

**SHANDON JOINT UNIFIED SCHOOL DISTRICT**  
**Board Meeting Agenda**  
**Tuesday, November 5, 2019**

Time: 6:00 PM. – Closed Session 7:00 PM Open Session;  
Location: Shandon High School- Library

*All persons desiring to address the Board at anytime tonight should complete a "Request to Address the Board of Trustees" card located at the entrance to the board room and provide it to the Board Recording Secretary prior to the start of the meeting.*

Per Government Code 54953.5, this Open Session Meeting of the Board may be recorded with an audio or video recorder, which recording shall be subject to inspection pursuant to the California Public Records Act, at the SJUSD District Office. This recording may be erased or destroyed after 30 days of the recording.

**1.0 OPEN SESSION**

- 1.1 Call to Order and Roll Call  
Marlene Thomason, President  
Kate Twisselman, Clerk  
Jennifer Moe  
Robert Van Parlet  
Nataly Ramirez

1.2 Public Comment Limited to Closed Session Items

The opportunity is provided to allow the public to comment for a period of up to three (3) minutes prior to the Board's consideration of any closed session agenda item. An additional opportunity is provided later in the agenda for comment on open session agenda items or items not on the agenda. [G.C. § 54954.3]

**2.0 CLOSED SESSION**

- 2.1 Conference with Labor Negotiators (G.C. 54957.6)- Negotiator: Kristina Benson  
Organization: STA/CTA/NEA, CSEA, and Management /Confidential Employees  
Unrepresented
- 2.2 Review and Possible Action on Appointment, Employment, Discipline, Resignation and  
Dismissal of District Employee(s) Pursuant to Government Code § 54957, Public Employment
- 2.3 Superintendent's Evaluation-Goals
- 2.4 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d)  
of Government Code section 54956.9)

**3.0 RECONVENE SESSION / PLEDGE OF ALLEGIANCE TO THE FLAG**

**4.0 REPORT ON ACTION FROM CLOSED SESSION**

**5.0 ADOPTION OF AGENDA**

**6.0 PUBLIC COMMENT**

**6.1 PUBLIC COMMENT**

*Comments from the public are limited to items both within the Board's jurisdiction, as well as not on the agenda. The Board may limit public comments to not more than three (3) minutes per person or a total of 20 minutes per topic at the discretion of the Board President. Public comment will also be allowed on each specific agenda item prior to Board action thereon. [G.C. § 54954.2, .EC. § 35145.5, BB 9323]*

## **7.0 REPORTS FROM SCHOOL RELATED GROUPS (oral)**

- 7.1 Student Body Reports
- 7.2 Staff Reports
- 7.3 Bargaining Representative Reports
- 7.4 Board Report

## **8.0 INFORMATION/PRESENTATION ITEM**

### **8.1 SJUSD Enrollment**

-A monthly report provided by the Shandon High School's Office Clerk of students that leave or start in Shandon Joint Unified School District.

### **8.2 District Calendar of Events**

-A monthly report of the "District Calendar of Events" happening in the Shandon Joint Unified School District, this calendar is also on the SJUSD website.

### **8.3 Special Education Report**

-A monthly report provided by the Special Education Coordinator of students receiving services in the District.

### **8.4 Cafeteria Report**

-A monthly report submitted by Jessie Wesch, cafeteria manager of the SJUSD.

### **8.5 Shandon Elementary School Report**

-A monthly report provided by Mrs. Kepins, Principal of the Shandon Elementary School. This report includes events, activities, or fundraisers happenings at the Elementary or Middle School.

### **8.6 Superintendent's Report**

-A monthly report provided by Ms. Benson, Superintendent of SJUSD.

## **9.0 APPROVAL OF CONSENT AGENDA**

*(Unless the Board pulls an item for separate action, the items listed below are approved without discussion.)*

- 9.1 Approval of the Minutes of October 8, 2019
- 9.2 Approval of Warrants and Payroll
- 9.3 Approval of Budget Report
- 9.4 Approval of Student Body Funds
- 9.5 Approval of Personnel Action Report
- 9.6 Approval of the Quarterly Interest Accrued Funds
- 9.7 Approval of BP 3551 Food Service Operations/Cafeteria Fund-Second Reading
- 9.8 Approval of BP 4119.24/4219.24/4319.24 Maintaining Appropriate Adult-Student Interactions Second Reading
- 9.9 Approval of BP 4218 Dismissal/Suspension/Disciplinary - Second Reading
- 9.10 Approval of BP 5123 Promotion/Acceleration/Retention -Second Reading
- 9.11 Approval of BP 5136 Gangs-Second Reading

## **10.0 DISCUSSION/ACTION ITEM**

### **10.1 Proposed Revision to BP 1112 Media Relations (First Reading)**

-Policy updated to expand the section on "Crisis Communications Plan" to apply to natural disasters, involve district technology personnel in the development of the plan, and expand the contents of the plan.

### **10.2 Discussion and Approval of MOU for the Provision of Data Processing Services to Districts by the SLOCOE**

- The SJUSD desires to contract with the SLOCOE for data processing services as outlined in this agreement for the 2019-20 Fiscal Year of \$2,063.54.

- 10.3 Discussion and Approval of 2019-20 Lease Agreement with the SLO Sheriff's Office**  
-This agreement is made and executed by and between the SJUSD and the SLO Sheriff's Office to utilize the premises situated in the town of Shandon.
- 10.4 Proposed Revision to BP 5131 Conduct (First Reading)**  
- Policy updated to reflect NEW LAW (AB 272) which authorizes boards to limit or prohibit, except under specified circumstances, student use of smartphones while at school or while under the supervision and control of a district employee.
- 10.5 Proposed Revision to BP 6142.2 World Language Instruction (First Reading)**  
- Policy and regulation retitled to be consistent with terminology used in the Education Code pursuant to NEW LAW (AB 2319, 2018)
- 10.6 Proposed Revision to BP 6174 Education for English Learners (First Reading)**  
- Policy updated to reflect NEW LAW (AB 2735, 2018) which prohibits districts from denying English learners the opportunity to enroll in core curricular courses or courses needed for middle school promotion, high school graduation, or college admission.
- 10.7 Proposed Revision to BP 6179 Instruction (First Reading)**  
- Policy updated to reflect current law requiring the provision of remedial instruction to students who are recommended for retention or are identified as being at risk for retention.
- 10.8 Proposed Revision to Board Bylaw and Exhibit 9321 Closed Session (First Reading)**  
- (BB revised; E(1) and E(2) added) Bylaw retitled and updated to incorporate material formerly in BB 9321.1 Closed Session Actions and Reports. (BB 9321.1 deleted) Bylaw deleted and key concepts incorporated in BB 9321 - Closed Session.
- 10.9 Proposed Revision to Board Bylaw and Exhibit 9323.2 (First Reading)**  
- (BB/E(1)/E(2) revised) Bylaw updated to reference the timelines by which a civil action may be filed to determine the applicability of the Brown Act to past board actions, and to clarify the circumstances under which a board action cannot be invalidated.
- 11.0 FUTURE AGENDA ITEM REQUESTS**

**12.0 ANNOUNCEMENTS**

The next regular meeting of the Board of Trustees is scheduled for December 10, 2019 at  
**Shandon High School Library, Closed Session at 6:00 PM, Open/Regular Session at 7:00 PM**

**13.0 ADJOURNMENT**

Any materials required by law to be made available to the public prior to a meeting of the Board of Trustees of the Shandon School District may be inspected at the following address during normal business hours, 7:30 – 4:00:

Shandon Joint Unified School District, 101 South 1<sup>st</sup> Street Box 79, Shandon, CA 93461

These materials are also available on the district's website: [www.shandonschools.org](http://www.shandonschools.org)

In compliance with the Americans with Disabilities Act, if you need special assistance to access or participate in a meeting of the Board of Trustees, including auxiliary aids or services, please contact the District Office at 805-238-0286. Notification of at least 48 hours prior to the meeting will assist the staff in assuring that reasonable accommodations may be made.

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OFFICIAL AGENDA POSTED AT THE DISTRICT OFFICE/SHANDON HIGH SCHOOL

8.1

## Shandon Joint Unified School District Monthly Enrollment 2019-20 SCHOOL YEAR

School	Grade of Class	Female	Male	October Enrollment 2019	September Enrollment 2019
<b>Parkfield</b>	Kdgn	0	1	1	1
	1st	1	1	2	2
	2nd	0	0	0	0
	3rd	0	0	0	0
	4th	1	0	1	1
	5th	0	0	0	0
	6th	1	0	1	1
<b>Parkfield Totals</b>	<b>5</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>5</b>
<b>Shandon Elem.</b>	Transitional K	3	2	5	6
	Kdgn	9	6	15	15
	1st	9	11	20	19
	2nd	7	13	20	21
	3rd	14	11	25	24
	4th	9	9	18	18
	5th	14	13	27	28
	6th	12	14	26	27
	7th	8	14	22	21
	8th	10	8	18	18
<b>SES Total</b>	<b>196</b>	<b>95</b>	<b>101</b>	<b>196</b>	<b>197</b>
<b>Shandon High School</b>	9th	16	8	24	25
	10th	12	7	19	20
	11th	6	14	20	20
	12th	6	13	19	21
<b>SHS Total</b>	<b>82</b>	<b>40</b>	<b>42</b>	<b>82</b>	<b>86</b>
<b>Ind. Study</b>		2	0	2	2
<b>Home Hospital</b>		0	0	0	0
<b>NPS Students</b>		0	0	0	0
<b>Total Miscellaneous</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>
<b>TOTAL ENROLLMENT</b>		<b>140</b>	<b>145</b>	<b>285</b>	<b>290</b>
			diff	-5	

30 OCT, WED

● All day

Minimum Day

● All day

SHS Periods 5-8

8.2

+ Create

● 12:15 – 3pm

Harvest Carnival and Parade

● 1 – 3pm

SES Fall Carnival

31 OCT, THU

● All day

PRIDE 7 Party Quad and Cafeteria

● All day

SHS Periods 1-4

● 11:30am – 12pm

\*SHS Dance Club (Mr. Voorheis Room)

● 1 – 3pm

PRIDE 7 Party (Good Behavior)

● 1 – 3pm

SHS Fall Event

1 NOV, FRI

● All day

\*D.E.A.R. Day

● All day

\*SES & SHS Picture Re-takes

● All day

Field Trip to Shandon Library- TK, K, 1st

● All day

SHS Periods 5-8

4 NOV, MON

● All day

SHS Periods 1-4

● 11:30am – 12pm

SHS Dance Club (Mr. Voorheis Room)

5 NOV, TUE

● All day

SHS/ SMS ( Aeries window for Grades Posting)

● All day

SHS Periods 5-8

● 11:30am – 12pm

\*SHS ASB Meetings

● 7 – 8pm

Board Meeting

6 NOV, WED

● All day

SHS/ SMS ( Aeries window for Grades Posting)

● All day

Minimum Day

● All day

SHS Periods 1-4

● 12:50 – 1:30pm

\*Class Meeting

● 6 – 7pm

\*Shandon 4-H SES Cafeteria

● 7 – 8pm

Shandon Community Advisory Meeting

7 NOV, THU

● All day

SHS/ SMS ( Aeries window for Grades Posting)

● All day

SHS Periods 5-8

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<div> <div>+</div> <div>Create</div> </div>	8	NOV, FRI	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>All day</li> </ul>	SHS/ SMS ( Aeries window for Grades Posting) End of First Trimester- SES and Parkfield SHS Periods 1-4
	9	NOV, SAT	<ul style="list-style-type: none"> <li>9am – 4pm</li> </ul>	SHS Carwash
	11	NOV, MON	<ul style="list-style-type: none"> <li>All day</li> <li>11:30am – 12pm</li> </ul>	No School- Veterans Day SHS Dance Club (Mr. Voorheis Room)
	12	NOV, TUE	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> </ul>	*SES Book Fair SHS Periods 5-8
	13	NOV, WED	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>All day</li> <li>6:30 – 7:30am</li> <li>11:30am – 12pm</li> <li>3 – 4pm</li> <li>5:30 – 7pm</li> <li>6 – 7:30pm</li> </ul>	*SES Book Fair Minimum Day SHS Periods 1-4 Superintendent's Coffee *ASB Meetings School Site/ DELAC Meeting *Family Literacy Night *FFA Monthly Meeting Shandon Agriculture Department R...
	14	NOV, THU	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>9:45am – 1:15pm</li> <li>11:30am – 12pm</li> <li>3:30 – 7:30pm</li> </ul>	*SES Book Fair SHS Periods 5-8 *Nutrition Education *SHS Dance Club (Mr. Voorheis Room) SHS Turkey Tip Off
	15	NOV, FRI	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>6 – 8pm</li> </ul>	*SES Book Fair SHS Periods 1-4 *SHS Movie Night
	18	NOV, MON	<ul style="list-style-type: none"> <li>All day</li> <li>11:30am – 12pm</li> </ul>	SHS Periods 5-8 SHS Dance Club (Mr. Voorheis Room)

18	NOV, MON	<ul style="list-style-type: none"> <li>All day</li> <li>11:30am – 12pm</li> </ul>	SHS Periods 5-8 SHS Dance Club (Mr. Voorheis Room)
+ Create		<ul style="list-style-type: none"> <li>All day</li> </ul>	SHS Periods 1-4
20	NOV, WED	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>11:30am – 12pm</li> <li>3 – 4pm</li> <li>3:10 – 4pm</li> </ul>	Minimum Day SHS Periods 5-8 *SHS Block "S" Meeting Food Bank- Children's Farmers Market Food Bank- Children's farmers Market
21	NOV, THU	<ul style="list-style-type: none"> <li>All day</li> <li>11:30am – 12pm</li> </ul>	SHS Periods 1-4 *SHS Dance Club (Mr. Voorheis Room)
22	NOV, FRI	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>6:30 – 7:30pm</li> </ul>	Minimum Day SHS Periods 5-8 SHS Boys Basketball (Home) Shandon High School
25	NOV, MON	<ul style="list-style-type: none"> <li>All day</li> <li>11:30am – 12pm</li> </ul>	No School- Thanksgiving Break SHS Dance Club (Mr. Voorheis Room)
26	NOV, TUE	<ul style="list-style-type: none"> <li>All day</li> </ul>	No School- Thanksgiving Break
27	NOV, WED	<ul style="list-style-type: none"> <li>All day</li> </ul>	No School- Thanksgiving Break
28	NOV, THU	<ul style="list-style-type: none"> <li>All day</li> <li>All day</li> <li>11:30am – 12pm</li> </ul>	No School- Thanksgiving Break Thanksgiving Day *SHS Dance Club (Mr. Voorheis Room)
29	NOV, FRI	<ul style="list-style-type: none"> <li>All day</li> </ul>	No School- Thanksgiving Break
2	DEC, MON	<ul style="list-style-type: none"> <li>All day</li> <li>8:20am – 2pm</li> <li>11:30am – 12pm</li> </ul>	SHS Periods 1-4 *MS cuesta college field trip SHS Dance Club (Mr. Voorheis Room)

+

Create

2	DEC, MON	● All day	SHS Periods 1-4
		● 8:20am – 2pm	*MS cuesta college field trip
		● 11:30am – 12pm	SHS Dance Club (Mr. Voorheis Room)
3	DEC, TUE	● All day	SHS Periods 5-8
		● 11:30am – 12pm	*SHS ASB Meetings
		● 5 – 9pm	SHS (County Public Works)
		● 5 – 8pm	*SHS Girls/Boys Basketball (Away) Alpaugh Unified Schoo...
4	DEC, WED	● All day	Minimum Day
		● All day	SHS Periods 1-4
		● 12:50 – 1:30pm	*Class Meeting
		● 6 – 7pm	*Shandon 4-H SES Cafeteria
		● 7 – 8pm	Shandon Community Advisory Meeting
5	DEC, THU	● All day	SHS Periods 5-8
		● 11am – 1pm	*Harvest of the Month
		● 11:30am – 12pm	*SHS Dance Club (Mr. Voorheis Room)
		● 4:30 – 6:30pm	Food Bank Distribution
		● 4:30 – 6pm	Neighborhood Food Distribution SHS Parking Lot
		● 6 – 8pm	*SHS Financial Aid night
6	DEC, FRI	● All day	SHS Periods 1-4
		● 5:30 – 8:30pm	*SHS Movie Night
7	DEC, SAT	● 6 – 7:30pm	SHS Boys Basketball Game (Home) Shandon High School
9	DEC, MON	● All day	SHS Periods 5-8
		● 11:30am – 12pm	SHS Dance Club (Mr. Voorheis Room)
10	DEC, TUE	● All day	SHS Candy Cane Grams
		● All day	SHS Periods 1-4
		● 1:15 – 2:15pm	*SES Fire Drill
		● 5 – 8pm	SHS Girls/Boys Basketball (Home) Shandon High School

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<div>10</div> <div>DEC, TUE</div> <div><div><div>+</div></div><div>Create</div></div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
	<div><div></div></div> <div>All day</div>	SHS Periods 1-4
	<div><div></div></div> <div>1:15 – 2:15pm</div>	*SES Fire Drill
	<div><div></div></div> <div>5 – 8pm</div>	SHS Girls/Boys Basketball (Home) Shandon High School
	<div><div></div></div> <div>7 – 8pm</div>	Board Meeting
<div>11</div> <div>DEC, WED</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
	<div><div></div></div> <div>All day</div>	Minimum Day
	<div><div></div></div> <div>All day</div>	SHS Periods 5-8
	<div><div></div></div> <div>11:30am – 12pm</div>	*ASB Meetings
	<div><div></div></div> <div>3 – 4pm</div>	School Site/ DELAC Meeting
	<div><div></div></div> <div>6 – 7:30pm</div>	*FFA Meeting
<div>12</div> <div>DEC, THU</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
	<div><div></div></div> <div>All day</div>	SHS Periods 1-4
	<div><div></div></div> <div>11:30am – 12pm</div>	*SHS Dance Club (Mr. Voorheis Room)
<div>13</div> <div>DEC, FRI</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
	<div><div></div></div> <div>All day</div>	SHS Periods 5-8
	<div><div></div></div> <div>5 – 6pm</div>	*SHS Girls/Boys BBall (Away)
<div>14</div> <div>DEC, SAT</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
<div>15</div> <div>DEC, SUN</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
<div>16</div> <div>DEC, MON</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
	<div><div></div></div> <div>All day</div>	*South Coast Region Road Road Show California Polytech...
	<div><div></div></div> <div>All day</div>	SHS Periods 1-4
	<div><div></div></div> <div>11:30am – 12pm</div>	SHS Dance Club (Mr. Voorheis Room)
<div>17</div> <div>DEC, TUE</div>	<div><div></div></div> <div>All day</div>	SHS Candy Cane Grams
	<div><div></div></div> <div>All day</div>	SHS/ SMS ( Aeries window for Grades Posting)
	<div><div></div></div> <div>All day</div>	SHS Periods 5-8
	<div><div></div></div> <div>5 – 8pm</div>	SHS Girls/Boys Basketball (Home) Shandon High School



8.3

## Report to School Board of Shandon Joint Unified School District Special Education Department November 2019

Current students receiving special education services: 47 +3 served in Regional/private programs and 1 student working on a settlement.

- PK - 8th grade: 39 IEPs
- 9th - 12th grade: 8 IEPs
- 3 504 Plans for Elementary and Middle-School
- 5 504 plans for High School

Students receiving only speech therapy service: 8

Students of residence being served outside of Shandon School District: 3

Staff Credentialed special education teachers: 2

- 9th-12th grade - Open position (Substitute teacher and SLOCOE Employee)
- SDC Classroom - Jeannie Thornton
- TK-8th grade - Danya Pratt

Classified Paraeducators supporting special education: 7

- 6-12th grades: Cassandra Uzeta, Enrique Ramirez, Maria Sendejas (a.m.), Yesenia Mercado
- TK -5th grades: Jenni Valdez, Martha Soto, Sunshine Wright, Maria Sendejas (p.m.)
- Substitutes: Sheryl Easterbrook, Michelle Fielder

Service Specialists providing special education services: 5

- Adaptive PE: Jolene Martin (2 hours/month) - serves 1 student
- Occupational Therapist: Jeanette Daily (1 day/week) - serves 8 students
- Speech Pathologist: Tracy White (3 days/week) - serves 27 students
- School Psychologist: Andy Needles (4 days/week) - serves District through student assessment, individual counseling and facilitating most IEP meetings.
- Casemis Operator: Jean DeClue, Templeton USD

Prepared and Submitted by:

Danya Pratt, Special Education Coordinator

8.4

## Nutrition and Food Services Report November 2019

Below is a breakdown of our Free and Reduce numbers for this year:

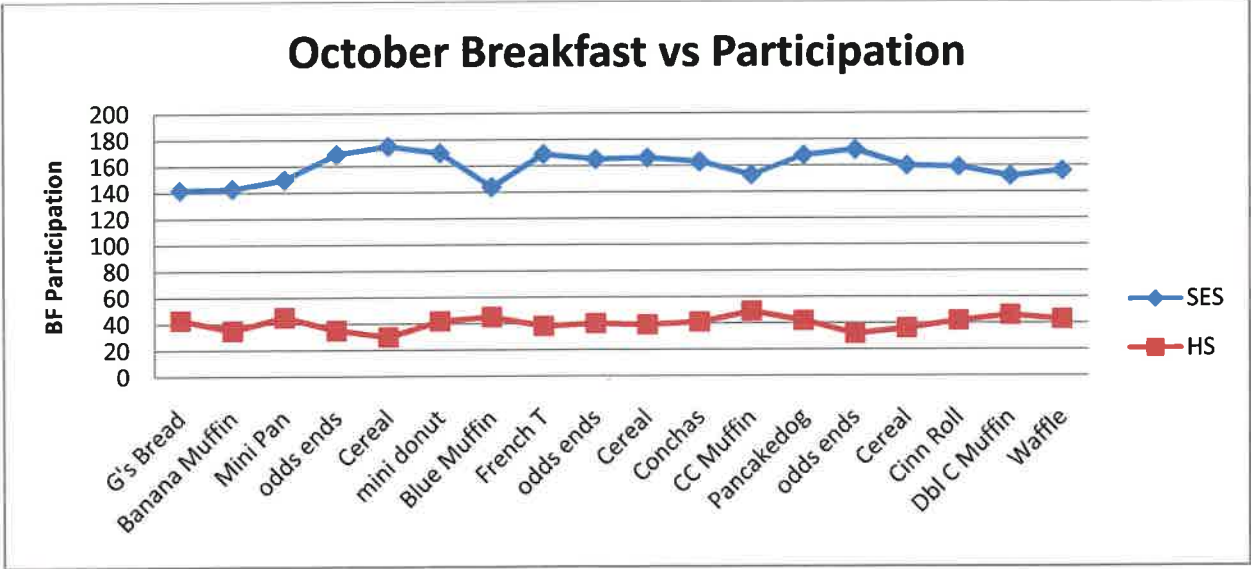
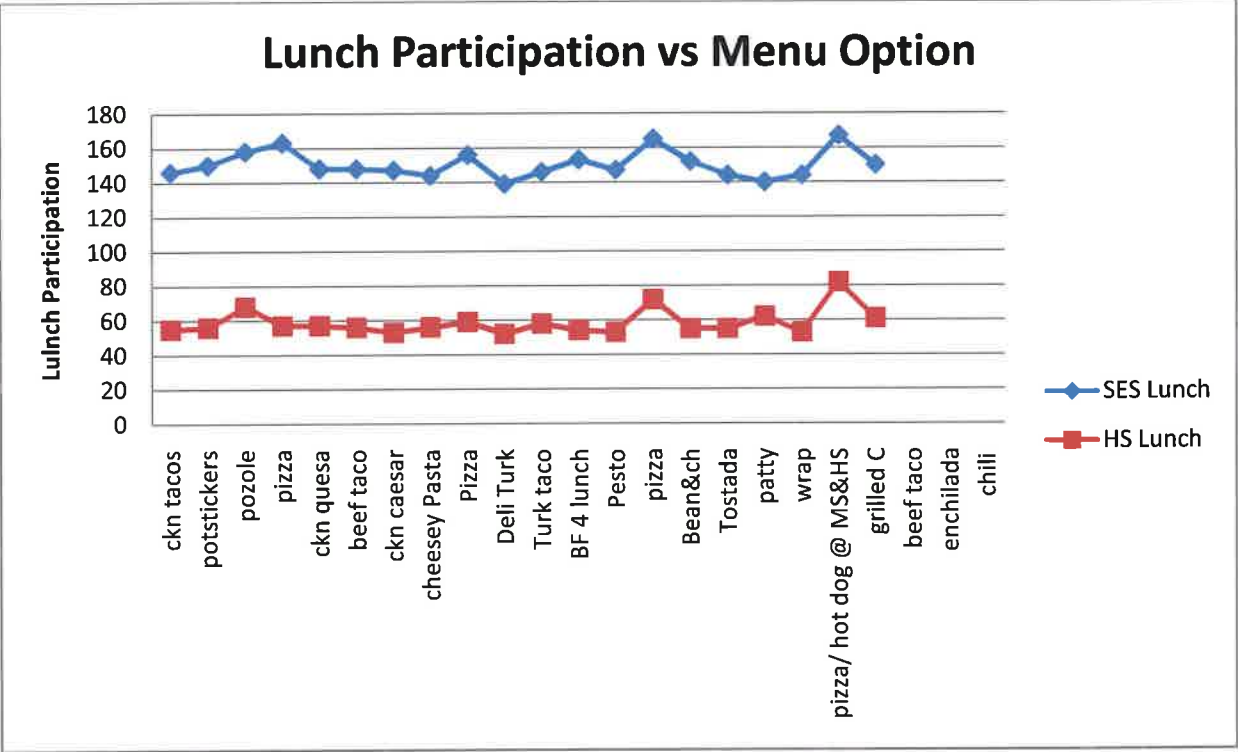
<b>Free and Reduced Reports</b>		<b>10/29/2019</b>
<b><u>District</u></b>		<b><u>Percent District</u></b>
Total Students	289	
Total DC	142	49%
Total Free (DC and Income; not including red-med)	164	57%
Total Reduced (DC and Income)	40	14%
Total Free & Reduced (DC and Income)	204	71%
Homeless	30	10%
SNAP	61	21%
Free Med	27	9%
Reduced Medical	10	3%
Migrant	10	3%
TANF	2	1%
Income Paid (includes forms not filled)	85	30%
Income Free	30	11%
Income Red	30	10%
<b><u>SES</u></b>		
Total Students	200	
Total DC	102	51%
Total Free (DC and Income; Not including red med)	117	59%
Total Reduced (DC and Income)	37	16%
Total Free & Reduced (DC and Income)	154	77%
Homeless	24	12%
Foster	1	1%
SNAP	42	21%
Free Med	22	11%
Reduced Medical	7	4%
Migrant	5	3%
TANF	1	1%
Income Paid (includes forms not filled)	50	26%
Income Free	22	11%
Income Red	25	15%

<b><u>High School</u></b>		
Total Students	84	
Total DC	38	46%
Total Free (DC and Income; Not including red med)	44	52%
Total Reduced (DC and Income)	8	10%
Total Free & Reduced (DC and Income)	52	62%
Homeless	6	7%
SNAP	19	23%
Free Med	5	6%
Reduced Medical	3	4%
Migrant	5	6%
TANF	1	1%
Income Paid (includes forms not filled)	32	38%
Income Free	8	10%
Income Red	5	6%
<b><u>Park</u></b>		
Total Students	5	
Total DC	1	20%
Total Free (DC and Income; Not including red med)	3	60%
Total Reduced (DC and Income)	0	
Total Free & Reduced (DC and Income)	4	80%
Homeless	0	
SNAP	0	
Free Med	1	20%
Reduced Medical	0	
Migrant	0	
TANF	0	
Income Paid (includes forms not filled)	2	40%
Income Free	2	40%
Income Red	0	

Our free and reduced percentages are less than last year. This doesn't change anything with our Community Eligibility Provisions (CEP) status. We are on CEP until 2022 regardless of how the student's Direct Certification status changes.

