on its web site.

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6178 - Career Technical Education)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Pursuant to Education Code 8482.3, after-school programs may offer snacks or meals that conform to applicable state or federal nutrition standards. Reimbursement for providing snacks is available through the National School Lunch Program and the Child and Adult Care Food Program (CACFP) for participating districts. Pursuant to the Healthy, Hunger-Free Kids Act of 2010 (42 USC 1766-1766a), after-school programs participating in the at-risk after-school care component of the CACFP may be reimbursed for serving full meals. Further information is available on the web sites of the CDE and U.S. Department of Agriculture.

2. Nutrition

- a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

(cf. 3550 - Food Service/Child Nutrition Program)
 (cf. 3554 - Other Food Sales)
 (cf. 5030 - Student Wellness)

Note: Education Code 8482.3 provides that a program may be offered at one or multiple school sites. Program applications and U.S. Department of Education (USDOE) nonregulatory guidance, 21st Century Community Learning Centers, state that programs may be located off campus as long as the facility is as available and accessible to students as if it were located at a school.

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)

Note: Education Code 8482.8, as amended by AB 2615 (Ch. 470, Statutes of 2016) allows the district to provide services at another school site if there is a significant barrier to student participation in a program at the school of attendance and if the school to which the program will be transferred either: (1) agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or (2) does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school as described below. Approval to provide services at another school site must be obtained from the Superintendent of Public Instruction prior to or during the grant application process. In addition, Education Code 8482.8 allows a district that is temporarily prevented from operating a program at a given site due to natural disaster, civil unrest, or imminent danger to students or staff to transfer funding to other program sites in order to meet attendance targets during that time period.

- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the district Superintendent or designee may, with the approval of the

BEFORE/AFTER SCHOOL PROGRAMS (continued)*

Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes either any of the following: (Education Code 8482.8)

- (1) Fewer than 20 students participating in the program component
- (2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
- (3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 45330, 45344, 45344.5)

(cf. 4222 - Teacher Aides/Paraprofessionals)

Note: Pursuant to Education Code 8483.4, program staff and volunteers are required to meet health screening and fingerprint clearance requirements. The CDE's Frequently Asked Questions for the ASES program, available on its web site, clarify that staff and volunteers who Education Code 49024 provides that the requirement to obtain an Activity Supervisor Clearance Certificate prior to beginning a paid or volunteer position is satisfied by clearing a Department of Justice and Federal Bureau of Investigation criminal background check are exempted from the requirement to obtain an Activity Supervisor Clearance Certificate in accordance with Education Code 49024.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

- c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)

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

- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

Note: Pursuant to Education Code 8483, as added by AB 2615 (Ch. 470, Statutes of 2016), commencing July 1, 2017 first priority for enrollment shall be given to students who are identified as homeless or foster youth, as provided below:

- (1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year; and to students who are identified by the program as being in foster care. (Education Code 8483, 8483.1)

The district is not required to disenroll a current student in order

BEFORE/AFTER SCHOOL PROGRAMS (continued)

to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483)

(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

Note: Item #(12) below is for use by districts that maintain middle or junior high schools.

- (12) ~~Second~~ **Priority** for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1)

Note: Items ~~#(2) (4) (3) (5)~~ are optional and may be revised or expanded to include enrollment priorities established by the district.

- (23) ~~Third~~ **Priority** for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(cf. 6179 - Supplemental Instruction)

- (34) Any remaining capacity shall be filled by students selected at random.
- (45) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

Note: Education Code 8483 and 8483.1 express legislative intent that elementary students attend the full program day of either the before-school or after-school program every day in which they participate. Education Code 8483 and 8483.1 allow districts to implement a flexible attendance schedule for students in middle or junior high school, ~~but express the intent that students at these grade levels attend a minimum of six hours over three days a week in the before-school program or nine hours over three days a week in the after-school program.~~ Education Code 8483.1 specifies that, for before-school programs, students who attend less than one-half of the daily program hours may not be counted for attendance purposes.

Pursuant to Education Code 8483, districts offering an after-school program are mandated to establish a policy regarding reasonable early daily release of students from the after-school program. Education Code 8483.1 mandates districts offering a before-school program to establish a policy regarding reasonable late daily arrival of students. The following items should be revised to reflect district practice.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

Note: Item #8 below is for use by districts that offer a program during summer, intersession, or vacation periods. Pursuant to Education Code 8483.76, a school that establishes a before-school or after-school program is eligible to receive a supplemental grant to operate the program in excess of 180 regular school days or during any combination of summer, weekends, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded, per school year, to the school.

8. Summer/Intersession/Vacation Programs

- a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)
- b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
- d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Education Code 8483.76 mandates that a district operating a six-hour program adopt an attendance and early release policy for the program that is consistent with the district's early release policy for the regular school day; see item #7 above. This policy must be included in the program plan submitted to the CDE.

- e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Grades 9-12

Note: The following section is for use by districts providing before-school and/or after-school programs funded through the 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176).

~~The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program may shall serve students in any of grades 9-12 as the district may determine based on local needs.~~ (Education Code 8421)

Note: The following paragraph is optional. Pursuant to 20 USC 7174, funding priority for ASSETs programs is given to schools identified as in need of program improvement pursuant to 20 USC 6316. See BP/AR 0520.2 Title I Program Improvement Schools.

~~When feasible, priority shall be placed on establishing programs that serve students in schools that are identified as in need of improvement pursuant to 20 USC 6316.~~

The program shall be operated in accordance with the following guidelines:

1. Program Elements

- a. ~~The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following:~~ (Education Code 8421)

Note: Education Code 8421 authorizes the district's ASSETs program to include preparation for the California High School Exit Examination. However, pursuant to Education Code 60851.1, administration of the exit exam has been suspended through the 2017-18 school year.

- (1) Preparation for the high school exit examination

(cf. 6162.52 - High School Exit Examination)

- (2) Tutoring

BEFORE/AFTER SCHOOL PROGRAMS (continued)

~~(3) — Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content~~

~~(4) — Homework assistance~~

~~(5) — College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460~~

~~b. — The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)~~

~~(1) — Community service~~

~~(2) — Career ^{and} technical education~~

~~(3) — Job readiness~~

~~(4) — Opportunities for mentoring and tutoring younger students~~

~~(5) — Service learning~~

~~(6) — Arts~~

~~(7) — Computer and technology training~~

~~(8) — Physical fitness~~

~~(9) — Recreation activities~~

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

Note: Education Code 8423 requires the ASSETs program to include a physical activity element. See the CDE's California After School Physical Activity Guidelines, available on its web site.

~~e. — The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)~~

Note: AB 2615 (Ch. 470, Statutes of 2016) amended Education Code 8423 to add the following requirement:

~~d. — The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)~~

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- ~~dc.~~ The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)

2. Location of Program

- a. The district's program may operate on one or multiple school sites or at another location approved by the CDE. (Education Code 8421)
- b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)

3. Hours of Operation

- a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)
- b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

Volunteers

Note: The following optional section is for use by districts that choose to create a registry of volunteer after-school physical recreation instructors or other volunteers pursuant to Education Code 35021.3, and may be used by districts that provide an ASES, 21st CCLC, ASSETs, or any other local program. When the district opts to use a registry created by a county office of education pursuant to Education Code 35021.3 rather than develop its own, the following section may be revised to inform district staff about the county registry and encourage its use.

Pursuant to Education Code 35021.3, aAfter-school instruction in physical recreation provided by a volunteer does not count toward satisfaction of physical education requirements pertaining to the number of instructional minutes or course completion for high school graduation; see BP/AR 6142.7 - Physical Education and Activity and BP 6146.1 - High School Graduation Requirements.

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

Note: Education Code 35021.3 requires volunteers to submit to a criminal background check and authorizes, but does not require, the district to contribute funds to pay for all or part of the background check. Pursuant to Education Code 35021.3, the district may expand the following paragraph to impose additional requirements on volunteers (e.g., certification in cardiopulmonary resuscitation).

BEFORE/AFTER SCHOOL PROGRAMS (continued)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

Note: The following section applies to ASES, 21st CCLC, and ASSETs programs.

Pursuant to Education Code 8426 and 8484, the CDE may terminate a grant if, for three consecutive years, the program fails to demonstrate measurable program outcomes or fails to attain 75 percent of its proposed attendance levels. For this purpose, the CDE may consider a comparison of participating and nonparticipating students at the same school site or other factors.

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

Note: Pursuant to Education Code 8427 and 8484, programs must submit data on both school and program attendance. Education Code 8427 requires that program attendance be reported on a semi-annual basis for ASSETs programs. As amended by SB 1221 (Ch. 370, Statutes of 2014), Education Code 8484 requires that ASES and 21st CCLC programs now submit program attendance reports on a semi-annual basis.

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

Note: SB 1221 (Ch. 370, Statutes of 2014) amended Education Code 8427 to eliminate specific evaluation criteria for program effectiveness and instead requires programs to submit evidence of a program quality improvement process that is based on standards developed by the CDE. The CDE's program quality standards, Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, are available on its web site.

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

(3/08 7/15) 3/17

BEFORE/AFTER SCHOOL PROGRAMS

Grades K-9

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program may serve students in grades K-9. (Education Code 8482.3, 8484.8)

Consistent with state funding priorities, the district shall, to the extent feasible, give priority to establishing ASES programs that serve students in schools with the highest percentage of students eligible for free and reduced-price meals.

(cf. 3553 - Free and Reduced Price Meals)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs or serve a high percentage of students from low-income families. (Education Code 8484.8; 20 USC 7173)

(cf. 6171 - Title I Programs)

Consistent with federal funding priorities, the district shall, to the extent feasible, give priority to establishing 21st CCLC programs in schools that are identified for program improvement under 20 USC 6316 and/or programs that will provide year-round expanded learning opportunities.

(cf. 0520.2 - Title I Program Improvement Schools)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 6142.6 - Visual and Performing Arts)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6178 - Career Technical Education)

2. Nutrition

- a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)
- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the district may, with the approval of the Superintendent of Public Instruction, provide services at another school site. A significant barrier includes either of the following: (Education Code 8482.8)
 - (1) Fewer than 20 students participating in the program component
 - (2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4; 20 USC 6319)

(cf. 4222 - Teacher Aides/Paraprofessionals)

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

- c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)

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

- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

- (1) Priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- (2) Priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(cf. 6179 - Supplemental Instruction)

- (3) Any remaining capacity shall be filled by students selected at random.
- (4) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

- a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)
- b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)
- e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

- 1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis
- 2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

CSBA Sample

Administrative Regulation

Students

AR 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following administrative regulation reflects the major requirements of the California State Preschool Program (CSPP) pursuant to Education Code 8235-8239. The CSPP consolidates state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children ~~ages~~ ^{from} 3-4 ~~years of age~~ (Education Code 8240-8244).

The following administrative regulation does not reflect all requirements for other state and federally funded preschool program(s). The district may revise this administrative regulation to reflect other preschool program(s) it offers, such as the state migrant child care and development program (Education Code 8230-8233), state program for severely disabled children (Education Code 8250-8252), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or preschool program developed and funded by the district.

In addition to the program requirements described below, preschool programs may be subject to other policies contained throughout the district's policy manual (e.g., BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, BP/AR 1240 - Volunteer Assistance, and food safety standards and nutrition requirements in BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's preschool program.

When approved by the California Department of Education (CDE) under the California State Preschool Program, the district may operate one or more part-day preschool programs in accordance with law and the terms of its contract with the CDE.

(cf. 5148 - Child Care and Development)

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs. These requirements include, but are not limited to, the program components listed in 5 CCR 18272-18281. See AR 5148 - Child Care and Development for details regarding these required program components.

The district's preschool program shall include all required program components, as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development, for the educational program, the creation of a developmental profile for each child, staff development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation. (5 CCR 18271-28281)

Minimum Hours/Days of Operation

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. (Education Code 8235; 5 CCR 18136)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)**Staffing Ratios**

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. If the district cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary. (5 CCR 18135, 18290)

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Health and Safety Code 1597.055, as amended by SB 792, incorporates the immunization requirements into the qualifications of day care teachers and adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes a preschool. See AR 5148 - Child Care and Development for further information regarding immunization requirements for staff and volunteers. Districts that do not offer child care and development programs and/or have not adopted AR 5148 - Child Care and Development may revise the following paragraph accordingly and expand it to include the exemptions specified in Health and Safety Code 1596.76.

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.4 - Health Examinations)

(cf. 4112.6 - Personnel Files)

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

Wraparound Child Care Services

Note: The following section is optional. Because preschool programs operated under the CSPP are part-day programs only, Education Code 8329 encourages districts to contract with the CDE to offer "wraparound child care services" which combine preschool and general child care services to provide a full day of services for eligible families. Such programs must be consistent with requirements for general child care and development programs offered pursuant to Education Code 8240-8244; see BP/AR 5148 - Child Care and Development.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

In accordance with its contract with the CDE, the district may offer full-day services to meet the needs of eligible families through a combination of part-day preschool and wraparound child care services that are offered for the remaining portion of the day or year following completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)

Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. ~~For Within~~ this period of time, ~~the~~ part-day preschool programs shall operate 175-180 days. ~~After the completion of the preschool program, and a part-time~~ general child care and development programs may operate a full day for the remainder of the year. ~~after the completion of the preschool program~~ (Education Code 8239)

Family Literacy Services

Note: The following section is optional. Contingent upon funding in the state Budget Act, Education Code 8238 and 8238.4 provide for the Superintendent of Public Instruction (SPI) to distribute family literacy supplemental grant funds to qualifying CSPP contractors for the purposes described below.

When any district preschool program receives funding for family literacy services pursuant to Education Code 8238.4, the Superintendent or designee shall coordinate the provision of: (Education Code 8238)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development

Note: AB 104 (Ch. 13, Statutes of 2015) amended Education Code 8238 to require that parenting education include improving parental knowledge of local resources for the identification of and services for developmental disabilities, as provided in item #2d below.

2. Parenting education for parents/guardians of participating children to support their children's development of literacy skills, including, but not limited to, parent education in:
 - a. Providing support for the educational growth and success of their children
 - b. Improving parent-school communications and parental understanding of school structures and expectations
 - c. Becoming active partners with teachers in the education of their children

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

- d. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral
- 3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve parents/guardians' academic skills

(cf. 6200 - Adult Education)

- 4. Staff development for teachers in participating classrooms that includes, but is not limited to:
 - a. Development of a pedagogical knowledge, including, but not limited to, improved instructional strategies
 - b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms
 - c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities
 - d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility and Enrollment

Note: The following section reflects eligibility criteria and enrollment priorities for the CSPP pursuant to state law and regulations. 5 CCR 18105 mandates that a district operating a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the program and services and the ages of children who will be accepted.

Children eligible for the district's preschool program include those who will have their third or fourth birthday on or before September 1 of the fiscal year that they are being served. (Education Code 8208, 8235, 8236)

Note: The following paragraph reflects guidance in CDE's Management Bulletin 14-02. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the transitional kindergarten program pursuant to Education Code 48000.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

When a child is eligible for both the preschool program and the district's transitional kindergarten program, the family may choose the most appropriate program for the child. In accordance with the enrollment priorities described below, the child may be enrolled in both programs provided that the child is not enrolled in both programs for the same time period on the same day.

(cf. 5111 - Admission)

(cf. 6170.1 - Transitional Kindergarten)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on the CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.

Eligibility for subsidized preschool shall be as follows:

1. Children shall be eligible for subsidized preschool services if their family is a current aid recipient, income eligible, or homeless and/or the ~~family's~~ children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited. (Education Code 8235, 8263, 8263.1; 5 CCR 18131, 18134)
2. Children shall be eligible for subsidized wraparound preschool and child care services if their family meets at least one of the criteria specified in item #1 above ~~or and~~ needs child care services due to either of the following circumstances: (Education Code 8239, 8263)

Note: AB 982 (Ch. 567, Statutes of 2015) amended Education Code 8263 to expand the list of entities that can identify a child in need of subsidized services to include a local educational agency liaison for homeless children and youth, a Head Start program, or a transitional shelter and to expand the list of children to be identified to include a homeless child.

- a. The child is identified by a legal, medical, or social services agency, the ~~district liaison for homeless students, a Head Start program, or an emergency or transitional~~ shelter as being a recipient of protective services, ~~or as being~~ or at risk of being neglected, abused, or exploited, ~~or as being homeless.~~

(cf. 6173 - Education for Homeless Children)

- b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children age 3 or 4 years of age who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236; 5 CCR 18131)

(cf. 1020 - Youth Services)

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

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

Note: Pursuant to Education Code 8236, ~~as amended by SB 858 (Ch. 32, Statutes of 2014)~~, second priority for enrollment must be granted to children age 4 years of age who are not enrolled in a TK program, as provided in the following paragraph.

In any CSPP program operating with funding that was initially allocated in a prior fiscal year, at least one-half of the children enrolled at a preschool site must be children who are age 4 years of age unless an exception is granted by the SPI.

After all children with first priority are enrolled, the district shall give second priority to eligible children age 4 years of age who are not enrolled in a transitional kindergarten program prior to enrolling eligible children age 3 years of age. (Education Code 8236)

After enrolling all eligible children who meet the criteria for subsidized services, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income is no more than 15 percent above the income eligibility threshold. (Education Code 8235; 5 CCR 18133)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to 5 CCR 18094 and 18118, which require the district to provide written notification to parents/guardians as to whether their application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on the CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Parent Hearing" below

He/she must file a request for a hearing with the district within 14 calendar days of receiving the notice. Within 10 calendar days after receiving the request, the district must notify the parent/guardian of the time and place of the hearing. Within 10 calendar days after the hearing, the district must mail or deliver the written decision. If the parent/guardian disagrees with the district's written decision, he/she may appeal to the CDE's Early Education and Support Division within 14 calendar days.

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on the CDE's web site. Parents/guardians may appeal such actions using the same procedures described above in relation to appeals for denial of services pursuant to 5 CCR 18120-18122; see section "Parent Hearing" below

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file containing a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR 18130, 18133, 18081, 18084)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Fees and Charges

Note: Pursuant to Education Code 8273, the Superintendent of Public Instruction established a new family fee schedule applicable to CSPP programs that went into effect July 1, 2014.

Fees for participation in the district's preschool program shall be assessed and collected in accordance with the fee schedule established by the Superintendent of Public Instruction. (Education Code 8273, 8273.2; 5 CCR 18078)

(cf. 3260 - Fees and Charges)

Note: Education Code 8273.1 specifies circumstances under which families are exempted from fees for preschool and other state contracted child care services. As amended by SB 858 (Ch. 32, Statutes of 2014), Education Code 8273.1 provides that family fees cannot be charged to income-eligible families whose children are enrolled in a part-day CSPP program.

However, no fee shall be charged to an income-eligible family whose child is enrolled in a part-day preschool program, a family that is receiving CalWORKs cash aid, or a family that is otherwise exempted pursuant to Education Code 8273.1. (Education Code 8273.1; 5 CCR 18110)

In addition, any family qualifying for subsidized preschool on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving subsidized preschool on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: Education Code 8273.3 authorizes a district offering a CSPP program to charge a fee for field trips and/or to require parents/guardians to provide diapers, but mandates that the district adopt policy to include parents/guardians in the decision-making about such fees, as provided below. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year. The following paragraph may be modified to delete diapers as appropriate for the age of the children served.

The Superintendent or designee shall establish a process ~~which~~ **that** involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

Note: Education Code 8263.3 specifies the order by which families will be disenrolled from child care and development services when funding levels are reduced. ~~CDE Management Bulletin 12-08 clarifies the order in which families will be disenrolled from CSPP programs and The following list applies that order of disenrollment to CSPP programs but~~ takes into account the priority specified in Education Code 8236 to enroll children ~~age 4 years of age~~ before enrolling children ~~age 3 years of age~~. ~~The following list reflects the order as specified in the CDE Management Bulletin~~

When necessary due to a reduction in state reimbursements, families shall be disenrolled in the following order: (Education Code 8236, 8263.3)

1. Children ~~age 3 years of age~~ whose families have the highest income in relation to family size shall be disenrolled first, followed by children ~~age 4 years of age~~ whose families have the highest income in relation to family size.

At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.

2. Families of children ~~age 3 or 4 years of age~~ who are receiving child protective services or who have been documented to be at risk of being neglected, abused, or exploited, regardless of income, shall be disenrolled last.

Parent Hearing

Note: Pursuant to 5 CCR 18130, districts are subject to the requirements of 5 CCR 18120-18122 to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

If a parent/guardian disagrees with any district action to deny his/her child's eligibility for subsidized preschool services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, he/she may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, he/she may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

(11/12 7/15) 10/16

Center USD

Administrative Regulation

Preschool/Early Childhood Education

AR 5148.3
Students

When approved by the California Department of Education (CDE) under the California State Preschool Program, the district may operate one or more part-day preschool programs in accordance with law and the terms of its contract with the CDE.

(cf. 5148 - Child Care and Development)

The district's preschool program shall include all required program components, as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development, for the educational program, the creation of a developmental profile for each child, staff development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation. (5 CCR 18271-28281)

Minimum Hours/Days of Operation

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. (Education Code 8235; 5 CCR 18136)

Staffing Ratios

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. If the district cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary. (5 CCR 18135, 18290)

(cf. 1240 - Volunteer Assistance)
(cf. 6020 - Parent Involvement)

Wraparound Child Care Services

In accordance with its contract with the CDE, the district may offer full-day services to meet the needs of eligible families through a combination of part-day preschool and wraparound child care services that are offered for the remaining portion of the day or year following completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)

Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. For this period of time, part-day preschool programs shall operate 175-180 days and general child care and development programs may operate a full day for the remainder of the year after the completion of the preschool program. (Education Code 8239)

Family Literacy Services

When any district preschool program receives funding for family literacy services pursuant to Education Code 8238.4, the Superintendent or designee shall coordinate the provision of: (Education Code 8238)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development
2. Parenting education for parents/guardians of participating children to support their children's development of literacy skills, including, but not limited to, parent education in:
 - a. Providing support for the educational growth and success of their children
 - b. Improving parent-school communications and parental understanding of school structures and expectations
 - c. Becoming active partners with teachers in the education of their children
 - d. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral
3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve parents/guardians' academic skills

(cf. 6200 - Adult Education)

4. Staff development for teachers in participating classrooms that includes, but is not limited to:
 - a. Development of a pedagogical knowledge, including, but not limited to, improved instructional strategies
 - b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms

- c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities
- d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility and Enrollment

Children eligible for the district's preschool program include those who will have their third or fourth birthday on or before September 1 of the fiscal year that they are being served. (Education Code 8208, 8235, 8236)

When a child is eligible for both the preschool program and the district's transitional kindergarten program, the family may choose the most appropriate program for the child. In accordance with the enrollment priorities described below, the child may be enrolled in both programs provided that the child is not enrolled in both programs for the same time period on the same day.

(cf. 5111 - Admission)

(cf. 6170.1 - Transitional Kindergarten)

Eligibility for subsidized preschool shall be as follows:

1. Children shall be eligible for subsidized preschool services if their family is a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited. (Education Code 8235, 8263, 8263.1; 5 CCR 18131, 18134)
2. Children shall be eligible for subsidized wraparound preschool and child care services if their family meets at least one of the criteria specified in item #1 above or needs child care services due to either of the following circumstances: (Education Code 8239, 8263)
 - a. The child is identified by a legal, medical, or social services agency or emergency shelter as a recipient of protective services or as being, or at risk of being, neglected, abused, or exploited.
 - b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children age 3 or 4 years who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236; 5 CCR 18131)

(cf. 1020 - Youth Services)

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

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

After all children with first priority are enrolled, the district shall give second priority to eligible children age 4 years who are not enrolled in a transitional kindergarten program prior to enrolling eligible children age 3 years. (Education Code 8236)

After enrolling all eligible children who meet the criteria for subsidized services, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income is no more than 15 percent above the income eligibility threshold. (Education Code 8235; 5 CCR 18133)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child

5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file containing a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR 18130, 18133, 18081, 18084)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Fees and Charges

Fees for participation in the district's preschool program shall be assessed and collected in accordance with the fee schedule established by the Superintendent of Public Instruction. (Education Code 8273, 8273.2; 5 CCR 18078)

(cf. 3260 - Fees and Charges)

However, no fee shall be charged to an income-eligible family whose child is enrolled in a part-day preschool program, a family that is receiving CalWORKs cash aid, or a family that is otherwise exempted pursuant to Education Code 8273.1. (Education Code 8273.1; 5 CCR 18110)

In addition, any family qualifying for subsidized preschool on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving subsidized preschool on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

The Superintendent or designee shall establish a process which involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

When necessary due to a reduction in state reimbursements, families shall be disenrolled in the following order: (Education Code 8236, 8263.3)

1. Children age 3 years whose families have the highest income in relation to family size shall be disenrolled first, followed by children age 4 years whose families have the highest income in relation to family size.

At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.

2. Families of children age 3 or 4 years who are receiving child protective services or who have been documented to be at risk of being neglected, abused, or exploited, regardless of income, shall be disenrolled last.

CSBA Sample

Board Policy

Instruction

BP 6111(a)

SCHOOL CALENDAR

Note: The following optional policy may be subject to collective bargaining agreements and should be modified to reflect district practice. The Public Employment Relations Board has determined that school calendar issues related to the work of employees, such as beginning and ending dates, summer vacations, and school holidays, are negotiable.

For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.

(cf. 0200 - Goals for the School District)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

(cf. 6112 - School Day)

(cf. 6115 - Ceremonies and Observances)

(cf. 6117 - Year-Round Schedules)

(cf. 6177 - Summer School Learning Programs)

Note: Education Code 41420 establishes 175 days of instruction as the minimum requirement to receive full average daily attendance (ADA) reimbursement. Education Code 46200 provides incentive funding for districts to increase to 180 days of instruction and imposes financial penalties, by way of withholding from the district's local control funding formula (LCFF) apportionment upon districts that offer fewer than 180 days of instruction after receiving accepting the incentive funding. However, pursuant to Education Code 46208, once a district meets or exceeds its LCFF funding target, it will be required to offer 180 days or more of instruction or will have a portion of its apportionment withheld. For more information about the impact of the LCFF on instructional time, see the California Department of Education's "LCFF and Instructional Time FAQs" located on its web site. Education Code 46201.2 was added in 2009 to authorize any district receiving the longer year incentive funding to reduce the school year by up to five days of instruction without incurring financial penalties. This authorization, which was to be in effect through the 2012-13 school year, has now been extended until the end of the 2014-15 school year by Education Code 46201.2, as amended by SB 70 (Ch. 7, Statutes of 2011). In addition, Education Code 46201.3, added by AB 114 (Ch. 43, Statutes of 2011), would become operative, if certain conditions exist, to allow all districts to reduce the minimum instructional days and minutes for the 2011-12 school year by up to seven days.

SCHOOL CALENDAR (continued)

However, ~~Before~~ any reduction in the number of working days, the district must first negotiate with employee organizations. In addition, constitutional equity issues may have to be considered. In *Butt v. State of California*, the California Supreme Court held that a district violated students' fundamental right to basic equality in public education when it shortened the school year by six weeks because of a lack of funds. ~~Thus, it is possible that, despite the legislative authority, similar equality issues could be raised if one school district offers 175 days of instruction and a neighboring district offers 180 days.~~ Districts seeking to reduce instructional time should proceed cautiously and consult with legal counsel.

~~The following paragraph provides for 180 days of instruction. Districts that provide fewer than 180 days should modify the following paragraph accordingly.~~

The district shall offer ~~180~~ a minimum of 175 days of instruction per school year, ~~except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2, until it equals or exceeds the local control funding formula target established for it pursuant to Education Code 42238.02, at which time it shall offer 180 days or more of instruction per school year.~~ (Education Code 41420, 46208)

(cf. 1431 - Waivers)

Note: The following optional paragraph is for use by districts that maintain one or more schools on a multitrack year-round schedule. Pursuant to Education Code 37670, such schools will be deemed to be in compliance with requirements pertaining to the minimum number of instructional days if they offer at least 163 school days per year and meet specified conditions. See BP 6117 - Year-Round Schedules.

However, district schools on a multitrack year-round schedule may be maintained for a minimum of 163 instructional days in accordance with Education Code 37670.

Note: Education Code 46300 identifies educational activities that are included in the computation of ADA. School districts may not receive ADA reimbursement for staff development programs conducted on regular school days.

Staff development days shall not be counted as instructional days.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Notification of the schedule of minimum days ~~and student-free staff development days~~ shall be sent to all parents/guardians at the beginning of the school year. If any minimum days ~~or student-free staff development days~~ are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

SCHOOL CALENDAR (continued)

Note: Pursuant to Elections Code 12283, the Governing Board may determine whether to keep a school open or closed on an election day when the school will be used as a polling place. In some cases, districts have closed the school for safety reasons, as a precaution against the large number of visitors on school grounds. Elections officials are required to request the use of the school within sufficient time in advance of the school year so that the Board can make this determination before school calendars are printed and distributed to parents/guardians.