Harvest of the month will be November 7<sup>th</sup>. The county will have personnel come out and perform a taste test with the students. The produce has yet to be determined.

Here's a graph on how our menu options correlate with our lunch and breakfast participation. We will be using this to quantify what menu options we will keep for the future and which ones we will get rid of. Based on the graph, Pozole and Pizza day were by far the largest participation days of the year so far for lunch!



Lastly, we will be having a Thanksgiving Feast for our Elementary school lunch on Friday November 22. This will include roasted turkey, mashed potatoes and gravy, green beans, homemade bread/rolls, and apple crisp. Hope everyone has a restful, delicious, and pleasant Thanksgiving.

## Board Report for November 2019

### Field Trip

On November 1<sup>st</sup> TK, Kindergarten, and 1<sup>st</sup> grade students will be taking a walking field trip to the Shandon Library.

### Jamba Juice

A big thank you to the Shandon community for helping Shandon Elementary students generated \$984 during the Jamba Juice fundraiser. There was a tie for first place with 14 cards sold between Teagan Fielder grade 2 and Zaile Mendez-Barriga grade 1. There was also a tie for second place with 13 cards sold between Koa Pedretti TK and Elvis Mercado Grade 6.

### Harvest Carnival

The Harvest Carnival generated \$1,320 to use for parent engagement, student incentives, Middle School ASB, and the end of the year BBQ.

### Book Fair

The Scholastic Book Fair will be at Shandon Elementary on November 12-15<sup>th</sup>. Parents and student will be able to purchase books after school until 4pm and the evening of November 13<sup>th</sup>.

### Family Literacy Night

Shandon Elementary will be hosting Family Literacy Night on November 13<sup>th</sup> from 5:30-7:00pm. This event is being coordinated by Mrs. Esser, Mrs. Stanley, and Mrs. Diaz. Activities include: building letters and sight words with Playdough, writing with shaving cream, book making station, make a reading wand, and technology resources. The Shandon Librarian will be in attendance to issue library cards and to promote our local library. The theme for the evening will be "camping" and all students who attend will get a free book.

### Thanksgiving Feast

Shandon Elementary is collaborating with Colt's Café to offer a Thanksgiving Feast to all SES students and staff on Friday, November 22<sup>nd</sup>. The planned menu will consist of turkey, mashed potatoes, gravy, green beans, a roll, and apple crisp.

Parkfield Elementary will be joining Shandon Elementary School on November 20<sup>th</sup> for the Thanksgiving Feast.

### Upcoming Events

- 11/12 Good Attendance Party
- 11/15 Trimester Awards Assembly
- 11/15 TK-5<sup>th</sup> grade report cards are sent home

Prepared and Submitted by Shannon Kepins



# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

9.1

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**AGENDA ITEM TITLE:**

Approval of the Minutes October 8, 2019

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**PREPARED BY:**

Gabriela Gavilanes

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**AGENDA SECTION:**

☐ Reports ☒ Consent ☐ Action ☐ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Provided for your approval are the minutes from the October 8, 2019 Board Meeting.

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**RECOMMENDED ACTION:**

Approval



**SHANDON JOINT UNIFIED SCHOOL DISTRICT**

**Board Meeting Minutes**

**Tuesday, October 8, 2019**

**1.0 OPEN SESSION**

*Board President called the meeting to order at 6:03 PM*

*Members present: Marlene Thomason, President; Robert Van Parlet; Nataly Ramirez;  
Kate Twisselman, Clerk*

*Members absent: Jennifer Moe*

*Staff Present: Kristina Benson, Superintendent;*

**1.1 Public Comment Limited to Closed Session Items**

*There were no requests to address the governing Board on closed session items.*

*The Board adjourned to closed session at 6:04PM*

*Board Member Jennifer Moe arrived at 6:30PM*

**2.0 CLOSED SESSION**

**2.1 Conference with Labor Negotiators (G.C. 54957.6)- Negotiator: Kristina Benson**  
*Organization: STA/CTA/NEA, CSEA, and Management /Confidential Employees  
Unrepresented*

**2.2 Review and Possible Action on Appointment, Employment, Discipline, Resignation and  
Dismissal of District Employee(s) Pursuant to Government Code§ 54957, Public Employment**

**2.3 Superintendent's Evaluation-Goals**

**2.4 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

*Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d)  
of Government Code section 54956.9)*

*The Board adjourned closed session at 7:00PM*

**3.0 RECONVENE SESSION / PLEDGE OF ALLEGIANCE TO THE FLAG**

*Board President Thomason reconvened the meeting to open session at 7:07PM and Board Member Van Parlet  
led the Pledge of Allegiance.*

**4.0 REPORT ON ACTION FROM CLOSED SESSION**

*Board President Thomason reported there was no action taken on any of the items discussed.*

**5.0 ADOPTION OF AGENDA**

*A motion passed to approve the agenda and move agenda item 10.1 Presentation and Discussion of Facility Use  
Agreement between American Red Cross and SJUSD after the public comment (Twisselman/Moe) (5/0) Moe,  
Parlet, Ramirez, Thomason, and Twisselman voted aye.*

**6.0 PUBLIC COMMENT**

**6.1 PUBLIC COMMENT-** *Rosario Castro wanted to bring to attention the bullying situation in 6<sup>th</sup>  
grade class where her son attends and where he has been bullied by the same student for a while  
now. Rosario wants to know what is being done and she expects the school to be a safety place for  
students.*

**10.1** *A motion passed to deny the Facility Use Agreement between American Red Cross and SJUSD  
(Moe/Parlet) (4/1/0) Moe, Parlet, Ramirez, and Twisselman voted aye. Board President Thomason  
Voted no.*

## **7.0 REPORTS FROM SCHOOL RELATED GROUPS (oral)**

- 7.1 *There were no Student Body Reports.*
- 7.2 *Staff Reports- Ms. Benson shared with Board Members and the public that Marlene Thomason received an Achievement Award for being a 4-H Leader for 50 years.*
- 7.3 *There were no Bargaining Representative Reports.*
- 7.4 *Board Report- Recognition of donation letters for Gena Sager and Must! Charities.*

## **8.0 INFORMATION/PRESENTATION ITEM**

- 8.1 *SJUSD Enrollment- was provided in the Board Packet.*
- 8.2 *District Calendar of Events- was provided in the Board Packet.*
- 8.3 *Special Education Report- was provided in the Board Packet.*
- 8.4 *Cafeteria Report- was provided in the Board Packet.*
- 8.5 *Certificate of Recognition- was provided in the Board Packet.*
- 8.6 *California School Dashboard- was provided in the Board Packet.*
- 8.7 *Shandon Elementary School Report- was provided in the Board Packet.*
- 8.8 *Superintendent's Report- was provided in the Board Packet.*

## **9.0 APPROVAL OF CONSENT AGENDA**

*A motion passed to pull items 9.3 Budget Report, 9.7 BP 3511 Energy and Water Management- Second Reading, 9.9 BP 4119.22/4219.22/4319.22 Dress and Grooming (Personnel)-Second Reading, 9.13 BP 6142.6 Visual and Performing Arts Education- Second Reading, for discussion (Twisselman/Parlet) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

*A motion passed to approve 9.1 Minutes of September 3, 2019 Meeting, 9.2 Warrants and Payroll, 9.4 Students Body Funds, 9.5 Personnel Action Report, 9.6 BP 3510 Green School Operations- Second Reading, 9.8 BP 3540 Transportation- Second Reading, 9.10 BP 5131.2 Bullying-Second Reading, 9.11 BP 5132 Dress and Grooming (Students)- Second Reading, 9.12 BP 6142.1 Sexual Health and HIV/AIDS Prevention Instruction- Second Reading, 9.14 BP 6146.1 High School Graduation Requirements- Second Reading, 9.15 Quarterly Report on Williams Uniform Complaint (Twisselman/Moe) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

*A motion passed to approve item 9.3 Budget Report (Twisselman/Moe) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

*A motion passed to approve item 9.7 BP 3511 Energy and Water Management-Second Reading (Twisselman/Moe) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

*A motion passed to approve item 9.9 BP 4119.22/4219.22/4319.22 Dress and Grooming (Personnel)-Second Reading (Twisselman/Ramirez) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

*A motion passed to not adopt item 9.13 BP 6142.6 Visual and Performing Arts Education- Second Reading (Twisselman/Ramirez) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

## **10.0 DISCUSSION/ACTION ITEM**

- 10.2 *A motion passed to approve Resolution 2019-20-04 Annual Accounting of Development Fees for 2018-2019 Fiscal Year and Five Year Development Fee Summary (Twisselman/Moe) (5/0) Roll call vote Moe, Twisselman, Thomason, Ramirez, Parlet voted aye.*
- 10.3 *A motion passed to approve 2019-20 Agreement for Psychologist Services between PVSD and SJUSD (Moe/Parlet) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*
- 10.4 *A motion passed to approve the District Wide Safe School Plan 2019-2020 with the addition of the area codes on the phone numbers (Moe/Twisselman) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*
- 10.5 *A motion passed to approve Resolution 2019-20-05 Authorizing Assignment of Teachers To Teach Outside Of Their Credential Area (Moe/Twisselman) (5/0) Roll call vote; Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*
- 10.6 *A motion passed to approve the Shandon Ag Science Relocatable and Certification Process not exceeding*

- \$8,000 (Moe/Parlet) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*
- 10.7 *A motion passed to amend BP 1112 Media Relations (First Reading) for more discussion (Moe/Parlet) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*
- 10.8 *BP 3551 Food Service Operations/Cafeteria Fund (First Reading) with Option 1.*
- 10.9 *BP 4119.24/4219.24/4319.24 Maintaining Appropriate Adult-Student Interactions.*
- 10.10 *BP 4218 Dismissal/Suspension/Disciplinary Action (First Reading).*
- 10.11 *BP 4218.1 Dismissal/Suspension/Disciplinary Action (Merit System)(First Reading) does not apply to SJUSD.*
- 10.12 *BP 5123 Promotion/Acceleration/Retention (First Reading) Option 1 and fill in the blank.*
- 10.13 *BP 5136 Gangs (First Reading).*
- 10.14 *A motion passed to approve the MOU between SLOCOE and SJUSD for IEP support services to the District upon School Legals revision (Moe/Parlet) (5/0) Moe, Parlet, Ramirez, Thomason, and Twisselman voted aye.*

#### **11.0 FUTURE AGENDA ITEM REQUESTS**

- BP 1112 Media Relations

#### **12.0 ANNOUNCEMENTS**

The next regular meeting of the Board of Trustees is scheduled for November 5, 2019 at  
**Shandon High School Library, Closed Session at 6:30 PM, Open/Regular Session at 7:00 PM**

#### **13.0 ADJOURNMENT**

*Board President Thomason adjourned open session at 9:02PM*

*The Board adjourned to closed session at 9:05PM*

*The Board adjourned closed session at 9:19PM*

*Board President Thomason reconvened the meeting to open session at 9:20PM and the Board provided instructions to Superintendent*

*Board President Thomason adjourned the meeting at 9:21PM*

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Marlene Thomason, President of the Board

Or

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Kristina Benson, Superintendent and Secretary to the  
Board of Trustees

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: Nov. 5, 2019

9.2

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**AGENDA ITEM TITLE:**

Approval of Warrants and Payroll for October 2019

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**PREPARED BY:**

Sadie Howard

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**AGENDA SECTION:**

☐ Reports    ☒ Consent    ☐ Action    ☐ First Reading    ☐ Information    ☐ Resolution

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**SUMMARY:**Warrant Approvals:

Below is the warrant approval listing for the Board's approval. The single grand total provided in the report is broken into individual fund subtotals below:

Batch #13-16

General Fund (01)	\$ 149,220.57
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Food Service/Cafeteria Fund (13)	\$6,382.80
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***TOTAL WARRANT APPROVALS***

***\$155,603.37***

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Payroll Warrant Approval:

Payroll warrants are issued to district employees on the tenth and last day of each month. The total shown below includes the actual end-of-month and/or mid-month payroll for the current month.

Oct. 10 <sup>th</sup>	\$10,857.51
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Oct. 31 <sup>st</sup>	\$216,219.18
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***TOTAL***

***\$227,076.69***

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**RECOMMENDED ACTION:**

Approve Accounts Payable and Payroll warrants

VENDOR NAME	FUND : 01 DESCRIPTION	GENERAL FUND EXTENDED DESCRIPTION	AMOUNT	INVOICE DATE
AIRGAS USA LLC	INV#9093206349,S		3,865.29	10/04/2019
AIRGAS USA LLC	INV#9093064336,S		216.15	09/26/2019
ALERE TOXICOLOGY	INV#141718,DRUG		25.00	10/11/2019
ALICE TRAINING INSTITUTE LLC	INV#48073,19/20	ALICE TRAINING,3 YEARS	1,454.20	09/26/2019
AMERIPRIDE UNIFORM SERVICES	INV#150245006,TO	2019/2020 CUSTODIAL TOWELS	175.77	10/11/2019
AMERIPRIDE UNIFORM SERVICES	INV#1502444763,T	2019/2020 CUSTODIAL TOWELS	175.77	10/11/2019
AMERIPRIDE UNIFORM SERVICES	INV#1502490001,T	2019/2020 CUSTODIAL TOWELS	188.19	10/11/2019
AMERIPRIDE UNIFORM SERVICES	INV#1502481746,T	2019/2020 CUSTODIAL TOWELS	175.77	10/04/2019
AT&T	BAN#9391001883,P	2019/2020 PHONE BILL	268.22	10/21/2019
AYALA, MARIA	REIMB.TB TEST		54.64	10/04/2019
BENSON, KRISTINA	REIMB.ALICE TRAI		16.15	10/04/2019
BENSON, KRISTINA	REIMB.MILEAGE,SL		78.88	10/04/2019
BOYS & GIRLS CLUBS OF MID	INV#2019-08,19/2	2019/20 BOYS & GIRLS CLUB	9,000.00	09/26/2019
BREZDEN PEST CONTROL	INV#339537,ELEM	2019/2020 PEST CONTROL	430.00	10/18/2019
BREZDEN PEST CONTROL	INV#338922,TERMI		2,385.00	10/04/2019
BREZDEN PEST CONTROL	INV#338928,TERMI		1,354.00	10/04/2019
BREZDEN PEST CONTROL	INV#336500,HS.AN	2019/2020 PEST CONTROL	430.00	09/26/2019
BRIAN'S BREAD	INV#210328,FFA B		426.36	09/26/2019
CALIFORNIA DEPARTMENT OF TAX	ACC#57-415407,3R		90.75	10/11/2019
CDT INC.	INV#47184,DRUG T	2019/2020 RANDOM DRUG TEST	66.00	09/26/2019
CDW-GOVERNMENT	INV#VBM4424,DELL	STAFF COMPUTERS	2,136.42	10/04/2019
CENTURY LINK	INV#85230063,PHO	2019/2020 PHONE BILL	218.61	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF DUE		65.00	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF DUE		65.00	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF DUE		65.00	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF,GIR		130.00	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF,GIR		130.00	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF DUE		65.00	10/04/2019
CIF SOUTHERN SECTION	INV#4640,CIF DUE		65.00	10/04/2019
COAST PIPE	INV#59852,SHOP S		8,325.54	09/26/2019
CSA 16	ACC#17453,MS WAT	2019/2020 WATER BILL	71.67	09/26/2019
CSA 16	ACC#14095,MOT OF	2019/2020 WATER BILL	81.67	09/26/2019
CSA 16	ACC#14096,HS.WAT	2019/2020 WATER BILL	359.85	09/26/2019
CSA 16	ACC#14118-000,EL	2019/2020 WATER BILL	187.65	09/26/2019
NPS MILEAGE	REIB.MILEAGE,DEC		1,275.30	10/18/2019
DEPARTMENT OF TOXI SUBSTANCES	VQ#20192156,HASM		7.50	09/27/2019
DOBBERPUHL, AMANDA	MILES,9/25/19,CO		110.31	10/11/2019
EASTERBROOK, SHERYL	SPET.2019 SUB MI		58.00	10/04/2019
J.B.DEWAR INC.	INV#80666,	2019/2020 TRANSP. FUEL AND GAS	1,124.41	10/11/2019
J.B.DEWAR INC.	INV#78715	2019/2020 TRANSP. FUEL AND GAS	581.80	09/26/2019
J.B.DEWAR INC.	INV#79873	2019/2020 TRANSP. FUEL AND GAS	1,579.17	10/04/2019
LASSITER, TERESA	INV#00002,SEPT.2	2019/20 COUNSELING SER.	3,380.00	09/26/2019
LOWE'S BUSINESS ACCT/GEMB	ACC#6675,MOT SUP		467.86	10/04/2019
LOWE'S BUSINESS ACCT/GEMB	ACC#6675,SHOP SU		474.63	10/04/2019
MARK'S TIRE SERVICE	INV#36191,TIRES,		363.25	09/27/2019
MCGRAW-HILL EDUCATION	INV#109477062001	ALEKS ONLINE SEATS	3,144.75	09/27/2019
MCGRAW-HILL EDUCATION	INV#110285462001	SPANISH BOOKS ONLINE	132.06	09/27/2019
MCGRAW-HILL EDUCATION	INV#110281284001	ONLINE PRE CALC ONLINE BOOK	38.79	09/27/2019

VENDOR NAME	FUND : 01 DESCRIPTION	GENERAL FUND EXTENDED DESCRIPTION	AMOUNT	INVOICE DATE
MID COAST MOWER AND SAW	INV#182640, GENER		1,206.79	10/04/2019
MILLER BROS.	INV#3920, HAY FOR		1,500.00	09/27/2019
MORTON, DEANNA	MEALS CATA CONF,		69.00	10/04/2019
MOSS LEVY & HARTZHEIM	INV#20461, AUDIT	2019/2020 AUDIT FEES	1,000.00	10/04/2019
NAPA AUTO PARTS	INV#946362, GROUND		42.99	10/11/2019
NAPA AUTO PARTS	INV#944749, WIPER		33.17	10/04/2019
NEELY, JEANNE	INV#00002, SPET, 2	2019/20 COUNSELING SERV.	3,380.00	09/26/2019
NEWEGG BUSINESS INC	INV#1302438430, S	STAFF COMPUTERS	1,115.19	10/18/2019
OFFICE DEPOT	INV#382504400001	2019/2020 HIGH SCHOOL SUPPLIES	6.72	10/11/2019
OFFICE DEPOT	INV#382503804001	2019/2020 HIGH SCHOOL SUPPLIES	176.80	10/11/2019
OFFICE DEPOT	INV#387591992001	2019/2020 ELEM SUPPLIES	179.54	10/18/2019
OFFICE DEPOT	INV#383323349001		40.39	10/18/2019
OFFICE DEPOT	INV#387591992001		36.57	10/18/2019
OFFICE OF THE COUNTY CLERK-	INV#383323349001		40.39	10/11/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#5762161390-0	2019/2020 PG&E	212.63	10/11/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#576216390-0,	2019/2020 PG&E	8,716.19	10/11/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#0028511953-3	2019/2020 PG&E	11.94	09/26/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#3644187859-6	2019/2020 PG&E	186.75	10/04/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#6978927856-6	2019/2020 PG&E	106.31	10/04/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#1779527540-7	2019/2020 PG&E	251.96	10/04/2019
PACIFIC GAS & ELECTRIC COMPANY	ACC#6230961798-3	2019/2020 PG&E	341.75	10/04/2019
PASO ROBLES HEATING & AIR	INV#361201, ELEM	2019/2020 HEATING/AC MAINT	90.00	10/18/2019
PASO ROBLES HEATING & AIR	INV#361245, MOT O	2019/2020 HEATING/AC MAINT	180.00	10/18/2019
PASO ROBLES HEATING & AIR	INV#361202, PRKFL	2019/2020 HEATING/AC MAINT	220.00	10/18/2019
PASO ROBLES HEATING & AIR	INV#361198, HIGH	2019/2020 HEATING/AC MAINT	1,264.80	10/18/2019
PASO ROBLES HEATING & AIR	INV#361200, ELEM	2019/2020 HEATING/AC MAINT	1,494.50	10/18/2019
PROCARE JANITORIAL SUPPLY INC.	INV#130176, CUSTO		933.59	10/18/2019
RANCH WIFI	INV#1611, PRKFLD	2019/2020 PRKFLD INTERNET	145.00	10/18/2019
READ NATURALLY	INV#235344, READ	READ NATURALLY LICENSES	690.00	10/04/2019
READY REFRESH	INV#091090005198	DRINKING WATER	70.20	10/11/2019
READY REFRESH	INV#910900024480	DRINKING WATER	124.51	10/11/2019
ROSETTA STONE	INV#10595833, ONL	ONLINE LANGUAGE	1,354.00	10/21/2019
ROSSI AND CARR ELECTRICAL INC	INV#18736, INSTAL	INSTALL NETWORK WIRES	9,029.50	09/26/2019
SAN LUIS OBISPO COUNTY OFFICE	INV#200266, FINGE		80.00	10/18/2019
SAN MIGUEL GRABAGE	ACC#318244, OCT.2	2019/2020 GARBAGE FEES	1,044.50	10/11/2019
SCHOLASTIC INC	INV#20131003, EMO	SOCIAL EMOTIONAL LEARNING	57.63	10/18/2019
SCHOOL FACILITY CONSULTANTS	INV#14032, AUG.20	MODERNIZATION AND HARDSHIP MON	175.00	09/26/2019
SELF INSURED SCHOOLS OF CA.	ID#68833, OCT.201		55,940.10	10/04/2019
SOUTH COAST REGION CATA	CATA PROF.DEVE.2		290.00	10/04/2019
SPURR	INV#102843	2019/2020 NATURAL GAS	246.40	10/18/2019
STATE OF CALIFORNIA	EMP#94248135, 3RD		267.26	10/18/2019
TECH TIME COMMUNICATIONS	INV#11205, QRTY M	2019/2020 QTRLY MONITORING	201.00	10/04/2019
THE LISTENING ACADEMY INC	INV#ADMIN-19, AUD	AUDIOLOGY TESTING	195.00	09/26/2019
THORNTON, JEANNIE	REIMB.MILEAGE, SL		52.50	09/26/2019
THRESHOLD	INV#I421865, ELEM	ELEM VISITOR PASS	72.00	09/26/2019
U.S. BANK CORPORATE PMT SYSTEM	RENDON, CUSTOD.SU		9.98	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, POSTAGE		31.85	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, DOBBERPUH		110.00	10/04/2019