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

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

(cf. 5113 - Absences and Excuses)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

~~37252-37254.1 Summer school~~

~~37300-37307 Year Round School Demonstration Project~~

37600-37672 Continuous school programs: year-round schools, especially:

37618 School calendar

37700-37714 Four-day week

~~41420 Apportionment withholding, schools not maintained for 175 days~~

41422 Schools not maintained for 175 days

~~42238.02 Local control funding formula~~

~~46200-46206 Incentives for longer instructional day and year~~

46300 Method of computing ADA

48980 Notice at beginning of term

~~REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS~~

~~44579-44579.6 Instructional Time and Staff Development Reform Program~~

ELECTIONS CODE

12283 School closures, election days

COURT DECISIONS

Butt v. State of California, (1992) 4 Cal 4th 668

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Davis Joint Unified School District, (1984) PERB Decision No. 474

Management Resources:

WEB SITES

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

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

California Public Employment Relations Board: <http://www.perb.ca.gov>

Secretary of State's Office: <http://www.sos.ca.gov>

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Policy Reference UPDATE Service

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Center USD

Board Policy

School Calendar

BP 6111

Instruction

For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.

(cf. 0200 - Goals for the School District)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

(cf. 6112 - School Day)

(cf. 6115 - Ceremonies and Observances)

(cf. 6117 - Year-Round Schedules)

(cf. 6177 - Summer School)

The district shall offer 180 days of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.

(cf. 1431 - Waivers)

Staff development days shall not be counted as instructional days.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Notification of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

If a school will be used as a polling place on an election day, the Board shall determine

whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

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

(cf. 5113 - Absences and Excuses)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

37252-37254.1 Summer school

37300-37307 Year-Round School Demonstration Project

37600-37672 Continuous school programs: year-round schools, especially:

37618 School calendar

37700-37711 Four-day week

41422 Schools not maintained for 175 days

41530-41532 Professional Development Block Grant

46200-46206 Incentives for longer instructional day and year

46300 Method of computing ADA

48980 Notice at beginning of term

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

44579-44579.6 Instructional Time and Staff Development Reform Program

ELECTIONS CODE

12283 School closures, election days

COURT DECISIONS

Butt v. State of California, (1992) 4 Cal 4th 668

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Davis Joint Unified School District, (1984) PERB Decision No. 474

Management Resources:

WEB SITES

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

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

California Public Employment Relations Board: <http://www.perb.ca.gov>

Secretary of State's Office: <http://www.ss.ca.gov>

Policy

adopted: October 19, 2011

CENTER UNIFIED SCHOOL DISTRICT

Antelope, California

CSBA Sample Board Policy

Instruction

BP 6117(a)

YEAR-ROUND SCHEDULES

Note: The following optional policy is for use by districts that operate or are considering the establishment of a year-round calendar in one or more schools, as authorized by Education Code 37610. ~~Like schools on traditional calendar, year-round schools can have 180 days of instruction. Year-round schools generally have the same number of instructional days as schools on a traditional calendar.~~ However, they maintain a different pattern of instruction and vacations than schools on a traditional calendar. While traditional calendar schools have nine months of instruction and three months of vacation during the summer, year-round schools operate on shorter blocks of time for instruction and vacation, such as 60 days of instruction followed by 20 days of vacation. Some year-round schools operate a "multitrack" plan as defined in Education Code 17017.7. Such a program is designed to increase the enrollment capacity of the school by dividing the student body and staff into groups or tracks (usually three to five groups) and rotating attendance so that, at any time during the school year, at least one group or track is on vacation while the other groups are attending school.

~~Pursuant to Education Code 37693, the multitrack year-round program whereby a school operates on a three-track year-round calendar, with each track offering as few as 163 days of instruction per school year (Concept 6 program), has been eliminated.~~

The Governing Board believes that a year-round school schedule could benefit the district and its students by providing continuous instruction and reducing learning loss in students over extended vacations, allowing timely interventions to improve academic achievement, and alleviating overcrowding in schools through efficient use of school facilities. The Board shall consider the feasibility of establishing year-round schedules based on current and projected enrollments, facilities needs, and instructional needs.

(cf. 6111 - School Calendar)

(cf. 7110 - Facilities Master Plan)

Before approving a year-round program in any district school, the Board shall consult in good faith, in an effort to reach agreement with certificated and classified employees of the school, parents/guardians of students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing for which adequate notice has been given to the employees and parents/guardians of affected students. (Education Code 37616)

(cf. 0420 - School Plans/Site Councils)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 5145.6 - Parental Notifications)

(cf. 9320 - Meetings and Notices)

When the Board is considering a year-round schedule for any school, the Superintendent or designee shall submit to the Board a comprehensive proposal that, at a minimum, shall

YEAR-ROUND SCHEDULES (continued)

address the schedule to be operated, the number of tracks the school will have, any needed facilities modifications, a communications system for notifying off-track families of school activities and developments, and how the ethnic and socioeconomic composition of the school will be maintained within each track.

If the Board determines to operate a year-round program in a manner that would require any student to enroll, the Superintendent or designee shall publish, not later than November 1 of the school year preceding the commencement of the program, notice of the district's intention to operate the program. Such notice shall be published in a newspaper of general circulation within the district, or if there is no such newspaper, then in any newspaper of general circulation that is regularly circulated in the district. The notice shall be published once each week for three successive weeks or, if the newspaper is regularly published once a week or more often, at least three times with at least five days intervening between the respective publication dates not counting the publication dates. (Education Code 37611)

(cf. 5116.1 - Intradistrict Open Enrollment)

Note: Pursuant to Education Code 37612, after the district has published the above notice, residents may request that the school not establish such a schedule by presenting a petition to the County Superintendent of Schools. This petition must be signed by at least 25 percent of the registered voters of the district and be submitted no later than December 10 of the year in which the notice is given. If the County Superintendent finds the petition to be sufficient as required by law, he/she will order a proposition to be placed upon the ballot of the appropriate election as provided in Education Code 37613. Irrespective of whether or not a petition is presented, the Board may request that an election be called and conducted.

On the Board's order, or upon a sufficient petition by the public to the County Superintendent of Schools after the above notice of intention is given by the district, an election shall be called to determine whether to permit a year-round program to be operated. (Education Code 37612)

Note: Education Code 37620 and 41420 establish 175 days of instruction as the minimum requirement to receive full average daily attendance (ADA) reimbursement. Districts have the ability to increase to 180 days of instruction with longer day or year incentives pursuant to Education Code 46200-46206. Pursuant to Education Code 46208, when a district equals or exceeds its funding target under the local control funding formula (LCFF), it will be required to offer 180 days of instruction in order to receive full ADA reimbursement. See BP 6111 - School Calendar. Year-round schools are subject to these requirements except that, pursuant to Education Code 37670, multitrack year-round schools will be in compliance if they are maintained for a minimum of 163 school days under the conditions described below. If all of the district's year-round schools operate on a multitrack schedule, the district may delete the following paragraph. For more information about the manner in which LCFF funding to districts may be impacted by instructional time, see the California Department of Education's (CDE) "LCFF and Instructional Time FAQ" and its accompanying "Instructional Time Table" located on the CDE's web site.

The following paragraph provides for 180 days of instruction. Districts that provide fewer than 180 days should modify the following paragraph accordingly:

YEAR-ROUND SCHEDULES (continued)

Each year-round school shall offer ~~180~~ a minimum of 175 days of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2, until it equals or exceeds the local control funding formula target established for it pursuant to Education Code 42238.02, at which time each school shall offer 180 days or more of instruction per school year. (Education Code 37620, 41420, 46208)

Note: The following paragraph is for use by districts that maintain one or more year-round schools on a multitrack schedule.

However, any school that operates on a multitrack schedule shall be deemed in compliance with these requirements if it offers a minimum of 163 instructional days per school year. To do so, the Board shall adopt a resolution at a regularly scheduled Board meeting certifying that the number of annual instructional minutes is not less than that of schools of the same grade levels utilizing the traditional school calendar and that it is not possible to maintain a multitrack schedule with the same number of instructional days provided by district schools on a traditional calendar given the facilities, program, class sizes, and projected number of students enrolled at the school site. The Superintendent or designee shall annually certify to the Superintendent of Public Instruction that any such school is maintained for at least 163 instructional days. (Education Code 37670, 46208)

(cf. 1431 - Waivers)
(cf. 6112 - School Day)

Each school operating on a year-round schedule shall be closed for all students and employees on regular school holidays. (Education Code 37619)

(cf. 6115 - Ceremonies and Observances)

The Superintendent or designee shall annually submit a report to the Board regarding each district school operating a year-round schedule. The report shall include results of the school's academic assessments and how they compare with those of other schools, necessary facilities maintenance or repairs, and costs incurred or saved on account of operating a year-round schedule at the school.

(cf. 0500 - Accountability)
(cf. 0510 - School Accountability Report Card)
(cf. 3460 - Financial Reports and Accountability)
(cf. 3517 - Facilities Inspection)

YEAR-ROUND SCHEDULES (continued)**Assignment to Year-Round Tracks**

The Superintendent or designee shall establish an unbiased process for determining assignment of students to tracks based on the following criteria guidelines:

1. Students of the same family shall be placed in the same group or track unless one or more of such students are enrolled in a special education class or unless the parent/guardian requests that the students be placed in different groups. (Education Code 37617)

Note: Items #2-3 below ~~lists optional criteria for assigning students to tracks~~ reflect the CDE's Year Round Education Guide, available on its web site, and may be revised to reflect district practice.

2. Assignment based on ability level or special education needs shall be minimized. ~~except when necessary to accommodate special education needs or other specialized programs. If a special population must be put on one track, isolation and segregation should be minimized by partial day integration or self-selection of track.~~

(cf. 6159 - Individualized Education Program)
(cf. 6172 - Gifted and Talented Student Program)

3. Each track should reflect the ethnic and socioeconomic composition of the entire school community.
4. ~~After assignment based on the above priorities, remaining s~~Students shall be chosen on a lottery basis when the number of students requesting a particular track exceeds spaces available. Students' second choices of track assignment preferences shall be accommodated to the extent possible.

The Superintendent or designee shall give parents/guardians adequate notice regarding their child's schedule.

Note: The following paragraph is optional and may be modified to reflect district practice. In its Year-Round Education Program Guide, the California Department of Education CDE lists an appeal process that includes referral of a parent/guardian's concern to a site administrator, then to an appeal committee consisting of an administrator, teacher, and Board member, and finally to the full Board. ~~among track assignment considerations for implementing a year-round educational program.~~

Any parent/guardian who is dissatisfied with the track assignment of his/her child may appeal the assignment to the Superintendent or designee within five business days, stating the reason why a different track is more appropriate for his/her child. The Superintendent or designee shall respond to the parent/guardian within five business days. The Superintendent's decision shall be final.

YEAR-ROUND SCHEDULES (continued)

Once students are assigned to a track, priority shall be placed on keeping students on the same track each year unless the parent/guardian requests a change.

Legal Reference:

EDUCATION CODE

17017.5 Approval of applications; year-round education program

17017.6 Substantial enrollment, high school districts

17017.7 Priority for funding new construction

17071.40 Exemption from increase in school building capacity

17088.3 Qualifications for lease; submission of year-round multitrack educational program study

37202 Equity length of term, exceptions

37220-37223 Saturdays and holidays

37600-37644 Continuous school programs

37670-37672 Multitrack year round scheduling

~~37693 Concept 6 program elimination~~

41420 Minimum number of instructional days per year

~~42238.02 Local control funding formula~~

42250.1 Funding for air conditioning

46200-46206 Incentives for longer instructional day and year

CODE OF REGULATIONS, TITLE 5

855 Testing period

~~884 Primary language testing period~~

14030 School housing standards for multitrack programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Year-Round Education Program Guide

WEB SITES

California Department of Education, Multitrack Year-Round Education:

<http://www.cde.ca.gov/ls/fa/yr>

National Association for Year-Round Education: <http://www.nayre.org>

(11/04 8/13) 3/17

Center USD

Board Policy

Year-Round Schedules

BP 6117 Instruction

The Governing Board believes that a year-round school schedule could benefit the district and its students by providing continuous instruction and reducing learning loss in students over extended vacations, allowing timely interventions to improve academic achievement, and alleviating overcrowding in schools through efficient use of school facilities. The Board shall consider the feasibility of establishing year-round schedules based on current and projected enrollments, facilities needs, and instructional needs.

(cf. 6111 - School Calendar)
(cf. 7110 - Facilities Master Plan)

Before approving a year-round program in any district school, the Board shall consult in good faith, in an effort to reach agreement with certificated and classified employees of the school, parents/guardians of students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing. (Education Code 37616)

(cf. 0420 - School Plans/Site Councils)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 9320 - Meetings and Notices)

When the Board is considering a year-round schedule for any school, the Superintendent or designee shall submit to the Board a comprehensive proposal that, at a minimum, shall address the schedule to be operated, the number of tracks the school will have, any needed facilities modifications, a communications system for notifying off-track families of school activities and developments, and how the ethnic and socioeconomic composition of the school will be maintained within each track.

If the Board determines to operate a year-round program in a manner that would require any student to enroll, the Superintendent or designee shall publish, not later than November 1 of the school year preceding the commencement of the program, notice of the district's intention to operate the program. Such notice shall be published in a newspaper of general circulation within the district, or if there is no such newspaper, then in any newspaper of general circulation that is regularly circulated in the district. The notice shall be published once each week for three successive weeks or, if the newspaper is regularly published once a week or more often, at least three times with at least five days intervening between the respective publication dates not counting the publication dates. (Education Code 37611)

(cf. 5116.1 - Intradistrict Open Enrollment)

On the Board's order, or upon a sufficient petition by the public to the County Superintendent of Schools after the above notice of intention is given by the district, an election shall be

called to determine whether to permit a year-round program to be operated. (Education Code 37612)

Each year-round school shall offer 180 days of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2. (Education Code 37620)

(cf. 1431 - Waivers)
(cf. 6112 - School Day)

Each school operating on a year-round schedule shall be closed for all students and employees on regular school holidays. (Education Code 37619)

(cf. 6115 - Ceremonies and Observances)

The Superintendent or designee shall annually submit a report to the Board regarding each district school operating a year-round schedule. The report shall include results of the school's academic assessments and how they compare with those of other schools, necessary facilities maintenance or repairs, and costs incurred or saved on account of operating a year-round schedule at the school.

(cf. 0500 - Accountability)
(cf. 0510 - School Accountability Report Card)
(cf. 3460 - Financial Reports and Accountability)
(cf. 3517 - Facilities Inspection)

Assignment to Year-Round Tracks

The Superintendent or designee shall establish an unbiased process for determining assignment of students to tracks based on the following criteria:

1. Students of the same family shall be placed in the same group or track unless one or more of such students are enrolled in a special education class or unless the parent/guardian requests that the students be placed in different groups. (Education Code 37617)
2. Assignment based on ability level shall be minimized except when necessary to accommodate special education needs or other specialized programs.

(cf. 6159 - Individualized Education Program)
(cf. 6172 - Gifted and Talented Student Program)

After assignment based on the above priorities, remaining students shall be chosen on a lottery basis when the number of students requesting a particular track exceeds spaces available. Second preferences shall be accommodated to the extent possible.

The Superintendent or designee shall give parents/guardians adequate notice regarding their child's schedule.

Any parent/guardian who is dissatisfied with the track assignment of his/her child may appeal the assignment to the Superintendent or designee within five business days, stating why a different track is more appropriate for his/her child. The Superintendent or designee shall respond to the parent/guardian within five business days. The Superintendent's decision shall be final.

Once students are assigned to a track, priority shall be placed on keeping students on the same track each year unless the parent/guardian requests a change.

Legal Reference:

EDUCATION CODE

17017.5 Approval of applications; year-round education program

17017.6 Substantial enrollment, high school districts

17017.7 Priority for funding new construction

17071.40 Exemption from increase in school building capacity

17088.3 Qualifications for lease; submission of year-round multitrack educational program study

37202 Equity length of term, exceptions

37220-37223 Saturdays and holidays

37600-37644 Continuous school programs

37670-37672 Multi-track year round scheduling

41420 Minimum number of instructional days per year

42250.1 Funding for air conditioning

46200-46206 Incentives for longer instructional day and year

CODE OF REGULATIONS, TITLE 5

855 Testing period

884 Primary language testing period

14030 School housing standards for multitrack programs

Management Resources:

WEB SITES

California Department of Education, Multitrack Year-Round Education:
<http://www.cde.ca.gov/ls/fa/yr>

National Association for Year-Round Education: <http://www.nayre.org>

Policy

adopted: November 20, 2013

CSBA Sample Board Policy

Instruction

BP 6142.2(a)

WORLD/FOREIGN LANGUAGE INSTRUCTION

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

Districts that do not maintain secondary schools may adapt this policy to reflect any elementary school programs designed to develop student's literacy in a language other than English. Education Code 51212 states legislative intent to encourage programs of world language (foreign language) instruction as early as feasible for the district.

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop linguistic proficiency and cultural literacy in one or more world languages in addition to English.

Note: The California Department of Education's (CDE) Foreign Language Framework for California Public Schools encourages districts to offer as many language course options as possible. Within the context of the CDE's framework, American Sign Language is recognized as a foreign language. The following paragraph may be revised to reflect language courses available in the district.

The Superintendent or designee shall recommend world languages to be taught in the district's educational program based on student interest, community needs, and available resources. He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language. American Sign Language courses shall be open to all students regardless of hearing status.

(cf. 6174 - Education for English ~~Language~~ Learners)

Note: On January 7, 2009, the State Board of Education (SBE) adopted voluntary content standards for world languages for grades K-12; see the accompanying administrative regulation. ~~The state's Foreign Language Framework for California Public Schools is scheduled to be revised in 2009-10 to reflect the content standards.~~ Education Code 60605.5, as added by AB 2290 (Ch. 643, Statutes of 2016), requires the Superintendent of Public Instruction to recommend revisions to the standards and requires the SBE to adopt, reject, or modify the recommended revisions by March 31, 2019. ~~The 2003 Foreign Language Framework for California Public Schools does not reflect current content standards and is scheduled to be updated in 2020.~~

In addition, Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California colleges and universities; see BP 6143 - Courses of Study. Admissions criteria for California State University and University of California include two years of coursework in one foreign language, ~~other than English~~, that have been approved by the University of California. "Frequently Asked Questions" in the University of California's A-G Guide, available on its web site, clarify that American Sign Language may be used to fulfill the requirement if used with a language other than English, but signing in English will not satisfy the requirement. The following paragraph may be revised by districts that do not maintain any of grades 7-12.

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

Note: The following paragraph is for use by districts that maintain any of grades 7-12 and may be revised to reflect the grade levels at which instruction in world languages will be offered in the district. Education Code 51220 requires that the adopted course of study for grades 7-12, beginning no later than grade 7, include instruction in world languages designed to develop a facility for understanding, speaking, reading, and writing the particular language; see AR 6143 - Courses of Study.

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

(cf. 6143 - Courses of Study)

Note: The following optional paragraph is for use by districts that maintain one or more high schools. Education Code 51225.3 requires high school students to complete a one-year course in either foreign language, American Sign Language, or visual and performing arts as a condition of high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51243-51245 and 5 CCR 1632, foreign language instruction completed in a private school must be granted credit toward high school graduation provided that the instruction meets specified standards and conditions; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

A number of districts have chosen to present a biliteracy award upon high school graduation to students who demonstrate proficiency in speaking, reading, and writing skills in one or more languages in addition to English; see BP/AR 5126 - Awards for Achievement.

Students shall obtain credit toward high school graduation requirements for completion of a one-year course during grades 9-12 in a world language or American Sign Language during grades 9-12.

(cf. 5126 - Awards for Achievement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

Note: The following optional paragraph is for use by districts that choose to offer a dual-language immersion program ~~maintain elementary schools~~ and may be revised to reflect district practice. Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians of English learners to select a language acquisition program that best suits their child. Districts must offer a structured English immersion program in which nearly all of the instruction is in English, and may offer dual-language immersion programs or other language acquisition programs. Also see BP/AR 6174 - Education for English Learners.

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

Education Code 51212 states legislative intent to encourage programs of foreign language instruction in the course of study for grades 1-6, as early as feasible for the district. The CDE and the Center for Applied Linguistics note that two-way dual-language immersion programs are often focused on the primary grades and that such programs may continue for five to seven years but optimally throughout grades K-12; also see the accompanying administrative regulation.

For further information and recommendations regarding dual-language immersion programs, see CSBA's governance brief *English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs*.

In order to encourage higher levels of language proficiency throughout a student's education, the district may offer age-appropriate language programs in elementary schools. Beginning in the primary grades, the district may deliver language studies through a two-way immersion program in which instruction is delivered in both English and another language to both English-only students and English learners. The district may establish a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. (Education Code 305-306)

Note: Pursuant to Education Code 60119, as a condition of receiving funds for instructional materials from any state source under the Pupil Textbook and Instructional Materials Incentive Program Act, the Governing Board is required to hold a public hearing to determine whether each student has sufficient textbooks and/or instructional materials in specified subjects, including foreign language, that are aligned to the state content standards or curriculum frameworks; see BP 6161.1 - Selection and Evaluation of Instructional Materials.

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall also be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. 1240 - Volunteer Assistance)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards.

(cf. 4131 - Staff Development)

Note: The following optional paragraph should be revised to reflect indicators agreed upon by the Board and Superintendent for evaluating the district's world/foreign languages instructional program.

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

The Superintendent or designee shall provide periodic reports to the Board regarding the effectiveness of the district's world language program which may include, but not be limited to, a description of the district's curriculum and the extent to which it is aligned with the state's content standards and curriculum framework, student achievement of district standards for world language instruction, and student participation rates in each language course. Program evaluation shall be used to identify needed improvements and may be considered in determining the world languages to be taught in the district.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)**Legal Reference:****EDUCATION CODE**~~300-311310~~ *Education for English learners*~~42238.02~~ *Local control funding formula; class size requirements*~~44253.1-44253.11~~ *Qualifications of teachers of English learners*~~44256-44257~~ *Credential requirements, including teachers of foreign language*~~48980~~ *Parental notifications*~~51212~~ *Legislative intent to encourage foreign language instruction in grades 1-6*~~51220~~ *Courses of study, grades 7-12*~~51225.3~~ *High school graduation requirements*~~51243-51245~~ *Alternative credits toward graduation for foreign language instruction in private school*~~60119~~ *Public hearings, instructional materials*~~60605.3~~ *Content standards for foreign world language instruction*~~60605.5~~ *Revision of state standards for world language instruction***CODE OF REGULATIONS, TITLE 5**~~1632~~ *Alternative credits toward graduation for foreign language instruction in private school*~~11309~~ *English immersion programs; parental exception waivers***Management Resources:****CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS**~~*English Learners in Focus; Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014*~~**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**~~*Two-Way Language Immersion Program FAQ*~~~~*World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009*~~~~*Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003*~~**CENTER FOR APPLIED LINGUISTICS PUBLICATIONS**~~*Guiding Principles for Dual Language Education, Second Edition, 2007*~~**COLLEGE BOARD PUBLICATIONS**~~*A Challenge to Change: The Language Learning Continuum, 1999*~~**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**~~*CL-622. Serving English Learners*~~**UNIVERSITY OF CALIFORNIA PUBLICATIONS**~~*A-G Guide*~~**WEB SITES**~~*CSBA: <http://www.csba.org>*~~~~*American Council on the Teaching of Foreign Languages: <http://www.actfl.org>*~~~~*California Association of for Bilingual Education: <http://www.bilingualeducationcoba.org>*~~~~*California Department of Education, Foreign Language: <http://www.cde.ca.gov/ci/fl>*~~~~*California Foreign Language Project: <http://www.stanford.edu/group/CFLP>*~~~~*California Language Teachers' Association: <http://www.clta.net>*~~~~*Center for Applied Linguistics: <http://www.cal.org>*~~~~*College Board: <http://www.collegeboard.org>*~~~~*University of California, a-g Course Approval: <http://www.ucop.edu/a-gGuide/agaguide>*~~

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Center USD

Board Policy

World/Foreign Language Instruction

BP 6142.2

Instruction

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop linguistic proficiency and cultural literacy in one or more world languages in addition to English.

(cf. 6141.6 - Multicultural Education)

The Superintendent or designee shall recommend world languages to be taught in the district's educational program based on student interest, community needs, and available resources. He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language. American Sign Language courses shall be open to all students regardless of hearing status.

(cf. 6174 - Education for English Language Learners)

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

(cf. 6143 - Courses of Study)

Students shall obtain credit toward high school graduation requirements for completion of a one-year course during grades 9-12 in a world language or American Sign Language.

(cf. 5126 - Awards for Achievement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

In order to encourage higher levels of language proficiency throughout a student's education, the district may offer age-appropriate language programs in elementary schools.

The Board shall ensure that students have access to high-quality instructional materials in

world languages. In accordance with Board policy, teachers shall also be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. 1240 - Volunteer Assistance)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1- Library Media Centers)

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards.

(cf. 4131 - Staff Development)

Legal Reference:

EDUCATION CODE

300-311 Education for English learners

44256-44257 Credential requirements, including teachers of foreign language

51212 Legislative intent to encourage foreign language instruction in grades 1-6

51220 Courses of study, grades 7-12

51225.3 High school graduation requirements

51243-51245 Alternative credits toward graduation for foreign language instruction in private school

60117-60119 Pupil Textbook and Instructional Materials Incentive Program Act

60605.3 Content standards for foreign language instruction

CODE OF REGULATIONS, TITLE 5

1632 Alternative credits toward graduation for foreign language instruction in private school

11309 English immersion programs, parental exception waivers

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009

Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CENTER FOR APPLIED LINGUISTICS PUBLICATIONS

Guiding Principles for Dual Language Education, Second Edition, 2007

COLLEGE BOARD PUBLICATIONS

A Challenge to Change: The Language Learning Continuum, 1999

WEB SITES

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

American Council on the Teaching of Foreign Languages: <http://www.actfl.org>

California Association of Bilingual Education: <http://www.bilingualeducation.org>

California Department of Education, Foreign Language: <http://www.cde.ca.gov/ci/fl>

California Foreign Language Project: <http://www.stanford.edu/group/CFLP>

California Language Teachers' Association: <http://www.clta.net>

Center for Applied Linguistics: <http://www.cal.org>

College Board: <http://www.collegeboard.co>

University of California, a-g Course Approval: <http://www.ucop.edu/a-gGuide/ag>

Policy

adopted: June 3, 2009

CENTER UNIFIED SCHOOL DISTRICT

Antelope, California

CSBA Sample

Administrative Regulation

Instruction

AR 6142.2(a)

WORLD/FOREIGN LANGUAGE INSTRUCTION

Content of Instruction

Note: Items #1-5 below reflect the five categories of content standards for world languages adopted by the State Board of Education (SBE) on January 7, 2009. Within each category, the state standards describe four proficiency levels or performance benchmarks based on the Language Learning Continuum disseminated by the College Board. Education Code 60605.5, as added by AB 2290 (Ch. 643, Statutes of 2016), requires the Superintendent of Public Instruction to recommend revisions to the standards and requires the SBE to adopt, reject, or modify the recommended revisions by March 31, 2019.

The district may revise the following list to reflect the topics to be addressed in the district's program.

The district's instructional program for world languages shall be designed to help students gain knowledge about new language systems and use that knowledge to communicate. Students shall receive instruction which is aligned with state academic standards appropriate to their age and stage of linguistic and cultural proficiency in the following five categories:

1. Content: Students shall be presented with a wide variety of content that is age and stage appropriate and increases in complexity.

(cf. 6011 - Academic Standards)

2. Communication: Students shall be taught to effectively convey and receive messages by engaging in or interpreting written, spoken, and/or signed languages.
3. Cultures: Students shall receive instruction that allows them to make connections and comparisons between language and culture.

(cf. 6142.94 - History/Social Science Instruction)

4. Structures: The curriculum shall address components of grammar, syntax, and language patterns appropriate to the language being taught.
5. Settings: To help students comprehend meaning and use language that is culturally appropriate, students shall develop knowledge of the context or setting in which language is used, such as common daily settings, interpersonal settings, and informal and formal settings.

~~Two-Way Dual-Language~~ Immersion Programs

Note: The following optional section is for use by districts that choose to establish ~~two-way~~ dual-language

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

immersion programs integrating native English speakers and non-English speakers-English learners in a class that is taught in both English and a second language; see the accompanying Board policy.

Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians of English learners to select a language acquisition program that best suits their child. Districts must offer a structured English immersion program in which nearly all classroom instruction is provided in English, and may offer dual-language immersion programs or other language acquisition programs. See BP/AR 6174 - Education for English Learners.

The following section Items #1-2 below reflects program models descriptions and recommendations on the California Department of Education's (CDE) web site and may be revised to reflect district practice.

The district's may establish two-way dual-language immersion programs may be based on either or both of the following models:

1. A 50:50 model in which instruction is provided in the non-English target language for 50 percent of the time and in English for 50 percent of the time, throughout the duration of the program
2. A 90:10 model in which instruction is provided in the non-English target language for 90 percent of the time and in English for 10 percent of the time during the first year of the program, decreasing the percentage of time in the non-English language in each subsequent year until there is a 50:50 balance of languages

(cf. 6174 - Education for English Learners)

Note: According to the CDE, two-way immersion programs generally do not accept English-only speakers after grade 1 and English learners after grade 2. The following paragraph may be revised to reflect the grade levels at which the program is offered and any restrictions on enrollment established by the district. The following two paragraphs reflect recommendations of the CDE in its "Two-Way Language Immersion Program FAQ," available on its web site, and may be revised to reflect district practice.

English-only Native English speakers shall generally be accepted admitted into the program only during the first grade level at which the program is offered, and English learners may be admitted into the program during the first or second grade level at which the program is offered. Bilingual students may enter the program at any time. On a case-by-case basis, the Superintendent or designee may admit a student later in the program if he/she determines that the student is adequately prepared for and will benefit from the program.

In enrolling students for the program, the district shall strive to maintain a ratio of half native English speakers and half non-English speakers English learners, and such ratio shall not fall below one-third for either language group except under exceptional circumstances.

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

Note: Education Code 305.306 require that English learners be placed in sheltered English language classrooms (i.e., nearly all classroom instruction in English but with the curriculum and presentation designed for students who are learning the language) during a temporary transition period normally not exceeding one year and then transferred to English language mainstream classrooms (i.e., classrooms in which the students are native English speakers or already have acquired reasonable fluency in English). Education Code 310.311 and 5 CCR 11309 authorize parental waivers of these requirements under specified circumstances. Thus, parents/guardians of English learners must annually submit a parental exception waiver allowing their child's participation in a two-way immersion program. See BP/AR/E 6174 - Education of English Language Learners for legal requirements pertaining to parental exception waivers.

In order for a limited English proficient student to participate in a two-way immersion program, his/her parent/guardian shall annually submit a request for a parental exception waiver pursuant to Education Code 310.311 and 5 CCR 11309.

(cf. 6174 - Education for English Language Learners)

Note: The following paragraph may be deleted by districts that do not offer a dual-language immersion program in any of grades K-3. Pursuant to Education Code 310, as amended by Proposition 58 (November 2016), all language acquisition programs must comply with requirements related to class size in grades K-3.

Any dual-language immersion program offered in grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the district's dual-language immersion program and other language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

Note: Teachers in a class serving one or more English learners are required to possess the qualifications described in Education Code 44253.1-44253.11 and CTC leaflet CL-622, Serving English Learners. Also see AR 4112.22 - Staff Teaching English Learners.

Whenever a dual-language immersion classroom contains one or more English learners, the class shall be taught by a teacher who possesses the appropriate authorization issued by the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

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Center USD

Administrative Regulation

World/Foreign Language Instruction

AR 6142.2
Instruction

Content of Instruction

The district's instructional program for world languages shall be designed to help students gain knowledge about new language systems and use that knowledge to communicate. Students shall receive instruction which is aligned with state academic standards appropriate to their age and stage of linguistic and cultural proficiency in the following five categories:

1. **Content:** Students shall be presented with a wide variety of content that is age and stage appropriate and increases in complexity.

(cf. 6011 - Academic Standards)

2. **Communication:** Students shall be taught to effectively convey and receive messages by engaging in or interpreting written, spoken, and/or signed languages.
3. **Cultures:** Students shall receive instruction that allows them to make connections and comparisons between language and culture.

(cf. 6141.6 - Multicultural Education)

4. **Structures:** The curriculum shall address components of grammar, syntax, and language patterns appropriate to the language being taught.
5. **Settings:** To help students comprehend meaning and use language that is culturally appropriate, students shall develop knowledge of the context or setting in which language is used, such as common daily settings, interpersonal settings, and informal and formal settings.

Regulation
approved: June 3, 2009

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Board Policy

Instruction

BP 6142.4(a)

SERVICE LEARNING/COMMUNITY SERVICE CLASSES

Note: The California Department of Education (CDE) defines "service learning" as an instructional strategy in which community service opportunities are integrated into the curriculum, with the goal of enhancing the core curriculum and helping students meet academic standards and develop a sense of civic responsibility that integrates community service opportunities into the curriculum and engages students in real world problem solving. "Community service" also provides opportunities for students to volunteer for the benefit of the community, but is a separate course. Such opportunities are applicable to a variety of disciplines, but are particularly relevant to the development of civic responsibility and are an important component of civic education.

By helping students acquire civic knowledge and skills, service learning is an important component of civic education. In California, academic standards and guidelines for service learning, civics, and government are included in the state's history-social science content standards and the curriculum framework for history/social science. History-Social Science Framework for California Public Schools, as adopted by the State Board of Education on July 14, 2016. See BP 6142.3 - Civic Education and BP 6142.94 - History-Social Science Instruction.

The following optional policy should be modified to reflect the types of strategies and grade levels offered by the district.

The Governing Board recognizes that service learning can student involvement in community service enhances academic outcomes, helps students develop the skills and knowledge necessary to become informed and responsible citizens, and aids in individual career development. Service learning experiences may also motivate students by providing them the opportunity to apply their studies to school and community needs and showing them that they can make a contribution to their community through involved citizenship. The district shall offer separate community service classes and/or service learning opportunities that are integrated into other courses. Such classes and activities shall be designed to link academic content, practical skills, and meaningful service contributions to the community.

(cf. 1020 - Youth Services)

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6178.1 - Work-Based Learning)

Service Learning

Note: The following optional section is for use by districts that have integrated service learning into the curriculum and should be modified to reflect district practice. Various funding sources are available for districts implementing this strategy, including Learn and Serve America, a federal grant program through the National and Community Service Trust Act; the CDE's CalServe Initiative, a statewide regional service

SERVICE LEARNING/COMMUNITY SERVICES CLASSES (continued)

learning network, and districtwide school-community partnerships. Separate federal and state funding for service learning has been eliminated; however, many districts continue to support the use of service learning as an instructional method. Further information is available on the CDE's web site.

The Superintendent or designee shall integrate service learning opportunities into one or more courses at appropriate grade levels.

(cf. 6143 - Courses of Study)

The Board supports service learning instructional strategies as integral components of the district's curriculum. The Board encourages staff to involve administrators, students, teachers, parents/guardians, and community members in the development, implementation, and evaluation of the district's plan-service learning program, including a determination as to how projects will be evaluated as well as how supervision and transportation issues will be addressed. He/she shall also collaborate with local public agencies and nonprofit agencies/organizations in order to identify and develop service learning activities/opportunities that meet educational and civic learning objectives, align with state and local academic standards, and address current community needs of the community.

(cf. 1600 - Relations Between Other Governmental Agencies and the Schools)

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

When service learning activities occur off campus, the Superintendent or designee shall arrange for transportation when necessary and shall ensure that students receive appropriate guidance and supervision.

(cf. 3540 - Transportation)

The Superintendent or designee shall develop a service learning plan which:

1. Integrates service learning into one or more of the core academic areas of science, English, social science, or mathematics at each grade span (K-5, 6-8, and 9-12) and includes instructional formats planned by teachers and students.
2. Ensures that the service learning opportunities offered by the district help meet identified community needs and include a balance of on-campus and off-campus activities.
3. Involves administrators, students, teachers, parents/guardians, and community members in the development, implementation, and evaluation of the district's plan, including how projects will be evaluated as well as how supervision and transportation issues will be addressed.

SERVICE LEARNING/COMMUNITY SERVICE CLASSES (continued)

The Superintendent or designee shall provide the Board with regular reports on the implementation of the plan and its effectiveness district's progress in meeting the district's its goals for service learning.

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9000 - Role of the Board)

Community Service Classes

Note: The following optional section is for use by districts with grades 7-12 that offer separate community service classes in any of grades 7-12, or through adult education, under the authority of Education Code 51226 and should be modified to reflect district practice.

The district ~~shall~~ may offer community service classes in any of grades 7-12, and/or through the district's adult education program, ~~which~~ Such classes shall be designed to:

1. Acquaint students with the historical basis for volunteer service, its importance and relevance, and its connection to ~~with~~ a wide range of identified school and community needs
2. Students shall be offered volunteer opportunities which include volunteer opportunities that support and strengthen their students' understanding of the academic instruction and help them recognize the relevance of what they are learning in school and how it relates to their community
3. Contribute to the physical, mental, moral, economic, and/or civic development of students
4. Provide students with an awareness of potential careers

(cf. 6200 - Adult Education)

If off-campus activities are included, the Superintendent or designee shall determine how students will be transported to the off-campus location and shall ensure adequate supervision of students during the activity.

Note: The following optional paragraph is for use by districts that require community service for as a high school graduation requirement. Such districts should also list the course in district policy detailing requirements for high school graduation. See BP 6146.1 - High School Graduation Requirements. Because California courts have not addressed the issue of mandatory service courses, it is recommended that districts requiring community service provide an alternative means whereby students who object to the service may fulfill the requirement.

SERVICE LEARNING/COMMUNITY SERVICE CLASSES (continued)

The district's community service course shall be required for high school graduation. On a case-by-case basis, the Superintendent or designee may allow students to fulfill the community service graduation requirement by performing alternative academic tasks.

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall determine how criteria and methods of assessing students and awarding credits for the class. shall be awarded and how students will be evaluated, supervised, and, if off campus activities are included, transported to the off campus location.

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

Notifications

Note: The district should notify parents/guardians of the different service learning opportunities available and obtain their consent for any off-campus activities. In order to protect the district against liability and to help ensure adequate insurance coverage, the Superintendent should consult with the district's risk manager, insurance carrier, or legal counsel.

Parents/guardians shall receive information about the service learning or and any community service opportunities offered by the district and their the benefits for both of such activities to the community and their student. The district shall ask parents/guardians to acknowledge this information and provide consent before their child participates in any off-campus service activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5143 - Insurance)

Legal Reference: (see next page)

SERVICE LEARNING/COMMUNITY SERVICE CLASSES (continued)

Legal Reference:

EDUCATION CODE

233.5 Teaching of principles
35160 Authority of governing boards
35160.1 Broad authority of school districts
37220.6 Cesar Chavez Day of Service and Learning
51210 Areas of study, grades 1-6
51220 Areas of study, grades 7-12
51745 Independent study

51810-51815 Community service classes

UNITED STATES CODE, TITLE 42

12501-12682 National and Community Service Trust Act of 1993

COURT DECISIONS

Steirer et al v. Bethlehem School District, (1993) 987 F.2d 989

Management Resources:

WEB SITES

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

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

Corporation for National and Community Service: <http://www.nationalservice.gov>

~~Learn and Serve America: <http://www.learnandserve.org>~~

National Service Learning Clearinghouse: <http://www.servicelearning.org>

~~Youth Service California: <http://www.yseal.org>~~

(2/95 3/07) 10/16

Center USD

Board Policy

Service Learning/Community Service Classes

BP 6142.4

Instruction

The Governing Board recognizes that service learning can enhance academic outcomes, help students develop the skills and knowledge necessary to become informed and responsible citizens, and aid in individual career development. Service learning experiences may also motivate students by providing them the opportunity to apply their studies to school and community needs and showing them that they can make a contribution to their community through involved citizenship.

(cf. 1020 - Youth Services)

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

(cf. 6030 - Integrated Academic and Vocational Instruction)

(cf. 6142.3 - Civic Education)

Service Learning

The Board supports service learning instructional strategies as integral components of the district's curriculum. The Board encourages staff to collaborate with local public and nonprofit agencies in order to develop service learning activities that meet educational objectives, align with state and local academic standards, and address current community needs.

(cf. 1600 - Relations Between other Governmental Agencies and the Schools)

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

The Superintendent or designee shall develop a service learning plan which:

1. Integrates service learning into one or more of the core academic areas of science, English, social science, or mathematics at each grade span (K-5, 6-8, and 9-12) and includes instructional formats planned by teachers and students
2. Ensures that the service learning opportunities offered by the district help meet identified community needs and include a balance of on-campus and off-campus activities
3. Involves administrators, students, teachers, parents/guardians, and community members in the development, implementation, and evaluation of the district's plan, including a determination as to how projects will be evaluated as well as how supervision and transportation issues will be addressed

(cf. 6143 - Courses of Study)

The Superintendent or designee shall provide the Board with regular reports on the implementation of the plan and its effectiveness in meeting the district's goals for service learning.

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9000 - Role of the Board)

Community Service Classes

The district shall offer community service classes which acquaint students in grades 7-12 with the history and importance of volunteer service and with a wide range of identified school and community needs. Students shall be offered volunteer opportunities which support and strengthen their understanding of academic instruction and help them recognize the relevance of what they are learning in school and how it relates to their community.

The district's community service course shall be required for high school graduation. On a case-by-case basis, the Superintendent or designee may allow students to fulfill the community service graduation requirement by performing alternative academic tasks.

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall determine how credits shall be awarded and how students will be evaluated, supervised, and, if off-campus activities are included, transported to the off-campus location.

Notifications

Parents/guardians shall receive information about the service learning or community service opportunities offered by the district and their benefits for both the community and the student. The district shall ask parents/guardians to acknowledge this information and provide consent before their child participates in any off-campus service activities.

Legal Reference:

EDUCATION CODE

233.5 Teaching of principles

35160 Authority of governing boards

35160.1 Broad authority of school districts

37220.6 Cesar Chavez Day of Service and Learning

51210 Areas of study, grades 1-6

51220 Areas of study, grades 7-12

51745 Independent study

UNITED STATES CODE, TITLE 42

12501-12682 National and Community Service Trust Act of 1993

COURT DECISIONS

Steirer et al v. Bethlehem School District, (1993) 987 F.2d 989

Management Resources:

WEB SITES

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

California Department of Education, Service Learning: <http://www.cde.ca.gov/ci/cr/sl>

Learn and Serve America: <http://www.learnandserve.org>

National Service Learning Clearinghouse: <http://www.servicelearning.org>

Youth Service California: <http://www.yscal.org>

Policy CENTER UNIFIED SCHOOL DISTRICT

adopted: June 20, 2007 Antelope, California

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 to meet~~ high school graduation requirements; 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. 6115 - Ceremonies and Observances)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(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~~ state content standards for history-social science which cover 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~~ are expected to ~~achieve-possess~~ at each grade level.

(cf. 6011 - Academic Standards)

Note: The History-Social Science Framework for California Public Schools, adopted by the SBE on July 14, 2016, reflects the state content standards as well as the California Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects and the California English Language Development Standards. The updated framework includes greater emphasis on literacy skills (i.e., reading, writing, speaking, listening, and other language skills) required for college and career readiness.

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

Pursuant to Education Code 33540, 51008, 51226.3, and 51284, the SBE added specified topics to the updated curriculum framework, including, but not limited to, financial literacy, voter education, genocide, and the contributions of lesbian, gay, bisexual, and transgender Americans and the disabled. Education Code 51226.7, as added by AB 2016 (Ch. 327, Statutes of 2016), requires the SBE to adopt a model curriculum in ethnic studies by March 31, 2020 and encourages districts to offer an elective course in ethnic studies based on that model curriculum, when available, in at least one grade level during grades 9-12.

The Superintendent or designee shall develop and submit to the Board for approval a comprehensive, sequential curriculum aligned with the district standards and consistent with the state's curriculum framework for history-social science. The curriculum shall be designed to develop students' core knowledge in history and social science and their skills in chronological and spatial thinking, research, and historical interpretation. History-social science instruction shall also include an explicit focus on developing students' literacy in reading, writing, speaking, listening, and other language skills.

(cf. 6142.91 - *Reading/Language Arts Instruction*)
(cf. 9000 - *Role of the Board*)

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:

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

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.

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

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.

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~~ **by using** biographies, original documents, diaries, letters, legends, speeches, other narrative artifacts, and literature from and about the period being studied.

(cf. 0400 - District Technology Plan)

(cf. 1312.2 - Complaints Concerning Instructional 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: The following paragraph is optional. Education Code 51221.3, 51221.4, and 51226.3 encourage the use of personal testimony (i.e., oral histories, videos, or other multimedia formats) during instruction on certain topics, including World War II, the Vietnam War, the Korean War, the Bracero program, human rights, the Holocaust, genocide, and violence awareness and prevention. Oral history related to World War II and the Vietnam War is required to meet certain standards specified below. Pursuant to Education Code 51221.3 and 51226.3, oral history presented on other topics is encouraged, but not required, to meet similar standards.

Personal testimony from persons who can provide first-hand accounts of significant historical events is encouraged and may be provided through oral histories, videos, or other multimedia formats. If oral history is used for instruction related to the role of Americans in World War II or the Vietnam War, such testimony shall exemplify the personal sacrifice and courage of the wide range of ordinary citizens who were called upon to participate in the war; provide views and comments concerning reasons for participating in the war, and provide commentary on the aftermath of the war in Eastern Europe and the former Soviet Union. (Education Code 51221.3, 51221.4)

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.

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

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.
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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, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference: (see next page)

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)*Legal Reference:***EDUCATION CODE**

33540 History-social science curriculum framework

51008-51009 Instruction on farm labor movement

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

51226.3 Instruction on civil rights, genocide, slavery, Holocaust, and deportation to Mexico51226.7 Ethnic studies

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

60640-60649 California Assessment of Student Performance and Progress

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 2014Common Core State Standards for English Language Arts and Literacy in History-Social Studies, Science, and Technical Subjects, 2013California English Language Development Standards, 2012Model Curriculum for Human Rights and Genocide, 2000History-Social Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve, October 1998**NATIONAL COUNCIL FOR THE SOCIAL STUDIES PUBLICATIONS**College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History, 2013**WEB SITES**CSBA: <http://www.csba.org>California Council for History Education: <http://www.csus.edu/al/cche>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://csmf.ucop.edu/chss>National Association for Multicultural Education: <http://www.nameorg.org>National Council for History Education: <http://www.nche.net>National Council for the Social Studies: <http://www.socialstudies.org>

(7/09 8/14) 10/16

Center USD

Board Policy

History-Social Science Instruction

BP 6142.94

Instruction

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Center Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2012-13 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

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)

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)

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:

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)

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)

(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)

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)

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, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)

(cf. 6162.51 - Standardized Testing and Reporting Program)

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://csmf.ucop.edu>

National Association for Multicultural Education: <http://www.nameorg.org>

National Council for History Education: <http://www.nche.net>

CSBA Sample Administrative Regulation

Instruction

AR 6143(a)

COURSES OF STUDY

Note: Education Code requirements for courses of study are generally classified into requirements for grades 1-6 and 7-12. Therefore, K-8 districts and high school districts need to collaborate with appropriate area districts to ensure that all required courses are offered sometime during grades 7-12.

The district should select the sections below ("Grades 1-6" and/or "Grades 7-12") that correspond with the grade levels it offers.

Grades 1-6

Note: Items #1-7 below are areas of study required by law for grades 1-6. The Governing Board may add other studies to this list.

Courses of study for grades 1-6 shall include the following:

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

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

Note: SB 48 (Ch. 81, Statutes of 2011) amended Education Code 51204.5 and 60040 to require that social science instruction and instructional materials include the role and contributions of lesbian, gay, bisexual, and transgender Americans, persons with disabilities, European Americans, and members of other cultural groups to the development of California and the United States, as provided in #a below. SB 48 also updated the terminology for various ethnic/racial groups.

- a. The history, resources, development, and government of California and the United States

COURSES OF STUDY (continued)

~~Instruction shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)~~

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

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

(cf. 6142.93 - Science Instruction)

- 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise #6a-e below to indicate topics that will be addressed in grades K-6.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

COURSES OF STUDY (continued)

6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available

(cf. 6142.8 - Comprehensive Health Education)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

Note: The following item is optional pursuant to Education Code 51202.
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- f. Violence as a public health issue

7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education and Activity)

Note: Item #8 below is optional. Education Code 51210.5 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed in items #1-7 above. Pursuant to Education Code 51210.5, such instruction may include personal testimony in the form of oral or video histories that illustrate the economic and cultural effects of violence within a city, the state, and the country. See BP 6142.94 - History-Social Science Instruction.

- 8. Violence awareness and prevention**

Note: Optional item #89 below is not required by state law but is a highly recommended component of school-to-career instruction.

- 8.9** Career awareness exploration

COURSES OF STUDY (continued)

(cf. 6178 - Career Technical Education)

Grades 7-12

Note: Items #1-11 below are areas of study required by law for grades 7-12. The Board may add other studies to this list.

Courses of study for grades 7-12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6162.52 - High School Exit Examination)

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

Note: SB 48 (Ch. 81, Statutes of 2011) amended Education Code 51204.5 to require that social science instruction include the role and contributions of lesbian, gay, bisexual, and transgender Americans, persons with disabilities, European Americans, and members of other cultural groups to the development of California and the United States. SB 48 also updated the terminology for various ethnic/racial groups.

- a. The history, resources, development, and government of California and the United States, including instruction in:

- (1) ~~The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)~~

Note: Education Code 51221.3 and 51221.4 encourage, but do not require, instruction on the topics described in optional items #(2) and (3) subitems #(2)-(4) below. These items may be modified or deleted to reflect district practice. AB 199 (Ch. 607, Statutes of 2011) amended Education Code 51221.3 to encourage social science instruction in grades 7-12 to include the role of Filipinos in World

COURSES OF STUDY (continued)

War II, including the contributions of Filipino American veterans who fought under the leadership of General Douglas MacArthur. For districts that choose to offer such instruction on World War II and/or the Vietnam War, the Legislature Education Code 51221.3 and 51221.4 encourages that a component be included drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code 51221.3 and 51221.4. See BP 6142.94. History-Social Science Instruction

- (2) World War II, including and the role of Americans and Filipinos Americans who served in the United States Army during that time in that war
- (3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
- (4) The Bracero program, under which temporary contract laborers were imported pursuant to a 1942 agreement between the United States and Mexico

- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

Note: The following optional paragraph is for use by districts that offer a teen court or peer court program

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

- e. Eastern and western cultures and civilizations

Note: Pursuant to Education Code 51220, instruction related to human rights issues, as provided in item #2f below, may include the study of the Armenian genocide. Education Code 51226.3 encourages the incorporation of oral testimony into instruction in human rights, including the Armenian, Cambodian, Darfur, and Rwandan genocides

COURSES OF STUDY (continued)

- f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust

- g. Contemporary issues

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

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- 3. Foreign language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

(cf. 6142.2 - World/Foreign Language Instruction)

- 4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education and Activity)

- 5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

- 6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

- 7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

- 8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

- 9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

COURSES OF STUDY (continued)*(cf. 6178 - Career Technical Education)*

Note: Education Code 51934 requires that students be provided **comprehensive sexual health and HIV/AIDS** prevention instruction at least once in middle school or junior high school and at least once in high school. See BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction **for required components of such instruction**

Education Code 51934, as amended by AB 329 (Ch. 398, Statutes of 2015), requires that **comprehensive sexual health education include information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking. In addition, pursuant to Education Code 51225.36, as added by SB 695 (Ch. 424, Statutes of 2015), districts that require a course in health education for high school graduation must include instruction in sexual harassment and violence with specified components**

10. **Comprehensive sexual health and HIV/AIDS** prevention (Education Code **51225.36**, 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise item #11 below to indicate topics that will be addressed in grades 7-12.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation **(CPR)** when appropriate equipment is available

Note: The following paragraph is for use by districts that require a course in health education for high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51225.6, as added by AB 1719 (Ch. 556, 2016), such districts are required to include instruction in performing compression-only cardiopulmonary resuscitation (CPR); as described below, beginning in the 2018-19 school year. Such instruction must be based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart Association or the American Red Cross, and must include hands-on practice in compression-only CPR. Before the start of the 2017-18 school year, the CDE is required to provide guidance on how to implement this requirement, including, but not limited to, who may provide instruction

Education Code 51225.6, as added, also encourages districts to provide students with general information on the use and importance of an automated external defibrillator

COURSES OF STUDY (continued)

Beginning in the 2018-19 school year, instruction shall be provided in compression-only CPR. Such instruction shall be based on national evidence-based guidelines and shall include hands-on practice in compression-only CPR. (Education Code 51225.6)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease
- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body and upon prenatal development

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.8 - Comprehensive Health Education)

Note: The following two items are optional pursuant to Education Code 51202.

- f. Prenatal care
- g. Violence as a public health issue

Note: Item #12 is optional. Education Code 51220.3 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed above for grades 7-12.

12. Violence awareness and prevention

Note: Item #13 is optional. Education Code 51226.7, as added by AB 2016 (Ch. 327, Statutes of 2016), requires the SBE to adopt a model curriculum in ethnic studies by March 31, 2020 and encourages districts to offer a course in ethnic studies based on that model curriculum as an elective course in social sciences or English language arts in at least one grade level during grades 9-12. At their discretion, districts may choose to offer a course in ethnic studies prior to the availability of the model curriculum.

13. Ethnic studies

Note: Education Code 51220.5 requires the equivalent content of a one-semester course in parenting skills and education in grades 7 and/or 8, subject to funding which was not subsequently appropriated; thus the following paragraph and items #1-8 are currently optional.

COURSES OF STUDY (continued)

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, that address at least all of the following, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

1. Child growth and development

2. Parental responsibilities

3. Household budgeting

4. Child abuse and neglect issues

5. Personal hygiene

6. Maintenance of healthy relationships

7. Teen parenting issues

8. Self esteem

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

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

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle

COURSES OF STUDY (continued)

7. The rights and duties of a motorist pertaining to pedestrians and the rights and duties of pedestrians pertaining to traffic laws and traffic safety

Certification of College Preparatory Courses

Note: The following optional section is for use by districts that maintain grades 9-12 and may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University system is a requirement that students satisfactorily complete 15 units of specified courses ("a-g" courses). In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. The district or school should develop course descriptions using the templates provided by UC and submit them through UC's online system.

According to the Frequently Asked Questions on UC's web site, UC considers the principal to be the certifying agent of the school, although the district's curriculum coordinator or an assistant principal or head counselor from the school may be assigned this responsibility. The following paragraph may be revised to reflect the position in the district or school(s) that is responsible for submitting and updating "a-g" courses.

The Superintendent or designee shall identify courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives that may qualify for designation as "a-g" college preparatory courses. He/she shall submit course information to the University of California (UC) including, but not necessarily limited to, the course title, subject area, grade level(s), unit value, a brief course description, prerequisites and co-requisites, texts and supplemental instructional materials used in the course, whether the school is seeking designation of the course as an honors course, and whether the course is classified as a career technical education or regional occupational program course. He/she also shall electronically submit updates to UC whenever course content changes or a course will not be offered in a particular year.

Notification to Students in Grades 9-12

Note: The following section is for use by districts that maintain grades 9-12.

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)

Note: The UC maintains a searchable web site that lists certified "a-g" courses for all regular California public high schools; see the management resources in the accompanying Board policy.