.8 SHANDON UNIFIED

## BOARD BILL APPROVAL LISTING

J46206 APYBRPLO L.00.00 10/29/19 PA

FROM BATCH: 13 THRU BATCH: 16

VENDOR NAME	FUND : 01 DESCRIPTION	GENERAL FUND EXTENDED DESCRIPTION	AMOUNT	INVOICE DATE
U.S. BANK CORPORATE PMT SYSTEM	RENDON, BUS SUPP		50.94	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, IT SUPPLI		320.94	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, TV, DVD PL		196.91	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, ENGLISH R		57.53	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, SPEC.ED.C		73.85	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	MORTON, FFA MEETI		329.91	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	RENDON, SAFETY VE		71.43	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	FULLER, CLASSROOM		243.61	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, AUDIT FOO		39.66	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, TONER		147.71	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	RENDON, MOT SUPP		98.47	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	SCIOCCHETTI, PRIM		127.63	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	RENDON, ENGRAVE		80.04	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	SCOICCHETTI, ASB		986.52	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	BENSON, SCIENCE B		483.81	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	MORTON CLASSROOM		4,410.73	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	FULLER, FFA HATS/		627.21	10/04/2019
U.S. BANK EQUIPMENT FINANCE	INV#395769128, CO	2019/2020 COPIER FEES	1,710.61	10/11/2019
VERIZON - 508105832-00001	ACC#508105832-00	2019/2020 PRKFLD HOT SPOT	38.01	10/18/2019
VOORHEIS, ROBERT	REIMB.ART SUPPLI		204.80	10/18/2019
VOORHEIS, ROBERT	REIMB.CLASSROOM		89.38	10/04/2019
VOORHEIS, ROBERT	REIMB.BUNDS FOR		83.92	10/04/2019
WASTE MANAGEMENT	INV#936194005273	2019/2020 PRKFLD TRASH	142.17	10/04/2019

TOTAL FUND 01

149,220.57

VENDOR NAME	FUND : 13 DESCRIPTION	CAFETERIA FUND EXTENDED DESCRIPTION	AMOUNT	INVOICE DATE
AMERIPRIDE UNIFORM SERVICES	INV#1502481746,C	2019/2020 CUSTODIAL TOWELS	20.00	10/04/2019
AMERIPRIDE UNIFORM SERVICES	INV#1502490001,C	2019/2020 CUSTODIAL TOWELS	20.00	10/11/2019
AMERIPRIDE UNIFORM SERVICES	INV#150245006,CA	2019/2020 CUSTODIAL TOWELS	20.00	10/11/2019
AMERIPRIDE UNIFORM SERVICES	INV#1502444763,C	2019/2020 CUSTODIAL TOWELS	20.00	10/11/2019
CRYSTAL CREAMERY	INV#621267904,CA	2019/2020 CAFE FOOD	326.20	09/26/2019
CRYSTAL CREAMERY	INV#621274907,CA	2019/2020 CAFE FOOD	362.05	10/04/2019
CRYSTAL CREAMERY	INV#62128108,CAF	2019/2020 CAFE FOOD	346.12	10/11/2019
EDNA'S BAKERY	INV#1019996,CAFE	2019/2020 CAFE FOOD	242.85	09/26/2019
EDNA'S BAKERY	INV#1025034,CAFE	2019/2020 CAFE FOOD	104.95	10/11/2019
EDNA'S BAKERY	INV#1025. CAFE F	2019/2020 CAFE FOOD	130.20	10/04/2019
GOLD STAR FOODS INC.	INV#2828191,CAFE	2019/2020 CAFE FOOD	945.34	09/26/2019
GOLD STAR FOODS INC.	INV#2839538,CAFE	2019/2020 CAFE FOOD	56.66	09/26/2019
GOLD STAR FOODS INC.	INV#2845133,CAFE	2019/2020 CAFE FOOD	1,017.02	10/04/2019
GOLD STAR FOODS INC.	INV#2866060,CAFE	2019/2020 CAFE FOOD	93.52	10/04/2019
GOLD STAR FOODS INC.	INV#2833785,CAFE	2019/2020 CAFE FOOD	954.49	10/04/2019
GOLD STAR FOODS INC.	INV#2839788,CAFE	2019/2020 CAFE FOOD	87.41	10/04/2019
GOLD STAR FOODS INC.	INV#2840381,CAFE	2019/2020 CAFE FOOD	103.55	10/04/2019
GOLD STAR FOODS INC.	INV#2850469,CAFE	2019/2020 CAFE FOOD	94.00	10/04/2019
LAGUNA MIDDLE SCHOOL	WATERMELON, SHAND		37.76	10/11/2019
MID COAST FIRE PROTECTIONS	INV#48269,SEMI-A	2019/2020 CAFE HOOD SYSTEM	240.57	09/26/2019
THE BERRY MAN INC.	INV#10598151,CAF	2019/2020 CAFE FOOD	178.88	10/11/2019
THE BERRY MAN INC.	INV#10592728,CAF	2019/2020 CAFE FOOD	240.76	09/26/2019
THE BERRY MAN INC.	INV#10596059,CAF	2019/2020 CAFE FOOD	432.95	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	WESCH,CAFE SUPPL		158.03	10/04/2019
U.S. BANK CORPORATE PMT SYSTEM	WESCH,CAFE FOOD		149.49	10/04/2019

TOTAL FUND 13

6,382.80

TOTAL DISTRICT

155,603.37



# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

9.3

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**AGENDA ITEM TITLE:**

Approval of the Budget Report

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**PREPARED BY:**

Sadie Howard

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**AGENDA SECTION:**

☐ Reports ☒ Consent ☐ Action ☐ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Attached is the Budget Report through June 30, 2020 for approval.

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**RECOMMENDED ACTION:**

Approve the Budget Report.

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUE DETAIL							
REVENUE LIMIT SOURCES :							
8011	REV LIMIT STATE AID-CURR YEAR	1,683,797.00		1,683,797.00	1,090,472.00	593,325.00	64.76
8012	Rev Limit State Aid EPA	57,762.00	2,740.00	60,502.00	15,126.00	45,376.00	25.00
8021	HOME OWNERS EXEMPTION	11,748.00		11,748.00	.00	11,748.00	0.00
8041	SECURED TAX ROLLS	1,870,835.00		1,870,835.00	95,912.02	1,774,922.98	5.12
8042	UNSECURED ROLL TAXES	49,463.00		49,463.00	54,984.46	5,521.46	111.16
8043	PRIOR YEARS TAXES	4,670.00		4,670.00	967.70	3,702.30	20.72
8044	SUPPLEMENTAL TAXES	61,792.00		61,792.00	8,164.89	53,627.11	13.21
8045	EDUC REV AUGMENTATION FUND	161,357.00		161,357.00	.00	161,357.00	0.00
8097	PROPERTY TAXES TRANSFERS	101,467.00		101,467.00	.00	101,467.00	0.00
TOTAL REVENUE LIMIT SOURCES :		4,002,891.00	2,740.00	4,005,631.00	1,265,627.07	2,740,003.93	31.59
FEDERAL REVENUES :							
8181	SP ED ENTITLEMENT PER UDC	50,556.00		50,556.00	.00	50,556.00	0.00
8182	SPEC ED-DISCRETIONARY GRANTS	611.00		611.00	375.00	236.00	61.37
8290	ALL OTHER FEDERAL REVENUES	213,287.00	54,048.00	267,335.00	68,478.00	198,857.00	25.61
TOTAL FEDERAL REVENUES :		264,454.00	54,048.00	318,502.00	68,853.00	249,649.00	21.61
OTHER STATE REVENUES :							
8550	MANDATED COST REIMBURSEMENT	11,614.00		11,614.00	.00	11,614.00	0.00
8560	STATE LOTTERY REVENUE	59,915.00		59,915.00	13,219.51	46,695.49	22.06
8590	ALL OTHER STATE REVENUES	146,156.00	125,000.00	271,156.00	124,046.00	147,110.00	45.74
TOTAL OTHER STATE REVENUES :		217,685.00	125,000.00	342,685.00	137,265.51	205,419.49	40.05
OTHER LOCAL REVENUES :							
8650	LEASES & RENTALS	22,500.00		22,500.00	7,150.00	15,350.00	31.77
8660	INTEREST	15,000.00		15,000.00	6,305.71	8,694.29	42.03
8677	INTERAGENCY SERV BETWN LEA'S	16,963.00		16,963.00	2,998.20	13,964.80	17.67
8698	STALE-DATED WTS/PRIOR YR WTS	.00		.00	1,275.30	1,275.30	NO BDGT
8699	ALL OTHER LOCAL REVENUES	35,936.00		35,936.00	7,904.30	28,031.70	21.99
8792	TF OF APPORT FROM COE	174,529.00		174,529.00	28,896.09	145,632.91	16.55
TOTAL OTHER LOCAL REVENUES :		264,928.00	.00	264,928.00	54,529.60	210,398.40	20.58
* TOTAL YEAR TO DATE REVENUES		* 4,749,958.00 *	181,788.00 *	4,931,746.00 *	1,526,275.18 *	3,405,470.82 *	30.94

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
EXPENDITURE DETAIL							
CERTIFICATED SALARIES :							
1100	CERTIFICATED TEACHER	1,317,242.00	32,098.00-	1,285,144.00	357,479.60	927,664.40	27.81
1130	CERTIFICATED TEACHER HOURLY	.00		.00	409.81	409.81-	NO BDGT
1150	CERTIFICATED TCHER EXTRA DUTY	21,796.00		21,796.00	4,168.36	17,627.64	19.12
1160	CERTIFICATED TEACHER SUBSTITUT	43,000.00		43,000.00	4,875.00	38,125.00	11.33
1161	CERT TCHR SUBS-LONG TERM	.00		.00	3,045.00	3,045.00-	NO BDGT
1190	CERTIFICATED TEACHER OTH ASSIG	45,448.00		45,448.00	9,150.11	36,297.89	20.13
1200	CERT PUPIL SUPPORT SALARY	161,519.00	7,442.00	168,961.00	47,664.10	121,296.90	28.21
1300	CERTIFICATED SUPERV & ADM SAL	37,950.00	2,530.00	40,480.00	13,641.00	26,839.00	33.69
1340	SCHOOL ADMINISTRATORS	188,716.00		188,716.00	67,139.68	121,576.32	35.57
TOTAL CERTIFICATED SALARIES :		1,815,671.00	22,126.00-	1,793,545.00	507,572.66	1,285,972.34	28.29
CLASSIFIED SALARIES :							
2100	INSTRUCTIONAL AIDE SALARIES	183,538.00	221.00-	183,317.00	46,388.77	136,928.23	25.30
2130	INSTRUCTIONAL AIDE HOURLY	890.00		890.00	.00	890.00	0.00
2160	INSTRUCTIONAL AIDE SUBSTITUTE	13,000.00		13,000.00	661.34	12,338.66	5.08
2190	INSTRUCTIONAL AIDE STUDENTS	28,276.00		28,276.00	1,593.60	26,682.40	5.63
2200	CLASSIFIED SUPPORT SALARIES	297,947.00		297,947.00	88,931.10	209,015.90	29.84
2250	CLASSIFIED SUPPORT EXTRA DUTY	3,000.00		3,000.00	202.87	2,797.13	6.76
2260	CLASSIFIED SUPPORT SUBSTITUTE	3,000.00		3,000.00	221.00	2,779.00	7.36
2270	CLASSIFIED SUPPORT OVERTIME	8,500.00		8,500.00	1,423.06	7,076.94	16.74
2400	CLERICAL/TECHNICAL/OFFICE SAL	193,674.00		193,674.00	53,540.36	140,133.64	27.64
2450	CLERICAL AND OFFICE EXTRA DUTY	4,000.00		4,000.00	.00	4,000.00	0.00
2460	CLERICAL & OFFICE SUBSTITUTE	3,000.00		3,000.00	.00	3,000.00	0.00
2470	CLERICAL & OFFICE OVERTIME	4,500.00		4,500.00	.00	4,500.00	0.00
2900	OTHER CLASSIFIED SALARIES	20,673.00		20,673.00	2,780.36	17,892.64	13.44
TOTAL CLASSIFIED SALARIES :		763,998.00	221.00-	763,777.00	195,742.46	568,034.54	25.62
EMPLOYEE BENEFITS :							
3100	STRS	.00		.00	1,011.56	1,011.56-	NO BDGT
3101	STRS CERTIFICATED	433,004.00	8,001.00-	425,003.00	82,056.46	342,946.54	19.30
3201	PERS CERTIFICATED	10,427.00		10,427.00	2,771.05	7,655.95	26.57
3202	PERS CLASSIFIED	150,877.00	200.00-	150,677.00	37,311.01	113,365.99	24.76
3301	SOCIAL SECURITY CERTIFICATED	3,035.00		3,035.00	828.57	2,206.43	27.30
3302	SOCIAL SECURITY CLASSIFIED	47,379.00	150.00-	47,229.00	11,490.49	35,738.51	24.32
3311	MEDICARE - CERTIFICATED	27,116.00	957.00-	26,159.00	7,071.58	19,087.42	27.03
3312	MEDICARE - CLASSIFIED	11,085.00		11,085.00	2,687.24	8,397.76	24.24
3401	HEALTH & WELFARE CERTIFICATED	275,815.00	25,448.00-	250,367.00	50,184.20	200,182.80	20.04
3402	HEALTH & WELFARE CLASSIFIED	137,067.00	5,237.00-	131,830.00	25,248.66	106,581.34	19.15
3420	HEALTH & WELFARE BOARD	8,835.00		8,835.00	.00	8,835.00	0.00
3501	UNEMPLOYMENT - CERTIFICATED	936.00	33.00-	903.00	354.63	548.37	39.27
3502	UNEMPLOYMENT - CLASSIFIED	376.00		376.00	92.60	283.40	24.62

## UNRESTRICTED/RESTRICTED COMBINED

## FUND: 01 GENERAL FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
EXPENDITURE DETAIL							
EMPLOYEE BENEFITS :							
3601	WORKERS COMP - CERTIFICATED	43,197.00	1,518.00-	41,679.00	11,099.87	30,579.13	26.63
3602	WORKERS COMP - CLASSIFIED	17,134.00		17,134.00	4,225.53	12,908.47	24.66
TOTAL EMPLOYEE BENEFITS :		1,166,283.00	41,544.00-	1,124,739.00	236,433.45	888,305.55	21.02
BOOKS AND SUPPLIES :							
4100	APPRVD TEXTBKS/CORE CURRICULA	74,909.00	9,709.00	84,618.00	28,787.22	55,830.78	34.02
4200	BOOKS AND REFERENCE MATERIALS	225.00	291.00	516.00	1,153.09	637.09-	223.46
4300	MATERIALS AND SUPPLIES	82,384.00	36,147.00	118,531.00	55,173.83	63,357.17	46.54
4310	FUEL GAS	36,750.00		36,750.00	6,171.66	30,578.34	16.79
4318	COPIER USAGE	30,000.00		30,000.00	6,842.44	23,157.56	22.80
4319	TIRES AND TUBES	4,000.00		4,000.00	156.06	3,843.94	3.90
4320	GREASE & OIL	1,000.00		1,000.00	172.37	827.63	17.23
4321	CUSTODIAL SUPPLIES	12,000.00		12,000.00	5,676.68	6,323.32	47.30
4325	TOOLS	500.00		500.00	232.14	267.86	46.42
4328	TESTING MATERIALS	700.00		700.00	195.00	505.00	27.85
4339	REPAIR PARTS	10,550.00		10,550.00	799.17	9,750.83	7.57
4355	SOFTWARE	70.00		70.00	1,717.75	1,647.75-	2453.92
4375	FOOD FOR IN-HOUSE INSERVICE	.00		.00	261.90	261.90-	NO BDGT
4380	PAPER	4,479.00		4,479.00	707.64	3,771.36	15.79
4398	FUEL TAX	500.00		500.00	158.03	341.97	31.60
4400	NON-CAPITALIZED EQUIPMENT	10,000.00	46,631.00	56,631.00	35,533.90	21,097.10	62.74
4700	FOOD	1,800.00		1,800.00	.00	1,800.00	0.00
TOTAL BOOKS AND SUPPLIES :		269,867.00	92,778.00	362,645.00	143,738.88	218,906.12	39.63
SERVICES, OTHER OPER. EXPENSE:							
5110	Subagmnt SPED outside agency	90,978.00		90,978.00	.00	90,978.00	0.00
5200	TRAVEL & CONFERENCE	53,315.00		53,315.00	9,783.41	43,531.59	18.35
5230	MILEAGE	9,027.00		9,027.00	429.32	8,597.68	4.75
5300	DUES & MEMBERSHIPS	10,180.00	300.00	10,480.00	8,422.00	2,058.00	80.36
5400	INSURANCE	35,625.00		35,625.00	40,753.30	5,128.30-	114.39
5510	WATER	5,000.00		5,000.00	1,281.14	3,718.86	25.62
5520	GAS	6,800.00		6,800.00	945.57	5,854.43	13.90
5530	ELECTRICITY	75,000.00		75,000.00	33,135.64	41,864.36	44.18
5550	DISPOSAL/GARBAGE REMOVAL	12,040.00		12,040.00	4,640.06	7,399.94	38.53
5600	RENTALS, LEASES, REPAIRS, IMPROVM	10,000.00		10,000.00	.00	10,000.00	0.00
5640	REPAIRS/MAINT OF EQUIPMENT	15,600.00		15,600.00	4,485.00	11,115.00	28.75
5650	REPAIRS/MAIN - VEHICLES	500.00		500.00	605.77	105.77-	121.15
5800	PROFES'L/CONSULTG SVCS/OP EXP	132,791.00	121,236.00	254,027.00	63,384.36	190,642.64	24.95
5810	SERVICES PROVIDED BY SLOCCE	144,435.00	48,310.00	192,745.00	5,324.67-	198,069.67	0.00
5822	MAINTENANCE AGREEMENTS	7,000.00		7,000.00	3,249.30	3,750.70	46.41
5830	HAZARDOUS WASTE DISPOSAL	1,000.00		1,000.00	7.50	992.50	0.75

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
EXPENDITURE DETAIL							
SERVICES, OTHER OPER. EXPENSE:							
5840	PHYSICAL EXAMS-FINGERPRINTING	1,150.00		1,150.00	774.64	375.36	67.36
5841	PHYSICAL EXAMS-IMMUNIZATION	500.00		500.00	.00	500.00	0.00
5845	RANDOM DRUG/ALCOHOL TESTING	400.00		400.00	66.00	334.00	16.50
5855	OUTSIDE PRINTING	1,200.00		1,200.00	1,236.24	36.24	103.02
5865	IN LIEU OF TRANSPORTATION	18,148.00		18,148.00	.00	18,148.00	0.00
5872	LEGAL FEES	22,675.00		22,675.00	4,131.36	18,543.64	18.21
5874	AUDIT FEES	6,165.00		6,165.00	1,000.00	5,165.00	16.22
5890	OTHER SERVICES	2,500.00		2,500.00	.00	2,500.00	0.00
5894	LICENSES AND PERMITS	1,471.00		1,471.00	1,481.00	10.00	100.67
5899	CATEGORICAL HOLDING ACCOUNT	86,030.00	1,170.00	87,200.00	.00	87,200.00	0.00
5922	COMMUNICATION - TELEPHONE SVCS	9,810.00		9,810.00	2,964.82	6,845.18	30.22
5930	COMMUNICATION - POSTAGE/METER	3,400.00		3,400.00	856.85	2,543.15	25.20
TOTAL SERVICES, OTHER OPER. EXPENSE:		762,740.00	171,016.00	933,756.00	178,308.61	755,447.39	19.09
CAPITAL OUTLAY :							
6400	EQUIPMENT	10,000.00		10,000.00	.00	10,000.00	0.00
TOTAL CAPITAL OUTLAY :		10,000.00	.00	10,000.00	.00	10,000.00	0.00
OTHER OUTGOING :							
7141	OTH TUIT,EXC CST PMT TO DIST	74,498.00		74,498.00	9,992.01-	84,490.01	0.00
7142	OTH TUIT,EXC CST PMT TO COE	104,850.00		104,850.00	1,078.08-	105,928.08	0.00
TOTAL OTHER OUTGOING :		179,348.00	.00	179,348.00	11,070.09-	190,418.09	0.00
DIRECT SUPPORT/INDIRECT COSTS:							
TOTAL DIRECT SUPPORT/INDIRECT COSTS:		.00	.00	.00	.00	.00	NO BDGT
* TOTAL YEAR TO DATE EXPENDITURES * *		4,967,907.00 *	199,903.00 *	5,167,810.00 *	1,250,725.97 *	3,917,084.03 *	24.20

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
OTHER FINANCING SOURCES ( USES )							
INTERFUND TRANSFERS - OUT :							
7616	INT-FD TF FR GENERAL TO CAFE	31,243.00-		31,243.00-	.00	31,243.00-	0.00
TOTAL INTERFUND TRANSFERS - OUT :		31,243.00-	.00	31,243.00-	.00	31,243.00-	0.00
CONTRIB.- RESTRICTED PROGRAMS:							
TOTAL CONTRIB.- RESTRICTED PROGRAMS:		.00	.00	.00	.00	.00	NO BDGT
* TOTAL YEAR TO DATE OTHER FINANCING *		31,243.00-*	.00 *	31,243.00-*	.00 *	31,243.00-*	0.00

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND

OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE
FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	1,347,315.46	3,279.21	1,350,594.67
9130	REVOLVING CASH ACCOUNT	1,500.00	.00	1,500.00
9210	ACCOUNTS RECEIVABLE PRIOR YEAR	122,127.42	63,358.42-	58,769.00
9508	SALES TAX PAYABLE	854.11-	195.75-	1,049.86-
9510	ACCOUNTS PAYABLE(CURRENT LIAB)	258,418.27-	231,001.09	27,417.18-
9515	UNEMPLOYMENT	68.34	230.54	298.88
9516	W/COMP PASS THROUGH		16,940.35-	16,940.35-
9521	MEDICAL	146,102.32-	78,421.89	67,680.43-
9550	PAYROLL HAND WARRANTS	34.00-	.00	34.00-
9650	DEFERRED REVENUE	43,111.00-	43,111.00	.00
* NET YEAR TO DATE FUND BALANCE	* *	1,022,491.52 *	275,549.21 *	1,298,040.73 *
9791	FUND BAL-BEGINNING BALANCE	1,022,491.52-	.00	1,022,491.52-
* EXCESS REVENUES ( EXPENDITURES )	* *	.00 *	275,549.21 *	275,549.21 *

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE							
A.	REVENUES	4,749,958.00	181,788.00	4,931,746.00	1,526,275.18	3,405,470.82	30.94
B.	EXPENDITURES	4,967,907.00	199,903.00	5,167,810.00	1,250,725.97	3,917,084.03	24.20
C.	EXCESS REVENUES ( EXPENDITURES )	217,949.00-	18,115.00-	236,064.00-	275,549.21	511,613.21-	0.00
D.	OTHER FINANCING SOURCES ( USES )	31,243.00-	.00	31,243.00-	.00	31,243.00-	0.00
E.	NET CHANGE IN FUND BALANCE	249,192.00-	18,115.00-	267,307.00-	275,549.21	542,856.21-	0.00
F.	FUND BALANCE :						
	BEGINNING BALANCE (9791)	1,022,491.52	.00	1,022,491.52	1,022,491.52	.00	100.00
	AUDIT ADJUSTMENTS (9793)	.00	.00	.00	.00	.00	NO BDGT
	OTHER RESTATEMENTS (9795)	.00	.00	.00	.00	.00	NO BDGT
	ADJUSTED BEGINNING BALANCE	1,022,491.52	.00	1,022,491.52	1,022,491.52	.00	100.00
G.	ENDING BALANCE	773,299.52	18,115.00-	755,184.52	1,298,040.73	542,856.21-	171.88