COURSES OF STUDY (continued)

2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

(11/04 11/11) 10/16

Center USD

Administrative Regulation

Courses Of Study

AR 6143

Instruction

Grades 1-6

Courses of study for grades 1 through 6 shall include the following:

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

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5)

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

(cf. 6141.6 - Multicultural Education)

b. The development of the American economic system, including the role of the entrepreneur and labor

c. The relations of persons to their human and natural environments

- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

(cf. 6142.93 - Science Instruction)

5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

6. Health: principles and practices of individual, family, and community health (Education Code 51210)

The adopted course of study shall provide instruction at the appropriate grade levels and subject areas in: (Education Code 51202)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available
- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of our environment
- d. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education)

8. Career awareness exploration

(cf. 6010 - Goals and Objectives)

(cf. 6030 - Integrated Academic and Vocational Instruction)

Grades 7-12

Courses of study for grades 7 through 12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6162.52 - High School Exit Examination)

1. English: knowledge and appreciation of literature, language and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology and sociology, with instruction in: (Education Code 51220)

a. The history, resources, development, and government of California and the United States, including:

(1) Early California history, and the role and contributions of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people and other ethnic groups to the economic, political and social development of California and the nation, with particular emphasis on the role of these groups in contemporary society (Education Code 51204.5)

(2) World War II and the American role in that war and the Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war

b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

c. The development of the American economic system, including the role of the entrepreneur and labor

d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

e. Eastern and western cultures and civilizations

f. Human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust

g. Contemporary issues

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

(cf. 6141.6 - Multicultural Education)

3. Foreign language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education)

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

6. Mathematics: mathematical understandings, operational skills and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

(cf. 6030 - Integrated Academic and Vocational Instruction)

(cf. 6178 - Vocational Education)

10. HIV/AIDS prevention (Education Code 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

11. Personal and public safety, accident prevention and health, including instruction in:
(Education Code 51202, 51203)

a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available

b. Fire prevention

c. The protection and conservation of resources, including the necessity for the protection of our environment

d. Venereal disease

e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body and upon prenatal development

(cf. 5131.6 - Alcohol and Other Drugs)

f. Prenatal care

g. Violence as a public health issue

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education that address at least all of the following: (Education Code 51220.5)

1. Child growth and development

2. Parental responsibilities

3. Household budgeting

4. Child abuse and neglect issues

5. Personal hygiene

6. Maintenance of healthy relationships

7. Teen parenting issues

8. Self-esteem

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

High schools shall offer automobile driver education that includes instruction in:

1. Vehicle Code provisions and other relevant state laws (Education Code 51220)
2. Proper acceptance of personal responsibility in traffic (Education Code 51220)
3. Appreciation of the causes, seriousness and consequences of traffic accidents (Education Code 51220)
4. Knowledge and attitudes necessary for the safe operation of motor vehicles (Education Code 51220)
5. The safe operation of motorcycles (Education Code 51220)
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle (Education Code 51220.1)
7. The rights and duties of a motorist pertaining to pedestrians and the rights and duties of pedestrians pertaining to traffic laws and traffic safety (Education Code 51220.4)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: March 2, 2005 Antelope, California

CSBA Sample Board Policy

Instruction

BP 6144(a)

CONTROVERSIAL ISSUES

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

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

(cf. 6141.2 - *Recognition of Religious Beliefs and Customs*)
(cf. 6142.1 - *Sexual Health and HIV/AIDS Prevention Instruction*)
(cf. 6142.3 - *Civic Education*)
(cf. 6142.8 - *Comprehensive Health Education*)
(cf. 6142.94 - *History-Social Science Instruction*)
(cf. 6143 - *Courses of Study*)

Note: ~~District~~**Recommended** criteria for determining the appropriateness of supplementary instructional materials and/or the circumstances under which materials should be submitted to the principal or other designee for review prior to their use (e.g., when materials relate to controversial issues or are presented in a controversial manner or context, such as when materials contain nudity, sexual content, graphic violence, or extensive profanity) are addressed in BP 6161.11 - *Supplementary Instructional Materials*.

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

(cf. 6141 - *Curriculum Development and Evaluation*)
(cf. 6161.1 - *Selection and Evaluation of Instructional Materials*)
(cf. 6161.11 - *Supplementary Instructional Materials*)

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.

CONTROVERSIAL ISSUES (continued)

3. **The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.**

Note: The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech, including freedom of speech for students. However, under court decisions and Education Code 48950, discipline may be imposed upon students for speech or conduct that constitutes harassment, threats, or intimidation. See BP 5145.2 - Freedom of Speech/Expression.

4. **No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.**

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.
7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

CONTROVERSIAL ISSUES (continued)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the ~~Board requires that he/she be notified~~ **Superintendent or designee shall notify him/her** of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

Note: Pursuant to Education Code 51938, districts must notify parents/guardians of any sexual health and HIV/AIDS prevention instruction and of the opportunity to request that their child not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. The following optional paragraph provides that, at the discretion of the teacher or other designated staff, parents/guardians may be notified and asked to give consent for their child's participation in instruction related to other controversial issues. The following optional paragraph permits parents/guardians to excuse their child from certain types of instruction. For example, pursuant to Education Code 51938, districts must notify parents/guardians of the opportunity to request that their child not receive comprehensive sexual health and HIV prevention instruction. Districts must use a "passive consent" or "opt out" process in which the student receives the instruction unless the parent/guardian notifies the district in writing that the student should not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, Education Code 51240 provides that parents/guardians may request in writing that their child be excused from any part of health instruction that conflicts with their religious training or beliefs; see AR 6142.8 - Comprehensive Health Education. Pursuant to Education Code 51513, districts may not administer exams, surveys, or questionnaires containing questions about a student's or his/her family's personal beliefs or practices in sex, family life, morality, and religion unless the student's parent/guardian has provided prior written consent. See AR 5022 - Student and Family Privacy Rights.

When required by law, such as in regards to comprehensive sexual health and HIV prevention education, or otherwise deemed appropriate by the teacher or administrator, parents/guardians shall be notified prior to instruction related to any controversial issue and ~~parent/guardian consent shall be obtained for student participation that they may request in writing that their child be excused from the instruction~~. Students whose parents/guardians decline such instruction may be offered ~~the option to participate in~~ an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues ~~may communicate directly with the teacher or principal and/or use~~ **shall be directed to** appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

CONTROVERSIAL ISSUES (continued)

School Library Materials

The Assistant Superintendent, principals, and librarian in the district believe that library materials should be selected to implement the curriculum and to provide books and other materials which are most appropriate for the growth and development of our students.

We endorse the principles set forth in the School Library Bill of Rights, as follows:

We believe that the library collection be developed systematically, so that it is well-rounded and balanced in its coverage of subjects, types of materials, and variety of content. Materials should be reliable and authoritative and should be selected in terms of their overall value and permanent worth. Reputable, unbiased, professionally prepared selection aids, such as the Standard Junior High School Catalog, the Children's Catalog, School Library Journal, Booklist, and Hornbook are consulted as guides.

In the event of criticism of any material by individuals or groups, the principal and/or librarian will listen to the complaint and request the complainant to supply the information requested on the form provided by the district for this purpose.

The controversial material will be removed from circulation until the principal and librarian can read and discuss it. A report will be made and a verbal or written report sent to the complainant. Material rejected shall be removed from the library collection.

(cf. 1312.2 Complaints Concerning Instructional Materials)

Legal Reference: (see next page)

CONTROVERSIAL ISSUES (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

48950 Freedom of speech

51240 Excuse from health instruction due to religious beliefs

51500 Prohibited instruction or activity

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

51513 Materials containing questions about beliefs or practices

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate

51930-51939 California Healthy Youth Act; comprehensive sexual health and HIV prevention education

51933 Sex education courses

51938 Right of parent/guardian to excuse child from sexual health instruction

60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials

60045 Criteria for instructional materials

COURT DECISIONS

Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)

Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)

Garcetti v. Ceballos, (2006) 547 U.S. 410

(12/89 8/13) 3/17

Center USD

Board Policy

Controversial Issues

BP 6144

Instruction

School Library Materials

The Assistant Superintendent, principals, and librarian in the district believe that library materials should be selected to implement the curriculum and to provide books and other materials which are most appropriate for the growth and development of our students.

We endorse the principles set forth in the School Library Bill of Rights, as follows:

We believe that the library collection be developed systematically, so that it is well-rounded and balanced in its coverage of subjects, types of materials, and variety of content. Materials should be reliable and authoritative and should be selected in terms of their overall value and permanent worth. Reputable, unbiased, professionally prepared selection aids, such as the Standard Junior High School Catalog, the Children's Catalog, School Library Journal, Booklist, and Hornbook are consulted as guides.

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The controversial material will be removed from circulation until the principal and librarian can read and discuss it. A report will be made and a verbal or written report sent to the complainant. Material rejected shall be removed from the library collection.

(cf. 1312.2 Complaints Concerning Instructional Materials)

Legal Reference:

EDUCATION CODE

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

51530 Prohibition and definition (re advocating or teaching communism with the intent to indoctrinate, etc.)

51933 Sex education courses

60040 Cultural and racial diversity of society

Policy
adopted: October 15, 1986

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Board Policy

Instruction

BP 6146.1(a)

HIGH SCHOOL GRADUATION REQUIREMENTS

Note: The following policy is for use by districts that maintain grades 9-12.

Education Code 60851.5, ~~as added by SB 172 (Ch. 572, Statutes of 2015)~~, provides that the administration of the California High School Exit Examination and the requirement that each student completing grade 12 successfully pass the exam as a condition of receiving a diploma or graduating from high school are suspended for the 2015-16, 2016-17, and 2017-18 school years.

The Governing Board desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

Note: Education Code 51225.3 specifies the courses that a student is required to complete in order to graduate from high school as listed in items #1-6 below.

Pursuant to Education Code 66204, each district that maintains a high school also is required to develop a process for submitting courses to the University of California to ensure that they align with the "a-g" course requirements for college admission.

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. ~~Three~~ Four courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

~~Note: Education Code 51224.5 provides that, as part of the mathematics requirement, students must complete coursework at least equivalent to state content standards for Algebra I or, as amended by AB 220 (Ch. 165, Statutes of 2015), for Mathematics I. This requirement applies to all students, including students in alternative or continuing education, adult education, or special education. The State Board of Education may grant waivers for students on an individual basis.~~

2. ~~Two~~ Three courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I.

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete ~~two~~ three mathematics courses in grades 9-12. (Education Code 51224.5)

Note: The following optional paragraph is for use only by districts that require more than two courses in mathematics for graduation and should be deleted by other districts. Pursuant to Education Code 51225.3 and 51225.35, ~~as added by AB 1764 (Ch. 888, Statutes of 2014)~~, a district that requires more than two courses in mathematics may award up to one mathematics course credit for an approved computer science course, as defined. Any such course must have been approved by the University of California as a "category c" (mathematics) course in the university's "a-g" course admission criteria; see BP 6143 - Courses of Study.

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester year course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

Note: Education Code 51225.3 authorizes the Board to include a course in career technical education (CTE) as an alternative to the visual or performing arts or foreign language course requirement for high school graduation. If the Board chooses to do so, it must, at a regular Board meeting prior to allowing a CTE course as an alternative, notify parents/guardians, students, teachers, and the public of information specified in Education Code 51225.3. In addition, the information must be included in the district's annual notification to parents/guardians pursuant to Education Code 48980; see the accompanying administrative regulation. Districts that do not allow this alternative course requirement should delete references to CTE in item #5 below.

The CTE course may be offered through different means, including a district-operated program, regional occupational center or program, or county office of education program pursuant to a joint powers agreement. See BP/AR 6178 - Career Technical Education and BP 6178.2 - Regional Occupational Center/Program for program details pertaining to CTE.

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

Note: Pursuant to Education Code 51225.3, the Board may prescribe additional coursework (e.g., health education, service learning) or other requirements (e.g., portfolios or senior projects) that district students must complete in order to obtain a diploma. If the Board does so, such courses or projects should be listed below.

If the district requires a course in health education for graduation, Education Code 51225.36, ~~as added by SB 695 (Ch. 424, Statutes of 2015)~~, requires that the district include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard pursuant to Education Code 67386. Also see AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction.

In addition, pursuant to Education Code 51225.6, as added by AB 1719 (Ch. 556, Statutes of 2016), a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation beginning in the 2018-19 school year. See AR 6143 - Courses of Study.

7. One semester in Consumer Finance (5 units)
8. One semester in Computer Applications (5 units)
9. One semester in CTE/Technology (5 units)
10. Elective credits (85 credits)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.8 - Comprehensive Health Education)

Note: Education Code 51225.3 requires the Board to adopt alternative means for students to complete the prescribed course of study; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

Exemptions and Waivers

Note: Education Code 51225.1 requires the district to exempt from any district-adopted graduation requirements a foster youth or homeless student who transfers into the district or between district high schools any time after completing his/her second year of high school, unless the Superintendent or designee makes a finding that the youth is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school; see BP/AR 6173.1 - Education for Foster Youth; and As amended by AB 1806 (Ch. 767, Statutes of 2014), Education Code 51225.1 provides that a homeless student who transfers any time after completing his/her second year of high school is exempted from locally established high school graduation requirements in the same manner as a foster youth who transfers in the same grades; see BP/AR 6173 - Education for Homeless Children. AB 2306 (Ch. 464, Statutes of 2016) amends Education Code 51225.1 to extend this exemption and related requirements to a student transferring from a juvenile court school any time after his/her second year of high school; see AR 6173.3 - Education for Juvenile Court School Students.

Pursuant to Education Code 51225.1, Within 30 calendar days of the transfer of a foster youth, or homeless student, or former juvenile court school student, the district is required to provide notice to the student of the availability of the exemption and whether the student qualifies for it. As amended by AB 1166 (Ch. 171, Statutes of 2015), Education Code 51225.1 provides that, if the district fails to provide that notification, the student will be eligible for the exemption once notified, even if the notification is received after the termination of the court's jurisdiction over the foster youth or former juvenile court school student or after the homeless student ceases to be homeless.

Education Code 51225.1 also provides that, if an exempted student completes the statewide coursework requirements before the end of his/her fourth year of high school, the district or a district school must not require or request that he/she graduate before the end of his/her fourth year of high school.

Any complaint alleging the district's failure to comply with the requirements of Education Code 51225.1 may be filed using the district's uniform complaint procedures pursuant to 5 CCR 4600-4687; see BP/AR 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall exempt or waive specific course requirements for foster youth, homeless students, and children of military families in accordance with Education Code 51225.1 and 49701. A foster youth, homeless student, or former juvenile court school student who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.3 - Education for Juvenile Court School Students)

Note: Education Code 49701 requires district officials to help facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. If the district does not grant such a waiver, then "best efforts" must be used to provide the student with alternative means to acquire the required coursework so that he/she can graduate on time. See BP/AR 6173.2 - Education of Children of Military Families for additional language implementing this requirement.

In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. (Education Code 49701)

(cf. 6173.2 - Education for Children of Military Families)

Retroactive Diplomas

~~**Note:** Education Code 60851.6, as added by SB 172 (Ch. 572, Statutes of 2015), requires districts, until July 31, 2018, to grant a diploma to any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination.~~

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

Note: The remainder of this section is optional.

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

*Legal Reference:***EDUCATION CODE**

47612 Enrollment in charter school
 48200 Compulsory attendance
 48412 Certificate of proficiency
 48430 Continuation education schools and classes
 48645.5 Acceptance of coursework
 48980 Required notification at beginning of term
 49701 Interstate Compact on Educational Opportunity for Military Children
 51224 Skills and knowledge required for adult life
 51224.5 Algebra instruction
 51225.1 Exemption from district graduation requirements
 51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
 51225.3 High school graduation
 51225.35 Mathematics course requirements; computer science
 51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation
 51225.5 Honorary diplomas; foreign exchange students
51225.6 Compression-only cardiopulmonary resuscitation
 51228 Graduation requirements
 51240-51246 Exemptions from requirements
 51250-51251 Assistance to military dependents
 51410-51412 Diplomas
 51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
 51450-51455 Golden State Seal Merit Diploma
 51745 Independent study restrictions
 56390-56392 Recognition for educational achievement, special education
 60851.5 Suspension of high school exit examination
 60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination
 66204 Certification of high school courses as meeting university admissions criteria
 67386 Student safety; affirmative consent standard
CODE OF REGULATIONS, TITLE 5
 1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4687 Uniform complaint procedures

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources: (see next page)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

(12/13 12/15) 12/16

Center USD

Board Policy

High School Graduation Requirements

BP 6146.1

Instruction

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy.

The Governing Board desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Three courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code 51224.5)

Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall satisfy the algebra coursework requirement, but

shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

(cf. 6011 - Academic Standards)

(cf. 6142.92 - Mathematics Instruction)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.93 - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (Education Code 51225.3)

To be counted towards meeting graduation requirements, a course in career technical education shall be aligned to the career technical model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

7. Four courses - Advocacy (8 units)
8. One Course - Community Service (2 units)
9. Career Technical Education (10 units)
10. Health/Safety (5 units)
11. Consumer Finance (5 units)
12. Elective Credits (60 units)

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

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701.

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education for Children of Military Families)

High School Exit Examination

As a condition of high school graduation, each student completing grade 12 shall have successfully passed the state exit examination in language arts and mathematics unless he/she receives a waiver or exemption. (Education Code 60851, 60859)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6159 - Individualized Education Program)

(cf. 6162.52 - High School Exit Examination)

Supplemental instruction shall be offered to any student in grade 7-12 who does not demonstrate "sufficient progress," as defined in BP 6179 - Supplemental Instruction, toward passing the exit exam. (Education Code 37252, 60851)

(cf. 5148.2 - Before/After School Programs)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer School)

(cf. 6179 - Supplemental Instruction)

Students who have not passed one or both parts of the exit exam by the end of grade 12 shall have the opportunity to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until they have passed both parts of the exam, whichever comes first. (Education Code 37254)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall regularly report to the Board regarding the number of students who have fulfilled all local and state graduation requirements except for the passage of the exit exam and the resources that have been offered to such students.

Certificates of Completion

Students who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school exit exam shall receive a certificate of completion.

The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a certificate of completion and the resources that have been offered to such students.

Retroactive Diplomas

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

The district also may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

35186 *Williams Uniform Complaint Procedures*
37252 *Supplemental instructional programs*
37254 *Supplemental instruction based on failure to pass exit exam by end of grade 12*
37254.1 *Required student participation in supplemental instruction*
47612 *Enrollment in charter school*
48200 *Compulsory attendance*
48412 *Certificate of proficiency*
48430 *Continuation education schools and classes*
48645.5 *Acceptance of coursework*
48980 *Required notification at beginning of term*
49701 *Interstate Compact on Educational Opportunity for Military Children*
51224 *Skills and knowledge required for adult life*
51224.5 *Algebra instruction*
51225.3 *Requirements for graduation*
51225.5 *Honorary diplomas; foreign exchange students*
51228 *Graduation requirements*
51240-51246 *Exemptions from requirements*
51250-51251 *Assistance to military dependents*
51410-51412 *Diplomas*
51420-51427 *High school equivalency certificates*
51450-51455 *Golden State Seal Merit Diploma*
51745 *Independent study restrictions*
52378 *Supplemental school counseling program*
56390-56392 *Recognition for educational achievement, special education*
60850-60859 *High school exit examination*
66204 *Certification of high school courses as meeting university admissions criteria*
CODE OF REGULATIONS, TITLE 5
1600-1651 *Graduation of students from grade 12 and credit toward graduation*
COURT DECISIONS
O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>
University of California, List of Approved a-g Courses:
<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

CSBA Sample Board Policy

Instruction

BP 6154(a)

HOMEWORK/MAKEUP WORK

Note: In its policy statement on homework, the State Board of Education encourages every Board to establish a strong homework policy to serve as the foundation for school-based homework plans. The SBE's parent involvement policy further urges schools to give parents/guardians techniques for assisting children in learning at home. The following optional policy and regulation may be revised as desired to reflect district practice.

The Governing Board recognizes that homework contributes toward building responsibility, self discipline, and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives. The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

(cf. 6011 - Academic Standards)

The principal and staff at each school Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review a school-site homework plan which includes guidelines for the assignment of homework and describes the related responsibilities of students, staff, and parents/guardians.

Note: The following optional paragraph may be revised to specify the average number of minutes of homework that may be expected per day at each grade level, or the district may adopt an administrative regulation that contains such guidelines.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

(cf. 6011 - Academic Standards)

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom learning objectives. Teachers' expectations related to homework may be addressed in their evaluations.

HOMEWORK/MAKEUP WORK (continued)

(cf. 4115 - Evaluation/Supervision)
(cf. 4131 - Staff Development)

Note: The following optional paragraph may be revised to reflect district practice!

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. As outlined in schools' written policy and procedures, students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines also shall be included in student and/or parent handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to ~~do most~~ undertake assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to ~~do~~ their complete his/her homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards. ~~shall be notified and asked to contact the teacher.~~

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

Note: The following paragraph should be revised to reflect local district practice. In some communities, the city or county helps to fund after-school centers that provide diverse activities for students, including homework assistance. Districts should also be aware that by implementing an after-school tutoring and homework assistance program pursuant to Education Code 58700-58702, they may credit program hours of homework and tutorial assistance towards their summer school apportionments. Pursuant to Education Code 8482.3, before-school and after-school programs operated under the After School Education and Safety Program (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center program (Education Code 8484.7-8484.9; 20 USC 7171-7176) are required to include an educational and literacy component in which tutoring or homework assistance is provided in language arts, mathematics, history-social science, computer training, and/or science. If the district offers a before-school or after-school program under the 21st Century High School After School Safety and Enrichment for Teens program for grades 9-12 (Education Code 8420-8428; 20 USC 7171-7176), the program must include an academic assistance program, which may include homework.

HOMEWORK/MAKEUP WORK (continued)

assistance. See AR 5148.2 - Before/After School Programs. In addition, some districts offer a supervised study hall elective which high school students can take instead of other electives.

To further support students' homework efforts, the Superintendent or designee may establish and maintain telephone help lines, provide access to school library media centers and technological resources, and/or provide before school and after school centers programs where students can receive encouragement and clarification about homework assignments assistance from teachers, volunteers, and/or student tutors more advanced students who are performing community service. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

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

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6112 - School Day)

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

(cf. 6163.1 - Library Media Centers)

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

Makeup Work

Note: Pursuant to Education Code 48205, students who miss school work because of an excused absence must be given full credit for makeup work satisfactorily completed within a reasonable period of time. State law does not require districts to give full credit for makeup work following an unexcused absence. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from determining students' academic understanding and progress. Thus, the following paragraph provides for full credit to be awarded for satisfactory completion of makeup work regardless of the reason for the absence, an approach which is consistent with BP/AR 5121 - Grades/Evaluation for Student Achievement. Also see BP/AR 5113.1 - Chronic Absence and Truancy for strategies to address excessive excused and/or unexcused absences. The district may revise the following paragraph to reflect district practice, provided that it ensures compliance with Education Code 48205.

Students who miss school work because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

HOMEWORK/MAKEUP WORK (continued)

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.6 - Parental Notifications)

Note: ~~Either of the following options regarding unexcused absences may be selected and/or modified as desired.~~

OPTION 1: ~~Students who miss school work because of unexcused absences shall be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.~~

OPTION 2: ~~Students who miss school work because of unexcused absences may be given the opportunity to make up missed work for full or reduced credit. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.~~

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

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

Legal Reference: (see next page)

HOMEWORK/MAKEUP WORK (continued)

Legal Reference:

EDUCATION CODE

8420-8428 21st Century High School After School Safety and Enrichment for Teens

8482-8484.65 After-School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48980 Parental notifications

58700-58702 Tutoring and homework assistance program; summer school apportionment credit

UNITED STATES CODE, TITLE 20

7171-7176 21st Century Community Learning Centers

Management Resources:

SBE POLICIES

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

CSBA PUBLICATIONS

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016

WEB SITES

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

California State PTA: <http://www.capta.org>

(2/97 2/99) 12/16

Center USD

Board Policy

Homework/Makeup Work

BP 6154

Instruction

The Governing Board recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives.

(cf. 6011 - Academic Standards)

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom learning objectives. Teachers' expectations related to homework may be addressed in their evaluations.

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

Although it is the student's responsibility to do most homework assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

To further support students' homework efforts, the Superintendent or designee may establish and maintain telephone help lines and/or after-school centers where students can receive encouragement and clarification about homework assignments from teachers, volunteers and/or more advanced students who are performing community service. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

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

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 6112 - School Day)

(cf. 6142.4 - Learning through Community Service)

Makeup Work

Students who miss school work because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

Legal Reference:

EDUCATION CODE

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48980 Parental notifications

58700-58702 Tutoring and homework assistance program; summer school apportionment credit

Management Resources:

SBE POLICIES

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

Delete

Center USD

Administrative Regulation

Homework/Makeup Work

AR 6154
Instruction

School-Site Homework Plan

The principal and staff at each school shall develop and regularly review a school-site homework plan which includes guidelines for the assignment of homework and describes the responsibilities of students, staff and parents/guardians. The plan shall identify all of the following:

1. For each grade level, the amount of time that students shall be expected to spend on homework
2. For each grade level, the extent to which homework assignments shall systematically involve participation by parents/guardians
3. The means by which parents/guardians shall be informed about:
 - a. Homework expectations
 - b. How homework relates to the student's grades
 - c. How best to help their children
4. Techniques that will be taught to help students allocate their time wisely, meet their deadlines and develop good personal study habits
5. The access that students shall have to obtain:
 - a. Resource materials from the library media center
 - b. Assistance and/or tutoring through telephone help lines and/or after-school centers
6. The means by which teachers shall coordinate assignments so that students do not receive an overload of homework one day and very little the next
7. For each grade level, the extent to which homework assignments shall emphasize independent research, reports, special reading and problem-solving activities

Makeup Work

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed

assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

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

CSBA Sample

Board Policy

Instruction

BP 6164.6(a)

IDENTIFICATION AND EDUCATION UNDER SECTION 504

Note: The following policy and accompanying administrative regulation address the identification and education of students who may be eligible for services under the provisions of Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794; ~~34 CFR 104.1-104.39~~). Pursuant to 34 CFR 104.33, eligible students are entitled to a free appropriate public education (FAPE) which is designed to meet the student's individual educational needs as adequately as the needs of ~~nondisabled~~ students ~~without disabilities~~ are met. Enforcement of Section 504 requirements is the responsibility of the U.S. Department of Education's Office for Civil Rights (OCR), which monitors districts' policies, processes, and practices to ensure legal compliance.

A student may be identified as ~~disabled~~ a student with a disability under Section 504 even though they ~~do not require services pursuant to~~ he/she is not identified as a child with a disability under the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482). The identification of students eligible for ~~special education and related~~ services under the IDEA is addressed at BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

The Governing Board believes that all children, including children with disabilities, should have ~~an~~ the opportunity to learn in a safe and nurturing environment. The ~~district~~ Superintendent or designee shall work to identify children with disabilities who reside within ~~its~~ the jurisdiction of the ~~district~~ in order to ensure that they receive educational and related services required by law.

Note: Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (34 CFR 104.1-104.39) prohibit discrimination on the basis of disability in district programs and activities; see BP 0410 - Nondiscrimination in District Programs and Activities.

The Superintendent or designee shall provide ~~identified-qualified~~ students with disabilities with a free appropriate public education (FAPE), as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of ~~nondisabled~~ students ~~without disabilities~~ are met. (34 CFR 104.33)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 0430 - Comprehensive Local Plan for Special Education)
- (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5141.23 - Asthma Management)
- (cf. 5141.24 - Specialized Health Care Services)
- (cf. 5141.27 - Food Allergies/Special Dietary Needs)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Note: Pursuant to 34 CFR 104.33, as interpreted by OCR in its January 2013 Dear Colleague Letter, a district's responsibility under Section 504 ~~requirements~~ extends to providing students with disabilities equal opportunity to participate in extracurricular athletics and other nonacademic programs or activities that constitute the overall educational program.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6145.5 - Student Organizations and Equal Access)

Note: The following optional paragraph may be revised to reflect district practice. Education Code 52060 requires that the district adopt a local control and accountability plan (LCAP) that includes annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, students with disabilities are one of the numerically significant subgroups whose needs must be addressed in the LCAP, when there are at least 30 students with disabilities in the district or a school. See BP/AR 0460 - Local Control and Accountability Plan.

The district's local control and accountability plan shall include goals and specific actions to improve student achievement and other outcomes of students with disabilities. At least annually, the Superintendent or designee shall assess the district's progress in attaining the goals established for students with disabilities and shall report these results to the Board. (Education Code 52052, 52060)

(cf. 0460 - Local Control and Accountability Plan)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

Note: The following optional paragraph ensures the availability of hearing officers to conduct impartial hearings to resolve disagreements about the provision of FAPE, pursuant to 34 CFR 104.36.

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

52052 *Numerically significant student subgroups*

52060-52077 *Local control and accountability plan*

56043 *Special education, timelines*

56321 *Assessment; development of IEP; parental notifications, consent*

CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

705 *Definitions; Vocational Rehabilitation Act*

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF REGULATIONS, TITLE 28

35.101-35.190 *Nondiscrimination on the basis of disability in state and local government service*

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 *Nondiscrimination on the basis of handicap, especially:*

104.1 *Purpose to effectuate Section 504 of the Rehabilitation Act of 1973*

104.3 *Definitions*

104.32 *Location and notification*

104.33 *Free appropriate public education*

104.34 *Educational setting*

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

104.37 *Nonacademic services*

104.7 *Responsible employee; grievance procedures*

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CSBA PUBLICATIONS

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, November-December 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

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

Dear Colleague Letter and Resource Guide on Students with ADHD, July 2016

Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, October 2015

Dear Colleague Letter, January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

Management Resources continued: (see next page)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Management Resources: (continued)

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

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Center USD

Board Policy

Identification And Education Under Section 504

BP 6164.6

Instruction

The Governing Board believes that all children, including children with disabilities, should have an opportunity to learn in a safe and nurturing environment. The district shall work to identify children with disabilities who reside within its jurisdiction in order to ensure that they receive educational and related services required by law.

The Superintendent or designee shall provide identified students with disabilities with a free appropriate public education, as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

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

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

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

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6145.5 - Student Organizations and Equal Access)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

CODE OF REGULATIONS, TITLE 5

3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

705 Definitions; Vocational Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 Nondiscrimination on the basis of handicap, especially:

104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

104.3 Definitions

104.32 Location and notification

104.33 Free appropriate public education

104.34 Educational setting

104.35 Evaluation and placement

104.36 Procedural safeguards

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CSBA PUBLICATIONS

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

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

Dear Colleague Letter, January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

CSBA Sample Administrative Regulation

Instruction

AR 6164.6(a)

IDENTIFICATION AND EDUCATION UNDER SECTION 504

Note: Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794) prohibits discrimination on the basis of disability. Pursuant to 34 CFR 104.7, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Section 504, as specified below:

The U.S. Department of Education Office for Civil Rights (OCR), which is responsible for enforcing the provisions of Section 504 and also for receiving and handling complaints from parents/guardians, students, and advocates, has issued guidance on Section 504 requirements. In its Dear Colleague Letter issued in January 2012, and the attached Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, OCR clarifies the extent to which 29 USC 705, which was amended by the Americans with Disabilities Amendments Act (ADA) of 2008, affects the definition of "disability" and "substantially limits" for Section 504 purposes. In addition, in January 2012, OCR issued another Dear Colleague Letter to clarify districts' obligations under Section 504, particularly as they relate to providing students with disabilities an opportunity to participate in extracurricular athletics and other nonacademic activities that are a part of the overall education program.

The following optional administrative regulation focuses on district procedures for identifying and evaluating students who are eligible to receive a free appropriate public education (FAPE) under Section 504 and is consistent with OCR guidance from the U.S. Department of Education Office for Civil Rights (OCR), which is responsible for enforcing the provisions of Section 504 and also for receiving and handling complaints from parents/guardians, students, and advocates.

Pursuant to 34 CFR 104.7, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Section 504. The district should fill in the blanks below to specify the position title and contact information of the designated employee(s).

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Director of Personnel and Student Services
8408 Watt Avenue, Antelope, CA 95843
(916) 338-6413

Definitions

Note: The following definitions are consistent with 42 USC 12101-12213, the Americans with Disabilities Act (ADA) Amendments Act of 2008 (42 USC 12101-12213), and its implementing regulations (28 CFR 35.101-35.190, as amended by 81 Fed. Reg. 53203).

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of ~~nondisabled~~ students ~~without disabilities~~ are met, ~~without at no~~ cost to the student or his/her parent/guardian except when a fee is ~~imposed on nondisabled students specifically authorized by law for all students~~. (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Note: Pursuant to ~~34 CFR 104.3~~ 28 CFR 35.108, a student is considered disabled to have a disability when he/she has a physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. ~~According to OCR, a district is required to provide FAPE only to those students whose impairment currently limits a major life activity. Accordingly, a student may have a disability and technically meet eligibility requirements under Section 504, but not actually need any services. A Dear Colleague Letter issued by OCR in July 2016 clarifies that a district is not required to provide additional services to a student with a disability if the student does not need any special education or related service as a result of the disability. However, Section 504 still requires districts to protect a student who has a record of or is regarded as having such an impairment from discriminatory treatment. For example, it would be discriminatory and thus illegal to prohibit a student who has a record of bone cancer, but is even if currently in remission, from trying out for the basketball team based on his/her history of cancer.~~

As added by 81 Fed. Reg. 53203, 28 CFR 35.108 expands and clarifies the definition of "disability" and its associated terms. In general, the term "disability" must be interpreted broadly, in favor of providing "expansive coverage" to the maximum extent permitted by the ADA.

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108/34 CFR 104.3)

Note: ~~Examples of physical or mental impairments that may constitute disabling conditions under Section 504 if they substantially limit a major life activity may include, but are not limited to, diabetes; communicable diseases such as HIV/AIDS; tuberculosis; attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD); chronic asthma and severe allergies; physical disabilities such as spina bifida or hemophilia; and temporary disabilities depending on the anticipated length of disability, the seriousness of the illness/injury, and the needs of the student (e.g., students injured in accidents or suffering short term illnesses).~~ As added by 81 Fed. Reg. 53203, 28 CFR 35.108 defines "physical and mental impairment" and provides a nonexhaustive list of conditions that qualify as physical and mental impairments, updated to include dyslexia, attention deficit hyperactivity disorder (ADHD), and disorders and conditions affecting the immune and circulatory systems. In the event that these conditions fall within the disabilities categories specified in the Individuals with Disabilities Education Act (IDEA), then the student may need to be considered for services under that law; see BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological; musculoskeletal, special sense organs; respiratory, (including speech organs); cardiovascular; reproductive, digestive, genito-urinary; immune; hemic; and lymphatic; skin; and endocrine. (28 CFR 35.108 34 CFR 104.3)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Mental impairment means any mental or psychological disorder, such as mental retardation, intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (28 CFR 35.108 34 CFR 104.3)

Note: 28 CFR 35.108, as added by 81 Fed. Reg. 53203, requires the term "substantially limits" to be construed broadly. An impairment is a disability if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population. Such comparison usually does not require scientific, medical, or statistical evidence. An impairment need not prevent or significantly or severely restrict the performance of a major life activity in order to qualify as substantially limiting.

28 CFR 35.108 also provides that (1) in determining whether or not an impairment substantially limits a major life activity, the ameliorative effects of mitigating measures, other than ordinary eyeglasses or contact lenses, may not be considered; (2) an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and (3) an impairment that substantially limits one major life activity need not substantially limit other major life activities in order to be considered a substantially limiting impairment.

Additionally, 28 CFR 35.108 expands the definition of "major life activities" to include the operation of specific major bodily functions.

Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. *Major life activities* also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a student's major life activities shall be determined made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. *Mitigating measures* are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but are not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral, or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy, which an individual may use to eliminate or reduce the effects of an impairment. (42 USC 12102; 28 CFR 35.108 34 CFR 104.3)

Referral, Identification, and Evaluation

Note: 34 CFR 104.35 requires the district to conduct an evaluation of any student who needs or is believed to need special education or related services under Section 504. However, the law does not require a specific procedure for referral of a student for the evaluation. Items #1-2 below provide such a procedure and should be modified to reflect district practice.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If ~~it is determined that~~ the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Note: OCR has interpreted Section 504 to require districts to obtain ~~parental~~parent/guardian permission for initial evaluations. Although the law is silent on the form of ~~parental~~parent/guardian consent, it is recommended that the district obtain such consent in writing. The following paragraph should be modified to reflect district practice.

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

Note: 34 CFR 104.35 requires that the district's evaluation and placement procedures include the elements specified in items #a-c below.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multidisciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

Note: While there is no specific requirement that a Section 504 services plan (sometimes called an accommodation plan) be in writing, it is strongly recommended that the district develop a written plan for each student detailing the regular and/or special education and related services that the student will be provided in order to ensure that the student is receiving FAPE in accordance with 34 CFR 104.33.

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a ~~disabled person~~ **with a disability** under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

Note: The law does not specify a time frame for completion of the evaluation and placement process, but OCR requires completion within "a reasonable amount of time." Generally, compliance with the timelines in the IDEA will be considered "reasonable" and thus in compliance with Section 504. However, Section 504 does not provide for an automatic suspension of the timelines during extended breaks or when schools are not in session, as is permitted for the IDEA-associated timelines pursuant to Education Code 56043 and 56321. For timelines under the IDEA, see AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. **The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.**
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5125 - Student Records)

Review and Reevaluation

Note: 34 CFR 104.35 requires a district to establish procedures for the periodic reevaluation of a student who has been identified as needing services under Section 504. A reevaluation procedure consistent with the IDEA is one means of meeting this requirement. The following section should be modified to reflect district practice.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of ~~nondisabled~~ students **without disabilities are met**. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

Note: As part of its responsibilities pursuant to 34 CFR 104.35, the district is required to reevaluate a student's needs before a significant change in his/her placement. Examples of actions that might constitute a "significant change in placement" triggering a reevaluation include, but are not limited to, expulsions;⁵ suspensions that exceed 10 school days within a school year;⁵ or removal from a fully integrated curriculum to a resource room, home instruction, independent study, or continuation school.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

Procedural Safeguards

Note: 34 CFR 104.36 requires districts to adopt a system of procedural safeguards which must include the rights of parents/guardians to receive notice, examine relevant records, have an impartial hearing in which they would have an opportunity to participate and be represented by legal counsel, and a process for review of the hearing and decision as detailed in the following section.

Timelines suggested in this section should be revised to reflect district practice; however, OCR requires that the due process hearing procedures be completed within a "reasonably prompt time frame."

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

Note: 34 CFR 104.36 requires that the district's procedural safeguards for Section 504 include an impartial hearing to resolve disagreements about the provision of FAPE. This Section 504 due process hearing is separate from the due process hearing procedures under the IDEA and from the district's uniform complaint procedures, which are used to resolve complaints regarding discriminatory treatment (e.g., harassment or accessibility issues). See BP/AR 1312.3 - Uniform Complaint Procedures.

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Note: According to OCR, the parent/guardian cannot be required to participate in an administrative review prior to exercising his/her right to a Section 504 due process hearing. Districts with questions should consult legal counsel, as appropriate.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, or if the parent/guardian did not request an administrative review, he/she may request a Section 504 due process hearing.

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which he/she disagrees
 - b. The specific relief he/she seeks
 - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

- c. Question and cross-examine witnesses
- d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

(cf. 5145.6 - Parental Notifications)

(3/09 4/13) 12/16

Center USD

Administrative Regulation

Identification And Education Under Section 504

AR 6164.6
Instruction

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Director of Personnel and Student Services
8408 Watt Avenue, Antelope, CA 95843
(916) 338-6413

Definitions

Free appropriate public education (FAPE) under Section 504 of the Rehabilitation Act of 1973 means the provision of either regular or special education and related aids and services, designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

Eligibility to receive FAPE under Section 504 means a student has a physical or mental impairment which substantially limits one or more major life activities. (34 CFR 104.33)

Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (34 CFR 104.3)

Physical or mental impairment means any of the following: (34 CFR 104.3)

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine
2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If it is determined that the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.
The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such

sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)
5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame.
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5125 - Student Records)

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of nondisabled students. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, he/she may request a Section 504 due process hearing.

Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which he/she disagrees
 - b. The specific relief he/she seeks
 - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

(cf. 5145.6 - Parental Notifications)

CSBA Sample

Board Policy

Instruction

BP 6173(a)

EDUCATION FOR HOMELESS CHILDREN

Note: The following policy reflects the intent of the McKinney-Vento Homeless Assistance Act (42 USC 11431-11435), as amended by the Every Student Succeeds Act (P.L. 114-95), that each homeless student should have equal access to the same free, appropriate public education and services as other students. 42 USC 11432 mandates that districts adopt, review, and revise policies to remove barriers to the identification, enrollment, and retention of homeless children and youth; ensure that homeless students are not segregated or stigmatized on the basis of their status as homeless, and provide for professional development for appropriate staff, as provided in the following policy:

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for them to meet the same challenging academic standards as other students.

(cf. 6011 - Academic Standards)

Note: The following paragraph is mandated pursuant to 42 USC 11432, as amended by P.L. 114-95: 42 USC 11432 requires that districts adopt policy to remove barriers to homeless students' enrollment and retention due to absences or outstanding fees or fines. See the accompanying administrative regulation for additional procedures designed to remove barriers to the identification and enrollment of homeless students.

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. (42 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3260 - Fees and Charges)

(cf. 5113.1 - Chronic Absence and Truancy)

Note: Education Code 52060-52077 require districts to develop a local control and accountability plan (LCAP) which must be aligned to specific state priorities and any additional local priorities, and which must contain annual goals for all students and for each "numerically significant" student subgroup and the specific actions to be taken to achieve each goal; see BP/AR 0460 - Local Control and Accountability Plan. AB 104 (Ch. 13, Statutes of 2015) amended the definition of "numerically significant student subgroups" in Education Code 52052 to include homeless students when there are at least 15 homeless students in the school or district.

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060)

(cf. 0460 - Local Control and Accountability Plan)

EDUCATION FOR HOMELESS CHILDREN (continued)

Note: Pursuant to 42 USC 11432, districts are required to designate an appropriate staff person, who may also be a coordinator for other federal programs, as a district liaison for homeless students. See the accompanying administrative regulation for information about the designation and duties of the district liaison.

The Superintendent or designee shall designate an appropriate staff person to serve as a district liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

Note: The U.S. Department of Education's Non-Regulatory Guidance, Education for Homeless Children and Youths Program, emphasizes that districts should include the identification of homeless students and their unique educational needs in district needs assessments and school improvement plans. The following optional paragraph reflects strategies included in the Guidance for identifying homeless students and may be revised to reflect district practice. Also see the California Department of Education's (CDE) web site for a sample student residency questionnaire and "You Can Enroll in School" poster.

In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration; make referral forms readily available, include the district liaison's contact information on the district and school web sites; provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.

(cf. 1113 - District and School Web Sites)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Although students' addresses generally may be designated as "directory information" that is not harmful if disclosed, P.L. 114-95 amended 42 USC 11432 to provide that information about a homeless student's living situation must instead be provided the protections afforded to other student records under the Family Educational Rights and Privacy Act. For further information about the disclosure of homeless students' records, see the USDOE's Non-Regulatory Guidance, Education for Homeless Children and Youths Program.

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g (42 USC 11432).

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

EDUCATION FOR HOMELESS CHILDREN (continued)

Note: Pursuant to 42 USC 11432, placement determinations for homeless students must be made according to the student's "best interest," as defined in the accompanying administrative regulation.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

(cf. 3550 - Food Service/Child Nutrition Program)
 (cf. 3553 - Free and Reduced Price Meals)
 (cf. 5148.2 - Before/After School Programs)
 (cf. 5148.3 - Preschool/Early Childhood Education)
 (cf. 6159 - Individualized Education Program)
 (cf. 6164.2 - Guidance/Counseling Services)
 (cf. 6171 - Title I Programs)
 (cf. 6172 - Gifted and Talented Student Program)
 (cf. 6174 - Education for English Language Learners)
 (cf. 6177 - Summer Learning Programs)
 (cf. 6178 - Career and Technical Education)
 (cf. 6179 - Supplemental Instruction)

Note: The following paragraph is mandated by 42 USC 11432. mandates that districts adopt policies and practices that ensure that homeless children are not segregated or stigmatized on the basis of their status as homeless. Although this law also prohibits the segregation of homeless students into a separate school or program; however, separate schools that were in operation before the reauthorization in 2001 may continue to operate under specified conditions. Districts that maintain such a school may revise the following paragraph to reflect district practice:

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless students. (42 USC 11432, 11433)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 3553 - Free and Reduced Price Meals)

EDUCATION FOR HOMELESS CHILDREN (continued)

Note: Pursuant to 42 USC 11432, districts receiving assistance through the McKinney-Vento Homeless Assistance Act are required to coordinate services as provided below. Other districts may delete or revise the following paragraph to reflect district practice.

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)

(cf. 1020 - Youth Services)

Note: 42 USC 11432, as amended by P.L. 114-95, mandates that districts adopt policies and practices to ensure participation by district liaisons and other appropriate staff in professional development and other technical assistance activities, as determined appropriate by the federal Office of the Coordinator.

SB 1068 (Ch. 538, Statutes of 2016) requires the CDE to provide specified informational and training materials to district liaisons, including informational materials on the educational rights of homeless children and youth and resources available to assist homeless children and youth. It also requires the CDE to adopt policies and practices to ensure that liaisons participate in professional development and technical assistance programs.

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness. (42 USC 11432)

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 52064.5, as amended by AB 104 (Ch. 13, Statutes of 2015), the State Board of Education is required to have adopted evaluation rubrics by October 1, 2016, for use by districts in evaluating their strengths, weaknesses, and areas that require improvement for the purpose of updating their LCAP.

In addition, pursuant to 20 USC 6311, as amended by P.L. 114-95, annual district report cards for districts receiving Title I funds are required to include disaggregated student achievement data and graduation rates of homeless students.

EDUCATION FOR HOMELESS CHILDREN (continued)

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

(cf. 0500 - Accountability)

(cf. ~~6162.51 - State Academic Achievement Tests~~)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

EDUCATION FOR HOMELESS CHILDREN (continued)

Legal Reference:

EDUCATION CODE

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

48850 Educational rights of homeless and foster youth; participation in extracurricular activities

48852.5 Notice of educational rights of homeless students

48852.7 Enrollment of homeless students

48915.5 Recommended expulsion, homeless student with disabilities

48918.1 Notice of recommended expulsion

51225.1-51225.3 Graduation requirements

52060-52077 Local control and accountability plan

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1087vv Free Application for Federal Student Aid; definitions

1232g Family Educational Rights and Privacy Act

6311 Title I state plan; state and local educational agency report cards

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

12705 Cranston-Gonzalez National Affordable Housing Act; state and local strategies

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION

Homeless Education Dispute Resolution Process, January 30, 2007

NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS

Homeless Liaison Toolkit, 2013

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Dear Colleague Letter, July 27, 2016

Education for Homeless Children and Youths Program, Non-Regulatory Guidance, July 2004 2016

WEB SITES

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Homeless Children and Youth Education:

<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

Center USD

Board Policy

Education For Homeless Children

BP 6173

Instruction

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

(cf. 5111.13 - Residency for Homeless Children)

Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2004

WEB SITES

California Department of Education, Homeless Children and Youth Education:

<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

Policy CENTER UNIFIED SCHOOL DISTRICT

Adopted: September 21, 2005 Antelope, California

CSBA Sample Administrative Regulation

Instruction

AR 6173(a)

EDUCATION FOR HOMELESS CHILDREN

Note: The following administrative regulation is mandated pursuant to 42 USC 11432; see section on "Transportation" below.

Definitions

Note: The federal McKinney-Vento Homeless Assistance Act (42 USC ~~11431-11435-11434a~~) defines "homeless students" as provided below. This law applies to foster youth in certain circumstances (i.e., when they are living in emergency or transitional shelters and when they are awaiting foster care placement) but as amended by P.L. 114-95, the definition of "homeless students" no longer includes youth who are awaiting foster care placement. See BP/AR 6173.1 - Education for Foster Youth for state law regarding foster children.

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48852.7; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; ~~or~~ are abandoned in hospitals; ~~or are awaiting foster care placement~~

(cf. 6173.1 - Education for Foster Youth)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

~~5.~~ *Unaccompanied youth* includes youth who are not in the physical custody of a parent or guardian. (20 USC 11434a)

Note: The following definition of "school of origin" generally reflects Education Code 48852.7, as added by SB 445 (Ch. 289, Statutes of 2015), adds the following definition of "school of origin" which exceeds the definition in 42 USC 11432 and is consistent with the state definition of "school of origin" that applies to foster youth. However, as amended by P.L. 114-95, 42 USC 11432 includes preschools in the definition as provided below.

EDUCATION FOR HOMELESS CHILDREN (continued)

School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled, **including a preschool**. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7; **42 USC 11432**)

Note: Education Code 48850 expresses legislative intent that the "best interest" of a homeless student or foster youth includes educational stability as well as placement in the least restrictive educational program, as provided below. Education Code 48853 further provides that the placement of a foster youth should consider the student's access to academic resources, services, and extracurricular and enrichment activities. For consistency with the definition of "best interest" applicable to foster youth (see AR 6173.1 - Education for Foster Youth), the following definition also reflects Education Code 48853.

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; **42 USC 11432**)

District Liaison

Note: Pursuant to **42 USC 11432**, districts are required to designate an appropriate staff person, who may also be a coordinator for other federal programs, as a district liaison for homeless students. **The district should fill in the blanks below with the title or position, address, and phone number of the district liaison.**

The Superintendent designates the following staff person as the district liaison for homeless students: (**42 USC 11432**)

Family Resource Center Program Coordinator
3401 Scotland Drive
Antelope, CA 95843
(916) 338-6387

EDUCATION FOR HOMELESS CHILDREN (continued)

Note: The duties of the district liaison for homeless students are listed in 42 USC 11432, as amended by P.L. 114-95, and are specified below. In its July 2004 Non-Regulatory Guidance Education for Homeless Children and Youth Program, the U.S. Department of Education (USDOE) gives some specific examples of activities that the liaison could perform in furtherance of these duties, such as assisting homeless children in enrolling in school and accessing school activities; obtaining immunization or medical records; informing parents/guardians, school personnel, and others of the rights of homeless children; working with school staff to make sure that homeless children are immediately enrolled in school pending resolution of disputes; and helping to coordinate transportation services. In addition, the Guidance Also see the U.S. Department of Education's (USDOE) Non-Regulatory Guidance Education for Homeless Children and Youth Program recommends that the district's liaison refer to and the Homeless Liaison Toolkit developed by the National Center for Homeless Education.

The district's liaison for homeless students shall: (Education Code 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel and through outreach and coordinated coordination activities with other entities and agencies

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

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 5141.6 - School Health Services)

2. Ensure that homeless students are enrolled in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that homeless families and students-children and youth have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the district

(cf. 5148.3 - Preschool/Early Childhood Education)

4. Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services

(cf. 5141.6 - School Health Services)

- 4.5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

(cf. 5145.6 - Parental Notifications)

EDUCATION FOR HOMELESS CHILDREN (continued)

5.6. Disseminate notice of the educational rights of homeless students in district schools that provide services to homeless children and at places where they receive services, such as locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, family shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.

6.7. Mediate enrollment disputes in accordance with law, Board policy, and administrative regulation and the section "Resolving Enrollment Disputes" below

7.8. Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice

~~(cf. 3250 - Transportation Fees)~~

(cf. 3541 - Transportation Routes and Services)

Note: P.L. 114-95 amended 42 USC 11432 to add the duties specified in items #9-10 below

9. Ensure that school personnel providing services to homeless students receive professional development and other support

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090

11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students, including the provision of comprehensive data to the state coordinator as required by law

Note: Pursuant to Education Code 48918.1, the district liaison must be notified before the expulsion hearing for a homeless student, when the student's alleged violation does not require a mandatory recommendation for expulsion; see AR 5144.1 - Suspension and Expulsion/Due Process. When so notified, the district liaison is expected to assist the student and, as necessary, advocate on the student's behalf.

EDUCATION FOR HOMELESS CHILDREN (continued)

Furthermore, pursuant to Education Code 48915.5, if the homeless student has also been identified as an individual with a disability and the district has proposed a change of placement due to an act for which decision to recommend expulsion is discretionary, the district liaison must be invited to participate in the individualized education program team meeting that makes a manifestation determination pursuant to the Individuals with Disabilities Education Act (20 USC 1415(k)).

8. In addition, when notified pursuant to Education Code 48918.1, **the district liaison shall** assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion. **9.** When notified pursuant to Education Code 48915.5, **the district liaison shall** participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

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

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

(cf. 6159 - Individualized Education Program)

10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records

Note: 42 USC 11432, as amended by P.L. 114-95, requires that the California Department of Education (CDE) publish a list of district liaisons on its web site. The CDE collects the name and contact information of district liaisons through the consolidated application process, along with information about district compliance with federal program requirements.

The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. He/she shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on the CDE's web site. (42 USC 11432)

Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)

Note: 42 USC 11432, as amended by P.L. 114-95, specifies factors that must be considered in determining a student's best interest, as provided below:

In determining the best interest of the student, the district shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth. (42 USC 11432)

EDUCATION FOR HOMELESS CHILDREN (continued)

Note: The following optional paragraph presents examples of factors that may be considered in making placement decisions based on a student's "best interest," and may be revised to reflect district practice. In its Non-Regulatory Guidance Education for Homeless Children and Youth Program, the USDOE recommends that the placement determination be student-centered and individualized. The Guidance lists the following factors for the district to consider when making a determination of a student's "best interest." The following paragraph is optional and should be revised to include any other factors used by the district in making this determination.

When making a placement decision for a homeless student, the Superintendent or designee may consider Such factors may include, but are not limited to: the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of an unaccompanied youth, the liaison shall assist in placement or enrollment decisions, ~~consider~~ give priority to the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless ~~his/her the student's~~ parent/guardian ~~or the unaccompanied youth~~ requests otherwise. (Education Code 48852.7; 42 USC 11432)

Note: Education Code 48852.7, ~~as added by SB 445 (Ch. 289, Statutes of 2015)~~, and 42 USC 11432 require schools to immediately enroll homeless students as specified below. In its Non-Regulatory Guidance Education for Homeless Children and Youths Program, the USDOE recommends that the district take steps to facilitate immediate enrollment such as accepting school records directly from families, establishing school-based immunization clinics, and training staff on the legal requirements for immediate enrollment. See AR 5111.1 - District Residency.

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she: (Education Code 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

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

2. Does not have clothing normally required by the school, such as school uniforms

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3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and ~~medical records, including, but not limited to, records or other proof of immunization history,~~ **records of immunization and other required health records**

*(cf. 5111 - Admission)**(cf. 5111.1 - District Residency)**(cf. 5125 - Student Records)**(cf. 5141.26 - Tuberculosis Testing)**(cf. 5141.31 - Immunizations)**(cf. 5141.32 - Health Screening for School Entry)*

Note: P.L. 114-95 amended 42 USC 11432 to add the circumstance specified in item #4 below

4. **Has missed application or enrollment deadlines during any period of homelessness**

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other ~~medical required health~~ records, the principal or designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations, ~~screenings~~ or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian ~~or an unaccompanied youth~~, the Superintendent or designee shall provide the parent/guardian ~~or the unaccompanied youth~~ with a written explanation of the decision along with a statement regarding the ~~parent/guardian's~~ right to appeal the placement decision. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; **42 USC 11432**)

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school

EDUCATION FOR HOMELESS CHILDREN (continued)

designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

Note: 42 USC 11432 and Education Code 48852.7 require that homeless students who become permanently housed during the school year be allowed to remain in the school of origin for the remainder of the school year. Education Code 48852.7, as added by SB 445 (Ch. 289, Statutes of 2015), allows homeless students to remain in the school of origin, or matriculate to a feeder school, even if the student is no longer homeless. The district may revise the following list to reflect the grade levels and feeder school patterns in the district.

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if he/she is in grades K-8
2. Through graduation if he/she is in high school

Resolving Enrollment Disputes

Note: In the event that a dispute arises over the district's decision related to student eligibility, school selection, or enrollment, the district must comply with the requirements of 42 USC 11432 and the dispute resolution process established by the CDE. The CDE's process is described in a January 30, 2007 letter to districts, available on the CDE's web site. The CDE's letter does not specify a hearing process or timelines for the district-level dispute resolution process. Thus, the district may revise the following section to reflect district practice, provided that the process is consistent with law.

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of the placement decision any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions. (42 USC 11432)

Note: Pursuant to 42 USC 11432, when a dispute over school selection or enrollment exists between the district and a parent/guardian, the district must provide written explanation of its decision. The following optional paragraph list should be modified to reflect district practice. In its Non-Regulatory Guidance Education for Homeless Children and Youths Program, the USDOE recommends that the written explanation contain the elements specified below. See the accompanying Exhibit for a sample explanation and appeal form.

The written explanation shall include:

EDUCATION FOR HOMELESS CHILDREN (continued)

1. The district liaison's contact information
 2. A description of the district's placement decision
 3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities
 4. Notice of the parent/guardian's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education
1. A description of the action proposed or refused by the district
 2. An explanation of why the action is proposed or refused
 3. A description of any other options the district considered and the reasons that any other options were rejected
 4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
 5. Appropriate timelines to ensure any relevant deadlines are not missed
 6. Contact information for the district liaison and state coordinator, and a brief description of their roles

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

Note: The following optional paragraph is recommended in the USDOE's Non-Regulatory Guidance Education for Homeless Children and Youths Program

The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.

Note: The following optional paragraph is recommended by the CDE in the CDE's January 30, 2007 letter to districts

EDUCATION FOR HOMELESS CHILDREN (continued)

In working with a student's parents/guardians **or unaccompanied youth** to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

If a parent/guardian **or unaccompanied youth** disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

Note: In its January 30, 2007 letter to districts, the CDE describes the process for appealing a district's enrollment decision to the county office of education and the CDE. Upon receipt of materials describing the dispute from the district, the county office liaison will determine the school selection or enrollment decision within five working days. If the dispute remains unresolved or is appealed, the county office liaison will forward the documentation to the state homeless coordinator who will notify the parent/guardian of the final school selection or enrollment decision within five working days.

~~The CDE's letter does not specify a timeline for the district liaison to make a determination of the enrollment decision, nor does it specify a hearing process at the district level. The following optional paragraph should be revised to reflect district practice:~~

If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Note: 42 USC 11432, as amended by P.L. 114-95, provides that during any dispute over a student's enrollment, the student must be allowed to be enrolled in the school during the period of all appeals. 42 USC 11434a defines "enrollment" as including attendance in classes and participation in school activities.