## UNRESTRICTED/RESTRICTED COMBINED

## FUND: 13 CAFETERIA FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUE DETAIL							
FEDERAL REVENUES :							
8220	CHILD NUTRITION PROGRAMS	206,000.00		206,000.00	14,149.34	191,850.66	6.86
TOTAL FEDERAL REVENUES :		206,000.00	.00	206,000.00	14,149.34	191,850.66	6.86
OTHER STATE REVENUES :							
8520	CHILD NUTRITION	15,735.00		15,735.00	1,174.33	14,560.67	7.46
TOTAL OTHER STATE REVENUES :		15,735.00	.00	15,735.00	1,174.33	14,560.67	7.46
OTHER LOCAL REVENUES :							
8634	FOOD SERVICE SALES	8,000.00		8,000.00	1,181.75	6,818.25	14.77
8660	INTEREST	149.00		149.00	53.37-	202.37	0.00
8699	ALL OTHER LOCAL REVENUES	2,000.00		2,000.00	489.70	1,510.30	24.48
TOTAL OTHER LOCAL REVENUES :		10,149.00	.00	10,149.00	1,618.08	8,530.92	15.94
* TOTAL YEAR TO DATE REVENUES		231,884.00	.00	231,884.00	16,941.75	214,942.25	7.30
EXPENDITURE DETAIL							
CLASSIFIED SALARIES :							
2200	CLASSIFIED SUPPORT SALARIES	64,127.00		64,127.00	16,309.71	47,817.29	25.43
2260	CLASSIFIED SUPPORT SUBSTITUTE	2,304.00		2,304.00	84.50	2,219.50	3.66
2300	CLASSIFIED SUPERV & ADMIN SAL	50,430.00		50,430.00	16,731.15	33,698.85	33.17
TOTAL CLASSIFIED SALARIES :		116,861.00	.00	116,861.00	33,125.36	83,735.64	28.34
EMPLOYEE BENEFITS :							
3202	PERS CLASSIFIED	24,191.00		24,191.00	6,108.51	18,082.49	25.25
3302	SOCIAL SECURITY CLASSIFIED	7,245.00		7,245.00	1,888.59	5,356.41	26.06
3312	MEDICARE - CLASSIFIED	1,695.00		1,695.00	441.69	1,253.31	26.05
3402	HEALTH & WELFARE CLASSIFIED	36,778.00		36,778.00	6,315.70	30,462.30	17.17
3502	UNEMPLOYMENT - CLASSIFIED	58.00		58.00	15.24	42.76	26.27
3602	WORKERS COMP - CLASSIFIED	2,665.00		2,665.00	694.53	1,970.47	26.06
TOTAL EMPLOYEE BENEFITS :		72,632.00	.00	72,632.00	15,464.26	57,167.74	21.29
BOOKS AND SUPPLIES :							
4300	MATERIALS AND SUPPLIES	6,000.00		6,000.00	2,017.02	3,982.98	33.61
4355	SOFTWARE	305.00		305.00	.00	305.00	0.00



UNRESTRICTED/RESTRICTED COMBINED

FUND: 13 CAFETERIA FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
EXPENDITURE DETAIL							
BOOKS AND SUPPLIES :							
4700	FOOD	65,000.00		65,000.00	18,123.85	46,876.15	27.88
TOTAL BOOKS AND SUPPLIES :		71,305.00	.00	71,305.00	20,140.87	51,164.13	28.24
SERVICES, OTHER OPER. EXPENSE:							
5200	TRAVEL & CONFERENCE	54.00		54.00	.00	54.00	0.00
5800	PROFES'L/CONSULTG SVCS/OP EXP	930.00		930.00	3,412.57	2,482.57-	366.94
5890	OTHER SERVICES	733.00		733.00	.00	733.00	0.00
5894	LICENSES AND PERMITS	612.00		612.00	630.00	18.00-	102.94
TOTAL SERVICES, OTHER OPER. EXPENSE:		2,329.00	.00	2,329.00	4,042.57	1,713.57-	173.57
* TOTAL YEAR TO DATE EXPENDITURES * *		263,127.00 *	.00 *	263,127.00 *	72,773.06 *	190,353.94 *	27.65

## OTHER FINANCING SOURCES ( USES )

INTERFUND TRANSFERS - IN :

8916	INTFD TF TO CAFETERIA FR GEN	31,243.00		31,243.00	.00	31,243.00	0.00
TOTAL INTERFUND TRANSFERS - IN :		31,243.00	.00	31,243.00	.00	31,243.00	0.00
* TOTAL YEAR TO DATE OTHER FINANCING *		31,243.00 *	.00 *	31,243.00 *	.00 *	31,243.00 *	0.00

UNRESTRICTED/RESTRICTED COMBINED

FUND: 13 CAFETERIA FUND

OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE
FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	20,562.26-	24,977.82-	45,540.08-
9210	ACCOUNTS RECEIVABLE PRIOR YEAR	32,305.17	32,305.17-	.00
9508	SALES TAX PAYABLE	37.42-	.00	37.42-
9510	ACCOUNTS PAYABLE(CURRENT LIAB)	1,451.68-	1,451.68	.00
* NET YEAR TO DATE FUND BALANCE * *		10,253.81 *	55,831.31-*	45,577.50-*
9791	FUND BAL-BEGINNING BALANCE	10,253.81-	.00	10,253.81-
* EXCESS REVENUES ( EXPENDITURES ) * *		.00 *	55,831.31-*	55,831.31-*

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE							
A.	REVENUES	231,884.00	.00	231,884.00	16,941.75	214,942.25	7.30
B.	EXPENDITURES	263,127.00	.00	263,127.00	72,773.06	190,353.94	27.65
C.	EXCESS REVENUES ( EXPENDITURES )	31,243.00-	.00	31,243.00-	55,831.31-	24,588.31	178.70
D.	OTHER FINANCING SOURCES ( USES )	31,243.00	.00	31,243.00	.00	31,243.00	0.00
E.	NET CHANGE IN FUND BALANCE	.00	.00	.00	55,831.31-	55,831.31	NO BDGT
F.	FUND BALANCE :						
	BEGINNING BALANCE (9791)	10,253.81	.00	10,253.81	10,253.81	.00	100.00
	AUDIT ADJUSTMENTS (9793)	.00	.00	.00	.00	.00	NO BDGT
	OTHER RESTATEMENTS (9795)	.00	.00	.00	.00	.00	NO BDGT
	ADJUSTED BEGINNING BALANCE	10,253.81	.00	10,253.81	10,253.81	.00	100.00
G.	ENDING BALANCE	10,253.81	.00	10,253.81	45,577.50-	55,831.31	0.00

UNRESTRICTED/RESTRICTED COMBINED

FUND: 21 BUILDING FUND - BOND PROCEEDS

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUE DETAIL							
OTHER LOCAL REVENUES :							
8660	INTEREST	.00		.00	31.53	31.53-	NO BDGT
TOTAL OTHER LOCAL REVENUES :		.00	.00	.00	31.53	31.53-	NO BDGT
* TOTAL YEAR TO DATE REVENUES		.00 *	.00 *	.00 *	31.53 *	31.53-*	NO BDGT

UNRESTRICTED/RESTRICTED COMBINED

FUND: 21 BUILDING FUND - BOND PROCEEDS

OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE
FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	11,809.54	9,778.01-	2,031.53
9510	ACCOUNTS PAYABLE (CURRENT LIAB)	11,809.54-	9,809.54	2,000.00-
* NET YEAR TO DATE FUND BALANCE	* *	.00 *	31.53 *	31.53 *
* EXCESS REVENUES ( EXPENDITURES )	* *	.00 *	31.53 *	31.53 *

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE							
A.	REVENUES	.00	.00	.00	31.53	31.53-	NO BDGT
B.	EXPENDITURES	.00	.00	.00	.00	.00	NO BDGT
C.	EXCESS REVENUES ( EXPENDITURES )	.00	.00	.00	31.53	31.53-	NO BDGT
D.	OTHER FINANCING SOURCES ( USES )	.00	.00	.00	.00	.00	NO BDGT
E.	NET CHANGE IN FUND BALANCE	.00	.00	.00	31.53	31.53-	NO BDGT
F.	FUND BALANCE :						
	BEGINNING BALANCE (9791)	.00	.00	.00	.00	.00	NO BDGT
	AUDIT ADJUSTMENTS (9793)	.00	.00	.00	.00	.00	NO BDGT
	OTHER RESTATEMENTS (9795)	.00	.00	.00	.00	.00	NO BDGT
	ADJUSTED BEGINNING BALANCE	.00	.00	.00	.00	.00	NO BDGT
G.	ENDING BALANCE	.00	.00	.00	31.53	31.53-	NO BDGT

UNRESTRICTED/RESTRICTED COMBINED

FUND: 25 CAPITAL FACILITIES FUND

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUE DETAIL							
OTHER LOCAL REVENUES :							
8660	INTEREST	500.00		500.00	290.65	209.35	58.13
TOTAL OTHER LOCAL REVENUES :		500.00	.00	500.00	290.65	209.35	58.13
* TOTAL YEAR TO DATE REVENUES		500.00 *	.00 *	500.00 *	290.65 *	209.35 *	58.13

UNRESTRICTED/RESTRICTED COMBINED

FUND: 25 CAPITAL FACILITIES FUND

OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE
FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	54,818.96	290.65	55,109.61
* NET YEAR TO DATE FUND BALANCE	* *	54,818.96 *	290.65 *	55,109.61 *
9791	FUND BAL-BEGINNING BALANCE	54,818.96-	.00	54,818.96-
* EXCESS REVENUES ( EXPENDITURES )	* *	.00 *	290.65 *	290.65 *

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE							
A.	REVENUES	500.00	.00	500.00	290.65	209.35	58.13
B.	EXPENDITURES	.00	.00	.00	.00	.00	NO BDGT
C.	EXCESS REVENUES ( EXPENDITURES )	500.00	.00	500.00	290.65	209.35	58.13
D.	OTHER FINANCING SOURCES ( USES )	.00	.00	.00	.00	.00	NO BDGT
E.	NET CHANGE IN FUND BALANCE	500.00	.00	500.00	290.65	209.35	58.13
F.	FUND BALANCE :						
	BEGINNING BALANCE (9791)	54,818.96	.00	54,818.96	54,818.96	.00	100.00
	AUDIT ADJUSTMENTS (9793)	.00	.00	.00	.00	.00	NO BDGT
	OTHER RESTATEMENTS (9795)	.00	.00	.00	.00	.00	NO BDGT
	ADJUSTED BEGINNING BALANCE	54,818.96	.00	54,818.96	54,818.96	.00	100.00
G.	ENDING BALANCE	55,318.96	.00	55,318.96	55,109.61	209.35	99.62

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

9.4

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**AGENDA ITEM TITLE:**

Approval of the Student Body Funds

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**PREPARED BY:**

Sadie Howard

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**AGENDA SECTION:**

☐ Reports    ☒ Consent    ☐ Action    ☐ First Reading    ☐ Information    ☐ Resolution

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**SUMMARY:**

Attached for your review and approval are the Student Body Funds for Shandon Elementary School and Shandon High School for the month of September 2019.

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**RECOMMENDED ACTION:**

Approve the Student Body Funds.

SHANDON UNIFIED SCHOOL DISTRICT  
SHANDON HIGH SCHOOL STATEMENT OF STUDENT BODY FUNDS  
September-2019

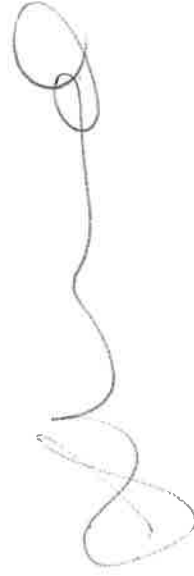
CLASSES CLUBS	Authorized Advisor	ENDING BAL. 8/31/2019	BALANCE FORWARD	WITHDRAWLS	DEPOSITS	ENDING BAL. 9/30/2019
High General	D. Sciocchetti	\$ 1,315.86	\$ 1,315.86		838.35	884.61
Seniors	Fuller/Morton	\$ 2,949.99	\$ 2,949.99			2,949.99
Junior	Stuart/Voorhies	\$ 882.42	\$ 882.42			882.42
Sophomore	Dobberpuhl	\$ 727.78	\$ 727.78			727.78
Freshman	D. Sciocchetti	\$ -	\$ -			0.00
Comm. Outreach Project	D. Sciocchetti	\$ 124.18	\$ 124.18			124.18
FNL	D. Sciocchetti	\$ 59.70	\$ 59.70			59.70
Gate/Officials	Sciocchetti/Bus. Off.	\$ (65.00)	\$ (65.00)	387.00	604.20	152.20
Ag Mechanics Class	Fuller	\$ 571.41	\$ 571.41		134.00	705.41
Drama Class	Barthauer	\$ 495.49	\$ 495.49			495.49
F.F.A. General	Morton/Fuller	\$ 7,846.02	\$ 7,846.02	123.72	5,220.00	12,942.30
F.F.A. Revolving	Morton/Fuller	\$ 1,623.30	\$ 1,623.30	270.00		1,353.30
YearBook Class	D. Sciocchetti	\$ 60.10	\$ 60.10			60.10
BLOCK-S	D. Sciocchetti	\$ 525.00	\$ 525.00	311.06	559.50	773.44
*Football	D. Sciocchetti	\$ -	\$ -			0.00
*H.S. Volleyball	D. Sciocchetti	\$ 110.16	\$ 110.16			110.16
*Basketball	D. Sciocchetti	\$ -	\$ -			0.00
*Softball	D. Sciocchetti	\$ -	\$ -			0.00
*Baseball	D. Sciocchetti	\$ -	\$ -			0.00
<b>TOTAL in Fund Balances/Ties to Bank Balance</b>		<b>\$ 17,226.41</b>	<b>\$ 17,226.41</b>	<b>\$ 2,361.38</b>	<b>\$ 7,356.05</b>	<b>\$ 22,221.08</b>





Shandon Elementary ASB Heritage Oaks Bank  
September 1, 2019

CLASSES/CLUBS	BALANCE FORWARD 8/30/2019	WITHDRAWALS	DEPOSIT	ENDING BALANCE 9/30/2019
SES ABS General	\$ 4,588.87	\$ 491.47	\$ 96.79	\$ 4,194.19
SES ASB Middle School	\$ 646.73			\$ 646.73
8th Grade	\$ 634.71			\$ 634.71
Library	\$ 154.85			\$ 154.85
Parkfield	\$ 470.07			\$ 470.07
Gate	\$ -	\$ 70.00		\$ (70.00)
Cross County	\$ 0.41			\$ 0.41
Kindergarten	\$ 184.92			\$ 184.92
Stabley PGE Funds	\$ 561.56			\$ 561.56
Drone Program	\$ 420.00		\$ 140.00	\$ 560.00
<b>TOTAL</b>	\$ 7,662.12	\$ 561.47	\$ 236.79	\$ 7,337.44



# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

9.5

## AGENDA ITEM TITLE:

Ratification of the Personnel Action Report

## PREPARED BY:

Sadie Howard

## AGENDA SECTION:

☐ Reports ☒ Consent ☐ Action ☐ First Reading ☐ Information ☐ Resolution

## PERSONNEL ACTION REPORT

### NEW HIRES

Michele Fielder

### CLASSIFICATION

Elem/High School Para Educator

### EFFECTIVE DATE

11/18/19

### SPORT COACHES

Bruce OHagan

H.S. Boys Basketball Coach

10/28/19

Sierra OHagan

H.S. Assistant Basketball Coach

10/28/19

Sadie Howard

M.S. Girls Basketball Coach

11/1/19

Yesenia Mercado

M.S. Boys Basketball Coach

11/1/19

### RESIGNATIONS

## RECOMMENDED ACTION:

Approval of the Personnel Action Report

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 05, 2019

9.6

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**AGENDA ITEM TITLE:**

Approval of the Quarterly Interest Accrued Funds

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**PREPARED BY:**

Maria Ruelas

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**AGENDA SECTION:**

☐ Reports ☒ Consent ☐ Action ☐ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Quarterly Interest Accrued for Funds 13 and 25 through September 30, 2019.

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**RECOMMENDED ACTION:**

Approval of the Quarterly Interest Accrued Funds

018 SHANDON UNIFIED  
19-20 1st Qtr int 2.1658% ps

Interest Allocation Based on ADB of Cash Accounts J42448 GLIA10 L.00.00 10/14/19 PAGE  
Date Range: 07/01/2019 to 09/30/2019 Interest Amount: 6,580.07

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Begin Date: 07/01/2019  
End Date: 09/30/2019  
Total Days in Period: 92

Total Interest to be Allocated: 6,580.07

Transaction Description: 19-20 1st Qtr int 2.1658% ps  
Transaction Post Date: 10/14/2019

Break by Fund: N

Lines per Transaction: 500

Target Acctclass Mask: ??-????-?-????-????-????-????-????

Update Mode: Y

FN RESC Y OBJT GOAL FUNC SCH DISC DIS2	Ending Cash	Average Daily Balance	Percent Allocated	Interest Allocated
01-0000-0-9110-0000-0000-000-0000-0000	1,459,605.26	1,230,400.03	99.1437	6,523.74
01-0001-0-9110-0000-0000-000-0000-0000	3,933.52	3,933.52	0.3170	20.86
01-0001-5-9110-0000-0000-000-0000-0000	-99.00	-99.00	-0.0080	-0.53
01-0001-6-9110-0000-0000-000-0000-0000	-1,150.15	-1,150.15	-0.0927	-6.10
01-0001-7-9110-0000-0000-000-0000-0000	-732.04	-732.04	-0.0590	-3.88
01-0620-0-9110-0000-0000-000-0000-0000	10,000.00	10,000.00	0.8058	53.02
01-0709-0-9110-0000-0000-000-0000-0000	-142,451.97	-30,301.92	-2.4417	-160.67
01-0723-0-9110-0000-0000-000-0000-0000	-42,421.04	-16,213.21	-1.3064	-85.96
01-1100-0-9110-0000-0000-000-0000-0000	2,069.60	1,416.74	0.1142	7.51
01-1400-0-9110-0000-0000-000-0000-0000	-421.01	-1,638.97	-0.1321	-8.69
01-3010-0-9110-0000-0000-000-0000-0000	-15,747.85	-8,188.77	-0.6598	-43.42
01-3182-0-9110-0000-0000-000-0000-0000	7,051.87	27,836.51	2.2430	147.59
01-3310-0-9110-0000-0000-000-0000-0000	-55,880.00	-51,925.03	-4.1840	-275.31
01-3315-0-9110-0000-0000-000-0000-0000	-279.00	-421.66	-0.0340	-2.24
01-3550-0-9110-0000-0000-000-0000-0000	0.00	-2,074.61	-0.1672	-11.00
01-4035-0-9110-0000-0000-000-0000-0000	-1,617.40	-338.74	-0.0273	-1.80
01-4127-0-9110-0000-0000-000-0000-0000	-1,627.00	-1,627.00	-0.1311	-8.63
01-4203-0-9110-0000-0000-000-0000-0000	-2,405.15	-207.34	-0.0167	-1.10
01-5810-0-9110-0000-0000-000-0000-0000	-2,157.89	-764.38	-0.0616	-4.05
01-6300-0-9110-0000-0000-000-0000-0000	-2,109.74	-6,200.66	-0.4996	-32.87
01-6387-0-9110-0000-0000-000-0000-0000	-43,054.89	-15,904.62	-1.2816	-84.33
01-6500-0-9110-0000-0000-000-0000-0000	-36,924.49	36,984.02	2.9801	196.09
01-6512-0-9110-0000-0000-000-0000-0000	0.00	-1,735.24	-0.1398	-9.20
01-7010-0-9110-0000-0000-000-0000-0000	-6,372.18	-4,112.42	-0.3314	-21.81
01-7311-0-9110-0000-0000-000-0000-0000	1,816.45	2,198.84	0.1772	11.66
01-7338-0-9110-0000-0000-000-0000-0000	-0.29	-0.29	0.0000	0.00
01-7510-0-9110-0000-0000-000-0000-0000	764.00	4,178.78	0.3367	22.16
01-7823-0-9110-0000-0000-000-0000-0000	805.42	805.42	0.0649	4.27
01-9055-0-9110-0000-0000-000-0000-0000	1,114.67	1,114.67	0.0898	5.91
01-9069-0-9110-0000-0000-000-0000-0000	8,759.51	9,181.24	0.7398	48.68
01-9580-0-9110-0000-0000-000-0000-0000	6,021.16	6,021.16	0.4852	31.93
01-9638-0-9110-0000-0000-000-0000-0000	-363.75	-106.75	-0.0086	-0.57
13-5310-0-9110-0000-0000-000-0000-0000	-41,488.31	-10,065.54	-0.8111	-53.37
21-0000-0-9110-0000-0000-000-0000-0000	2,000.00	5,945.14	0.4791	31.53
25-0000-0-9110-0000-0000-000-0000-0000	54,818.96	54,818.96	4.4172	290.65
	1,161,457.27	1,241,026.69	100.0000	6,580.07

Date last used from: 00/00/0000 To 99/99/9999  
 Transaction Number from: 210326 To 210326  
 Date entered from: 00/00/0000 To 99/99/9999

## APPROVED TRANSACTIONS ONLY

Number	Date	Entered	Description	FN	RESC	Y	OBJT	GOAL	FUNC	SCH	DISC	DIS2	Debit	Credit
LN.	Di	Detail	descr											
210326	10/14/2019	10/14/2019	19-20 1st Qtr Int 2.1658% ps											
1.	018			01-0000-0-8660-0000-0000-000-0000-0000										6,311.26
2.	018			13-5310-0-8660-0000-0000-000-0000-0000									53.37	
3.	018			21-0000-0-8660-0000-0000-000-0000-0000										31.53
4.	018			25-0000-0-8660-0000-0000-000-0000-0000										290.65
				TOTAL AMOUNT									53.37*	6,633.44*
				DISTRICT TOTAL									53.37**	6,633.44*
				GRAND TOTAL									53.37***	6,633.44*

9.7

# Shandon Joint Unified School District

## Board Policy

### Food Service Operations/Cafeteria Fund

BP 3551

#### Business and Noninstructional Operations

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

- (cf. 3100 - Budget)
- (cf. 3300 - Expenditures and Purchases)
- (cf. 3311 - Bids)
- (cf. 3550 - Food Service/Child Nutrition Program)
- (cf. 3552 - Summer Meal Program)
- (cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

- (cf. 4231 - Staff Development)
- (cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the CDE. (42 USC 1776)

#### Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

- (cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with BP/AR 3553 - Free and Reduced Price Meals, 2 CFR 200.426, and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees or a student who is enrolled in the free or reduced-price meal program is not overtly identified by the use of special tokens, tickets, or other means and is not shamed, treated differently, or served a meal that differs from the meal served to other students. (Education Code 49557, 49557.5)

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 0415 - Equity)

#### Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)  
(cf. 3400 - Management of District Assets/Accounts)  
(cf. 3460 - Financial Reports and Accountability)

#### Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)  
(cf. 3600 - Consultants)

#### Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)



A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

#### Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 - Nutrition Program Compliance)

#### Legal Reference:

##### EDUCATION CODE

38080-38086.1 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services; restrictions

49490-49493 School breakfast and lunch programs

49500-49505 School meals

49550-49564.5 Meals for needy students, especially:

49550.5 Universal breakfast

49554 Contract for services

49580-49581 Food recovery program

##### FOOD AND AGRICULTURE CODE

58595 Preference for California-grown agricultural products

##### HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code  
 PUBLIC CONTRACT CODE  
 2000-2002 Responsive bidders  
 20111 Contracts  
 CODE OF REGULATIONS, TITLE 5  
 15550-15565 School lunch and breakfast programs  
 UNITED STATES CODE, TITLE 42  
 1751-1769j School lunch programs  
 1771-1791 Child nutrition, including:  
 1773 School breakfast program  
 CODE OF FEDERAL REGULATIONS, TITLE 2  
 200.56 Indirect costs, definition  
 200.317-200.326 Procurement standards  
 200.400-200.475 Cost principles  
 200 Appendix VII Indirect cost proposals  
 CODE OF FEDERAL REGULATIONS, TITLE 7  
 210.1-210.31 National School Lunch Program  
 220.1-220.21 National School Breakfast Program  
 250.1-250.70 USDA foods

#### Management Resources:

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Professional Standards in the SNP and New Hiring Flexibility, NSD Management Bulletin, SNP-10-2019, April 2019

Paid Lunch Equity Requirement and Calculation Tool, NSD Management Bulletin, SNP-12-2018, May 2018  
 Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, and  
 Additional Guidance on the Handling of Unpaid Meal Charges, NSD Management Bulletin, SNP-03-2018,  
 February 2018

Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-2017, April 2017

Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015  
 Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, 00-111, July 2000

#### U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

FAQs About School Meals

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 38-2017, June 2017

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, May 2017

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014  
WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

(5/17 3/18) 7/19

*Board Policy adopted by the Board of Trustees of the SJUSD: January 11, 2000*

*Policy has not been revised.*

# Shandon Joint Unified School District

## Board Policy

9.8

### Maintaining Appropriate Adult-Student Interactions

BP 4119.24 4219.24, 4319.24

#### Personnel

The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

(cf. 5145.7 - Sexual Harassment)

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

(cf. 4117.7/4317.7 - Employment Status Reports)

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

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

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

(cf. 1113 - District and School Web Sites)  
(cf. 5145.6 - Parental Notifications)

### Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact
2. Being alone with a student outside of the view of others
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent
4. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal

When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

(cf. 4040 - Employee Use of Technology)

5. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee
6. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
7. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
8. Addressing a student in an overly familiar manner, such as by using a term of endearment
9. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
10. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose

11. Transporting a student in a personal vehicle without prior authorization
12. Encouraging students to confide their personal or family problems and/or relationships
13. Disclosing personal, family, or other private matters to students or sharing personal secrets with students

Legal Reference

EDUCATION CODE

44030.5 Employment status reports

44050 Employee code of conduct; employee interactions with students

44242.5 Reports and review of alleged misconduct

44940 Sex offenses and narcotic offenses; compulsory leave of absence

48980 Parental notifications

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status, alleged misconduct

80304 Notice of sexual misconduct

*New policy*

7/19

# Shandon Joint Unified School District

## Board Policy

9.9

### Dismissal/Suspension/Disciplinary Action

BP 4218

#### Personnel

The Governing Board expects all employees to perform their jobs satisfactorily and to exhibit professional and appropriate conduct. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law or any applicable collective bargaining agreement, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)  
 (cf. 4000 - Concepts and Roles)  
 (cf. 4112.5/4212.5/4312.5 - Criminal Record Check)  
 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
 (cf. 4119.21/4219.21/4319.21 - Professional Standards)  
 (cf. 4141/4241 - Collective Bargaining Agreement)  
 (cf. 4200 - Classified Personnel)

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance. The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

(cf. 4030 - Nondiscrimination in Employment)  
 (cf. 4112.6/4212.6/4312.6 - Personnel Files)  
 (cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension without pay, reduction of pay step in class, compulsory leave, and dismissal.

A probationary classified employee may be dismissed by the Superintendent or designee at any time prior to the expiration of the probationary period.

(cf. 4216 - Probationary/Permanent Status)

Permanent classified employees shall be subject to disciplinary action only for cause as specified in the accompanying administrative regulation. (Education Code 45113)

#### Procedures for Disciplinary Proceedings

If a permanent classified employee receives a notice from the Superintendent or designee of a recommended suspension, demotion, involuntary reassignment, or dismissal, the employee may request a Board hearing on the matter.

If the employee fails to request a hearing within the time specified in the notice, the employee is deemed to have waived the right to do so, and the Board may order the recommended disciplinary action into effect immediately.

If a timely request is submitted, a hearing shall be conducted by the Board, except that, if the matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. (Education Code 45113, 45312)

(cf. 3515.3 - District Police/Security Department)

The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board and the availability of legal counsel and witnesses. The employee shall be notified of the time and place of the hearing.

The hearing shall be held in closed session, unless the employee requests that the matter be heard in an open session meeting. (Government Code 54957)

(cf. 9321 - Closed Session)

The employee shall be entitled to appear personally, produce evidence, and be represented by legal counsel.

The Board may use the services of its legal counsel in ruling upon procedural questions, objections to evidence, and issues of law. The Board may review and consider the records of any prior personnel action proceedings against the employee in which a disciplinary action was ultimately sustained and any records contained in the employee's personnel files and introduced into evidence at the hearing. The Board shall not be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made by the Board.

At any time before a matter is submitted to the Board for decision, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of disciplinary action. If the amended or supplemental recommendation includes new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegation may be made orally at the hearing and shall be noted on the record.

Following the hearing, the Board shall affirm, modify, or reject the disciplinary action recommended by the Superintendent or designee. The decision of the Board shall be in writing and shall contain findings of fact and the disciplinary action approved, if any. The decision of the Board shall be final.

Within 10 working days of the Board's final decision, a copy of the decision shall be delivered to the employee and/or designated representative personally or by registered mail.

In cases involving an allegation of egregious misconduct, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)



## Legal Reference:

## EDUCATION CODE

35161 Delegation of powers and duties  
 44009 Conviction of specified crimes  
 44010 Sex offense  
 44011 "Controlled substance offense" defined  
 44031 Personnel file  
 44940 Leave of absence; employee charged with mandatory or optional leave of absence offense  
 44940.5 Compulsory leave of absence; procedures; extension; compensation; bond or security  
 44990-44994 Testimony of minor witnesses at dismissal or suspension hearings  
 45101 Definitions (including "disciplinary action," "cause")  
 45109 Fixing of duties  
 45113 Rules and regulations for classified service in districts not incorporating the merit system  
 45123 Employment after conviction of sex or narcotics offense  
 45124 Dismissal of sexual psychopath  
 45202 Transfer of accumulated sick leave and other benefits following dismissal  
 45240-45320 Merit system, classified employees

## CODE OF CIVIL PROCEDURE

1286.2 Grounds for vacating decision of arbitrator

## GOVERNMENT CODE

11500-11529 Administrative adjudication  
 12900-12996 Fair Employment and Housing Act  
 54957 Brown Act open meeting laws; closed session

## HEALTH AND SAFETY CODE

11054 Schedule I; substances included  
 11055 Schedule II, substances included  
 11056 Schedule III, substances included  
 11357-11361 Marijuana  
 11363 Peyote  
 11364 Opium  
 11370.1 Possession of controlled substances with a firearm

## PENAL CODE

187 Murder  
 667.5 Sex offenders  
 830.32 Peace officers employed by district  
 1192.7 Violent or serious felony  
 11165.2-11165.6 Child abuse or neglect, definitions

## VEHICLE CODE

1808.8 School bus drivers; dismissal for safety-related cause

## UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

## COURT DECISIONS

California School Employees Association v. Bonita Unified School District, (2008) No. B200141  
 California School Employees v. Livingston Union School District, (2007) 149 Cal.App 4th 391  
 CSEA v. Foothill Community College District, (1975) 52 Cal.App. 3rd 150, 155-156, 124 Cal. Rptr 830

9.10

# Shandon Joint Unified School District

## Board Policy

### Promotion/Acceleration/Retention

BP 5123

#### Students

The Governing Board expects students to progress through each grade level within one school year. Toward this end, instruction shall be designed to accommodate the variety of ways that students learn and provide strategies for addressing academic deficiencies as needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6170.1 - Transitional Kindergarten)

When high academic achievement is evident, the teacher may recommend a student for acceleration to a higher grade level. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

Teachers shall identify students who should be retained or who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified at the following grade levels: (Education Code 48070.5)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between the end of the intermediate grades and the beginning of the middle school grades
5. Between the end of the middle school grades and the beginning of the high school grades

Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by grades and the following additional indicators of academic achievement:

Teacher/Counselor recommendation.

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

Students between grades 2 and 3 and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, English language arts, and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades. (Education Code 48070.5)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

If a student does not have a single regular classroom teacher, the Superintendent or designee shall specify the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The teacher's decision to promote or retain a student may be appealed in accordance with AR 5123 - Promotion/Acceleration/Retention.

When any student in grades 2-9 is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. (Education Code 48070.5)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

#### Legal Reference:

##### EDUCATION CODE

46300 Method of computing average daily attendance

48010 Admittance to first grade

48011 Promotion/retention following one year of kindergarten

48070-48070.5 Promotion and retention

56345 Elements of individualized education program

60640-60649 California Assessment of Student Performance and Progress

##### CODE OF REGULATIONS, TITLE 5

200-202 Admission and exclusion of students

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

FAQs Promotion, Retention, and Grading (students with disabilities)

FAQs Pupil Promotion and Retention

Kindergarten Continuance Form

##### WEB SITES

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

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

Policy adopted by the SJUSD Board of Trustees in 2000.

Revised:2000

(12/13 12/15) 7/19

# Shandon Joint Unified School District

## Board Policy

9.11

### Gangs

BP 5136

### Students

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups who exhibit behavior disruptive to the school environment and/or the safety and well-being of students. The Board additionally desires to provide support and intervention to students who are members of gangs to enable them to successfully disengage from gang involvement and be successful in school.

(cf. 0450 - Comprehensive Safety Plan)  
 (cf. 3513.4 - Drug and Alcohol Free Schools)  
 (cf. 5131.4 - Student Disturbances)  
 (cf. 5131.6 - Alcohol and Other Drugs)  
 (cf. 5131.7 - Weapons and Dangerous Instruments)  
 (cf. 5137 - Positive School Climate)

The Superintendent or designee shall develop strategies for gang prevention that address the reasons that students may become involved in gangs, including the identity, recognition, or status achieved as being part of a gang, protection from gang violence in the community, the need for companionship and an extended family, intimidation to join a gang, desire to join a gang to be in a position to intimidate others, and/or connection with criminal activity.

Gang violence prevention shall start as early as possible and include, but not be limited to, age-appropriate education that focuses on developing emotional and social competence, increasing prosocial peer bonds, strengthening attachment and commitment to school, and enhancing cooperative learning skills. Prevention shall also include improving parent/guardian involvement in and support for their children's academic progress, as well as ongoing gang awareness education for parents/guardians, including gang identifiers.

(cf. 5020 - Parent Involvement)  
 (cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall take steps to deter gang activity on school campuses, including threats and intimidation of students and staff, recruitment or intimidation of students to join gangs, bullying, fighting, criminal activities, and confrontations between members of different gangs.

(cf. 5131.2 - Bullying)

The Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the principal or designee and the student's parent/guardian.

(cf. 5132 - Dress and Grooming)

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources. The Superintendent or designee shall also provide staff development on social and emotional learning, classroom management, interactive teaching, and cooperative learning skills.

(cf. 4131 - Staff Development)  
 (cf. 4231 - Staff Development)  
 (cf. 4331 - Staff Development)

The Superintendent or designee may consider gang activity prevention and intervention when developing programs outside of the school day.

(cf. 5148 - Child Care and Development)  
 (cf. 5148.2 - Preschool/Early Childhood Education)  
 (cf. 5148.3 - Before/After School Programs)  
 (cf. 6145 - Extracurricular and Cocurricular Activities)  
 (cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall collaborate with child welfare services, mental health agencies, social services, and local law enforcement authorities in the prevention and intervention of gang activity.

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

#### Legal Reference:

##### EDUCATION CODE

32282 School safety plans  
 35183 Gang-related apparel  
 48907 Student exercise of free expression  
 48950 Student freedom of speech  
 51264 Educational in-service training; CDE guidelines  
 51265 Gang violence and drug and alcohol abuse prevention in-service training  
 51266-51266.5 Model gang and substance abuse prevention curriculum

##### PENAL CODE

186.22 Participation in criminal street gang  
 13826-13826.7 Gang violence suppression

##### UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

#### Management Resources:

##### LOS ANGELES POLICE DEPARTMENT PUBLICATIONS

Why Young People Join Gangs

##### NATIONAL GANG CENTER PUBLICATIONS

Strategic Planning Tool

Gangs in Schools, March 2019

Parents' Guide to Gangs, July 2015

WEB SITES

California Cities Gang Prevention Network: <http://www.ccgpn.org>

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

Gang Resistance Education and Training: <http://www.great-online.org/GREAT-Home>

Los Angeles Police Department, Gangs: [http://www.lapdonline.org/get\\_informed/content\\_basic\\_view/1396](http://www.lapdonline.org/get_informed/content_basic_view/1396)

Homeboy Industries: <http://homeboyindustries.org>

National Gang Center: <http://www.nationalgangcenter.gov>

*No current policy*

(10/95 10/96) 7/19



# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.1

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**AGENDA ITEM TITLE:**

Proposed Revision to BP 1112 Media Relations (Second Reading)

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**PREPARED BY:**

Gabriela Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☒ Discussion/Action ☐ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Policy updated to expand the section on "Crisis Communications Plan" to apply to natural disasters, involve district technology personnel in the development of the plan, and expand the contents of the plan.

This agenda item was tabled at our last board meeting.

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**RECOMMENDED ACTION:**



# Shandon Joint Unified School District

## Board Policy

### Media Relations

BP 1112

### Community Relations

The Governing Board respects the public's desire for and right to information and recognizes that the media significantly influence the community's understanding of school programs, student achievement, and school safety. In order to develop and maintain positive media relations, the Board and Superintendent shall reasonably accommodate media requests for information and provide accurate, reliable, and timely information.

In conjunction with the Superintendent or designee, the Board shall periodically establish priorities and key messages for proactively communicating with the media regarding current district issues, activities, or needs.

- (cf. 0400 - Comprehensive Plans)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 0460 - Local Control and Accountability Plan)
- (cf. 0510 - School Accountability Report Card)
- (cf. 1100 - Communication with the Public)
- (cf. 1160 - Political Processes)

Media representatives are welcome at all public Board meetings and shall receive meeting agendas upon request in accordance with Board policy.

- (cf. 9321 - Closed Session)
- (cf. 9322 - Agenda/Meeting Materials)

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.

- (cf. 1250 - Visitors/Outsiders)
- (cf. 3515.2 - Disruptions)

Staff may provide the media with student directory information, as identified in AR 5125.1 - Release of Directory Information, unless the student's parent/guardian has submitted a written request that such information not be disclosed. The district shall not release other student records or personally identifiable student information that is private or confidential as required by law, Board policy, or administrative regulation.

- (cf. 1340 - Access to District Records)
- (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)  
 (cf. 5125.1 - Release of Directory Information)  
 (cf. 9010 - Public Statements)  
 (cf. 9324 - Minutes and Recordings)

#### Interviewing and Photographing Students

The district shall not impose restraints on students' right to speak freely with media representatives. However, interviewing and photographing students shall not create substantial disruption to the orderly operation of the school or impinge on the rights or safety of students. Therefore, the district shall encourage media representatives who wish to interview or photograph students at school to make prior arrangements with the principal.

(cf. 5145.2 - Freedom of Speech/Expression)

#### Media Contacts/Spokespersons

The Superintendent or designee shall identify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent, public information officer, or district communications director. Other Board members and/or staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue or appropriateness given a particular situation.

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.

(cf. 9240 - Board Training)

#### Crisis Communications Plan

The Superintendent or designee shall develop strategies for working with the media to provide timely and accurate information to students, parents/guardians, and the community during a crisis or natural disaster. The crisis communications plan may include, but not be limited to, identification of a media center, strategies for press conference logistics, and development and integration of both internal and external notification systems, including public address systems, social media, web site postings, and text alerts.

(cf. 0450 - Comprehensive Safety Plan)  
 (cf. 1113 - District and School Web Sites)  
 (cf. 1114 - District-Sponsored Social Media)  
 (cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall include local law enforcement, media representatives, and district technology personnel in the crisis planning process.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance of public school or meeting

35144 Special meetings

35145 Public meetings

35160 Authority of governing boards

35172 Promotional activities

48907 Freedom of speech and press

48950 Prohibition against disciplinary action for first amendment speech

49061 Definition of directory information

49073 Directory information

EVIDENCE CODE

1070 Refusal to disclose news source

PENAL CODE

627-627.10 Access to school premises

UNITED STATES CODE, TITLE 20

1232g Family educational and privacy rights

CODE OF FEDERAL REGULATIONS, TITLE 34

99.3 Definition of directory information

COURT DECISIONS

Lopez v. Tulare Joint Union High School District, (1995) 34 Cal.App.4th 1302

ATTORNEY GENERAL OPINIONS

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

Management Resources:

WEB SITES

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

(10/96 7/01) 7/19

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.2

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**AGENDA ITEM TITLE:**

Discussion and Approval of MOU for the Provision of Data Processing Services to Districts by the SLOCOE

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**PREPARED BY:**

SLOCOE

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☒ Discussion/Action ☐ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

The SJUSD desires to contract with the SLOCOE for data processing services as outlined in this agreement for the 2019-20 Fiscal Year of \$2,063.54.

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**RECOMMENDED ACTION:**

MEMORANDUM OF AGREEMENT FOR  
THE PROVISION OF DATA PROCESSING SERVICES TO DISTRICTS  
BY THE SAN LUIS OBISPO COUNTY OFFICE OF EDUCATION

District: **Shandon Joint Unified School District**

Fiscal Year: **2019-20**

Charges to District for Fiscal Year: **\$2,063.54**

*\*Fees based on data processing formula for SLO County districts, including E-Payables offset, and increased by yearly COLA. See attached worksheet.*

1. Purpose of Agreement

The School District named above, hereinafter called District, desires to contract with the San Luis Obispo County Office of Education, hereinafter called SLOCOE, for data processing services as outlined in this agreement for the fiscal year shown above.

2. Basis of Funding and Annual Charges

SLOCOE and the District Business Officials agreed in spring 1998 to a model for funding that portion of the SLOCOE data processing function that supports districts. They also agreed to a set of procedures to administer the model, as follows:

- A. SLOCOE will establish an annual budget for data processing operations and calculate annual charges to participating districts as shown on the attached Appendix A. Annual agreements with charges to districts shall be presented to districts for approval no later than Nov 1 for the next fiscal year.
- B. SLOCOE will fund 25% of the annual cost of data processing operations and participating school districts will fund the remaining 75% on an ADA basis, as determined at Period 2 of the annual attendance report (J18-19).
- C. Districts which use some SLOCOE data processing services and also operate their own computer systems will be charged on a differential rate. The rates of this type established as of the date of this agreement are as follows:
  1. SIPE will pay a flat annual fee of \$500.00, which shall be adjusted annually by the statutory COLA for schools
  2. Cuesta College has its own computer system and discontinued QSS-processed payroll as of 01/01/08. Cuesta will be charged at a rate of \$1.10 per check, which shall be adjusted annually by the statutory COLA for schools, based on prior year check count.
- D. **SLOCOE will invoice districts for 50% of annual charges in January and 50% in June of each fiscal year for services provided under this agreement, as shown in Appendix A to this agreement.**

3. What SLOCOE Will Do

- A. Maintain and upgrade a computer system (hereinafter designated as "System"), as necessary to maintain adequate levels of processing to provide the services described in this agreement.
- B. Maintain appropriate software licenses, arrange required maintenance of equipment, provide on-going user support, and provide District access to the following data processing program modules:
  1. Core Financial – General Ledger

2. Budget Development
  3. Payroll
  4. Personnel
    - a. Credentials
    - b. Absence Tracking
  5. Benefits Management
  6. Position Control
  7. Accounts Payable/Purchasing
  8. Accounts Receivable
  9. Stores
  10. Fixed Assets
- C. Provide District with logons necessary to access the System for input of all information required for production of payroll and commercial warrants. This includes data input and production of the appropriate prelist.
  - D. Provide software and functionality for input of District entries to System from District terminals, and for local printing of System output at District printer(s). Printer(s) to be provided by District.
  - E. Produce commercial warrants, and payroll warrants centrally at SLOCOE for distribution to appropriate districts.
  - F. Provide District with access ports to System at no additional cost.
  - G. Provide one communication data connection to District, using the most cost effective method, or an equivalent rebate if District chooses to upgrade its type of data connection. The connection or rebate will be based upon the type of connection in effect in September 1998, as shown on Appendix C to this agreement. Any upgrade connection must be approved in advance by SLOCOE.
  - H. Operate its data processing department during normal business hours, i.e. Monday through Friday from 8:00 AM to 5:00 PM, with the exception of scheduled down time to install updates and new releases. Additional hours may be provided at SLOCOE discretion.
4. What Districts Will Do
    - A. Provide and maintain all equipment in district facilities required to utilize services under this agreement.
    - B. Provide timely and accurate input to the system to enable SLOCOE to perform essential and time critical operations, such as payroll.
    - C. Reimburse SLOCOE as requested for any unusual expenses of overtime or materials requested by the District.
    - D. Cooperate with SLOCOE to implement new connectivity solutions which will create savings and which will increase the efficiency of the data processing system.
    - E. Make payments to SLOCOE as shown in **SCHEDULE AND CALCULATION OF CHARGES FOR DISTRICTS** for services rendered under this agreement.
  5. Optional Services
    - A. SLOCOE may provide training for District employees from time to time on a variety

of existing and/or future software modules. SLOCOE may charge a fee to cover its expenses for such training and will notify District in advance if a charge will be made.

- B. At District request SLOCOE may provide services for the repair or replacement of District communication equipment.
- C. ***Districts requesting custom projects, except custom projects requested collectively by the District's Chief Business Officials, will be charged at the hourly rate of the system manager, inclusive of statutory benefits.***

6. Hold Harmless

Both parties agree to indemnify, defend and save harmless the other from any and all claims and losses resulting from the action of either agency's employees for any activities undertaken under this agreement.

7. Termination

If either SLOCOE or the district intends to not renew this agreement for the upcoming fiscal year, the terminating party shall provide the other party with a written notice of such termination at least 90 days prior to the end of the current fiscal year.

Approved by Board of Trustees (date) \_\_\_\_\_

Print/Type Name

Title

Signature (for Shandon USD)

Date



10-15-19

Sheldon K. Smith, Ed.D.

Date

Assistant Superintendent for Business Services  
San Luis Obispo County Office of Education

<b>FOR SLOCOE USE ONLY</b>
Account #: 01-0000-0-8689-8600-7700-008-4000-9200
Director of Fiscal Services Approval:
Invoice Date/s (forward copy to AR):
Notes:

**SAN LUIS OBISPO COUNTY OFFICE OF EDUCATION**  
**DATA PROCESSING SERVICES-Revised 06/18/19 with Approved COLA**  
**FISCAL YEAR 2019-20**

DISTRICT	(1)		(2)		2019-20 Charges	2018-19 Contract	Increase	Percent of Increase	Signed Contract Received
	Basis of Charges	Prior Year P-2 ADA (18-19)	% Adj. P-2 ADA						
Almond Acres *	ADA	286.64	0.89%		\$2,084.78	\$1,866.94	\$217.84	11.67%	
Atascadero Unified	ADA	4,492.86	13.91%		\$32,677.29	\$29,146.09	\$3,531.20	12.12%	
Cayucos Elementary	ADA	170.15	0.53%		1,237.53	\$1,250.01	(\$12.48)	-1.00%	
Coast Unified	ADA	535.64	1.66%		3,895.80	\$3,757.00	\$138.80	3.69%	
Lucia Mar Unified	ADA	9,869.98	30.57%		71,785.95	\$65,319.12	\$6,466.83	9.90%	
Paso Robles Unified	ADA	6,454.40	19.99%		46,943.89	\$42,225.73	\$4,718.16	11.17%	
Pleasant Valley Elementary	ADA	48.64	0.15%		353.77	\$468.82	(\$115.05)	-24.54%	
San Luis Coastal Unified	ADA	7,254.64	22.47%		52,764.16	\$46,860.77	\$5,903.40	12.60%	
San Miguel Elementary	ADA	590.13	1.83%		4,292.11	\$3,775.23	\$516.88	13.69%	
Shandon Unified	ADA	283.72	0.88%		2,063.54	\$1,971.08	\$92.46	4.69%	
Templeton Unified	ADA	2,303.44	7.13%		16,753.29	\$14,794.23	\$1,959.06	13.24%	
<b>SUB-TOTAL</b>		<b>32,290.24</b>	<b>100.00%</b>		<b>\$234,852.11</b>	<b>\$211,435.02</b>	<b>\$23,417.09</b>		
Cuesta College	Check Count				10,728.30	10,390.91	\$337.39	3.25%	
SIPE	Flat Fee				840.34	813.81	\$26.53	3.26%	
<b>TOTAL</b>		<b>32,290.24</b>	<b>100.00%</b>		<b>\$246,420.75</b>	<b>\$222,639.75</b>	<b>\$23,781.00</b>		

**Calculations will be updated to reflect actual COLA and EPAYABLES revenue amounts.**

(1) = Districts with flat fee or other basis are excluded from this column.

(2) = Cuesta College has their own computer and discontinued with QSS processed payroll as of 1/1/08. (See calculation note at right. \*)

<b>Cuesta Calculation</b>	
Cuesta pays a PER CHECK fee . An estimate is made off the prior year check count.	
Cuesta's prior year Check Count	9,620
Cost Per Check	\$ 1.12 10,728.30
<b>2019-20 COLA 0.0326 Actual</b>	
<b>SIPE pays a flat annual fee of \$500,</b> which shall be adjusted by the statutory COLA for schools.	
Prior Year Sipe Charge	\$ 813.81 2018-19
Multiplied by COLA	\$ 26.53 \$ 840.34
<b>*Almond Acres Fee included Effective FY 16-17</b>	
Effective 17-18 Cuesta Fee adjusted by COLA	
Cuesta's prior year (18-19) Check Count	9,620
Cuesta Cost Per Check -Pr Yr	\$1.08
Multiplied by COLA	0.0352 \$ 1.12

Less SIPE Flat Fee	\$ (840.34)
Net to be paid by ADA charges	234,852.11
Adjusted ADA	32,290.24
Per ADA Charge	\$7.27
<b>Budget Assumptions for 2019-20:</b>	
Assumes COLA increase of (subject to change)	3.26%
Increased current staffing for step/column	
Increased salary and benefits for reclassification	
Increased Salary and benefits for additional position (Based on 10 Months for 2019-20)	
PERS increased (subject to change)	
Maintenance agreement increased based on QSS Contract	
Cuesta's Check Count will be revised to reflect 2018-19 actuals	
2018-19 Epayables Rebates as of 06/30/19 @	\$ 53,882
(Revenues will be adjusted to reflect 2018-19 actual rebates)	



# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.3

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**AGENDA ITEM TITLE:**

Discussion and Approval of 2019-20 Lease Agreement with the SLO Sheriff's Office

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**PREPARED BY:**

K. Benson

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☒ Discussion/Action ☐ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

This agreement is made and executed by and between the SJUSD and the SLO Sheriff's Office to utilize the premises situated in the town of Shandon.