Pending **final** resolution of the dispute, **including all available appeals**, the student shall be immediately **admitted to enrolled in** the school in which enrollment is sought **pending resolution of the dispute, and shall be allowed to attend classes and participate fully in school activities.** (42 USC 11432, 11434a)

EDUCATION FOR HOMELESS CHILDREN (continued)

Transportation

Note: 42 USC 11432 mandates that districts adopt policies and practices to ensure that transportation is provided to homeless students, at the request of their parent/guardian or of the district liaison in the case of an unaccompanied youth, to and from their school of origin as specified below.

In its Non-Regulatory Guidance Education for Homeless Children and Youths Program, the USDOE states that the law imposes an affirmative obligation to transport homeless students, even if transportation is not provided to other students. The Guidance clarifies that, because the State of California receives funds under McKinney-Vento, all districts in California are subject to this requirement.

Federal law does not address the authorization provided by Education Code 39807.5 for the district to charge for the cost of home-to-school transportation. However, it is likely that most homeless students would be identified as indigent and would therefore be exempt from transportation costs. See AR 3250 - Transportation Fees.

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian, or the district liaison in the case of an unaccompanied youth requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

Note: Education Code 48852.7, as added by SB 445 (Ch. 289, Statutes of 2015), requires that the district provide transportation to a formerly homeless student with an individualized education program that provides for transportation as a related service. Education Code 48852.7 does not supersede or exceed other laws governing special education services for eligible homeless students.

The following paragraph may be revised if the district chooses to provide transportation to other formerly homeless students attending their school of origin.

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (Education Code 48852.7)

Transfer of Coursework and Credits

Note: The following section is for use by districts maintaining high schools.

EDUCATION FOR HOMELESS CHILDREN (continued)

When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course. (Education Code 51225.2)

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Note: Although Education Code 51225.2 requires districts to award partial credits to homeless students who transfer from school to school, there is no uniform system for calculating and awarding partial credits. A recommendation for how to award partial credit is available in the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and should be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

Applicability of Graduation Requirements

Note: The following section is for use by districts maintaining high schools. Also see BP 6146.1 - High School Graduation Requirements.

Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), provides that the administration of the California High School Exit Examination and the requirement that each student completing grade 12 successfully pass the exam as a condition of receiving a diploma or a condition of graduation from high school are suspended for the 2015-16, 2016-17, and 2017-18 school years.

EDUCATION FOR HOMELESS CHILDREN (continued)

To obtain a high school diploma, a homeless student shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

Note: Pursuant to Education Code 51225.1, homeless students who transfer after the second year of high school are exempted from locally established high school graduation requirements in the same manner as foster youth who transfer in the same grades. The district is required to notify the homeless student, the person holding rights to make educational decisions for the student, and the district liaison of the availability of this exemption and whether the student qualifies for it. As amended by AB 1166 (Ch. 171, Statutes of 2015), Education Code 51225.1 provides that, if the district fails to provide this notification, a student who qualifies for the exemption will be eligible for the exemption once he/she is notified, even if that notification is received after the student is no longer homeless.

However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless. (Education Code 51225.1)

To determine whether a homeless student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student. (Education Code 51225.1)

EDUCATION FOR HOMELESS CHILDREN (continued)

If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the homeless student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

Note: The following paragraph is required pursuant to Education Code 48850. See BP 6145 - Extracurricular and Cocurricular Activities for additional eligibility requirements.

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Note: Education Code 51225.1 and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015), require that specified educational rights of homeless students be included in the annual uniform complaint procedures notification distributed pursuant to 5 CCR 4622.

Information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

EDUCATION FOR HOMELESS CHILDREN (continued)

Note: ~~AB 379 (Ch. 772, Statutes of 2015) amended~~ Education Code 51225.1 and 51225.2 ^{to} provide that complaints of noncompliance with specified requirements related to the educational rights of homeless students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(12/14 12/15) 10/16

Center USD

Administrative Regulation

Education For Homeless Children

AR 6173
Instruction

Definitions

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement

(cf. 6173.1 - Education for Foster Youth)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above
5. Unaccompanied youth who are not in the physical custody of a parent or guardian

School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

Best interest means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

Family Resource Center Program Coordinator

3401 Scotland Drive
Antelope, CA 95843
(916) 338-6387

The district's liaison for homeless students shall: (Education Code 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel and through coordinated activities with other entities and agencies

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

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 5141.6 - School Health Services)

2. Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that homeless families and students receive educational services for which they are eligible
4. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

(cf. 5145.6 - Parental Notifications)

5. Disseminate notice of the educational rights of homeless students in district schools that provide services to homeless children and at places where they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens)
6. Mediate enrollment disputes in accordance with law, Board policy, and administrative regulation
7. Fully inform parents/guardians of all transportation services

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

8. When notified pursuant to Education Code 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion

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

9. When notified pursuant to Education Code 48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability

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

10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records

Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness or, if the student moves into permanent housing, until the end of any academic year in which he/she moves into permanent housing. (42 USC 11432)

In the case of an unaccompanied youth, the liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

When making a placement decision for a homeless student, the Superintendent or designee may consider the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.31 - Immunizations)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations or records for the student. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian, the Superintendent or designee shall provide the parent/guardian

with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

Resolving Enrollment Disputes

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute. (42 USC 11432)

The parent/guardian shall be provided with a written explanation of the placement decision, which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand. The written explanation shall include:

1. The district liaison's contact information
2. A description of the district's placement decision
3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities
4. Notice of the parent/guardian's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education

The district liaison shall work to resolve an enrollment dispute as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

In working with a student's parents/guardians to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

If a parent/guardian disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Transfer of Coursework and Credits

When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course. (Education Code 51225.2)

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

Exemption from District Graduation Requirements

To obtain a high school diploma, a homeless student shall pass the high school exit examination in English language arts and mathematics, complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirement prescribed by the Governing Board.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. (Education Code 51225.1)

To determine whether a homeless student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or by the district liaison on behalf of the student. (Education Code 51225.1)

If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the homeless student or, the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Regulation
approved: October 21, 2015

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Exhibit

Instruction

E(1) 6173(a)

EDUCATION FOR HOMELESS CHILDREN

DISTRICT EXPLANATION OF ENROLLMENT DECISION RELATED TO ELIGIBILITY, SCHOOL SELECTION, OR ENROLLMENT

Note: The following form should be revised to reflect district practice. In its Non-Regulatory Guidance Education for Homeless Children and Youths Program, issued July 2004, the U.S. Department of Education recommends that the written statement of any decision regarding a homeless student's eligibility, school selection, or enrollment include the elements specified below. See the accompanying administrative regulation.

Instructions: The following form is to be used when the district has denied a parent/guardian's the enrollment request provides notice and explanation to a student's parent/guardian or an unaccompanied youth regarding the district's decision related to student eligibility, school selection, or enrollment.

Date: _____ Name of person completing form: _____
Title: _____ Phone number: _____

In accordance with the federal law McKinney-Vento Homeless Assistance Act (42 USC 11432-11435), this notification is being provided to either:

Name _____ of _____ parent(s)/guardian(s):

Name of unaccompanied student(s): _____

Name of school requested: _____

District's placement decision (name of school): _____

Action(s) proposed/refused by the district related to eligibility, school selection, or enrollment:

After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied.

This The district's determination regarding eligibility, school selection, or enrollment was based upon the following evidence and for the following reasons:

EDUCATION FOR HOMELESS CHILDREN (continued)

Other options that the district considered, if any, included the following options which were rejected for the following reasons:

Factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources, if any:

You have the right to appeal this decision to the district Superintendent. To do so, contact the district's homeless liaison listed below within the next ____ (insert number of days) days to request a Dispute Form. You may provide written or verbal documentation to support your position, and may also seek the assistance of social services, advocates, and/or service providers in the dispute process. The Superintendent or designee will review all the evidence and will notify you of his/her decision within ____ (insert number of days) days.

If you are not satisfied with the Superintendent's decision, you may appeal to the ____ (insert county name) County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The district's homeless liaison can assist you with this appeal.

CONTACT INFORMATION:

District Liaison: The district liaison is one of the primary contacts between homeless families and school or district staff. He/she is responsible for coordinating services to ensure that homeless students enroll in school and have the opportunity to succeed academically, and mediates enrollment disputes as needed.

Name of district's homeless liaison: _____

Address: _____

Phone number: _____

EDUCATION FOR HOMELESS CHILDREN (continued)

County Liaison: If you appeal the district's decision to the county office of education, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office. The county liaison will review the materials and determine the eligibility, school selection, or enrollment decision within five working days of receiving the materials. He/she will notify you of the decision.

Name of County Office of Education homeless liaison: _____

Address: _____

Phone number: _____

State Coordinator: If you appeal the county office's decision to the California Department of Education, the county homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator. The state coordinator will review the district, county office, and parent/guardian information and will notify you of the decision within ten working days of receiving the materials.

Name of state homeless coordinator: _____

Address: _____

Phone number: _____

RIGHTS:

You also have the following rights:

Pending the final resolution of this dispute, including the period of all appeals, your child the student has the right to immediately enroll in the school you requested and to participate fully in school activities at that school.

- You may provide written or verbal documentation to support your position. You may use the district's dispute resolution form. A copy of the dispute resolution form can be obtained from the district's liaison for homeless students.
- You may seek the assistance of advocates or attorneys to help you with this appeal.

(7/05) 10/16

CSBA Sample Exhibit

Instruction

E(2) 6173

EDUCATION FOR HOMELESS CHILDREN

ENROLLMENT DISPUTE FORM

Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the district's liaison for homeless students.

Date submitted: _____

Name of person completing form: _____

Student's name: _____

Name of person completing form: _____

Relation to student: _____

I may be contacted at the following: _____

Address: _____

Phone number: _____

Name of school requested: _____

I wish to appeal the **eligibility, school selection, or** enrollment decision made by:

☐ District liaison ☐ **District** Superintendent ☐ County **office of education** liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

I have been provided with:

- ☐ A written explanation of the district's decision
- ☐ Contact information for the district's homeless liaison
- ☐ Contact information for the county office of education's homeless liaison
- ☐ **Contact information for the state homeless coordinator**

(7/05) 10/16

Policy Reference UPDATE Service

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Center USD

Exhibit

Education For Homeless Children

E 6173

Instruction

DISTRICT EXPLANATION OF ENROLLMENT DECISION

Instructions: The following form is to be used when the district has denied a parent/guardian's enrollment request.

Date: _____ Name of person completing form: _____
Title: _____ Phone number: _____

In accordance with federal law (42 USC 11432), this notification is being provided to:
Name of parent/guardian: _____
Name of student(s): _____

Name of school requested: _____
District's placement decision (name of school): _____

After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied. This determination was based upon:

You have the right to appeal this decision to the district Superintendent. If you are not satisfied with the Superintendent's decision, you may appeal to the _____ (county name) _____ County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The district's homeless liaison can assist you with this appeal.

Name of district's homeless liaison: _____
Address: _____
Phone number: _____

Name of County Office of Education homeless liaison: _____
Address: _____
Phone number: _____

You also have the following rights:

* Pending resolution of this dispute, your child has the right to immediately enroll in the school you requested and to participate in school activities at that school.

* You may provide written or verbal documentation to support your position. You may use the district's dispute resolution form. A copy of the dispute resolution form can be obtained from the district's liaison for homeless students.

* You may seek the assistance of advocates or attorneys to help you with this appeal.

EDUCATION FOR HOMELESS CHILDREN

ENROLLMENT DISPUTE FORM

Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the district's liaison for homeless students.

Date submitted: _____

Name of person completing form: _____

Student's name: _____

Relation to student: _____

I may be contacted at the following:

Address: _____

Phone number: _____

Name of school requested: _____

I wish to appeal the enrollment decision made by:

___ District liaison ___ Superintendent ___ County liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

I have been provided with:

- ___ A written explanation of the district's decision
- ___ Contact information for the district's homeless liaison
- ___ Contact information for the county office of education's homeless liaison

ExhibitCENTER UNIFIED SCHOOL DISTRICT
Version: September 21, 2005Antelope, California

CSBA Sample Administrative Regulation

Add

Instruction

AR 6173.3(a)

EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS

Note: The following administrative regulation is for use by districts that maintain secondary schools. Juvenile court schools are operated by county offices of education pursuant to Education Code 48645-48646 and serve students who are under the protection or authority of the county juvenile justice system. Pursuant to Education Code 48645.2, such schools may be administered either by the County Superintendent of Schools or by the board of the district in which the juvenile court school is located, through a contract between the County Board of Education and the district's governing board.

Education Code 51225.1 and 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), establish educational rights of former juvenile court school students who transition into a district school. These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions.

The following optional paragraph reflects the intent expressed in Education Code 48647 to encourage collaboration between the district and county agencies to ensure effective communication, enrollment, and placement practices.

The Superintendent or designee shall collaborate with the County Superintendent of Schools and the county probation department to facilitate the transition of students from a juvenile court school into the regular schools of the district. Such collaboration may include, but not be limited to, the development of data-sharing systems, communication strategies, and other structures that aid in the enrollment, placement, and continuous educational progress of such students.

Enrollment

Note: Education Code 48645.5 requires the immediate enrollment of a student who has had contact with the juvenile justice system. Pursuant to Education Code 48645.5 and 48853.5, such a student must be enrolled even if he/she (1) has outstanding fees, fines, textbooks, or other items or monies due to the previous school; (2) does not have clothing normally required by the school, such as school uniforms; or (3) is unable to produce records normally required for enrollment.

A former juvenile court school student transferring into a regular district school shall be immediately enrolled in the school. The Superintendent or designee shall not deny enrollment to a student solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

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

EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)

(cf. 5132 - Dress and Grooming)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.31 - Immunizations)

Transfer of Coursework and Credits

When a student transfers from a juvenile court school into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed at that school and shall not require the student to retake the course. If the student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course completed. (Education Code 48645.5, 51225.2)

However, a student may be required to retake the portion of the course completed if the Superintendent or designee, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a former juvenile court school student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Note: The following paragraph should be revised to reflect district practice, consistent with district policy related to partial credit awarded to homeless students and foster youth. Although Education Code 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), requires districts to award partial credits to former juvenile court school students who transfer from school to school, there is no uniform system for calculating and awarding partial credits. The following paragraph reflects a recommendation in the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and is consistent with the approach provided in AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.

In no event shall the district prevent a former juvenile court school student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

Graduation

If a student completes district graduation requirements while being detained in a juvenile facility, the district shall issue the student a diploma from the school the student last attended, unless the County Superintendent issues the diploma. (Education Code 48645.5)

EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)

(cf. 6146.1 - High School Graduation Requirements)

Note: The remainder of this section addresses the completion of graduation requirements by students who transfer from a juvenile court school to a district school after completing two years of high school. Education Code 51225.1, as amended by AB 2306 (Ch. 464, Statutes of 2016), exempts such students from district-established graduation requirements under certain conditions.

A student who transfers to a district school from a juvenile court school shall generally be expected to complete all courses required by Education Code 51225.3 and to fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a student who has completed his/her second year of high school transfers from a juvenile court school into a district school, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the student's social worker or probation officer of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the termination of the court's jurisdiction over the student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any former juvenile court school student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a former juvenile court school student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a student, the person holding the right to make educational decisions for the student, or the student's social worker or probation officer. (Education Code 51225.1)

EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)

If a student is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a former juvenile court school student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if the student is under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Notification and Complaints

Information regarding the educational rights of former juvenile court school students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Note: Education Code 51225.1 and 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), provide that complaints of noncompliance with specified requirements related to the educational rights of former juvenile court school students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the California Department of Education (CDE) and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint that the district has not complied with requirements regarding the education of former juvenile court school students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference: (see next page)

EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)

Legal Reference:

EDUCATION CODE

48645-48648 Juvenile court schools

48853.5 Immediate enrollment

51225.1 Exemption from district graduation requirements

51225.2 Former juvenile court school student defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

60851.5 Suspension of high school exit examination

WELFARE AND INSTITUTIONS CODE

602 Minors violating law; ward of court

880-893 Wards and dependent children; juvenile homes, ranches and camps

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

YOUTH LAW CENTER PUBLICATIONS

Educational Injustice: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools, 2016

WEB SITES

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

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CAChildWelfareCouncil.aspx>

California Department of Education, Juvenile Court Schools: <http://www.cde.ca.gov/sp/eo/jc>

Youth Law Center: <http://www.ylc.org>

CSBA Sample

Board Policy

Instruction

BP 6174(a)

EDUCATION FOR ENGLISH ~~LANGUAGE~~ LEARNERS

Note: The following policy may be revised to reflect district practice. State and federal law establish requirements for the identification, placement, and education of English learners.

Proposition 58 (November 2016) amended Education Code 305-310 to authorize parents/guardians to select a language acquisition program that best suits their child and repealed Education Code 311 thereby eliminating the requirement that parents/guardians request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. See the section on "Language Acquisition Programs" below.

In addition, 20 USC 6801-6871-7014 (Title III, Part A) provide grant funds that may be used to supplement, but not supplant, funding from other sources for the purpose of ensuring that English learners attain English proficiency and meet the same challenging academic standards that are applicable to all students. During the Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will expect to see evidence that the district has complied with state and federal requirements. See the CDE web site for FPM compliance monitoring instruments.

Contingent upon voter approval in the November 2016 statewide general election, SB 1174 (Ch. 753, Statutes of 2014) would amend and repeal various statutes effective July 1, 2017. If approved, the changes will include authorization for parents/guardians to select a language acquisition program that best suits their child and a requirement for districts to solicit input on language acquisition programs as part of the parent/guardian and community engagement process required for development of the local control and accountability plan (LCAP) (see BP 0460 - Local Control and Accountability Plan).

The Governing Board intends to provide English learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible while facilitating student achievement in the district's regular course of study.

Note: Pursuant to Education Code 42238.02 and 42238.03, the local control funding formula (LCFF) provides additional funding based on the number and concentration of unduplicated counts of students who are English learners, foster youth, and/or eligible for free or reduced-price meals. Such funds must be used to increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number or concentration of unduplicated students; see BP 3100 - Budget.

In addition, Education Code 52060 requires the district's local control and accountability plan (LCAP) to include annual goals and specific actions, aligned to state and local priorities, for all students and for each "numerically significant" student subgroup as defined in Education Code 52052, including English learners; see BP/AR 0460 - Local Control and Accountability Plan.

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. Education Code 305, as amended by Proposition 58 (November 2016), requires the district to solicit input on language acquisition programs as part of the parent and community engagement process during the development of the LCAP; see section on "Language Acquisition Programs" below. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, ~~implementation~~ and evaluation of ~~English language development~~ programs ~~for English learners~~.

(cf. 0420 - School Plans/Site Councils)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 6020 - Parent Involvement)

Note: Pursuant to Education Code 60811, in November 2012 the State Board of Education (SBE) adopted state academic content standards for English language development (ELD), aligned with the California Common Core State Standards for English language arts, for students whose primary language is a language other than English. In July 2014, the SBE adopted the English Language Arts/English Language Development Framework aligned to those standards. Education Code 60811 and 60811.4 require the Superintendent of Public Instruction to recommend updated English language development standards that are also aligned with state standards for mathematics and science, and require the SBE to either adopt or reject those recommended standards by August 1, 2015. A supplementary resource, Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, specifies the correspondence between the state ELD standards and the California Common Core State Standards for mathematics and the Next Generation Science Standards.

Education Code 60211 authorizes the SBE to adopt, no later than November 30, 2015, K-8 instructional materials aligned to the state English language development standards. To bridge the gap until such materials are available, the SBE has approved a list of K-8 supplementary instructional materials which is available on the CDE's web site; this list is informational only.

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)
 (cf. 6141 - Curriculum Development and Evaluation)
 (cf. 6161.1 - Selection and Evaluation of Instructional Materials)
 (cf. 6161.11 - Supplementary Instructional Materials)
 (cf. 6171 - Title I Programs)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Note: Commission on Teacher Credentialing (CTC) leaflet CL-622, Serving English Learners, describes requirements pertaining to the qualifications of teachers of English learners. A teacher who is assigned to provide English language development, specially designed academic instruction in English, and/or primary language instruction to English learners must hold an appropriate authorization from the CTC; see AR 4112.22 - Staff Teaching English Language Learners.

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Language Learners)

Note: The following optional paragraph reflects professional development required under 20 USC 6825 for districts receiving federal Title III funds and may be revised or deleted by other districts to reflect district practice. 20 USC 6825 specifies that the professional development described below must be of sufficient intensity and duration to have a positive and lasting impact on teacher performance (i.e., it must go beyond one-day or short-term workshops and conferences). The following paragraph is for use by districts that receive federal Title III funds to improve the education of English learners. 20 USC 6825 lists the required uses of such funds, including the provision of professional development of sufficient intensity and duration to have a positive and lasting impact on teachers' performance in the classroom. Pursuant to 20 USC 6825, such professional development must not include one-day or short-term workshops and conferences. Districts that do not receive Title III funds may delete or adapt the following paragraph to reflect district practice.

The Superintendent or designee district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel staff research-based professional development that is designed to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. If district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. In addition, To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

(cf. 0420 - School Plans/Site Councils)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 6020 - Parent Involvement)

Identification and Assessment

Note: Education Code 313 requires any district that has one or more students who are English learners to assess the English language proficiency of those students using a state assessment designated by the SBE. The state is transitioning from the California English Language Development Test (CELDT) is the state test designated for this purpose. However, in the 2016-17 school year the state will field test a new language proficiency assessment, to the English Language Proficiency Assessments for California (ELPAC), which is aligned with the 2012 state standards for English language development-ELD. The ELPAC will include both an initial screening test to identify students who may be English learners and a summative assessment, operational in spring 2018, for determining which will be used to determine English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English. The ELPAC's initial screening test for identifying students who may be English learners will be operational July 1, 2018. The CDE also provides a home language survey to be used to identify students who should be tested for English proficiency. See the accompanying administrative regulation for further information about test administration and identification and reclassification criteria.

The Superintendent or designee shall maintain procedures for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

Note: In addition to testing the level of English proficiency of English learners, districts are required pursuant to Education Code 60640 to administer the California Assessment of Student Performance and Progress to English learners; see BP/AR 6162.51 - State Academic Achievement Tests. As needed, English learners may be provided with the testing resources (i.e., universal tools, designated supports, and accommodations) specified in 5 CCR 853.5 and 853.7, as amended by Register 2014, No. 35, during test administration.

Education Code 60640, as amended by SB 858 (Ch. 32, Statutes of 2014), also authorizes districts to administer a primary language assessment to students English learners in grades 2-11 for the purpose of assessing students' competency in reading, writing, and listening in their primary language. The Standards-Based Test in Spanish may be used for this purpose until a test is available that is aligned with the most recent state ELD-English language development standards. The SBE is required to adopt such an assessment to be used no later than the 2016-17 school year. The new California Spanish Assessment is expected to be operational in the 2018-19 school year.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with allowable testing variations in accordance with 5 CCR 853.5 and 853.7. English learners

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6152.51 - State Academic Achievement Tests)

Placement of English Learners Language Acquisition Programs

Note: Education Code 300-340, added by Proposition 227 (June 1998), require that English learners who have not yet attained a reasonable level of English proficiency be educated through a program of "structured English immersion," as defined in law and the accompanying administrative regulation, with the goal that students learn English as rapidly and effectively as possible. In *McLaughlin v. State Board of Education*, the court held that the SBE may not grant waivers related to Education Code 300-340 pursuant to its waiver authority in Education Code 33050. Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians to select a language acquisition program that best suits their child. At a minimum, the district must offer a structured English immersion program. It also may offer a dual-language immersion program, transitional and developmental program for English learners, or other language acquisition program as defined in Education Code 306; see the accompanying administrative regulation. The following section may be revised to reflect programs offered by the district.

Pursuant to Education Code 310, as amended, when the parents/guardians of 30 or more students at a school or 20 or more students in any grade level at the school request a particular language acquisition program, the district shall offer that program at the school site to the extent possible.

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

Language acquisition programs are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language. (Education Code 306)

Students who are English learners shall be educated through "structured English immersion" (also known as "sheltered English immersion"), as defined in law and the accompanying administrative regulation, for a temporary transition period not normally intended to exceed one year.

The district shall offer English learners a structured English immersion program to ensure that English learners have access to the core academic content standards,

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

including the English language development standards, and become proficient in English. In the structured English immersion program, nearly all of the classroom instruction in the district's structured English immersion program shall be provided in English, but with the curriculum and presentation designed for students who are learning the language English. (Education Code 305-306)

Note: The following optional paragraph may be revised to reflect district practice. The Education Code does not define the term "nearly all" for purposes of ensuring that nearly all instruction in the structured English immersion program is provided in English pursuant to Education Code 306, and the SBE has declared that it is the responsibility of districts to determine the appropriate ratio of English to native language instruction. The following paragraph defines "nearly all" as to provide that all classroom instruction be conducted in English except for clarification, explanation, and support as needed. The district could instead establish a minimum percentage of classroom instructional time to be conducted in English or specify the types of courses to be conducted in English and the courses (e.g., science, algebra) to be taught in the student's primary language. The following paragraph may be revised to reflect the district's definition of "nearly all."

"Nearly all," for the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

Note: Items #1-2 below are optional and may be revised to reflect district practice.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. The district may offer a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

(cf. 6142.2 - World/Foreign Language Instruction)

2. The district may offer a transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards.

Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program

EDUCATION FOR ENGLISH ~~LANGUAGE~~ LEARNERS (continued)

requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310)

Note: The following paragraph is for use by districts that maintain any of grades K-3. Education Code 310, as amended by Proposition 58 (November 2016), requires that language acquisition programs in grades K-3 comply with class size requirements specified in Education Code 42238.02. For further information, see BP 6151 - Class Size

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

Note: Education Code 310, as amended by Proposition 58 (November 2016), requires any district that implements a language acquisition program to distribute the following notification when a student enrolls in school or as part of the annual notification issued pursuant to Education Code 48980.

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

Note: As amended by Proposition 58 (November 2016), Education Code 305 no longer specifies that enrollment in a structured English immersion program is "not normally intended to exceed one year," nor does it address a timeline for students to be transferred from any other language acquisition program into an English language mainstream classroom. However, an English learner may transfer to an English language mainstream classroom when he/she has developed the English language skills necessary to succeed in an English-only classroom and, based on criteria established pursuant to Education Code 313 and 52164.6, is reclassified as fluent English proficient. See the accompanying administrative regulation. Furthermore, pursuant to 20 USC 6312, 34 CFR 100.3, and 5 CCR 11301, parents/guardians have a right to decline or opt their child out of a language acquisition program.

When an English learner is determined pursuant to state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Note: Pursuant to Education Code 305-306 and 5 CCR 11301, when a student has acquired a reasonable level of English proficiency, as measured by state or local assessment instruments, he/she shall be removed from the structured English immersion classroom and placed in an English mainstream classroom in which the language of instruction is overwhelmingly in English. The term "overwhelmingly" is not defined in the Education Code nor in the state regulations.

The definition of "reasonable level of proficiency" is one that must be made at the local level. The following paragraph should be revised to specify the types of assessment instruments and scores and/or other local tools (e.g., student portfolios or grades) which will be used to determine whether a student has achieved a reasonable level of English proficiency for purposes of qualifying for transfer to an English mainstream classroom. The district should fill in the blanks below with its definition of "reasonable level of proficiency."

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)

(cf. 6162.5 Student Assessment)

An English learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

Note: 5 CCR 11301 allows a parent/guardian to have his/her child moved into an English language mainstream classroom at any time during the school year. According to the CDE, the parent/guardian only needs to request this placement; he/she does not need to go through the waiver process described below in the section entitled "Parental Exception Waivers."

Education Code 320 grants parents/guardians legal standing to sue Governing Board members, teachers, or administrators if their child has been "willfully and repeatedly" denied the option of an English language mainstream classroom. The constitutionality of this section was upheld by the Ninth Circuit Court of Appeals in California Teachers Association v. the State Board of Education. Therefore, districts should ensure that requests from parents/guardians to place their child in an English language mainstream classroom are granted immediately.

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)**Parental Exception Waivers****[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]****Program Evaluation**

Note: The following section may be revised to reflect indicators agreed upon by the Board and Superintendent or designee for measuring the effectiveness of the district's educational program for English learners.

Education Code 52061 requires that the annual update of the LCAP include a review of progress toward the goals included in the LCAP, an assessment of the effectiveness of the specific actions described in the LCAP toward achieving the goals, and a description of changes the district will make as a result of this review and assessment.