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**RECOMMENDED ACTION:**

# Facilities Lease Agreement

Shandon Joint Unified School District

## 2019-2020 LEASE AGREEMENT

### **San Luis Obispo County Sheriff's Office**

This Lease Agreement is made and executed by and between the Shandon Joint Unified School District (SJUSD), hereinafter referred to as "Lessor"; and San Luis Obispo Sheriff's Office 1585 Kansas Ave San Luis Obispo, CA 93405 hereinafter referred to as "Lessee". Lessee hereby offers to utilize from Lessor the premises situated in the town of Shandon, County of San Luis Obispo, State of California, described below in accordance with the stated terms and conditions:

Site	Sq. Feet	Monthly Rent	Annual
<b>TTT Sq. Ft. office space</b> Maintenance & Operations Building	<b>403</b> <b>X \$ .0</b>	<b>0</b>	<b>0</b>
<b>Utilities &amp; Cleaning</b>		<b>0</b>	<b>0</b>
<b>TOTAL ANNUAL</b>			<b>\$0</b>

#### **1. TERM**

Term of this Lease Agreement shall commence on July 1, 2019 and expire on June 30, 2020. This term may be extended by the mutual agreement of Lessor and Lessee.

#### **2. RENT**

The annual rent for the term July 1, 2019 through June 30, 2020 for Storage Space shall be \$ .0 per square foot, per month for 12 months, totaling \$ 0. Payments are due upon invoice, which shall be sent in January and June. All rents shall be paid to Lessor at 101 South First St PO Box 79, Shandon, CA 93461.

### **3. UTILITIES**

N/A

### **4. ESCALATION OF ANNUAL RENT**

N/A

### **5. USE**

The above described premises are to be used for the purpose of office space for a Deputy Sheriff assigned to Shandon.

### **6. USES PROHIBITED**

Lessee shall not use any portion of the premises for purposes other than those specified hereinabove, and no use shall be made or permitted to be made upon the premises, nor acts done, which will increase the existing rate of insurance upon the property, or cause cancellation of insurance policies covering said property. Lessee shall not conduct or permit any sale by auction on the premise(s) of Shandon Joint Unified School District.

### **7. ASSIGNMENT AND SUBLETTING**

Lessee shall not assign this Agreement or sublet any portion of the premises without prior written consent of the Lessor, which shall not be unreasonably withheld. Any such assignment or subletting without consent shall be void and at the option of the Lessor, may terminate this Agreement.

### **8. ORDINANCES AND STATUTES**

Lessee shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the premises, occasioned by or affecting the use thereof by Lessee. The commencement or pendency of any State or Federal court abatement proceeding affecting the use of the premises shall, at the option of the Lessor, be deemed a breach hereof.

### **9. MAINTENANCE, CUSTODIAL, REPAIRS, ALTERATIONS**

Lessee acknowledges that the premises are suitable for material storage otherwise indicated herein. Lessee shall, at his own expense and at all times, maintain the premises in clean, good and safe condition. Lessor will respond to problems reported by Lessee to the Lessor's Director of Operational Services at phone number, 805-238-0286, for maintenance problems in the areas of roofing, remote heating plants, piping and plumbing which bring water or hot water to Lessee. Any proposed structural or exterior modifications must first be submitted in writing to

Lessor for review and written approval, and such approval will not be unreasonably withheld. Except for modifications determined at the time of termination of this Agreement to be retained for the benefit of Lessor, Lessee shall surrender the premises at the termination hereof in good clean condition as received, normal wear and tear accepted.

#### **10. ENTRY AND INSPECTION**

Lessee shall permit Lessor or Lessor's agents to enter upon the premises at reasonable times and upon reasonable notice by contacting the Lessor at 805-238-0286 or by emailing kbenson@shandonschools.org.

#### **11. INDEMNIFICATION OF LESSOR**

Lessee agrees to defend, indemnify and save harmless, Lessor and its officers, agents, and employees from and against any and all claims, demands, liability, costs, expenses, damages, causes of action and judgments made and obtained by third parties or Lessee against Lessor which arise out of this Agreement, out of the performance or attempted performance of the provisions thereof, or Lessees' or third parties use of the premises, including but not limited to any act or omission to act by. Lessee or its agents, employees, invitees, students or independent contractors directly responsible to Lessee.

#### **12. POSSESSION**

If Lessor is unable to deliver possession of the premises at the commencement hereof, Lessor shall not be liable for any damage caused thereby, nor shall this Agreement be void or voidable, but Lessee shall not be liable for any rent until possession is delivered. Lessee may terminate this Agreement if possession is not delivered within 30 days of the commencement of the term hereof.

#### **13. INSURANCE**

N/A

#### **14. SIGNS**

Lessee shall not construct any projecting sign or awning without the prior written consent of Lessor and appropriate planning department, which consent by Lessor shall not be unreasonably withheld.

#### **15. ABANDONMENT OF PREMISES**

Lessee shall not vacate or abandon the premises at any time during the term hereof, and if Lessee shall abandon or vacate the premises, or be dispossessed by process of law, or otherwise, any personal property belonging to Lessee left upon the premises shall be deemed

to be abandoned, at the option of Lessor.

#### **16. CONDEMNATION**

If any part of the premises shall be taken or condemned for public use, and a part thereof remains which is susceptible of occupation hereunder, this Agreement shall, as to the part taken, terminate as of the date the condemnor acquires possession, and thereafter Lessee shall be required to pay such proportion of the rent for the remaining term as the value of the premises remaining bears to the total value of the premises at the date of condemnation; provided, however, that Lessor may at his option, terminate this Agreement as of the date the condemnor acquires possession. In the event that the demised premises are condemned in whole, or that such portion is condemned that the remainder is not susceptible for use hereunder, this Agreement shall terminate upon the date upon which the condemnor acquires possession. All sums which may be payable on account of any condemnation shall belong to the Lessor, and Lessee shall be entitled to retain any amount awarded to him for his trade fixtures or moving expenses.

#### **17. TRADE FIXTURES**

Any and all improvements made to the premises during the term hereof shall belong to the Lessor, except trade fixtures of the Lessee. Lessee may, upon termination hereof, remove all trade fixtures, but shall repair or pay for all repairs necessary for damages to the premises occasioned by removal.

#### **18. DESTRUCTION OF PREMISES**

In the event of a partial destruction of the premises during the term hereof, from any cause, Lessor shall forthwith repair the same, provided that such repairs can be made within sixty (60) days under existing governmental laws and regulations, but such partial destruction shall not terminate this Agreement, except that Lessee shall be entitled to a proportionate reduction of rent while such repairs are being made, based upon the extent to which the making of such repairs shall interfere with the business of Lessee on the premises. If such repairs cannot be made within said sixty (60) days, Lessor, at his option, may make the same within a reasonable time, this Agreement continuing in effect with the rent proportionately abated as aforesaid, and in the event that Lessor shall not elect to make such repairs which cannot be made within sixty (60) days, this Agreement may be terminated at the option of either party. In the event that the building in which the demised premises may be situated is destroyed to an extent of not less than one-third of the replacement costs thereof, Lessor may elect to terminate this Agreement whether the demised premises be injured or not. A total destruction of the building in which the premises may be situated shall terminate this Agreement. In the event of any dispute between Lessor and Lessee with respect to the provisions hereof, the matter shall be settled by

arbitration in such a manner as the parties may agree upon, or if they cannot agree, in accordance with the rules of the American Arbitration Association.

**19. REMEDIES OF LESSOR ON DEFAULT**

N/A

**20. ATTORNEYS' FEES**

In case suit should be brought for recovery of the premises, or for any sum due hereunder, or because of any act which may arise out of the possession of the premises, by either party, the prevailing party shall be entitled to all costs incurred in connection with such action, including a reasonable attorney fee.

**21. WAIVER**

No failure of Lessor to enforce any term hereof shall be deemed to be a waiver.

**22. NOTICES**

Any notice which either party may be required to give, shall be given by mailing the same, postage prepaid, to Lessee's Address at 1585 Kansas Ave, San Luis Obispo CA 93405, or Lessor's Address at 101 South First St Shandon, CA 93461, or at such other places as may be designated by the parties from time to time.

**23. POSSESSORY INTEREST TAX**

N/A

**24. HEIRS, ASSIGNS, SUCCESSORS**

This Agreement is binding upon and insures to the benefit of the heirs, assigns and successors in interest to the parties.

**25. AMENDMENTS AND MODIFICATIONS**

Any changes to this Agreement requested either by the Lessor or Lessee may only be effected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such writing.

**26. SEVERABILITY**

In the event any provision of this Agreement shall be held invalid or unenforceable by a court of

competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

**27. GOVERNING LAW**

The rights and obligations of the parties and all interpretations and performance of this Agreement shall be governed in all respects by the laws of the State of California.

**28. TERMINATION**

This Agreement shall terminate on the expiration date of the rental term without the necessity of notice from either party. Except in the event that the Lessor requires any of the leased school space for educational purposes, the Lessor may terminate this Agreement by giving written notice of 120 calendar days prior to the school fiscal year ending.

**ENTIRE AGREEMENT**

The foregoing constitutes the entire Agreement between the parties and may be modified only by a writing signed by both parties.

**LESSEE: SLO Sheriff's Office**

**LESSOR: Shandon Joint Unified School District**

**BY:**

**BY:**

**NAME: TBA**

**NAME: Kristina Benson**

**TITLE: TBA**

**TITLE: Superintendent**

**DATE:**

**DATE:**

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.4

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**AGENDA ITEM TITLE:**

Proposed Revision to BP 5131 Conduct (First Reading)

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**PREPARED BY:**

G. Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☐ Discussion/Action ☒ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Policy updated to reflect NEW LAW (AB 272) which authorizes boards to limit or prohibit, except under specified circumstances, student use of smartphones while at school or while under the supervision and control of a district employee.

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**RECOMMENDED ACTION:**



SHANDON JOINT UNIFIED SCHOOL DISTRICT  
Board Policy

BP 5131  
Students

Conduct

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

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on **or using** district transportation.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5137 - Positive School Climate)*

*(cf. 6145.2 - Athletic Competition)*

~~Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.~~

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with **Board** district policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

*\*\*\*Note: The district may modify, delete, or add to the items below to reflect district practice. Also see AR 5144.1 - Suspension and Expulsion/Due Process for conduct that constitutes grounds for suspension or expulsion.\*\*\**

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, **including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats**

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5142 - Safety)*

2. **Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program**

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

**3. Conduct that disrupts the orderly classroom or school environment**

*(cf. 5131.4 - Student Disturbances)*

**4. Willful defiance of staff's authority**

3. — Harassment of students or staff, such as bullying, including cyberbullying, intimidation, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering, in accordance with the section entitled "Bullying/Cyberbullying" below "Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

**5. Damage to or theft of property belonging to students, staff, or the district**

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

*(cf. 5131.5 - Vandalism and Graffiti)*

5. — Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose, including employment

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. — Use of profane, vulgar, or abusive language

7. — Plagiarism or dishonesty in school work or on tests

8. — Inappropriate attire

9. — Tardiness or unexcused absence from school

10. — Failure to remain on school premises in accordance with school rules

11. — Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules

**6. Obscene acts or use of profane, vulgar, or abusive language**

*(cf. 5145.2 - Freedom of Speech/Expression)*

**7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances**

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

*\*\*\*Note: Penal Code 417.27 prohibits students from possessing laser pointers on school premises, unless the pointer is used for valid instructional or other school-related purpose, as provided in item #8 below. Penal Code 417.25 states that aiming or pointing a laser scope (i.e., a portable device capable of projecting a laser light on objects at a distance) at another person in a threatening manner, whether or not the laser scope is attached to a firearm, may be a misdemeanor if intended to cause a person fear of bodily harm.\*\*\**

**8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)**

*\*\*\*Note: Pursuant to Education Code 48901.5, the district may regulate the use of electronic signaling devices that operate through the transmission or receipt of radio waves. However, student use of such devices may not be prohibited if essential for a student's health.\*\*\**

*\*\*\*Note: Additionally, Education Code 48901.7, as added by AB 272 (Ch. 42, Statutes of 2019), authorizes the Governing Board to limit or prohibit student use of smartphones while at school or while under the supervision and control of an employee of the district, except under specified circumstances. See BP 5131.8 - Mobile Communication Devices.\*\*\**

**9. Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy**

*(cf. 5131.8 - Mobile Communication Devices)  
(cf. 6163.4 - Student Use of Technology)*

**10. Plagiarism or dishonesty on school work or tests**

*(cf. 5131.9 - Academic Honesty)  
(cf. 6162.54 - Test Integrity/Test Preparation)  
(cf. 6162.6 - Use of Copyrighted Materials)*

**11. Wearing of any attire that violates district or school dress codes, including gang-related apparel**

*(cf. 5132 - Dress and Grooming)  
(cf. 5136 - Gangs)*

**12. Tardiness or unexcused absence from school**

*(cf. 5113 - Absences and Excuses)  
(cf. 5113.1 - Chronic Absence and Truancy)  
(cf. 5113.11 - Attendance Supervision)  
(cf. 5113.12 - District School Attendance Review Board)*

**13. Failure to remain on school premises in accordance with school rules**

*(cf. 5112.5 - Open/Closed Campus)*

*Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.*

*\*\*\*Note: When school officials want to search a student or a student's belongings (e.g., backpack, purse, cell phone or other mobile communication device, or computer) as part of an investigation of suspected student misconduct, the legality of the search will depend on whether the search is "reasonable" (New Jersey v. T.L.O.); see BP/AR 5145.12 - Search and Seizure. The "reasonableness" of a search depends on (1) whether there is individualized suspicion that the search will turn up evidence of a student's violation of the law or school rules and (2) whether the search is reasonably related to the objectives of the search and not excessively intrusive in light of the student's age, gender, and/or the nature of the infraction. It is recommended that the district consult with legal counsel as appropriate.\*\*\**

*When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.*

*(cf. 5145.12 - Search and Seizure)*

*When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.*

*Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.*

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

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5127 - Graduation Ceremonies and Activities)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 5144 - Discipline)*

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

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

*(cf. 6020 - Parent Involvement)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6159.4 - Behavioral Interventions for Special Education Students)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6164.5 - Student Success Teams)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

*\*\*\*Note: The following optional paragraph addresses students' off-campus conduct during nonschool hours. In general, the courts have upheld districts' discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities. In addition, courts have analyzed the reasonableness of the district's policy and whether the disciplinary action taken by the district was in proportion to the student's misbehavior.\*\*\**

*\*\*\*Note: Pursuant to Education Code 48900, districts have the authority to suspend or expel students who engage in cyberbullying off campus, provided that the act meets the criteria specified in the definition of*



*"bullying" in Education Code 48900 (i.e., a severe or pervasive physical or verbal act or conduct that has or can be reasonably predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property, causing a substantially detrimental effect on the student's physical or mental health, causing substantial interference with the student's academic performance, or causing substantial interference with the student's ability to participate in or benefit from school services, activities, or privileges); see BP 5131.2 - Bullying. \*\*\**

*\*\*\*Note: In adopting policy related to off-campus conduct, districts should consult with legal counsel to ensure that the policy does not violate students' First Amendment rights to freedom of speech or expression. Also see BP 5145.2 - Freedom of Speech/Expression. \*\*\**

*Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.*

### **Possession/Use of Cellular Phones and Other Mobile Communication Devices**

~~Except with prior consent for health reasons, students shall not possess or use on school campus personal electronic signaling devices including, but not limited to, pagers; cellular/digital telephones for voice usage, digital imaging, or text messaging or other mobile communications devices such as digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers; however, students shall comply with school policy regarding the use of these devices.~~

~~In accordance with the Board's policy and administrative regulation on search and seizure, a school official may search a student's mobile communications device, including, but not limited to, reviewing messages or viewing pictures.~~

~~Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to or from a school-related activity.~~

~~A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.~~

~~No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)~~

### **Bullying/Cyberbullying**

~~The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.~~

~~The district may provide students instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying. This instruction may involve parents/guardians, staff, and community members.~~

~~School staff shall receive related professional development, including information about early warning signs of~~

~~harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students also may be provided with similar information.~~

~~Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes for students to submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7—Sexual Harassment.~~

~~When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance.~~

~~Students shall be encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.~~

~~Any student who engages in cyberbullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.~~

### **Enforcement of Standards**

~~Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.~~

~~Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.~~

### **Legal Reference:**

#### **EDUCATION CODE**

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

51512 Prohibition against electronic listening or recording device in classroom without permission

#### **CIVIL CODE**

1714.1 Liability of parents and guardians for willful misconduct of minor

#### **PENAL CODE**

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

**VEHICLE CODE**

23123-23124 Prohibitions against use of electronic devices while driving

**CODE OF REGULATIONS, TITLE 5**

300-307 Duties of students

**UNITED STATES CODE, TITLE 42**

20 USC 1681-1688 Title IX, 1972 Education Act Amendments

**COURT DECISIONS**

J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415 (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675

New Jersey v. T.L.O. (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

**Management Resources:**

**CSBA PUBLICATIONS**

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Bullying at School, 2003

**WEB SITES**

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

Center for Safe and Responsible Internet Use: <http://www.ewa.org/organization/center-safe-and-responsible-internet-use>

National School Safety Center: <http://www.schoolsafety.us>

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

(3/10 3/12) 10/19

Adopted by the Shandon Board of Education: May 9, 2000

Revised: 1/14/03; 12/9/03; 9/8/09

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.5

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**AGENDA ITEM TITLE:**

Proposed Revision to BP 6142.2 World Language Instruction (First Reading)

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**PREPARED BY:**

G. Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☐ Discussion/Action ☒ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Policy and regulation retitled to be consistent with terminology used in the Education Code pursuant to NEW LAW (AB 2319, 2018)

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**RECOMMENDED ACTION:**



# Shandon Joint Unified School District

## Board Policy

### World Language Instruction

BP 6142.2

#### Instruction

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

*\*\*\*Note: Education Code 51220 requires districts that serve students in grades 7-12 to offer courses in world languages. In January 2019, the State Board of Education adopted revised content standards and proficiency levels for world languages. The 2003 Foreign Language Framework for California Public Schools does not reflect current content standards and is scheduled to be updated in May 2020.\*\*\**

*\*\*\*Note: The following policy may be revised by districts that do not maintain any of grades 7-12 to reflect any K-6 programs designed to develop student's literacy in a language other than English.\*\*\**

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 communicative and cultural proficiency and literacy in one or more world languages.

*\*\*\*Note: The following paragraph may be revised to reflect language courses available in the district. The revised state content standards acknowledge the need for the study of a wide variety of languages, and recognize American Sign Language as a world language.\*\*\**

The Superintendent or designee shall recommend a variety of world languages to be taught in the district's educational program based on student interest, community needs, and available resources.

For any program designed to provide students with instruction in a language other than English to a degree sufficient to produce proficiency in that language, the Superintendent or designee shall establish a process for schools to receive and respond to input from parents/guardians and other stakeholders regarding the non-English language in which instruction will be provided. (5 CCR 11300, 11312)

If American Sign Language courses are offered, they shall be open to all students regardless of hearing status.

*\*\*\*Note: 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 language other than English that has been approved by the University of California. "Frequently Asked Questions" in the University of California's A-G Policy Resource Guide, available on its web site, clarify that American Sign Language may be used to fulfill the requirement. The following paragraph may be revised by districts that do not maintain any of grades 7-12. \*\*\**

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)

*\*\*\*Note: The following optional paragraph is for use by districts that choose to offer a dual-language immersion program and may be revised to reflect district practice. The Center for Applied Linguistics notes that dual-language immersion programs are often focused on the primary grades and that such programs may continue for five years but optimally throughout grades K-12. Also see the accompanying administrative regulation. \*\*\**

*\*\*\*Note: 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. \*\*\**

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)

(cf. 6174 - Education for English Learners)

*\*\*\*Note: Pursuant to Education Code 60119, as a condition of receiving funds for instructional materials from any state source, the Governing Board is required to hold a public hearing to determine, through a resolution, whether each student in the district has sufficient textbooks and/or instructional materials in specified subjects, including world 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 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, including communicative and cultural proficiency and understanding.

(cf. 4131 - Staff Development)

*\*\*\*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 world language, which includes 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, world 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.\*\*\**

Students shall obtain credit toward high school graduation requirements for completing one year of a world language or American Sign Language course during grades 9-12.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

*\*\*\*Note: A number of districts have chosen to present a biliteracy award upon high school graduation to students who demonstrate a high level of proficiency in speaking, reading, and writing skills in one or more languages in addition to English. The California Spanish Assessment, which is part of the California Assessment of Student Performance and Progress, can be used to measure a student's competency in the Spanish language and is suitable for assessing qualifications for the State Seal of Biliteracy. See the California Department of Education's California Spanish Assessment Fact Sheet. Also see BP/AR 5126 - Awards for Achievement.\*\*\**

The district shall determine appropriate measures to assess student proficiency in world languages offered by district schools. Students who have attained a high level of proficiency may receive recognition for their achievement, including the State Seal of Biliteracy for students graduating from high school.

(cf. 5126 - Awards for Achievement)

*\*\*\*Note: The following optional paragraph should be revised to reflect indicators agreed upon by the Board and Superintendent for evaluating the district's world languages instructional program.\*\*\**

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, whether the district's world language program is serving the grade levels required by law, 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:

##### EDUCATION CODE

300-310 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 world language

48980 Parental notifications

51212 Legislative intent to encourage world 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 world language instruction in private school

60119 Public hearings, instructional materials

60605.3 Content standards for 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

11300-11316 Multilingual and English learner education

#### Management Resources:

##### CSBA PUBLICATIONS

Proposition 58 Regulations, Fact Sheet, August 2018

English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs,

Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Multilingual FAQ

World Languages Framework for California Public Schools, Kindergarten Through Grade Twelve

California Spanish Assessment Fact Sheet, March 2019

World Languages Standards for California Public Schools, Kindergarten Through Grade Twelve, January 2019

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2017

CENTER FOR APPLIED LINGUISTICS PUBLICATIONS

Guiding Principles for Dual Language Education, Second Edition, 2007

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-622 Serving English Learners

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

21st Century Skills Map: World Languages, January 2011

UNIVERSITY OF CALIFORNIA PUBLICATIONS

A-G Policy Resource Guide

WEB SITES

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

American Council on the Teaching of Foreign Languages: <http://www.actfl.org>

California Association for Bilingual Education: <http://www.gocabe.org>

California Department of Education, World Languages: <http://www.cde.ca.gov/ci/fl>

California Language Teachers' Association: <http://www.clta.net>

California World Language Project: <http://www.stanford.edu/group/CFLP>

Center for Applied Linguistics: <http://www.cal.org>

National Education Association, Partnership for 21st Century Skills:

<http://www.nea.org/home/34888.htm>

University of California, A-G Policy Resource Guide: <http://www.ucop.edu/agguide>

(3/09 3/17) 7/19

*No current policy*

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.6

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**AGENDA ITEM TITLE:**

Proposed Revision to BP 6174 Education for English Learners (First Reading)

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**PREPARED BY:**

G. Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☐ Discussion/Action ☒ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Policy updated to reflect NEW LAW (AB 2735, 2018) which prohibits districts from denying English learners the opportunity to enroll in core curricular courses or courses needed for middle school promotion, high school graduation, or college admission.

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**RECOMMENDED ACTION:**

# Shandon Joint Unified School District

## Board Policy

### Education For English Learners

BP 6174

#### Instruction

*\*\*\*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.\*\*\**

*\*\*\*Note: Pursuant to Education Code 42238.02 and 42238.03, the local control funding formula 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.\*\*\**

*\*\*\*Note: In addition, 20 USC 6801-7014 (Title III) 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 CDE's web site for FPM compliance monitoring instruments.\*\*\**

*\*\*\*Note: For further information regarding English learners, programs, and services, see CDE's publication The California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, available on its web site.\*\*\**

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

*\*\*\*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. 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.\*\*\**

*\*\*\*Note: CDE's Roadmap encourages differentiated instruction and curriculum which are integrated across all subject areas and emphasize inquiry-based learning and critical thinking skills.\*\*\**

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

(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)

*\*\*\*Note: The following items are for use by districts that maintain middle and/or high schools and may be revised to reflect the grade levels offered by the district. Education Code 60811.8, as added by AB 2735 (Ch. 304, Statutes of 2018), prohibits districts from denying any student who is an English learner the opportunity to enroll in core curriculum courses, courses required for middle school promotion or high school graduation, courses required for college admission, or advanced courses, with specified exceptions for recently arrived immigrant students. Pursuant to Education Code 60811.8, this law does not require districts to create supplemental courses in languages other than English.\*\*\**

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above
3. Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner



(cf. 0415 - Equity)  
 (cf. 6141.4 - International Baccalaureate Program)  
 (cf. 6141.5 - Advanced Placement)

*\*\*\*Note: 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. CDE's Roadmap provides an alignment between principles outlined for English learners and the eight state priority areas required in the district's LCAP.\*\*\**

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)

*\*\*\*Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. Education Code 305 requires the district to solicit input on language acquisition programs as part of the parent/guardian 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 and evaluation of programs for English learners. The Superintendent or designee may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.

(cf. 0420 - School Plans/Site Councils)  
 (cf. 1220 - Citizen Advisory Committees)  
 (cf. 6020 - Parent Involvement)

#### Staff Qualifications and Training

*\*\*\*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 CTC; see AR 4112.22 - Staff Teaching English 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 Learners)

*\*\*\*Note: The following paragraph reflects a requirement for districts that receive federal Title III funds to improve the education of English learners, and is recommended for use by all districts. 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.\*\*\**

The 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 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 is optional. CDE's Roadmap indicates the importance of a supportive and collaborative environment in order for teachers to effectively address the complex needs of English learners.\*\*\**

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

#### Identification and Assessment

*\*\*\*Note: CDE's Roadmap emphasizes the importance of early identification of English learners, as early childhood is a crucial period of time for language development. 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 the state English Language Proficiency Assessments for California (ELPAC). The ELPAC includes an initial test for identifying students who may be English learners and an annual summative assessment for determining English learners' level of English proficiency and progress in acquiring the skills of listening, speaking, reading, and writing in English. 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, identification of English learners, and reclassification criteria.\*\*\**

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student 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 (CAASPP) 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 854.1-854.3 during test administration. \*\*\**

*\*\*\*Note: CAASPP also includes the optional California Spanish Assessment for students in grades 3-8 and high school, which measures a student's competency in reading, writing, and listening in Spanish. \*\*\**

In addition, 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 testing variations in accordance with 5 CCR 854.1-854.3. 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 854.1-854.3)

(cf. 6162.51 - State Academic Achievement Tests)

*\*\*\*Note: The following paragraph is optional. CDE's Roadmap highlights the importance of formative assessments in order to continually adapt methodologies and instruction to meet the needs of English learners. \*\*\**

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

(cf. 6162.5 - Student Assessment)

#### Language Acquisition Programs

*\*\*\*Note: Education Code 305-310 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. Pursuant to 20 USC 6312 and 34 CFR 100.3, parents/guardians have a right to decline or opt their child out of a language acquisition program. The following section may be revised to reflect programs offered by the district. Also see the accompanying administrative regulation.\*\*\**

The district shall offer research-based language acquisition 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. (Education Code 306; 5 CCR 11300)

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

*\*\*\*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. 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.\*\*\**

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. 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 Language Instruction)

2. 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

*\*\*\*Note: The following paragraph is for use by districts that maintain any of grades K-3.\*\*\**

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)

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. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

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, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

(cf. 5145.6 - Parental Notifications)

*\*\*\*Note: Pursuant to 5 CCR 11311, districts are required to establish a process with specified components for schools to receive and respond to requests from parents/guardians of enrolled students, and those enrolled for attendance in the next school year, to establish a language acquisition program other than, or in addition to, those already available at the school. See the section "Language Acquisition Programs" in the accompanying administrative regulation.\*\*\**

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program 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; 5 CCR 11311)

Reclassification

When an English learner is determined based on 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.

Program Evaluation

*\*\*\*Note: The following section may be revised to reflect indicators agreed upon by the Governing 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. \*\*\**

*\*\*\*Note: Pursuant to Education Code 313.2, CDE is required to annually determine the number of students in each district and school who are, or are 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. \*\*\**

*\*\*\*Note: 20 USC 6311 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. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regard to items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee shall also 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 Accountability; numerically significant student subgroups  
 52060-52077 Local control and accountability plan  
 52160-52178 Bilingual Bicultural Act  
 56305 CDE manual on English learners with disabilities  
 60603 Definition, recently arrived English learner  
 60640 California Assessment of Student Performance and Progress  
 60811-60812 Assessment of English language development  
 62002.5 Continuation of advisory committee after program sunsets  
 CODE OF REGULATIONS, TITLE 5  
 854.1-854.3 CAASPP and universal tools, designated supports, and accommodations  
 854.9 CASSPP and unlisted resources for students with disabilities  
 11300-11316 English learner education  
 11517.6-11519.5 English Language Proficiency Assessments for California  
 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  
 6801-7014 Title III, language instruction for English learners and immigrant students  
 7801 Definitions  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 100.3 Discrimination prohibited  
 200.16 Assessment of English learners  
 COURT DECISIONS  
 Valeria O. v. Davis, (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  
 ATTORNEY GENERAL OPINIONS  
 83 Ops.Cal.Atty.Gen. 40 (2000)

#### Management Resources:

#### CSBA PUBLICATIONS

English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018  
 English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Practitioners' Guide for Educating English Learners with Disabilities, 2019

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018

Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18, rev. August 2017

Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

#### THE EDUCATION TRUST- WEST PUBLICATIONS

Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018

Unlocking Learning: Science as a Lever for English Learner Equity, January 2017

#### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

Innovative Solutions for Including Recently Arrived English Learners in State Accountability Systems: A Guide for States, 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

#### 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>

The Education Trust-West: <http://west.edtrust.org>

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

Adopted by Shandon Joint Unified Board of Trustees: March 11, 2003

Revised: 06/28/05, **11/13/07**

(3/17 7/18) 7/19



# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.7

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**AGENDA ITEM TITLE:**

Proposed Revision to BP 6179 Instruction (First Reading)

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**PREPARED BY:**

G. Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☐ Discussion/Action ☒ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

Policy updated to reflect current law requiring the provision of remedial instruction to students who are recommended for retention or are identified as being at risk for retention.

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**RECOMMENDED ACTION:**

# Shandon Joint Unified School District

## Board Policy

### Supplemental Instruction

BP 6179

#### Instruction

*\*\*\*Note: The following policy is mandated pursuant to Education Code 48070.5 and should be revised to reflect the grade levels offered by the district.\*\*\**

*\*\*\*Note: Pursuant to Education Code 52060-52077, the Governing Board must annually adopt a local control and accountability plan which includes goals and actions aligned with state priorities, including student achievement; see BP/AR 0460 - Local Control and Accountability Plan. The provision of high-quality supplemental instruction may be one strategy to improve student achievement outcomes for underperforming students.\*\*\**

*\*\*\*Note: In addition, the provision of supplemental instruction may be a strategy to assist low-performing schools identified by the California Department of Education for comprehensive or targeted support and improvement pursuant to 20 USC 6311. Such schools are required to develop and implement a school plan to improve student outcomes.\*\*\**

The Governing Board recognizes that high-quality supplemental instruction can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6164.5 - Student Success Teams)

Supplemental instruction may be offered during and outside the regular school day, including during the summer, before school, after school, on Saturday, and/or during intersessions. When supplemental instruction is offered during the regular school day, it shall not supplant the student's instruction in the core curriculum areas or physical education.

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

When determined to be necessary by the principal or designee and when written parent/guardian consent is obtained for the student's participation, a student may be required to participate in supplemental instruction outside the regular school day.

*\*\*\*Note: Education Code 48070.5 mandates that districts adopt policy indicating the manner in which opportunities for remedial instruction will be provided to students who are recommended for retention. See BP/AR 5123 - Promotion/Acceleration/Retention for information regarding the criteria for identifying students for retention.\*\*\**

Supplemental instruction shall be offered to students who are recommended for retention, or are identified as being at risk for retention, at their current grade level. (Education Code 48070.5)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6162.51 - State Academic Achievement Tests)

*\*\*\*Note: Items #1-2 below are optional and may be revised to reflect district practice.\*\*\**

In addition, supplemental instruction may be offered to:

1. Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

*\*\*\*Note: The following optional item may be used by districts maintaining high schools.\*\*\**

2. High school students who need support to successfully complete courses required for graduation

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37223 Weekend classes

42238.01-42238.5 Local control funding formula

46100 Length of school day

48070-48070.6 Promotion and retention

48200 Compulsory education

48985 Translation of notices  
51210-51212 Courses of study, elementary schools  
51220-51228 Courses of study, secondary schools  
52060-52077 Local control and accountability plan  
60603 Definitions, core curriculum areas  
60640-60649 California Assessment of Student Performance and Progress  
CODE OF REGULATIONS, TITLE 5  
11470-11472 Summer school  
UNITED STATES CODE, TITLE 20  
6311 State plan

Management Resources:

WEB SITES

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

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

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

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# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.8

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**AGENDA ITEM TITLE:**

Proposed Revision to Board Bylaw and Exhibit 9321 Closed Session (First Reading)

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**PREPARED BY:**

G. Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☐ Discussion/Action ☒ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

(BB revised; E(1) and E(2) added) Bylaw retitled and updated to incorporate material formerly in BB 9321.1 Closed Session Actions and Reports. (BB 9321.1 deleted) Bylaw deleted and key concepts incorporated in BB 9321 - Closed Session.

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**RECOMMENDED ACTION:**

# Shandon Joint Unified School District

## Board Bylaw

### Closed Session

BB 9321

### Board Bylaws

*\*\*\*Note: Pursuant to Government Code 54962, the Governing Board may hold a closed session only for purposes expressly authorized by the Brown Act (Government Code 54950-54963) or by a provision of the Education Code. Government Code 54954.5 provides specific agenda descriptions for most closed session items authorized by the Brown Act, as described throughout this bylaw and the accompanying Exhibit (1). Following the closed session, Government Code 54957.7 requires the Board to reconvene in open session to report any action taken in closed session, as described below and in the accompanying Exhibit (2).\*\*\**

The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. The Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law and specified below. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

*\*\*\*Note: Government Code 54957.7 requires that, before holding any closed session, the Board must disclose in an open meeting the item(s) to be discussed in the closed session. The Board may either state the information on the agenda or refer the public to the item(s) as listed by number or letter on the agenda.\*\*\**

In the open session proceeding the closed session, the Board shall disclose the items to be discussed in closed session. In the closed session, the Board may consider only those matters covered in its statement. (Government Code 54957.7)

After the closed session, the Board shall reconvene in open session before adjourning the meeting and, when applicable, shall publicly disclose any action taken in the closed session, the votes or abstentions thereon, and other disclosures specified below that are applicable to the matter being addressed. Such reports may be made in writing or orally at the location announced in the agenda for the closed session. (Education Code 32281; Government Code 54957.1, 54957.7)

*\*\*\*Note: Pursuant to Government Code 54957.1, a document approved or adopted in a closed session must be provided to any person who has submitted a written request within 24 hours of the posting of the agenda or who has made a standing request for all documentation as part of a*

*request for meeting notices pursuant to Government Code 54954.1 or 54956.\*\*\**

When an action taken during a closed session involves final approval or adoption of a document such as a contract or settlement agreement, the Superintendent or designee shall provide a copy of the document to any person present at the conclusion of the closed session who submitted a written request. If the action taken results in one or more substantive amendments, the Superintendent or designee shall make the document available the next business day or when the necessary retyping is completed. Whenever copies of an approved agreement will not be immediately released due to an amendment, the Board president shall orally summarize the substance of the amendment for those present at the end of the closed session. (Government Code 54957.1)

### Confidentiality

*\*\*\*Note: Pursuant to Government Code 54963, a Board member who discloses confidential information received in a closed session may be referred to the local grand jury or may be subject to action in a court of law. For a definition of confidential information and the actions that may be taken against a Board member if such information is disclosed, see BB 9011 - Disclosure of Confidential/Privileged Information.\*\*\**

A Board member shall not disclose confidential information received in closed session unless the Board authorizes the disclosure of that information. (Government Code 54963)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

(cf. 1340 - Access to District Records)

### Personnel Matters

*\*\*\*Note: Government Code 54957 authorizes the use of closed sessions for personnel matters described below. For the purpose of these closed sessions, "employee" includes an officer or independent contractor who functions as an officer or employee but excludes Board members. The Attorney General has concluded (59 Ops.Cal.Atty.Gen. 532 (1976)) that it is appropriate to use a closed session to discuss and evaluate Superintendent performance. However, under the "personnel exception," the Board may not discuss or act upon any proposed change in compensation other than a reduction of compensation that results from the imposition of discipline under this exception.\*\*\**

*\*\*\*Note: In Fischer v. Los Angeles Unified School District, the court interpreted Government Code 54957 and found that the right to request an open session applies only when the Board*

*hears specific complaints or charges brought against the employee. Thus, the right to request an open session does not apply when the Board is meeting in closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of an employee.\*\*\**

The Board may hold a closed session under the "personnel exception" to consider the appointment, employment, performance evaluation, discipline, or dismissal of an employee. Such a closed session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957)

(cf. 2140 - Evaluation of the Superintendent)  
 (cf. 4115 - Evaluation/Supervision)  
 (cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
 (cf. 4215 - Evaluation/Supervision)  
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
 (cf. 4315 - Evaluation/Supervision)

*\*\*\*Note: Pursuant to Government Code 54957, failure of the Board to give an employee against whom a "specific complaint or charge" has been made the notice described below will render any action taken by the Board in the closed session null and void. Determining whether a "specific complaint or charge" is involved is usually fact-specific and the Board should consult legal counsel as necessary. In Furtado v. Sierra Community College District, the court held that the term "specific complaints or charges" as used in Government Code 54957 does not include negative comments in an employee's performance evaluation. In another decision, Bell v. Vista Unified School District, the court determined that a presentation to the Board by a district staff member regarding an employee's violation of a California Interscholastic Federation rule constituted a "complaint or charge" and thus the employee was entitled to 24-hour notice. Yet another ruling, Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, held that when a board rejects its hearing officer's findings of fact and conducts its own hearing, the employee must be given 24-hour notice.\*\*\**

*\*\*\*Note: Furthermore, an Attorney General opinion (78 Ops.Cal.Atty.Gen. 218 (1995)) has clarified that a probationary certificated employee does not have the right to an open session when the Board is discussing whether or not to reemploy the employee for a third consecutive school year. Education Code 44929.21 allows the Board to non-reelect a probationary certificated employee at the end of the first or second school year as long as written notice is given in accordance with law; see AR 4117.6 - Decision Not to Rehire.\*\*\**

The Board may also hold a closed session to hear complaints or charges brought against an employee by another person or employee, unless the employee who is the subject of the complaint requests an open session. Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of the right to have the complaints or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session. (Government Code 54957)



(cf. 1312.1 - Complaints Concerning District Employees)  
 (cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The Board may hold a closed session to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

*\*\*\*Note: In Moreno v. City of King, the court held that the requirement for special meeting agenda items to notice the "business to be transacted or discussed" pursuant to Government Code 54956 does not eliminate the "brief general description of each item" requirement pursuant to Government Code 54954.2. The court also held that describing the business as "public employee (employment contract)" was not sufficient when at least a quarter of the meeting was devoted to a discussion of the employee and whether to terminate the employee. The court further held that describing the item as "public employee dismissal," as illustrated in Government Code 54954.5, would not violate the employee's privacy rights and it would also provide adequate public notice that dismissal would be considered. The court noted that while Government Code 54954.5 does not provide the exclusive means of compliance with agenda specification requirements, it demonstrates how privacy rights can be protected while also providing adequate notice.\*\*\**

Agenda items related to district employee appointments and employment shall describe the position to be filled. Agenda items related to performance evaluations shall specify the title of the employee being reviewed. Agenda items related to employee discipline, dismissal, or release require no additional information. (Government Code 54954.5)

*\*\*\*Note: Government Code 54957.1 requires the Board to publicly report any closed session action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a district employee. The Attorney General, in 89 Ops.Cal.Atty.Gen. 110 (2006), opined that boards are not required to publicly report an action taken in closed session to reject the proposed dismissal of an employee, as such a decision to maintain the status quo does not constitute "an action taken to dismiss."\*\*\**

After the closed session, the Board shall report any action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a district employee and shall identify the title of the affected position. The report shall be given at the public meeting during which the closed session is held, except that the report of a dismissal or nonrenewal of an employment contract shall be deferred until the first public meeting after administrative remedies, if any, have been exhausted. (Government Code 54957.1)

(cf. 4117.7/4317.7 - Employment Status Reports)

#### Negotiations/Collective Bargaining

*\*\*\*Note: The Educational Employment Relations Act (Government Code 3540-3549.3) makes*

*four specific exemptions from the Brown Act related to negotiations. Government Code 54957.6 provides that for the purpose of closed sessions related to collective bargaining, "employee" includes an officer or independent contractor who functions as an officer or employee but excludes any elected official, Board member, or other independent contractor.\*\*\**

Unless otherwise agreed upon by the parties involved, the following shall not be subject to the open meeting requirements of Brown Act: (Government Code 3549.1)

1. Any meeting and negotiating discussion between the district and a recognized or certified employee organization
2. Any meeting of a mediator with either party or both parties to the meeting and negotiating process
3. Any hearing, meeting, or investigation conducted by a factfinder or arbitrator
4. Any executive (closed) session of the district or between the district and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

*\*\*\*Note: The Board is authorized pursuant to Government Code 54957.6, the "labor exception," to hold closed sessions with the district's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees, including the Superintendent. The Attorney General has opined in 57 Ops. Cal. Atty. Gen. 209 (1974) that a board may not meet in closed session for such purposes without the use of a designated representative who is involved with the "bona fide" negotiations with represented and/or unrepresented employees. The California Office of the Attorney General publication The Brown Act: Open Meetings for Local Legislative Bodies also states that the "labor exception" applies to the Board meeting in closed session to instruct its negotiator concerning negotiations with current or prospective employees.\*\*\**

The Board may meet in closed session, prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees, to review the Board's position and/or instruct its designated representative(s) regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation. Prior to the closed session, the Board shall identify its designated representative in open session. Any closed session held for this purpose may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. Final action on the proposed compensation of one or more unrepresented employees shall not be taken in closed session. (Government Code 54957.6)

(cf. 2121 - Superintendent's Contract)

The Board also may meet in closed session with a state conciliator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6.

Agenda items related to negotiations shall specify the name(s) of the district's designated representative(s) attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the organization representing the employee(s) or the position title of the unrepresented employee who is the subject of the negotiations. (Government Code 54954.5)

Approval of an agreement regarding labor negotiations with represented employees pursuant to Government Code 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. This report shall identify the item approved and the other party or parties to the negotiation. (Government Code 54957.1)

#### Matters Related to Students

If a public hearing would lead to the disclosure of confidential student information, the Board shall meet in closed session to consider a suspension, disciplinary action, any other action against a student except expulsion, or a challenge to a student record. If a written request for open session is received from the parent/guardian or adult student, the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any student other than the student requesting the public meeting shall be in closed session. (Education Code 35146, 48912, 49070)

(cf. 5117 - Interdistrict Attendance)  
 (cf. 5119 - Students Expelled from Other Districts)  
 (cf. 5125.3 - Challenging Student Records)  
 (cf. 5144 - Discipline)

The Board shall meet in closed session to consider the expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board may meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918)

(cf. 5144.1 - Suspension and Expulsion/Due Process)  
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

*\*\*\*Note: Although Government Code 54954.2 requires the agenda to have a brief general description of all closed session items to be discussed, Government Code 54954.5 provides no specific description of agenda items related to closed sessions authorized by the Education Code. Since the purpose of conducting the closed session is to protect student privacy rights, the*

*following optional paragraph provides that student names shall not be included on the agenda. \*\*\**

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing" or "grade change appeal," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

Final action on a student matter deliberated in closed session shall be taken in open session and shall be a matter of public record. (Education Code 35146, 48918)

(cf. 5125 - Student Records)

*\*\*\*Note: Although Education Code 48918 states that student expulsion records are "nonprivileged, disclosable public records" and the Attorney General (80 Ops.Cal.Atty.Gen. 85 (1997)) has opined that districts must disclose the student's name, the court in Rim of the World Unified School District v. San Bernardino County Superior Court held that the federal Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g) preempts state law and prohibits the disclosure of student expulsion records to the public. Failure to comply with FERPA may lead to loss of federal funding. Because of the potential conflict between state and federal law, it is recommended that districts consult legal counsel prior to adopting the following paragraph. \*\*\**

However, in taking final action, the Board shall not release any information in violation of student privacy rights provided in 20 USC 1232g or other applicable laws. In an expulsion or other disciplinary action, the cause for the disciplinary action shall be disclosed in open session, but the Board shall refer to the student number or other identifier and shall not disclose the student's name.

### Security Matters

The Board may meet in closed session with the Governor, Attorney General, district attorney, district legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. Such discussions may be held in closed session during an emergency meeting called pursuant to Government Code 54956.5 if agreed to by a two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 54956.5, 54957)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 9323.2 - Actions by the Board)

Agenda items related to these security matters shall specify the name of the law enforcement agency and the title of the officer, or name of applicable agency representative and title, with whom the Board will consult. (Government Code 54954.5)

The Board may meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. Following the closed session, the Board shall report any action taken to approve the plan, but need not disclose the district's plan for tactical responses. (Education Code 32281)

### Real Property Negotiations

*\*\*\*Note: An Attorney General opinion (94 Ops.Cal.Atty.Gen. 82 (2011)) has concluded that only three subjects related to real property negotiations may be considered in closed session: (1) the amount of consideration the local agency is willing to pay or accept in exchange for the real property rights to be acquired or transferred; (2) the form, manner, and timing of how that consideration will be paid; and (3) items that are essential to arriving at the authorized price and payment terms. Public disclosure of such items would reveal information that Government Code 54956.8 permits to be kept confidential. Although Attorney General opinions are not binding, they are accorded deference by the courts.\*\*\**

*\*\*\*Note: In addition, the California Office of the Attorney General publication The Brown Act: Open Meetings for Legislative Bodies states that, since Government Code 54957.1 requires the Board to report, at the conclusion of a closed session, the approval of a final agreement concluding real property negotiations, the Board's power to grant authority to its negotiator must also include the power to finalize any agreement so negotiated.\*\*\**

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the district in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the Board shall hold an open and public session to identify its negotiator(s), the property under negotiation, and the person(s) with whom the negotiator may negotiate. For purposes of real property transactions, negotiators may include members of the Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the district negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

When the Board approves a final agreement concluding real estate negotiations pursuant to Government Code 54956.8, it shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party to the negotiations, the Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the district of its approval. (Government Code 54957.1)

### Pending Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion of the matter in open session would prejudice the district's position in the litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

*\*\*\*Note: Pursuant to Government Code 54956.9, the district is considered to be a "party," or to have "significant exposure," to a litigation if any of its officers or employees is a party or has significant exposure to the litigation under circumstances specified in items #1 and #2 below.\*\*\**

Litigation is considered "pending" in any of the following circumstances: (Government Code 54956.9)

1. Litigation to which the district is a "party" has been initiated formally. (Government Code 54956.9(d)(1))
2. A point has been reached where, in the Board's opinion based on the advice of its legal counsel regarding the "existing facts and circumstances," there is a "significant exposure to litigation" against the district, or the Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized. (Government Code 54956.9(d)(2), (3))

Existing facts and circumstances for these purposes are limited to the following: (Government Code 54956.9)

- a. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiff(s) and which do not need to be disclosed.
- b. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the district, which are already known to potential plaintiff(s) and which must be publicly disclosed before the closed session or specified on the agenda.
- c. The receipt of a claim pursuant to the Government Claims Act or a written threat of

litigation from a potential plaintiff. The claim or written communication must be available for public inspection.

(cf. 3320 - Claims and Actions Against the District)

d. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board.

e. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat of litigation on the victim's behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.

3. Based on existing facts and circumstances, the Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(d)(4))

Before holding a closed session pursuant to the pending litigation exception, the Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9 (d)(1), the Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the district's ability to effectuate service of process upon unserved parties or to conclude existing settlement negotiations to its advantage. (Government Code 54956.9)

Agenda items related to pending litigation shall be described as a conference with legal counsel regarding either "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"Existing litigation" items shall identify the name of the case specified by either the claimant's name, names of parties, or case or claim number, unless the Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)

"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3) and shall specify the potential number of cases. When the district expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(d)(4) and shall specify the potential number of cases. The agenda or an oral statement before the closed session may be required to provide additional information regarding existing facts and circumstances described in item #2 b-e above. (Government Code 54954.5)

Following the closed session, the Board shall publicly report, as applicable: (Government Code 54957.1)

1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.
2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that directions to initiate or intervene in the action have been given and that the action, defendants, and other details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the district's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.
3. Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.

If approval is given to legal counsel to settle pending litigation but final approval rests with the other party or with the court, the district shall report the fact of approval and the substance of the agreement thereon to persons who inquire once the settlement is final. (Government Code 54957.1)

#### Joint Powers Agency Issues

*\*\*\*Note: The following paragraphs are for use by districts participating in a joint powers agency (JPA) for insurance pooling or in a self-insurance authority.\*\*\**

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the district is a member. (Government Code 54956.95)

Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)

(cf. 3530 - Risk Management/Insurance)

Following the closed session, the Board shall publicly report the disposition of joint powers agency or self-insurance claims, including the name of the claimant(s), the name of the agency claimed against, the substance of the claim, and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)

*\*\*\*Note: Pursuant to Government Code 54956.96, a JPA may adopt a provision, either through a policy or through the joint powers agreement, authorizing a school district Board member serving on the JPA board to disclose confidential information received during the JPA board's closed session under the circumstances specified below. Government Code 54954.5 provides an agenda description for the purpose of this closed session. The following optional paragraphs are for use by districts that participate in a JPA that has adopted such a provision.\*\*\**



When the board of the JPA has so authorized and upon advice of district legal counsel, the Board may also meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA that has direct financial or liability implications for the district. During the Board's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

Closed session agenda items related to conferences involving a JPA shall specify the name of the JPA, the closed session description used by the JPA, and the name of the Board member representing the district on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5)

#### Review of Audit Report from California State Auditor's Office

*\*\*\*Note: Government Code 54956.75 authorizes the Board to meet in closed session to discuss a confidential final draft audit report from the California State Auditor's Office. This authority relates to situations in which a member of the legislature has requested the California State Auditor's Office to audit a school district. This audit is separate from the annual audit that districts must conduct pursuant to Education Code 41020. The law does not authorize the Board to meet in closed session to discuss the district's annual audit.\*\*\**

Upon receipt of a confidential final draft audit report from the California State Auditor's Office, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)

*\*\*\*Note: Government Code 54956.75 does not specify reporting requirements for closed sessions related to the review of the audit report from the State Auditor. The following optional paragraph reflects the purpose of the closed session.\*\*\**

Following the closed session, the Board shall publicly confirm that the report was reviewed and a response was prepared.