Pursuant to Education Code 313.2, the CDE is required to annually determine the number of students in each district and school who are, or at risk of becoming, long-term English learners and to report that information to districts and schools. Definitions of "long-term English learner" and "English learner at risk of becoming a long-term English learner" are contained in Education Code 313.1.

The federal Every Student Succeeds Act (ESSA) (P.L. 114-95) repealed 20 USC 6842, thereby eliminating the requirement that districts receiving federal Title III funding (20 USC 6841-6849) reach "annual measurable achievement objectives," including annual increases in the number or percentage of English learners making progress in English proficiency. Instead, 20 USC 6311, as amended by the ESSA, requires the inclusion of a performance indicator on English language proficiency within the state accountability system under Title I.

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the district's LCAP
6. A comparison of current data with data from at least the previous year

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference:**EDUCATION CODE**

300-340 English language education, especially:

305-310 Language acquisition programs

313-313.5 Assessment of English proficiency

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

42238.02-42238.03 Local control funding formula

44253.1-44253.11 Qualifications for teaching English learners

48980 Parental notifications

48985 Notices to parents in language other than English

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52130-52135 Impacted Languages Act of 1984

52160-52178 Bilingual Bicultural Act

56305 CDE manual on English learners with disabilities

60200.7 Suspension of state instructional materials adoptions

60603 Definition, recently arrived English learner

60605.87 Supplemental instructional materials, English language development

60640 California Assessment of Student Performance and Progress

60810-60812 Assessment of language development

62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

853.5-853.7 Test administration; universal tools, designated supports, and accommodations

11300-11316 English learner education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility

1701-1705 Equal Educational Opportunities Act

6311 Title I state plan

6312 Title I local education agency plans

6801-6871-7014 Title III, language instruction for limited English proficient English learners and immigrant students

7012 Parental notification

7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited

200.16 Assessment of English learners

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

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English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2014

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2014

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

California English Language Development Test (CELDT), 2013-14 CELDT Information Guide, 2013

Common Core State Standards for Mathematics, rev. 2013

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

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

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EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board intends to provide English learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible while facilitating student achievement in the district's regular course of study.

The district shall identify in its local control and accountability plan (LCAP) specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Language Learners)

The Superintendent or designee shall provide to teachers, administrators, and other school staff research-based professional development that is designed to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. (20 USC 6825)

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. In addition, to support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Identification and Assessment

The Superintendent or designee shall maintain procedures which provide for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with allowable testing variations in accordance with 5 CCR 853.5 and 853.7. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6152.51 - State Academic Achievement Tests)

Placement of English Learners

Students who are English learners shall be educated through "structured English immersion" (also known as "sheltered English immersion"), as defined in law and the accompanying administrative regulation, for a temporary transition period not normally intended to exceed one year. Nearly all of the classroom instruction in the district's structured English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305-306)

"Nearly all," for the purpose of determining the amount of instruction to be conducted in English, means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)

(cf. 6162.5 - Student Assessment)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

An English learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

- Achieves a score of Early Intermediate or higher on CELDT.
- Is passing through and exiting the Emerging Proficiency level on the ELD continuum of the CCSS-EL standards.

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)

Parental Exception Waivers

When allowed by law, the parent/guardian of an English learner may submit a request that his/her child be exempted from placement in a structured English immersion program and instead be placed in a class where he/she is taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. (Education Code 310-311)

Each waiver request shall be considered on its individual merits with deference given to the parent/guardian's preference for student placement.

A waiver request shall be granted in accordance with law unless the principal and educational staff have determined that an alternative program would not be better suited to the student's overall educational development. (5 CCR 11309)

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the district's LCAP
6. A comparison of current data with data from at least the previous year.

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference:

EDUCATION CODE

300-340 *English language education*

430-446 *English Learner and Immigrant Pupil Federal Conformity Act*

33050 *State Board of Education waiver authority*

42238.02-42238.03 *Local control funding formula*

44253.1-44253.11 *Qualifications for teaching English learners*

48985 *Notices to parents in language other than English*

52052 *Academic Performance Index; numerically significant student subgroups*

52060-52077 *Local control and accountability plan*

52130-52135 *Impacted Languages Act of 1984*

52160-52178 *Bilingual Bicultural Act*

60200.7 *Suspension of state instructional materials adoptions*

60605.87 *Supplemental instructional materials, English language development*

60640 *California Assessment of Student Performance and Progress*

60810-60812 *Assessment of language development*

62005.5 *Continuation of advisory committee after program sunsets*

CODE OF REGULATIONS, TITLE 5

853.5-853.7 *Test administration; universal tools, designated supports, and accommodations*

11300-11316 *English learner education*

11510-11517 *California English Language Development Test*

UNITED STATES CODE, TITLE 20

1701-1705 *Equal Educational Opportunities Act*

6312 *Local education agency plans*

6801-6871 *Title III, Language instruction for limited English proficient and immigrant students*

7012 *Parental notification*

Legal Reference continued: (see next page)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Legal Reference continued:

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

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83 Ops. Cal. Atty. Gen. 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

California English Language Development Test (CELDT): 2013-14 CELDT Information Guide, 2013

English Language Arts/English Language Development Framework for California Public Schools:

Transitional Kindergarten Through Grade Twelve, 2014

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEB SITES

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

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

CSBA Sample

Administrative Regulation

Instruction

AR 6174(a)

EDUCATION FOR ENGLISH ~~LANGUAGE~~ LEARNERS

Definitions

Note: The following section reflects definitions in Education Code 306, as amended by Proposition 58 (November 2016).

~~English learner, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Native speaker of English means a student who has learned and used English in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Structured English immersion (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessments

Note: Education Code 52164.1 and 5 CCR 11307 and 11511 require the district to administer a home language survey to all enrolled students. A sample home language survey form in English and Spanish is available on the California Department of Education's (CDE) web site, and, for students who are determined by the survey to have a primary language other than English, to follow up with administration of a state assessment of English proficiency. The California English Language Development Test (CELDT) is the state test designated for this purpose. However, in the 2016-17 school year the state will field test a new language proficiency assessment, English Language Proficiency Assessments for California (ELPAC), which is aligned with the 2012 state standards for English language development. The ELPAC will include both an initial screening test to identify students who may be English learners and a summative assessment which will be used to determine English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English.

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Note: When the home language survey indicates that a student's proficiency in English should be tested, Education Code 313 requires the district to administer a state assessment of English language proficiency. When fully operational in 2018, the English Language Proficiency Assessments for California (ELPAC) will be used for initial identification of language proficiency and subsequently for annual assessment of language proficiency.

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the state's designated English language proficiency test for initial identification. (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment of the state's designated English language proficiency test shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

Note: 5 CCR 11516-11516.6 specify allowable variations and accommodations in CELDT, the administration of the state English language proficiency assessment. These variations and accommodations are generally the same as those allowed for other state assessments; see AR 6162.51 - State Academic Achievement Tests.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.76. Variations and accommodations in test administration may be provided to English learners pursuant to 5 CCR 11516-11516.76.

Note: The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the annual assessment of English language proficiency as appropriate. English learners with disabilities must be allowed to take the test with accommodations as specified in their individualized education program or Section 504 plan. Pursuant to 5 CCR 11516.7, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16, as amended by 81 Fed. Reg. 86076, provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).

Education Code 56305, as added by AB 2785 (Ch. 579, Statutes of 2016), requires the CDE to develop, by July 1, 2018, a manual providing guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

Any student with a disability who is identified as an English learner shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. ~~that are appropriate and necessary to address the student's individual needs.~~ If he/she the student is unable to participate in the assessment or a portion of the assessment even with such accommodations, he/she shall be administered an alternate assessment for English language proficiency shall be administered to the student as set forth in his/her IEP. (5 CCR 11516-11516.7; 20 USC 1412)

(cf. 6152.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

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

Parental Notifications

Note: The following remainder of this section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. ~~The district may choose to combine these notifications with notifications required for parental exception waivers, as detailed in the section "Parental Exception Waivers" below.~~ The California Department of Education (CDE) has developed sample notification letters, available on its web site in multiple translations, to notify parents/guardians of the initial identification of a student as an English learner or as initially fluent English proficient and to notify them of the results of an annual assessment.

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

~~The Superintendent or designee shall provide the following written notifications to parents/guardians of English learners:~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

1. Assessment Notification: The district The Superintendent or designee shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

2. Placement Notification: At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

Note: Items #3-4 below are The following paragraph is for use by districts that receive federal Title III funds under either Title I or Title III for services to English learners. Such districts are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program. The Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 7012 and moved the notification requirement to 20 USC 6312

3. Title III Notifications: Each The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC 7012 6312)

- a1.** The reason for the student's classification identification of the student as an English learner and the need for placement in a language acquisition program
- b2.** The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
- c3.** A description of the language acquisition program for English language development instruction in which the student is, or will be, participating, including a description of all of the following:
 - (+)a.** The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
 - b.** The manner in which the program will meet the educational strengths and needs of the student

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

- (2)c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - (3)d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - (4)e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
- d.5. Information regarding a parent/guardian's option to decline to allow enroll the student to be enrolled in the program or to choose to allow the student to be enrolled in an alternative program another program or method of instruction, if available
- e.6. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Note: Pursuant to 20 USC 6842, the CDE must develop annual measurable objectives for English learners served under federal Title III. These include targets for the percentage of English learners who are proficient on the assessments used in the calculations of "adequate yearly progress" for accountability purposes; see BP 0500 - Accountability.

4. Annual Measurable Objectives Notification: "If the district fails to make progress on the annual measurable achievement objectives for English learners established pursuant to 20 USC 6842, the Superintendent or designee shall, within 30 days after such failure occurs, send a notification regarding such failure to the parents/guardians of each student identified for participation in a language instruction educational program supported by Title III funds. (20 USC 7012)"

Parental Exception Waivers

[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

EDUCATION FOR ENGLISH ~~LANGUAGE~~ LEARNERS (continued)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

Note: Education Code 313 and 52164.6 and 5 CCR 11303 requires that the district's reclassification process include, at a minimum, the criteria specified in items #1-4 below. The district may expand the following list to reflect any additional criteria it has established. The CDE's CELDT Information Guide includes recommendations for assessing each of the following criteria and states that, for a student with disabilities, the student's IEP team or Section 504 team should determine any supplemental criteria to be used.

The ~~following~~ measures ~~shall be~~ used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state's English language proficiency assessment
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

Note: Pursuant to Education Code 313, the fourth criterion requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from the CDE to district superintendents (Academic Criterion for Reclassification) dated August 11, 2014 clarifies that, when a state test of basic skills is unavailable, districts must select another measure which may include a local assessment. The CDE correspondence provides examples of appropriate measures and is available on the CDE web site.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

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

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committee

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, a parent/guardian advisory committee is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committee are specified in 5 CCR 11308.

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the Governing Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
- ~~7. Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316~~

EDUCATION FOR ENGLISH ~~LANGUAGE~~ LEARNERS (continued)

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

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

Note: The following section is applicable if the district's student enrollment includes at least 15 percent English learners, with at least 50 students who are English learners. Education Code 52063 requires that such districts establish an English learner parent advisory committee to review and comment on the district's local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495³ ~~as amended by Register 2015, No. 2~~ requires this committee to include a majority of parents/guardians of English learners.

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Definitions**

English learner, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Structured English immersion (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the state's designated English language proficiency test. (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.7. Variations and accommodations in test administration may be provided pursuant to 5 CCR 11516-11516.7. Any student with a disability shall be allowed to

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. If he/she is unable to participate in the assessment or a portion of the assessment with such accommodations, he/she shall be administered an alternate assessment for English language proficiency as set forth in his/her IEP. (5 CCR 11516-11516.7)

(cf. 6152.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

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

Parental Notifications

The Superintendent or designee shall provide the following written notifications to parents/guardians of English learners:

1. **Assessment Notification:** The district shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

2. **Placement Notification:** At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)
3. **Title III Notifications:** Each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC 7012)
 - a. The reason for the student's classification as an English learner
 - b. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
 - c. A description of the program for English language development instruction, including a description of all of the following:

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

- (1) The manner in which the program will meet the educational strengths and needs of the student
 - (2) The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - (3) The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - (4) Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
- d. Information regarding a parent/guardian's option to decline to allow the student to be enrolled in the program or to choose to allow the student to be enrolled in an alternative program
 - e. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered
- 4. **Annual Measurable Objectives Notification:** If the district fails to make progress on the annual measurable achievement objectives for English learners established pursuant to 20 USC 6842, the Superintendent or designee shall, within 30 days after such failure occurs, send a notification regarding such failure to the parents/guardians of each student identified for participation in a language instruction educational program supported by Title III funds. (20 USC 7012)

Parental Exception Waivers

A parent/guardian may, by personally visiting the school, request that the district waive the requirements pertaining to the placement of his/her child in a structured English immersion program if one of the following circumstances exists: (Education Code 310-311)

- 1. The student already possesses sufficient English language skills, as measured by standardized tests of English vocabulary comprehension, reading, and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower.
- 2. The student is age 10 years or older, and it is the informed belief of the principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

3. The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the principal and educational staff that the student has special physical, emotional, psychological, or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development.

Upon request for a waiver, the Superintendent or designee shall provide parents/guardians with a full written description and, upon request, a spoken description of the intent and content of the structured English immersion program, any alternative courses of study, all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices. For a request for waiver pursuant to item #3 above, the Superintendent or designee shall notify the parent/guardian that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the waiver must be approved by the Superintendent pursuant to any guidelines established by the Governing Board. (Education Code 310, 311; 5 CCR 11309)

The principal and educational staff may recommend a waiver to a parent/guardian pursuant to item #2 or #3 above. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (Education Code 311; 5 CCR 11309)

When evaluating waiver requests pursuant to item #1 above and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include district standards and assessment and teacher evaluations of such students.

Parental exception waivers pursuant to item #2 above shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to item #3 above shall be granted by the Superintendent if it is the informed belief of the principal and educational staff that, due to the student's

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

special physical, emotional, psychological, or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

All parental exception waivers shall be acted upon within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to item #3 above shall not be acted upon during the 30-day placement in an English language classroom. Such waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

Any individual school in which 20 or more students of a given grade level receive a waiver shall offer an alternative class where the students are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Otherwise, the students shall be allowed to transfer to a public school in which such a class is offered. (Education Code 310)

In cases where a parental exception waiver pursuant to item #2 or #3 above is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The following measures shall be used to determine whether an English learner shall be reclassified as fluent English proficient: (Education Code 313; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state's English language proficiency assessment
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committee

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

Center USD

Exhibit

Education For English Language Learners

E 6174

Instruction

Delete

PARENTAL EXCEPTION WAIVER EDUCATION CODE 311

Student's Name: _____ Grade: _____

School: _____ Date of Birth: _____

Student's Primary Language: _____

I request a waiver of the placement of my child in the school's structured/sheltered English immersion program for the following reason:

___ My child possesses good English language skills. (Education Code 311(a))

___ My child is 10 years of age or older and I believe that an alternate course of study is better suited to my child's rapid acquisition of English. (Education Code 311(b))

___ I believe that my child has special needs and that an alternate course of study is better suited to his/her educational development. (Education Code 311(c))

I understand that the objective for my child is to be taught English as rapidly and effectively as possible. I have been provided a full written description of the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I have personally visited the school to apply for this waiver.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

For waivers pursuant to Education Code 311(a), student's English standardized test scores:
(Scores must be at or above the state average for the child's grade level or above the 5th
grade average) _____

Waiver Granted/Denied: _____ Date: _____

Signature: _____ Title: _____

CSBA Sample Board Policy

Instruction

BP 6176(a)

WEEKEND/SATURDAY CLASSES

Note: The following optional policy is for use by districts that choose to offer classes on Saturday and/or Sunday as authorized by Education Code 37223, and may be subject to collective bargaining agreements.

Pursuant to Education Code 44824, a teacher cannot be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, Education Code 44824 provides that full-time teachers employed by the district prior to the implementation of weekend classes cannot be required to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. See AR 4113 - Assignment.

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

~~(cf. 4113 - Assignment)~~

~~(cf. 5148.2 - Before/After School Programs)~~

~~(cf. 6111 - School Calendar)~~

Note: Education Code 37223 authorizes weekend classes of any of the types listed in items #1-4 below or other classes identified by the district. The following list should be revised or expanded to reflect those weekend classes approved by the Governing Board.

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)

~~(cf. 6184 - Continuation Education)~~

Note: Pursuant to Education Code 37223, voluntary attendance in special weekend activities for mentally gifted minors (item #2 below) cannot be included in the district's average daily attendance computation.

2. Special day classes for mentally gifted minors (Education Code 37223)

~~(cf. 6172 - Gifted and Talented Student Program)~~

Note: AB 2659 (Ch. 186, Statutes of 2016) amended Education Code 37223 to authorize weekend makeup classes for excused absences as well as unexcused absences.

3. Makeup classes for ~~unexcused~~ absences occurring during the week (Education Code 37223)

WEEKEND/SATURDAY CLASSES (continued)

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 6154 - Homework/Makeup Work)

4. The programs of an **regional occupational center or program (ROC/P)** (Education Code 37223)

(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

Note: Items #5-6 below are optional. Although Education Code 37252-37253 provide that specified supplemental instructional programs may be offered on Saturday, AB 97 (Ch. 47, Statutes of 2013) redirected the funding for these programs into the local control funding formula; see BP 6179 Supplemental Instruction. In addition, AB 97 eliminated the Pupil Retention Block Grant (Education Code 41505-41506), which allowed funding to be used for the purposes of intensive reading or algebra programs, including Saturday programs. At its discretion, the district may continue to offer weekend classes for these purposes.

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6179 - Supplemental Instruction)

6. Enrichment classes in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps and as otherwise provided by law, any class offered on a Saturday or Sunday pursuant to Education Code 37223, except in ROC/Ps, shall be one offered during the regular Monday through Friday during the regular school week. (Education Code 37223)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)

Note: Education Code 48205 specifies reasons that students must be excused from school, including observance of a holiday or ceremony of their religion. The reasons specified in Education Code 48205 are also applicable during weekend classes.

WEEKEND/SATURDAY CLASSES (continued)

A student shall be excused from a weekend class if the student's parent/guardian notifies the school in writing that such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

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

A teacher shall not be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, a full-time teacher employed by the district prior to the implementation of weekend classes shall not be required, without his/her consent, to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes; whichever is greater. (Education Code 44824)

(cf. 4113 - Assignment)

Note: Education Code 49550 requires that districts provide at least one nutritionally adequate meal each school day (breakfast and/or lunch) for students who are eligible for free and reduced-price meals; see BP/AR 3553 - Free and Reduced-Price Meals. If the school participates in the National School Lunch or Breakfast Program, it must make meals available to all students in attendance.

According to the California Department of Education's (CDE) Management Bulletin NSD-SNP-03-2013, this requirement extends to Saturday classes unless the district or school receives a waiver. The CDE will consider a waiver when any two of the following criteria exist: (1) serving meals during the Saturday session would result in a financial loss to the district equal to one-third of the food service's net cash resources; (2) the Saturday session at the school is less than four hours and is completed by noon allowing students to go home during the lunch period; (3) less than 10 percent of the needy students attending the Saturday session are at the school for more than three hours per day; and/or (4) the school does not have proper refrigeration facilities to enable meals to be prepared on Friday and served on Saturday.

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 5030 - Student Wellness)

Legal Reference: (see next page)

WEEKEND/SATURDAY CLASSES (continued)

Legal Reference:

EDUCATION CODE

37223 Weekend classes

~~37252-37253~~ Supplemental instruction

~~41505-41508~~ Pupil Retention Block Grant

41601 Reports of average daily attendance

44824 Weekend classes, assignment of certificated employees

48070-48070.5 Promotion and retention, supplemental instruction

48205 Excused absence for personal reasons

48260 Truants, definition

49550 Meals for needy students

52060-52077 Local control and accountability plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services

Division Management Bulletin NSD-SNP-03-2013, February 2013

WEB SITES

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

(11/00 12/13) 3/17

Center USD

Board Policy

Weekend/Saturday Classes

BP 6176

Instruction

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

(cf. 4113 - Assignment)

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

Any class offered on a Saturday or Sunday pursuant to Education Code 37223, except in regional occupational centers or programs (ROC/Ps), shall be one offered Monday through Friday during the regular school week. (Education Code 37223)

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)

(cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors (Education Code 37223)

(cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for unexcused absences occurring during the week (Education Code 37223)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 6154 - Homework/Makeup Work)

4. The programs of an ROC/P (Education Code 37223)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6179 - Supplemental Instruction)

6. Enrichment classes in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)

A student shall be excused from a weekend class if such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

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

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 5030 - Student Wellness)

Legal Reference:

EDUCATION CODE

37223 Weekend classes

37252-37253 Supplemental instruction

41505-41508 Pupil Retention Block Grant

41601 Reports of average daily attendance

42239 Summer school attendance computation

44824 Weekend classes, assignment of certificated employees

48070-48070.5 Promotion and retention, supplemental instruction

48205 Excused absence for personal reasons

48260 Truants, definition

49550 Meals for needy students

52060-52077 Local control and accountability plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services Division Management Bulletin NSD-SNP-03-2013, February 2013

WEB SITES

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

Policy

adopted: April 23, 2014

CSBA Sample Board Policy

Instruction

BP 6185(a)

COMMUNITY DAY SCHOOL

Note: The following optional policy and regulation reflect Education Code 48660-48666, which authorize districts to establish one or more community day schools for expelled students, certain probation-referred students pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or through another formal district process. Pursuant to Education Code 48660, a two-thirds vote of the Governing Board is required for a K-8 district to establish a community day school serving any of grades K-8.

Districts that have established one or more community day schools are mandated to adopt policy regarding involuntary transfers to a community day school, as provided below.

Education Code 48916.1 requires the Board to ensure that an alternative educational placement is provided for expelled students during the period of the expulsion. Community day schools established pursuant to Education Code 48660-48666 are intended to supplement the county community schools that have long operated pursuant to Education Code 1980-1986, and which are authorized to accept expelled students at all grade levels pursuant to Education Code 1981 and 1982.5. Districts that refer students to a county community school may revise the following policy to reflect district practice.

A CDE program advisory of March 1996 states that community day school incentive funding claims pursuant to Education Code 48664 shall be fully funded for mandatory expelled students; incentive funding for all other community day school students is subject to a specified cap.

The Governing Board recognizes the need to provide an appropriate alternative educational program option for expelled students who are prohibited from attending regular schools in the district, and for certain students referred by probation pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or by another district-level referral processes. The district's shall operate one or more community day schools program shall be designed to meet the needs of these students and ensure academic progress necessary for their success when returned to a regular school environment. The Superintendent or designee shall ensure that any such school is operated in accordance with legal requirements related to enrollment, instructional time and facilities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5144 - Discipline)

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

Note: In its program advisory, the CDE recommends that the decision to establish community day schools be made in the context of a larger comprehensive plan to serve all expelled students and other at risk students in the district and county.

The Board perceives the community day school as a flexible component of a comprehensive effort to meet the needs of expelled and other at risk students throughout the county. The Superintendent or designee shall collaborate with solicit input from the County

COMMUNITY DAY SCHOOL (continued)

Superintendent of Schools and, as appropriate, other neighboring districts when designing the district community day school and shall collaborate with them in fulfilling countywide needs within the county to develop, for Board adoption, a plan for providing education services and appropriate placements to all expelled students in the county. (Education Code 48926)

Note: The following list incorporates concepts from Education Code 48660.1, which states the Legislature's intent regarding the operation of community day schools.

In order to foster positive attitudes, and academic progress, the Board recognizes that community day schools must The district's community day school program shall be designed to give students substantial individual help with their problems. Community day school staff shall collaborate with district counselors, psychologists, and other support staff, and with the county office of education, law enforcement, probation, and human services agency staff who work with at risk youth. To the extent possible, community day school programs shall provide a low student teacher ratio as well as individualized instruction and assessment. To the extent possible, the program shall include:

1. Cooperation with the county office of education, law enforcement, probation, and human services agencies personnel who work with at-risk youth
2. Low student-teacher ratio
3. Individualized instruction and assessment
4. Maximum collaboration with district support service resources, including, but not limited to, school counselors and psychologists, academic counselors, and student discipline personnel

(cf. 0400 - Comprehensive Plans)

(cf. 1020 - Youth Services)

(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to Education Code 48662, boards establishing a community day school are mandated to adopt policy that provides procedures for the involuntary transfer of students to the school. See the accompanying administrative regulation for additional language fulfilling this mandate

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school in accordance with law and administrative regulation. (Education Code 48662)

Note: The following paragraph is optional. Pursuant to Education Code 48666, authorizes the Board to may establish an attendance policies that permits the community day school to require students to attend school for up to seven days each week, as part of the program described below

COMMUNITY DAY SCHOOL (continued)

The Superintendent or designee may require community day school students to attend school for up to seven days each week in a directed program designed to provide students with the skills and attitudes necessary for success when they are returned to a regular school environment. **(Education Code 48666)**

Note: Pursuant to Education Code 48661, a community day school must not be situated on the same school site as a regular elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school. However, situating a community day school on the same school site as a regular school may be permitted if the district has 2,500 or fewer units of average daily attendance (ADA) or if, regardless of its ADA, the district is organized to serve grades K-8 or desires to establish a community day school that serves only grades K-6. For any such district, the Board must first make the certification specified in the following paragraph

~~A district desiring to operate a community day school to serve any of grades K-6, but no higher grades, may situate the community day school~~ **A community day school shall not be situated on the same site as an a regular district elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except when allowed by law and when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a the community day school in those grades. Such Board certification shall be valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the Board. (Education Code 48661)**

(cf. 9323.2 - Actions by the Board)

Community day schools shall be operated in safe, well-maintained facilities that meet the requirements of Education Code 17292.5.

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 52064.5, the State Board of Education has adopted evaluation rubrics to assist districts in evaluating program strengths, weaknesses, and areas that require improvement for the purpose of updating their local control and accountability plan

The Superintendent or designee shall regularly report to the Board regarding the academic performance and other outcomes of students enrolled in a community day school.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

COMMUNITY DAY SCHOOL (continued)

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

17085-17096 Emergency portable facilities

17280-17316 Field Act, approvals

17365-17374 Field Act, fitness of occupancy

~~48260-48273 Truants~~

48660-48666 Community day schools

48900-48926 Suspension or expulsion

~~52052 Accountability~~

~~52064.5 Program evaluation; state evaluation rubric~~

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating laws defining crime; ward of court

CALIFORNIA CODE OF REGULATIONS, TITLE 5

~~1068-1074 Alternative schools accountability systems~~

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

~~104.35 Evaluation and placement of students with disabilities~~

Management Resources:

CDE PROGRAM ADVISORIES

~~0306.96 Expulsion Policies and Expulsion Placements, SPB: 95/96-04~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Establishing a Community Day School

WEB SITES

CDE, Educational Options Office: <http://www.cde.ca.gov/sp/branch/essdiv/edoptshome.htm>

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

CSBA Sample

Administrative Regulation

Instruction

AR 6185(a)

COMMUNITY DAY SCHOOL

Involuntary Transfer

Note: Education Code 48662 mandates that districts establishing a community day school adopt procedures for the involuntary transfer of students to the school.

A The Superintendent or designee may assign a student may be assigned to a district community day school only upon meeting if the student meets one or more of the following conditions: (Education Code 48662)

1. The student is expelled for any reason.

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

Note: Education Code 48662 authorizes the involuntary transfer of students who are probation-referred pursuant to Welfare and Institutions Code 300 or 602, as provided in Item #2 below. Welfare and Institutions Code 300 relates to the protection of minors who are being or are at risk of being neglected, exploited, or physically, sexually or emotionally abused; such persons may be adjudged to be a dependent child of the court. Welfare and Institutions Code 602 concerns minors who have violated any state or federal law or any city or county ordinance defining crime other than a curfew based solely on age; such persons may be adjudged to be wards of the court. Such students include minors who are within the jurisdiction of the juvenile court and may be adjudged to be a dependent child of the court, including, but not limited to, minors who have suffered or are at substantial risk of suffering serious physical harm, neglect, serious emotional damage, sexual abuse, or physical abuse as a result of the conduct of the parent/guardian, or who have been freed for adoption by one or both parents. In addition, probation-referred students include students who are within the jurisdiction of the juvenile court and may be adjudged to be wards of the court for violating any state or federal law or any city or county ordinance defining crime, other than an ordinance establishing a curfew based solely on age.

Pursuant to Education Code 48662 districts with a school attendance review board (SARB) may refer students through either the SARB or another district level referral process.

2. The student is probation-referred pursuant to Welfare and Institutions Code 300 and/or 602.
3. The student is referred by a school attendance review board (SARB) or other district-level referral process.

(cf. 5113.1 - Chronic Absence and Truancy)

The Superintendent or designee shall give First priority for assignment to a community day school shall be given to students expelled for mandatory expulsion offenses pursuant to Education Code 48915(d). Second priority shall be given to students expelled for other

COMMUNITY DAY SCHOOL (continued)

reasons, and third priority shall be given to students referred ~~according pursuant~~ to item #2 or #3 above. These priorities are applicable unless ~~the district has~~ there is an agreement that the County Superintendent of Schools ~~will/shall~~ serve any of ~~the above these~~ students. (Education Code 48662)

Note: Pursuant to 20 USC 1415, a change in the educational placement of a student with a disability must involve the participation of the student's individualized education program (IEP) team. In addition, the educational placement of a student who is eligible for services pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794) requires the participation of the student's 504 team.

~~In the case of any student who had been identified as eligible for services. When the student to be involuntarily transferred to a community day school is a student with disabilities, as defined under the federal Individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973, assignment to a community day school shall be determined first approved by the student's individualized Education Program (IEP) or 504 team, as applicable. or school site committee (e.g., student study team) as required by law. (20 USC 1415; 34 CFR 104.35)~~

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

(cf. 6159 - Individualized Education Program)

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

Note: Education Code 48662 mandates that Boards establishing a community day school adopt policy to provide procedures for the involuntary transfer of students to the school. The CDE recommends that these The following paragraph may be revised to reflect district practice. According to Guidelines for Establishing a Community Day School, available on the California Department of Education's (CDE) web site, the district's procedures should include due process and notification for students who have been involuntarily transferred to a community day school. Education Code 48918 provides that Students transferred pursuant to an expulsion order (item #1 above) will receive due process and notice during the expulsion hearing. ; AR 5144.1 - Suspension and Expulsion/Due Process. Students that who are probation-referred (item #2 above) will receive due process and notice during the probation proceedings. Pursuant to Education Code 48260-48273, For these students who are referred pursuant to a student attendance review board (SARB) will receive due process and notice through that process. may also be provided during the SARB hearing (item #3 above). Thus the following section applies only to those students involuntarily transferred as a result of a district-level referral process (item #3 above).

Students who have been involuntarily transferred to a community day school based on an expulsion order, probation referral, SARB referral, or other district-level referral process shall be notified in accordance with the applicable laws and/or district policy. Such process shall include timely written notification of the transfer to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

COMMUNITY DAY SCHOOL (continued)

At least 10 calendar days prior to the involuntary transfer of a student as a result of a district-level referral process, the Superintendent or designee shall provide written notice of the transfer to the student's parent/guardian or to the adult student age 18 or older. The notice shall contain a statement of the facts and circumstances upon which the transfer is based, its duration, and the conditions for readmission. The notice shall advise the student's parent/guardian or adult student of the opportunity to inspect and obtain copies of all documents supporting the transfer. In addition, the notice shall also state that the parent/guardian or adult student has five school days to request a meeting with the Superintendent or designee to discuss the transfer.

If the Superintendent designates an individual to represent the district at the meeting, the individual so designated shall not be a member of the staff of the school at which the student is currently enrolled.

At the meeting, the reason for the transfer shall be reviewed with the parent/guardian or adult student and the parent/guardian or adult student may present evidence on the student's behalf.

The Superintendent or designee shall send the parent/guardian or adult student written notice of the decision to transfer or not transfer within three school days of the meeting.

If the parent/guardian or adult student desires to appeal the Superintendent's decision to the Board, he/she shall file written notice of the intent to appeal within five school days of receiving the decision. The Board shall determine whether or not to hear the appeal within 15 calendar days. If the Board desires to hear the appeal, the Board shall decide the appeal within 30 calendar days of receipt of the notice of the appeal. The Board's decision shall be final.

Instruction

Academic programs offered in the community day school shall be comparable to those available to students of a similar age in the school district. (Education Code 48663)

Note: In addition to revenue limit funding, Education Code 48664 establishes incentive funding for community day schools. Education Code 48663 establishes a minimum school day of 360 minutes for community day schools. The CDE's Guidelines for Establishing a Community Day School, clarifies that a student with disabilities may be enrolled in a community day school for a shorter day in accordance with his/her IEP.

The minimum school day for a district community day school students shall be 360 minutes of classroom instruction provided by a certificated employee of the district reporting attendance for apportionment purposes. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663)

(cf. 6112 - School Day)

(cf. 6158 - Independent Study)

COMMUNITY DAY SCHOOL (continued)

Facilities

Note: The following section reflects some of the requirements regarding facilities for community day schools. As the legal requirements concerning these facilities are complex, district legal counsel should be consulted as appropriate.

To house community day school operations, the district shall do one or more of the following: (Education Code 17292.5)

1. Use available school facilities conforming with Field Act
2. Apply for emergency portable classrooms pursuant to Education Code 17085-17096
3. Upon certifying to the State Allocation Board that all reasonable efforts have been made to use facilities that conform with the Field Act requirements of item #1 above, enter into lease agreements for facilities for which a structural engineer has submitted a report stating that substantial structural hazards do not exist

Every three years, the Superintendent or designee shall report to the State Allocation Board on the facilities used for the district's community day programs and efforts to place these programs in facilities that conform with the requirements of item #1 above. (Education Code 17292.5)

Location of the School Site

Note: As amended by AB 1600 (Ch. 646, Statutes of 1999), Education Code 48661 provides that K-8 districts or districts desiring to operate a community day school to serve grades K-6 may situate a community day school on the same site under the conditions specified below. The following paragraphs should be deleted if not applicable to the district.

A district desiring to operate a community day school to serve any of grades K-6, but no higher grades, may situate the community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

A district organized to serve grades K-8, but no higher grades, may situate a community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

(cf. 9322.2 - Actions by the Board)

COMMUNITY DAY SCHOOL (continued)

Note: Pursuant to Education Code 48661, as amended by AB 1600 (Ch. 646, Statutes of 1999), the following paragraph applies only to districts with 2,500 or fewer ADA reported for the most recent second principal apportionment. Other districts should delete this paragraph.

A district with 2,500 ADA or less, may situate a community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school when the Board certifies by a two thirds vote that no satisfactory alternative facilities are available for a community day school. (Education Code 48661)

Such Board certifications shall be valid for not more than one school year and may be renewed by a subsequent two thirds vote of the Board. (Education Code 48661)

Note: Pursuant to Education Code 48916.1, outcome data related to all of the district's expulsions are required, as specified in AR 5144.1, and community day school incentive apportionments will be withheld if this data are not reported.

(2/99 3/00) 10/16

Center USD

Administrative Regulation

Community Day School

AR 6185

Instruction

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Center Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2012-13 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

Involuntary Transfer

A student may be assigned to a community day school only upon meeting one or more of the following conditions: (Education Code 48662)

1. The student is expelled for any reason.

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

2. The student is probation-referred pursuant to Welfare and Institutions Code 300 and 602.

3. The student is referred by a school attendance review board or other district-level referral process.

(cf. 6159 - Individualized Education Program)

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

Instruction

Academic programs offered in the community day school shall be comparable to those available to students of a similar age in the school district. (Education Code 48663)

The minimum school day for community day school students shall be 360 minutes of classroom instruction provided by a certificated employee of the district reporting attendance for apportionment purposes. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663)

(cf. 6158 - Independent Study)

Facilities

To house community day school operations, the district shall do one or more of the following: (Education Code 17292.5)

1. Use available school facilities conforming with Field Act requirements specified in the Code of Regulations, Title 24, Part 2 (Section 101 to 2327a.3), Part 3 (Section 089-1 to 70-848), Part 4 (Section 403 to 1313.13) and Part 5 (Section 102 to 1218.8).
2. Apply for emergency portable classrooms pursuant to Education Code 17085-17095.
3. Upon certifying to the State Allocation Board that all reasonable efforts have been made to use facilities that conform with the requirements of item #1 above, enter into lease agreements for facilities for which a structural engineer has submitted a report stating that substantial structural hazards do not exist.

As needed, the Board shall certify the absence of satisfactory alternative facilities for community day schools. Such certifications shall be valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the Board. (Education Code 48661)

A community day school serving any of grades K-6 shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school except when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

A community day school serving any of grades 7-12 shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school except when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

On or before September 1, 1996, and every three years thereafter, the Superintendent or designee shall report to the State Allocation Board on the facilities used for the district's community day programs and efforts to place these programs in facilities that conform with the requirements of item #1 above. (Education Code 17292.5)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: May 26, 1999 Antelope, California

CSBA Sample Board Bylaw

Board Bylaws

BB 9240(a)

BOARD DEVELOPMENT TRAINING

Note: The following optional bylaw may be amended-revised to reflect district practice.

CSBA's Professional Governance Standards include expectations that each individual Governing Board member will participate in professional development and commit the time and energy necessary to be an informed and effective leader. See CSBA's web site for education opportunities available through CSBA, including, but not limited to, CSBA's Institute for New and First-Term Board Members, Masters in Governance program, Annual Education Conference and Trade Show, Legal Symposium for Experienced Board Members, Board Presidents Workshop, Brown Act Workshop, Back-to-School Webcast, other workshops and webinars on specific topics, and in-district governance consulting services.

Citizens elected to the Governing Board are entrusted with the responsibility of governing district schools. The Board recognizes that its members need training. The Governing Board believes that the Board's ability to effectively and responsibly govern the district is essential to promoting student achievement, building positive community relations, and protecting the public interest in district schools. Board members shall be provided sufficient opportunities for professional development that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

The Board and/or the Superintendent or designee shall provide an orientation to newly elected or appointed Board members which includes comprehensive information regarding Board roles, policies, and procedures and the district's vision and goals, operations, and current challenges. Throughout their first term, Board members shall continue to participate in additional educational opportunities designed to assist them in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, labor relations, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.

(cf. 9230 - Orientation)

All Board members are encouraged to continuously participate in advanced training offered by the California School Boards Association in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the district on issues that involve the entire governance team.

BOARD DEVELOPMENT TRAINING (continued)

Note: CSBA recommends that ~~inservice board~~ training and travel expenses be budgeted as separate items. While ~~inservice~~ training is essential to maintain an effective, well-informed Board, travel expenses are incurred for a variety of reasons.

It is also recommended that the Board determine the manner in which board training activities that require the use of district funds will be selected or approved. Districts may allocate funds equally to each Board member and allow each member discretion to select activities that meet his/her needs, or may require that all activities or activities over a specified cost be approved by the full Board. The following paragraph may be revised to reflect district practice:

Funds for ~~B~~board development training shall be budgeted annually for the Board and each Board member. In selecting appropriate activities, the Board and/or individual Board members shall consider activities that are aligned with the district's vision and goals and the needs of the Board or individual member to obtain specific knowledge and skills. The Board shall annually develop a board training calendar in order to schedule and track board training activities and to schedule opportunities for Board members to report on the activities in which they participated.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 3100 - Budget)

(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Note: Pursuant to Government Code 54952.2, added by SB 36 (Ch. 1137, Statutes of 1993), a "meeting" subject to Brown Act requirements does not include the attendance of a majority of the Board's members at a conference or similar public gathering, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the Board. Also see BB 9320 - Meetings and Notices.

All Board members may attend conferences for the purpose of Board development. Board business shall not be discussed at conferences. Board members may attend a conference or similar public gathering with other Board members and/or with the Superintendent or designee in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a majority of the Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the district's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.

(cf. 9320 - Meetings and Notices)

Board members shall report to the Board, orally or in writing, as soon as possible on the ~~inservice board training~~ activities they attend, for the purpose of sharing the acquired knowledge or skills with the full Board and enlarging the benefit of the activity to the Board and district.

Legal Reference: (see next page)

BOARD DEVELOPMENT TRAINING (continued)

Legal Reference:

EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshop

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for School Boards

WEB SITES

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

California County Boards of Education: <http://www.theccbe.org>

National School Boards Association: <http://www.nsba.org>

(12/87 6/94) 12/16

Center USD

Board Bylaw

Board Development

BB 9240

Board Bylaws

Citizens elected to the Governing Board are entrusted with the responsibility of governing district schools. The Board recognizes that its members need training that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

All Board members and all new Board members must participate in professional development activities in order to broaden their understanding of Board member responsibilities, learn new tools and techniques for coping with them and keep abreast of new developments in education. Such activities shall include but not be limited to state, regional and national workshops, conferences, conventions and seminars developed by associations such as the California School Boards Association and the National School Boards Association.

(cf. 9230 - Orientation)

(cf. 9320 - Meetings and Notices)

Board members shall report to the Board, orally or in writing, as soon as possible on the inservice activities they attend.

Funds for participation at such meetings shall be budgeted for annually. Reimbursement of Board members for their travel and conference/workshop expenses shall be consistent with policy and regulations governing reimbursement of district personnel.

(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Legal Reference:

EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshop

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially

54952.2 Meeting

Bylaw
adopted: April 19, 1995

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Board Bylaw

Board Bylaws

BB 9323(a)

MEETING CONDUCT

Note: Education Code 35010 mandates the Governing Board to "prescribe and enforce" rules for its own governance. These rules must not be inconsistent with law or with regulations prescribed by the State Board of Education. The following bylaw provides suggested rules and procedures for meeting conduct and reflects provisions of law as applicable.

Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

Note: The law does not specify that a particular set of procedures must govern Board meetings. Although Robert's Rules of Order can serve as a useful guide, the Board may adopt any procedure that allows for the efficient and consistent conduct of meetings.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

(cf. 9121 - President)

Note: The following optional paragraph limits the length of Board meetings and should be revised to reflect district practice.

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 9:00 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

(cf. 9320 - Meetings and Notices)

Note: In Rubin v. City of Burbank, an appellate court held that inclusion of "sectarian prayer" at city council meetings, which communicated a preference for a particular religious faith and advanced one faith over another, was unconstitutional by directing the prayer "in the name of Jesus." The court held that it would be constitutional to require the city to advise those people conducting the prayer of this limitation. This opinion is consistent with an unpublished 9th circuit federal court opinion which stated that an invocation "in the name of Jesus" was unconstitutional in that it displayed allegiance to a particular faith.

MEETING CONDUCT (continued)

Some general guidelines for invocations can be found in an Attorney General's opinion (76 Ops.Cal.Atty.Gen. 281 (1993)) which stated that a county board of supervisors could open its sessions with an invocation when the invocation is (1) not required by law as a condition to the official proceedings, (2) not part of the deliberative agenda, (3) not offered, supervised, or approved as to content by a public officer, (4) not officially limited to a particular religion, (5) not disparaging of others, and (6) not directed towards proselytizing. However, because this is an unsettled area of law that is subject to frequent litigation, it is strongly recommended that districts consult legal counsel if they wish to open meetings with an invocation. Note that a different legal analysis applies to student-led or student-initiated prayer; see BP 5127 - Graduation Ceremonies and Activities.

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - Actions by the Board)

Note: According to an Attorney General opinion (61 Ops.Cal.Atty.Gen. 243 (1978)), members of a public body have a duty to vote on issues before them so that the public is represented and receives the services which the public body was created to provide. Issues arise when a motion is tied and one Board member has abstained. The general parliamentary rule is that an abstention is counted as agreeing with the action taken by the majority of those who vote, whether affirmatively or negatively (66 Ops.Cal.Atty.Gen. 336 (1983)). However, a stronger argument could be made that the parliamentary rule is in conflict with Education Code 35164 which requires a majority vote of all of the membership of the Board in order for the Board to act (i.e., a majority of all of the membership of the Board must vote affirmatively in order to approve any action). In 55 Ops.Cal.Atty.Gen. 26 (1972), the Attorney General opined that, when a statutory requirement exists that requires an affirmative action of at least a majority of the members of the Board, the general rule that members not voting were deemed to have agreed with the action taken by the majority of those that voted is not applicable.

The following optional paragraph is consistent with CSBA's opinion that a majority of the Board must vote affirmatively for a motion to carry, but the law is not settled and contrary legal opinions may exist. It is strongly recommended that the district consult with legal counsel and modify the following ~~optional~~ paragraph to ensure consistency with district practice.

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

Note: The following paragraph applies only to districts with seven member boards and should be deleted by districts with a three or five member board.

~~If a Board consists of seven members and not more than two vacancies occur on the Board,~~

MEETING CONDUCT (continued)

~~Provided the Board typically has seven members and there are no more than two vacancies on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, if a vacancy exists on the Board, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall be not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)~~

Public Participation

Note: Pursuant to Government Code 54953.3, a member of the public cannot be required to register his/her name, complete a questionnaire, or provide other information as a condition of attending a Board meeting. If an attendance list or similar document is posted near the entrance or circulated during the meeting, it must clearly state that signing or completing the document is voluntary.

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

Note: Education Code 35145.5 mandates the Board to adopt regulations which ensure that the public can address the Board regarding agenda items, as specified below.

District employees have the same right as members of the public to address the Board during a public Board meeting. In 90 Ops.Cal.Atty.Gen. 47 (2007), the Attorney General opined that, under the Ralph M. Brown Act, an administrative district employee cannot be prohibited from attending a Board meeting or from speaking during the public comment period, including comments on an employment-related issue.

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)

MEETING CONDUCT (continued)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

(cf. 9130 - Board Committees)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Note: Government Code 54954.3 authorizes regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. The following paragraph should be revised to reflect district practice.

If the Board limits the time for public comment, Government Code 54954.3, as amended by AB 1787 (Ch. 507, Statutes of 2016), requires the Board to provide at least twice the allotted time to a member of the public who utilizes a translator, as provided below:

Individual speakers shall be allowed three minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the **Board** president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

MEETING CONDUCT (continued)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:

- a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
- b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3) In addition, the Board may not prohibit public criticism of district employees.

Note: The following optional item addresses the issue of specific charges or complaints against district employees in open Board meetings. The Board president must first determine that the speech in question is a specific complaint or charge against a specific employee or employees before invoking the following provision. Although the Board may inform the speaker of appropriate district complaint procedures, it cannot prohibit general criticisms of the district and its employees, no matter how harsh, may not be prohibited. Board members and staff may briefly respond to the concerns raised by the complainant at the meeting.

In Baca v. Moreno Valley Unified School District, a federal district court issued a preliminary injunction against the district prohibiting it from enforcing its policy barring criticism of employees at public Board meetings. The court found that the district's policy violated the plaintiff's First Amendment rights by restricting the content of her speech. The court further noted that the district could not legally prevent a person from speaking in open session, even if the speech was clearly defamatory. It is recommended that the Board consult legal counsel if a question arises regarding public criticism of a district employee. Districts should note that this decision does not apply to any district other than the Moreno Valley Unified School District at this time. However, a different federal court has also reached the same result in a case involving the Vista Unified School District. Districts should be very cautious in implementing this policy and be guided by the advice of their legal counsel.

For a district to be safe from litigation, the only option is for the Board to place no content restriction on public comments during the Board meeting. This option, however, would permit accusations to be made against an employee without notice or opportunity for employee response.

- c. In addition, the Board shall not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure; that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges, in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using the appropriate district complaint procedure.

MEETING CONDUCT (continued)

Note: As provided in item #7 below, Government Code 54957.9 authorizes the Board to remove persons who willfully disrupt or disturb a meeting. Examples of disruptive conduct might include conduct that is extremely loud, disturbing, or creates a health or safety risk. In McMahon v. Albany Unified School District, the court held that a speaker's constitutional rights were not violated when he was removed from a Board meeting after dumping a substantial amount of garbage on the floor of the meeting room. ~~The speaker had come to the Board meeting to complain about high school students littering, but did not stop dumping garbage when admonished by the Board president.~~ Because ~~he~~ the speaker was not removed based on the content of his speech, the court upheld his conviction for a willful disruption of a public meeting. In City of San Jose v. Garbett, the court held that a legislative body may exclude from a meeting a person who has expressed a credible threat of violence that would place a reasonable person in fear for his/her safety or the safety of his/her immediate family and that serves no legitimate purpose.

However, the courts have found that a person's conduct must actually disrupt the meeting in order to warrant ejection. In Norse v. City of Santa Cruz, the court held that the city council improperly ejected a member of the public who gave the council a silent Nazi salute, on the grounds that the action did not interfere with the proceedings of the meeting.

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.

Recording by the Public

Note: Government Code 54953.5 provides that any person attending an open meeting may record it with an audio or video ~~tape~~ recorder or a still or ~~movie-motion picture~~ camera unless the Board makes a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view which would persistently disrupt the meeting. Government Code 54953.6 requires a similar finding before the Board can prohibit or restrict a broadcast of its meetings.

The following paragraph extends the right to record an open meeting to include recordings made by other devices such as a cell phone.

MEETING CONDUCT (continued)

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee shall may designate locations from which members of the public may broadcast, photograph, or tape record open meetings make such recordings without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

Legal Reference: (see next page)

MEETING CONDUCT (continued)

Legal Reference:

EDUCATION CODE

- 5095 Powers of remaining board members and new appointees
- 32210 Willful disturbance of public school or meeting a misdemeanor
- 35010 Prescription and enforcement of rules
- 35145.5 Agenda; public participation; regulations
- 35163 Official actions, minutes and journal
- 35164 Vote requirements
- 35165 Effect of vacancies upon majority and unanimous votes by seven member board

CODE OF CIVIL PROCEDURE

527.8 Workplace Violence Safety Act

GOVERNMENT CODE

- 54953.3 Prohibition against conditions for attending a board meeting
- 54953.5 Audio or video ~~tape~~ recording of proceedings
- 54953.6 Broadcasting of proceedings
- 54954.2 Agenda; posting; action on other matters
- 54954.3 Opportunity for public to address legislative body; regulations
- 54957 Closed sessions
- 54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

- 403 Disruption of assembly or meeting

COURT DECISIONS

- City of San Jose v. Garbett, (2010) 190 Cal.App.4th 52d
- Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 96d
- McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275
- Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194
- Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

- 90 Ops. Cal. Atty. Gen. 47 (2007)
- 76 Ops. Cal. Atty. Gen. 281 (1993)
- 66 Ops. Cal. Atty. Gen. 336 (1983)
- 63 Ops. Cal. Atty. Gen. 215 (1980)
- 61 Ops. Cal. Atty. Gen. 243, 253 (1978)
- 59 Ops. Cal. Atty. Gen. 532 (1976)
- 55 Ops. Cal. Atty. Gen. 26 (1972)

Management Resources:

CSBA PUBLICATIONS

- Call to Order: A Blueprint for Great Board Meetings, 2015
- The Brown Act: School Boards and Open Meeting Laws, rev. 20052014
- Board Presidents' Handbook, rev. 2002
- Maximizing School Board Governance: Boardmanship

ATTORNEY GENERAL PUBLICATIONS

- The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

- CSBA: <http://www.csba.org>
- California Attorney General's Office: <http://www.caag.state.ca.us> <https://oag.ca.gov>

(10/97 11/06) 12/16

Center USD

Board Bylaw

Meeting Conduct

BB 9323

Board Bylaws

Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

(cf. 9121 - President)

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 9:00 p.m. unless extended to a specific time determined by a majority of the Board. School site administrators shall not be required to stay beyond the conclusion of Public Comments unless remaining agenda items pertain to their school.

(cf. 9320 - Meetings and Notices)

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board.
(Education Code 35164)

(cf. 9323.2 - Actions by the Board)

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

If a Board consists of seven members and not more than two vacancies occur on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, if a vacancy exists on the Board, whenever any provisions of the Education Code require unanimous action of all or a specific number of

the members, the vacant position(s) shall be not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)
 2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)
 3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)
- Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)
4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

(cf. 9130 - Board Committees)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers shall be allowed three minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item

to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

6. The Board president may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3) In addition, the Board may not prohibit public criticism of district employees.

Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using the appropriate district complaint procedure.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement.

Recording by the Public

The Superintendent or designee shall designate locations from which members of the public may broadcast, photograph, or tape record open meetings without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

Legal Reference:

EDUCATION CODE

5095 Powers of remaining board members and new appointees
32210 Willful disturbance of public school or meeting a misdemeanor
35010 Prescription and enforcement of rules
35145.5 Agenda; public participation; regulations
35163 Official actions, minutes and journal
35164 Vote requirements
35165 Effect of vacancies upon majority and unanimous votes by seven member board

GOVERNMENT CODE

54953.5 Audio or video tape recording of proceedings
54953.6 Broadcasting of proceedings
54954.2 Agenda; posting; action on other matters
54954.3 Opportunity for public to address legislative body; regulations
54957 Closed sessions
54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

403 Disruption of assembly or meeting

COURT DECISIONS

McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275
Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194
Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

76 Ops.Cal.Atty.Gen. 281 (1993)
66 Ops.Cal.Atty.Gen. 336 (1983)
63 Ops.Cal.Atty.Gen. 215 (1980)
61 Ops.Cal.Atty.Gen. 243, 253 (1978)
55 Ops.Cal.Atty.Gen. 26 (1972)
59 Ops.Cal.Atty.Gen. 532 (1976)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2005
Board Presidents' Handbook, rev. 2002
Maximizing School Board Governance: Boardsmanship

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

Bylaw
adopted: May 2, 2007

CENTER UNIFIED SCHOOL DISTRICT
Antelope, California

CSBA Sample Exhibit

Board Bylaws

E(1) 9323.2(a)

ACTIONS BY THE BOARD

ACTIONS REQUIRING A SUPER MAJORITY VOTE

Note: The following exhibit lists some of the Governing Board actions that require more than a simple majority vote. Other such actions may exist and may be identified in the future.

Actions Requiring a Two-Thirds Vote of the Board:

1. Resolution declaring intention to sell or lease real property (Education Code 17466)
(cf. 3280 - Sale or Lease of District-Owned Real Property)
2. Resolution declaring intent of Governing Board to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)
3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)
4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)

Note: Item #5 below is different from temporary borrowing pursuant to Government Code 53850-53858 which requires only a majority vote of the Board.

5. Request for temporary borrowing pursuant to Government Code 53820-53833, to pay district obligations incurred before the receipt of district income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)
6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)
(cf. 7131 - Relations with Local Agencies)
(cf. 7150 - Site Selection and Development)
(cf. 7160 - Charter School Facilities)

7. When the district is organized to serve only grades K-8 and desires to establish a community day school for any of grades K-8 (Education Code 48660)

ACTIONS BY THE BOARD (continued)

(cf. 6185 - Community Day School)

Note: Items #7-9 below are for use by districts seeking to establish a community day school on an existing school site

- 7.8:** When the district has an average daily attendance (ADA) of 2,500 or less and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)
- 8.9:** When the district is organized to serve only grades K-8 and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)
- 9.10:** When the district desires to operate a community day school to serve any of grades K-6 (and no higher grades) on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

(cf. 6185 - Community Day School)

- 10.11:** Resolution of intent to issue general obligation bonds with the approval of 55 percent of the voters of the district (Education Code 15266)

(cf. 7214 - General Obligation Bonds)

- 11.12:** Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)

(cf. 7213 - School Facilities Improvement Districts)

- 12.13:** Resolution to place a parcel tax on the ballot (Government Code 53724)

Note: Code of Civil Procedure 1245.240 requires that, prior to commencing an eminent domain action, the Board adopt a resolution of necessity approved by a two-thirds vote of the Board unless a greater vote is required by statute, charter, or ordinance. In addition, if the Board desires to use the property for a different purpose than stated in the resolution of necessity, then pursuant to Code of Civil Procedure 1245.245, the Board must adopt, by two-thirds vote, another resolution authorizing the different use unless a greater vote is required by statute, charter, or ordinance.

- 13.14:** Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the

ACTIONS BY THE BOARD (continued)

resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:

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

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

Actions Requiring a Four-Fifths Vote of the Board:

1. Expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

(cf. 3110 - Transfer of Funds)

2. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)
3. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823-53824)
4. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

(cf. 3311 - Bids)

5. Resolution to award a contract for a public works project at \$187,500 or less to the lowest responsible bidder, when the district is using the informal process authorized

ACTIONS BY THE BOARD (continued)

under the Uniform Public Construction Cost Accounting Act for projects of \$175,000 or less, all bids received are in excess of \$175,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

Actions Requiring a Unanimous Vote of the Board:

1. Resolution authorizing and prescribing the terms of a community lease for extraction of gas (Education Code 17510-17511)
2. Waiver of the competitive bid process pursuant to Public Contract Code 20111 when the Board determines that an emergency exists and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

Action Requiring a Unanimous Vote of the Board Members Present at the Meeting:

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property in the local dump or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

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

Center USD

Exhibit

Actions By The Board

E(2) 9323.2

Board Bylaws

UNCONDITIONAL COMMITMENT LETTER

To: (Name of district attorney or any interested person)

The Governing Board of Center Joint Unified School District has received your cease and desist letter dated (date) alleging that the following described past action taken by the Board violates the Ralph M. Brown Act: *(Describe alleged past action as set forth in the cease and desist letter.)*

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above. The Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

(Name)

(Title of Board President or other designee)