#### Review of Assessment Instruments

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

(cf. 6162.51 - State Academic Achievement Tests)

*\*\*\*Note: The following optional paragraph provides for compliance with Government Code 54954.2, which requires the agenda to have a brief general description of all closed session items to be discussed. Government Code 54954.5 provides no specific description of agenda items related to closed sessions authorized by the Education Code.\*\*\**

Agenda items related to the review of student assessment instruments shall state that the Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

*\*\*\*Note: Education Code 60617 does not specify reporting requirements for closed sessions related to the review of student assessment instruments. The following optional paragraph reflects the purpose of the closed session.\*\*\**

Following the closed session, the Board shall confirm that the assessment instruments were reviewed. Any actions related to the review shall be taken in open session without revealing any proprietary or confidential information and shall be a matter of public record.

#### Legal Reference:

##### EDUCATION CODE

32281 School safety plans

35145 Public meetings

35146 Closed session for student suspension or disciplinary action

44929.21 Districts with ADA of 250 or more

48912 Governing board suspension of student

48918 Rules governing expulsion procedures; hearings and notice

49070 Challenging content of student records

49073-49079 Privacy of student records

60617 Closed session (re review of contents of statewide assessment)

##### GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

6252-6270 California Public Records Act

54950-54963 The Ralph M. Brown Act

##### CALIFORNIA CONSTITUTION

Article 1, Section 3 Public right to access information

##### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

##### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 Family Educational Rights and Privacy

##### COURT DECISIONS

Moreno v. City of King, (2005) 127 Cal.App.4th 17

Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, (2003) 107 Cal.App.4th 860

Rim of the World Unified School District v. San Bernardino County Superior Court, (2002) 104 Cal.App.4th 1393

Bell v. Vista Unified School District, (2000) 82 Cal.App. 4th 672

Fischer v. Los Angeles Unified School District, (1999) 70 Cal.App. 4th 87

Kleitman v. Superior Court of Santa Clara County, (1999) 87 Cal Rptr. 2d

Furtado v. Sierra Community College District, (1998) 68 Cal.App. 4th 876

Roberts v. City of Palmdale, (1993) 5 Cal. 4th 363

San Diego Union v. City Council, (1983) 146 Cal.App.3d 947

Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41

#### ATTORNEY GENERAL OPINIONS

94 Ops.Cal.Atty.Gen. 82 (2011)

89 Ops.Cal.Atty.Gen. 110 (2006)

86 Ops.Cal.Atty.Gen. 210 (2003)

78 Ops.Cal.Atty.Gen. 218 (1995)

59 Ops.Cal.Atty.Gen. 532 (1976)

57 Ops.Cal.Atty.Gen. 209 (1974)

#### Management Resources:

##### CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2014

##### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

##### LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. July 2010

##### WEB SITES

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

California Office of the Attorney General: <http://www.oag.ca.gov>

League of California Cities: <http://www.cacities.org>

# Shandon Joint Unified School District

## Exhibit

### Closed Session

E 9321

### Board Bylaws

#### Exhibit 1

#### BOARD MEETING AGENDA DESCRIPTIONS FOR CLOSED SESSION ITEMS

\*\*\*Note: Pursuant to Government Code 54954.2, the agenda for each Governing Board meeting must contain a general description of each item to be discussed in closed session; see the accompanying Board bylaw. Specific agenda descriptions for most closed session items are provided in Government Code 54954.5. The district may use substantially similar language and should consult with legal counsel as necessary. The following Exhibit reflects Government Code 54954.5 and, where the law does not provide an agenda description for a matter that is an allowable use of closed session, presents examples of agenda descriptions that would inform the public of the purpose of the item without breaching confidentiality.\*\*\*

The Governing Board meeting agenda shall include the following description of a closed session item, as applicable:

#### Personnel Matters

##### PUBLIC EMPLOYEE APPOINTMENT

Government Code 54957

Title: \_\_\_\_\_  
(Specify position to be filled)

##### PUBLIC EMPLOYMENT

Government Code 54957

Title: \_\_\_\_\_  
(Specify position to be filled)

##### PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code 54957

Title: \_\_\_\_\_  
(Specify position of employee being evaluated)

##### PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code 54957

(No additional information is required. An employee's dismissal or nonrenewal shall not be reported until the employee has first exhausted any right to a hearing or other administrative remedy.)

SPECIFIC COMPLAINT OR CHARGE AGAINST EMPLOYEE

Government Code 54957

(No additional information is required.)

EMPLOYEE APPLICATION FOR EARLY WITHDRAWAL OF FUNDS IN DEFERRED  
COMPENSATION PLAN

Government Code 54957.10

(No additional information is required.)

Negotiations/Collective Bargaining

CONFERENCE WITH LABOR NEGOTIATORS

Government Code 54957.6

District-designated representatives:

\_\_\_\_\_  
(Specify names of representatives attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization:

\_\_\_\_\_  
(Specify name of employee organization with which negotiations are being held.)

or

Unrepresented employee:

\_\_\_\_\_  
(Specify position of unrepresented employee who is the subject of the negotiations.)

Matters Related to Students

STUDENT SUSPENSION/OTHER DISCIPLINARY ACTION

Education Code 35146

Student identification number:

\_\_\_\_\_  
(It is recommended that the student's name not be listed. The district may use other means to identify the student for record-keeping purposes.)

STUDENT EXPULSION

Education Code 48912

Student identification number: \_\_\_\_\_

(It is recommended that the student's name not be listed. The district may use other means to identify the student for record-keeping purposes.)

#### STUDENT GRADE CHANGE APPEAL

Education Code 49070

Student identification number: \_\_\_\_\_

(It is recommended that the student's name not be listed. The district may use other means to identify the student for record-keeping purposes.)

#### CONFIDENTIAL STUDENT MATTER

Action under consideration: \_\_\_\_\_

(If the Board is considering a confidential student matter other than those listed above, specify type of action.)

Student identification number: \_\_\_\_\_

(It is recommended that the student's name not be listed. The district may use other means to identify the student for record-keeping purposes.)

#### Security Matters

##### THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code 54957

Consultation with: \_\_\_\_\_

(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

##### DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN

Education Code 32281

Consultation with: \_\_\_\_\_

(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

#### Real Property Negotiations

##### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code 54956.8

Property: \_\_\_\_\_  
 (Specify street address or, if no street address, the parcel number or other unique reference of the real property under negotiation.)

District negotiator: \_\_\_\_\_

(Specify names of negotiators attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: \_\_\_\_\_  
 (Specify name of party, not agent.)

Under negotiation: \_\_\_\_\_  
 (Specify whether instruction to negotiator will concern price, terms of payment, or both.)

Pending Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
 Government Code 54956.9(d)(1)

Name of case: \_\_\_\_\_  
 (Specify by reference to claimant's name, names of parties, or case or claim numbers.)

or

Case name unspecified, as identification of the case would jeopardize service of process or existing settlement negotiations.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
 Government Code 54956.9(d)(2) or (3)

Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3). Number of potential cases: \_\_\_\_\_

Or

Initiation of litigation pursuant to Government Code 54956.9(d)(4). Number of potential cases: \_\_\_\_\_

If applicable, facts and circumstances: \_\_\_\_\_  
 (The district may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to Government Code 54956.9(e)(2)-(5). These include facts and circumstances, such as an accident, disaster, incident, or transactional

occurrence that might result in litigation against the district and that are known to potential plaintiff(s).)

#### Joint Powers Authority Issues

#### LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY Government Code 54956.95

Name of claimant(s): \_\_\_\_\_  
(Specify name, except pursuant to Government Code 54961 when the claimant is a victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.)

Name of agency against which the claim is made: \_\_\_\_\_

#### CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR DISTRICT Government Code 54956.96

Name of JPA: \_\_\_\_\_

Discussion will concern:

\_\_\_\_\_  
(Specify closed session description used by the JPA.)

Name of district representative on JPA board:

\_\_\_\_\_

Names of agencies or titles of representatives attending the closed session as consultants or other representatives, if applicable: \_\_\_\_\_

\_\_\_\_\_

#### Review of Audit from State Auditor's Office

#### AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE Government Code 54956.75 (No additional information is required.)

#### Review of Assessment Instruments

#### REVIEW OF STUDENT ASSESSMENT INSTRUMENT Education Code 60617

The Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program. Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.



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 Exhibit 2

## CLOSED SESSION

## REPORTS OF CLOSED SESSION ACTIONS

\*\*\*Note: Pursuant to Government Code 54957.7, whenever the Governing Board holds a closed session, it must reconvene in open session following the closed session to report on its actions, either orally or in writing, and make any disclosures required by Government Code 54957.1. The following Exhibit reflects Government Code 54957.1 and, where the law does not address the reporting of any matter that is an allowable use of closed session, presents sample language that would inform the public of the Board's action without breaching confidentiality. The district may revise the following examples to reflect district practice and should consult with legal counsel as necessary.\*\*\*

Following a closed session during any Governing Board meeting, the Board shall reconvene in open session to present, orally or in writing, a report of any of the following actions taken during the closed session, as applicable:

## Personnel Matters

Title of position: \_\_\_\_\_

Action taken: \_\_\_\_\_  
 (e.g., appointment/employment/evaluation/discipline/dismissal/release)

Board member votes/abstentions: \_\_\_\_\_

## Negotiations/Collective Bargaining

Approval of final agreement with represented employees

Item approved: \_\_\_\_\_

Other party/parties to the negotiation: \_\_\_\_\_

Board member votes/abstentions: \_\_\_\_\_

## Matters Related to Students

(Final action must be taken in open session. It is recommended that the student's name not be disclosed.)

#### Security Matters

Action taken: \_\_\_\_\_  
(e.g., consultation with law enforcement; approval of contract or memorandum of understanding; approval of tactical response plan, without disclosing the details of the plan)

Board member votes/abstentions: \_\_\_\_\_

#### Real Property Negotiations

Action taken: \_\_\_\_\_  
(Report if Board approves a final agreement concluding real estate negotiations. If final approval rests with the other party, report as soon as the other party has approved the agreement.)

Substance of the agreement: \_\_\_\_\_

Board member votes/abstentions: \_\_\_\_\_

#### Existing Litigation

Action taken related to existing litigation:

\_\_\_\_\_  
(e.g., approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation; or approval to legal counsel of a settlement of pending litigation at any stage prior to or during a judicial or quasi-judicial proceeding. If final approval of settlement rests with the other party, report to any person upon request once the settlement is final.)

Adverse party/parties, if known: \_\_\_\_\_

Substance of the litigation: \_\_\_\_\_

Board member votes/abstentions: \_\_\_\_\_

#### Anticipated Litigation

Action taken: The Board has given approval to legal counsel to initiate or intervene in a lawsuit. The action, defendants, and other details will be disclosed to any person upon request after the lawsuit is commenced, unless doing so would jeopardize the district's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.

(The report does not need to initially identify the action, defendants, or other details.)

Board member votes/abstentions: \_\_\_\_\_

#### Joint Powers Agency Issues

#### LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY

Name of claimant(s): \_\_\_\_\_

Name of agency against which the claim is made: \_\_\_\_\_

Substance of the claim: \_\_\_\_\_

Monetary settlement agreed upon by the claimant: \_\_\_\_\_

Board member votes/abstentions: \_\_\_\_\_

#### CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR DISTRICT

Name of JPA: \_\_\_\_\_

Action taken: \_\_\_\_\_

(Law does not include any specific disclosures to be reported.)

Board member votes/abstentions: \_\_\_\_\_

#### Review of Audit from State Auditor's Office

Action taken: The Board reviewed the confidential final draft audit report received from the California State Auditor's Office and has prepared a response.

(No additional information is required. Unless otherwise exempted by law, after the audit report is subsequently released to the public, any Board discussion of the report must be conducted in open session.)

#### Review of Assessment Instruments

Action taken: The Board reviewed the contents of a student assessment instrument approved or adopted for the statewide testing system.

# SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: November 5, 2019

10.9

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**AGENDA ITEM TITLE:**

Proposed Revision to Board Bylaw and Exhibit 9323.2 (First Reading)

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**PREPARED BY:**

G. Gavilanes

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**AGENDA SECTION:**

☐ Reports ☐ Consent ☐ Discussion/Action ☒ First Reading ☐ Information ☐ Resolution

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**SUMMARY:**

(BB/E(1)/E(2) revised) Bylaw updated to reference the timelines by which a civil action may be filed to determine the applicability of the Brown Act to past board actions, and to clarify the circumstances under which a board action cannot be invalidated.

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**RECOMMENDED ACTION:**

SHANDON JOINT UNIFIED SCHOOL DISTRICT  
Board Bylaws

BB 9323.2  
Bylaws of the Board

**Actions By The Board**

*\*\*\*Note: Pursuant to Education Code 35164, a majority vote of all members of the Governing Board is necessary for an item to carry, even in those cases where some members are absent. Thus, for districts with a five-member board, an item will pass with three votes, even if only three members are present or there is a vacancy. Education Code 35165 details the effect of a vacancy in districts with a seven-member board. For language regarding vote requirements when a board member abstains, see BB 9323 - Meeting Conduct.\*\*\**

*\*\*\*Note: The law specifies certain board actions as requiring more than a majority vote; see E(1) 9323.2 for a list of such actions.\*\*\**

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9012 - Board Member Electronic Communications)*

*(cf. 9200 - Limits of Board Member Authority)*

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the **Board** members to make a positive or negative decision
3. A vote by a majority of the **Board** members when sitting as the Board upon a motion, proposal, resolution, order or ordinance

*The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)*

*Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)*

~~The Board may take action in a regular meeting on a subject not listed on the published agenda only when it publicly identifies the item to be acted upon in conjunction with one of the following circumstances: (Government Code 54954.2)~~

*(cf. 9324 - Minutes and Recordings)*

**Action on Non-Agenda Items**

*\*\*\*Note: The Brown Act (Government Code 54950-54963) generally prohibits any action or discussion of*

*items not on the posted agenda. However, Government Code 54954.2 provides for three specific and narrow situations in which the Board can act on an item not on the agenda, as specified below. Board members may also briefly respond to questions raised by members of the public concerning items not on the agenda; see BB 9323 - Meeting Conduct. \*\*\**

*After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)*

- 1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5*
- 2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted*
- 3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier*

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9322 - Agenda/Meeting Materials)*

### **Challenging Board Actions**

*\*\*\*Note: Government Code 54960 grants authority to the district attorney or any interested person to file a civil action asking the court to order the Board to stop or prevent Brown Act violations specified below. The Board should respond to legal challenges to its actions and consult legal counsel when necessary. Pursuant to Government Code 54960.5, a court may award court costs and reasonable attorney's fees to a plaintiff who successfully invalidates a Board action in violation of the Brown Act or successfully enforces one of the Brown Act's civil remedies provided in Government Code 54960-54960.2. \*\*\**

*The district attorney's office or any interested person may file an action in court for the purpose of: (Government Code 54960, 54960.2)*

- 1. Stopping or preventing the Board's violation or threatened violation of the Brown Act*
- 2. Determining the applicability of the Brown Act to ongoing or future threatened Board actions*
- 3. Determining the applicability of the Brown Act to a past action of the Board that is not specified in Government Code 54960.1, provided that:*
  - a. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.*

*\*\*\*Note: Pursuant to Government Code 54960.2, the Board may respond within 30 days of receiving the cease and desist letter. If the Board decides to respond to the letter with an unconditional commitment to desist from repeating the past action, the unconditional commitment is required to be substantially in the same form provided in Government Code 54960.2 and to be approved in an open session of the Board's regular or special meeting. For a sample unconditional commitment letter, see E(2) 9323.2. \*\*\**

*b. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.*

*c. The action is brought within the time required by Government Code 54960.2.*

*4. Determining the validity, under state or federal law, of any Board rule or action which penalizes any of its members or otherwise discourages their expression*

*5. Compelling the Board to audio record its closed sessions because of a court's finding of the Board's violation of any applicable Government Code provision*

*\*\*\*Note: Pursuant to Government Code 54960.1, the district attorney's office or any interested person may file a lawsuit to invalidate (i.e., declare null and void) actions that violate specific provisions of the Brown Act listed in Government Code 54960.1 and specified below. However, even when the action may normally be subject to invalidation, Government Code 54960.1 provides that in certain circumstances (e.g., when there has been substantial compliance with the Brown Act or the Board action resulted in a contract with a party who detrimentally relied on the action in good faith and without notice of a challenge to its validity), the action may not be invalidated.\*\*\**

*\*\*\*Note: Before seeking court action, the person who believes a violation occurred must send a written demand to the Board to "cure or correct" the action as specified below. Because the laws regarding these provisions are complex, it is recommended that the district consult with legal counsel upon receipt of a "cure and correct" demand.\*\*\**

*The district attorney or any interested person may file an action in court to nullify a Board action which is alleged to be in violation of law regarding any of the following: (Government Code 54960.1)*

- 1. Open meeting and teleconferencing (Government Code 54953)*
- 2. Agenda posting (Government Code 54954.2)*
- 3. Closed session item descriptions (Government Code 54954.5)*
- 4. New or increased tax assessments (Government Code 54954.6)*
- 5. Special meetings (Government Code 54956)*
- 6. Emergency meetings (Government Code 54956.5)*

*Prior to bringing any action to nullify a Board action, the district attorney or other interested person shall present a demand to "cure and correct" the alleged violation. The demand shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)*

*Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code*



**54960.1)**

- 1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.**
- 2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.**
- 3. Take no action. If the Board takes no action within the 30-day period, its inaction shall be considered a decision not to cure or correct the challenged action.**

- ~~1. The Board, by majority vote of its members, determines that the action responds to an emergency situation.  
(cf. 9320—Meetings and Notices)~~
- ~~2. The Board determines, either by a two-thirds majority vote of the members present at the meeting or, if less than two-thirds of the members are present, by a unanimous vote of all members present, that the need to take immediate action came to the district's attention after the posting of the agenda.~~
- ~~3. The matter was properly posted for a previous meeting occurring not more than five days earlier and was continued to the meeting at which action is being taken.  
(cf. 9322—Agenda/Meeting Materials)~~

~~The Board shall not take action by secret ballot, whether preliminary or final.  
(Government Code 54953)~~

~~Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)  
(cf. 9324—Minutes and Recordings)~~

Challenging Board Actions

~~Any demand by the district attorney's office or any interested person to correct a Board action shall be presented to the Board in writing within 90 days of the date when the action was taken. Such demand shall allege a violation of any of the following: (Government Code 54960.1)~~

- ~~1. Government Code 54953, regarding open meeting and teleconferencing~~
- ~~2. Government Code 54954.5, regarding closed session item descriptions~~
- ~~3. Government Code 54954.6, regarding new or increased tax assessments~~
- ~~4. Government Code 54956, regarding special meetings~~
- ~~5. Government Code 54956.5, regarding emergency meetings~~



~~If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)~~

~~Any demand to "cure and correct" an alleged violation shall clearly describe the challenged action and the nature of the alleged violation. (Government Code 54960.1)~~

~~Within 30 days of receiving the demand, the Board shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct. If the Board decides to not cure or correct the challenged action, the demanding party shall be informed in writing of that decision. (Government Code 54960.1)~~

~~If the Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action. (Government Code 54960.1)~~

Legal Reference:

EDUCATION CODE

15266 School construction bonds  
17466 Declaration of intent to sell or lease real property  
17481 Lease of property with residence for nondistrict purposes  
17510-17512 Leasing for production of gas, resolution requiring unanimous vote  
17546 Private sale of personal property  
17556-17561 Dedication of real property  
35140-35149 Meetings  
35160-35178.4 Powers and duties  
48660-48661 Community day schools, establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue  
1245.240 Eminent domain vote requirements  
1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities  
53724 Parcel tax resolution requirements  
53790-53792 Exceeding the budget  
53820-53833 Temporary borrowing  
53850-53858 Temporary borrowing  
54950-54963 The Ralph M. Brown Act, especially:  
54952.6 Action taken, definition  
54953 Meetings to be open and public; attendance; prohibition against secret ballots  
54960-54960.5 Actions to prevent violations

65352.2 Coordination with planning agency

PUBLIC CONTRACT CODE

3400 Bid specifications  
20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder  
20113 Emergencies, award of contracts without bids  
20114 Repairs, maintenance, and improvements to district facilities by day labor or force account  
22034 Uniform Public Construction Cost Accounting Act informal bidding ordinance  
22035 Repair or replacement of facilities in case of emergency

22050 Emergency contracting procedures

**COURT DECISIONS**

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313

McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310

Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672

Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

**Management Resources:**

**CSBA PUBLICATIONS**

The Brown Act: School Boards and Open Meeting Laws, 2014

**ATTORNEY GENERAL PUBLICATIONS**

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

**LEAGUE OF CALIFORNIA CITIES PUBLICATIONS**

Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010

**WEB SITES**

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

Institute for Local Government: <http://www.ca-ilg.org>

Office of the Attorney General: <http://www.oag.ca.gov>

(10/97 3/00) 11/02

**Adopted by Shandon Board of Trustees: September 12, 2000**

Revised: May 10, 2011

(3/11 11/12) 3/19

# Shandon Joint Unified School District

## Exhibit

### Actions By The Board

E 9323.2

### Board Bylaws

#### Exhibit 1

#### 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:

*\*\*\*Note: For an action requiring a two-thirds vote to pass, a three-member board will need two board members to vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need five board members to vote in favor of the item.\*\*\**

1. Resolution declaring the Governing Board's intention to sell or lease real property (Education Code 17466)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

2. Resolution declaring the Board's intent 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 of funds needed for immediate requirements of the district 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, action to establish a community day school for any of grades K-8 (Education Code 48660)

(cf. 6185 - Community Day School)

8. When the district is organized to serve only grades K-8, has an average daily attendance (ADA) of 2,500 or less, or desires to operate a community day school to serve any of grades K-6 (and no higher grades) 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. 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)

10. 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)

11. 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.\*\*\**

12. 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 resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

*\*\*\*Note: Item #13 is for use by three-member boards.\*\*\**

13. When the district has a three-member Board, action to respond to an emergency facilities condition without giving notice for bids to let contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

#### 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:

*\*\*\*Note: For an action requiring a four-fifths vote to pass, a three-member board will need a unanimous vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need six board members to vote in favor of the item.\*\*\**

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)

*\*\*\*Note: Item #5 is for use by districts governed by a five-member or seven-member board.\*\*\**

5. When the district has a five-member or seven-member Board, action to respond to an emergency facilities condition without giving notice for bids to let contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

*\*\*\*Note: AB 2249 (Ch. 169, Statutes of 2018) amended Public Contract Code 22034 to change the thresholds for public works projects bid pursuant to the Uniform Public Construction Cost Accounting Act, thereby increasing the amount requiring board resolution, as provided in item #6.\*\*\**

6. Resolution to award a contract for a public works project at \$212,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the Uniform Public Construction Cost Accounting Act for projects of \$200,000 or less, all bids received are in excess of \$200,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

#### Actions Requiring a Unanimous Vote of the Board:

1. Resolution authorizing and prescribing the terms of a lease of district property for extraction and taking of gas not associated with oil (Education Code 17510-17511)

2. Authorization of the use of day labor or force account, or waiver of the competitive bid process pursuant to Public Contract Code 20111, when the Board determines that an emergency exists requiring the repair, alteration, work, or improvement to any facility to permit the continuance of existing classes or to avoid danger to life or property, 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 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)

(5/16 10/16) 3/19

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Exhibit(2) 9323.2

## ACTIONS BY THE BOARD

### UNCONDITIONAL COMMITMENT LETTER

*\*\*\*Note: Government Code 54960 authorizes the district attorney or other interested person to file an action in court to determine the applicability of the Ralph M. Brown Act to any past Governing Board action which is not specified in Government Code 54960.1; see the accompanying board bylaw. Pursuant to Government Code 54960.2, prior to commencing such an action the district attorney or other interested person must send a cease and desist letter to the Board within nine months of the alleged violation. Within 30 days of receiving the cease and desist letter, the Board may respond by sending an unconditional commitment, substantially in the same form provided in Government Code 54960.2, to desist from repeating the past action. If the Board so responds, the district attorney or other interested person may not file an action in court. The following exhibit presents a sample unconditional commitment letter.\*\*\**

To: (Name of district attorney or any interested person)

The Governing Board of (name of school district) has received your cease and desist letter dated (date) alleging that the following 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)

(11/12) 3/19

*No current Exhibit*