A. CALL TO ORDER

B. MOVE TO CLOSED SESSION

C. CLOSED SESSION
   1. Conference with Labor Negotiators Agency designated representatives: Board President Todd Southam, Unrepresented Employee(s): Superintendent (Government Code 54957.6)
   2. Conference with Labor Negotiators Agency designated representatives: Superintendent Lloyd Webb; Employee Organizations: Administrative, CTA, CSEA, and Classified Confidential (Government Code 54957.6)
   4. Public Employee Performance Evaluation: Superintendent (Government Code 54957)
   5. Public employee appointment/employment: Superintendent (Government Code 54957)
   6. Student Expulsion: Pursuant to Education Code section 35146. The Education code requires closed session in these cases to prevent disclosure of confidential student record information.

D. RETURN TO OPEN SESSION

E. PLEDGE OF ALLEGIANCE

F. REPORT OF ACTION TAKEN IN CLOSED SESSION

G. ORDER OF AGENDA

H. ITEMS FROM THE PUBLIC:
The law allows the public to address the governing board on any school district matter, whether or not it is on the agenda, but the law prohibits action or discussion by the Board on non-agenda items. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and
may ask that additional persons speak only if they have something new to add. (BB 9323)

“Questions or concerns expressed may be referred to the Superintendent, Lloyd Webb, for a response or resolution. Those persons wishing to contact the Superintendent may do so by phone at (530) 895-4675 or by email at lwebb@durhamunified.org”

I. DISTRICT REPORTS

1. DUTA
2. MOT
3. Principals
4. Superintendent

J. CONSENT AGENDA

1. Minutes of Regular Meeting October 17, 2018

2. Accounts Payable for the Month of October 2018

3. Employment
   Classified Hourly Increase:

<table>
<thead>
<tr>
<th>Employee</th>
<th>Position</th>
<th>Effective Date</th>
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<tbody>
<tr>
<td>Kristen Harris</td>
<td>SPED Para 5 hrs. to 5.25 hrs.</td>
<td>08/15/2018</td>
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   Spring Season Coaches 2018-2019

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<td>Omar Aguilar</td>
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<td>Trenton Stow</td>
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<td>Nathan Stelzriede</td>
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<td>Girls Soccer</td>
<td>Volunteer</td>
<td>Mark Chavez</td>
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4. Fund Raisers

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<tr>
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<th>Estimated Net</th>
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<tr>
<td>Hallow-Grams Mrs. Brown, DES Student Council</td>
<td>October 22 – 26, 2018</td>
<td>$300.00</td>
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5. Field Trips

<table>
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<tr>
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<tr>
<td>Band Competition</td>
<td>DHS Mr. Plummer</td>
<td>10/20/2018</td>
</tr>
<tr>
<td>Butte County Agriculture</td>
<td>DES Mrs. Hardesty</td>
<td>11/01/2018</td>
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<tr>
<td>Day of the Dead Exhibit, San Francisco</td>
<td>Ms. Contreras</td>
<td>11/08/2018</td>
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<tr>
<td>CSUC Math Lab</td>
<td>Mr. Coffee</td>
<td>11/09/2018</td>
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<tr>
<td>CSUC Math Lab/Anthropology Museum</td>
<td>Mrs. Lincoln</td>
<td>11/16/2018</td>
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</table>
K. INFORMATION ITEMS

1. Durham FFA Report
2. DHS MTSS group presentation
3. Durham Unified School District SBAC Scores / MAP Results / Inclusion on LCAP

L. DISCUSSION/ACTION ITEMS:

1. Discussion/Consideration of Competition Cheer at DHS.

2. Discussion/Consideration and Public Hearing to Approve Carl D. Perkins Vocational and Technical Education Improvement Act Waiver.

3. Discussion/Consideration to Approve Updated Board Policies:
   a. Charter School Renewal BP 0420.42
   b. Communication with the Public BP 1100
   c. Gifts, Grants and Bequests BP 3290
   d. Claims and Actions Against the District AR 3320
   e. Financial Reports and Accountability AR 3460
   f. Transfers BP 4114
   g. School Health Services BP 5141.6
   h. School Health Services AR 5141.6

M. ITEMS FROM THE BOARD

N. RETURN TO CLOSED SESSION

O. CLOSED SESSION

P. RETURN TO OPEN SESSION

Q. REPORT OF ACTION TAKEN IN CLOSED SESSION

R. NEXT BOARD MEETING DATE: December 19, 2018

S. ADJOURNMENT

NOTES:
*Agenda item documents are available for public inspection during regular business hours at the District Office.
**Handout will be provided at the board meeting. If you require special accommodations to participate in the meeting, please advise Tina Blenn, District Secretary, 48 hours in advance at 895-4675 x227.
Durham Unified School District

Regular Meeting of the Board of Trustees
Wednesday, October 17, 2018
District Boardroom
9420 Putney Drive, Durham, CA 95938

Minutes

The Regular meeting of the Board of Trustees of the Durham Unified School District was held in the Durham Unified School District Board Room, Wednesday, October 17, 2018 and began at 6:00 pm.

Trustees Present: Alex DuBose, Kathy Horn, Ed McLaughlin and Lance Smith
Trustees Absent: Todd Southam

Staff Members Present: Superintendent Lloyd Webb; Assistant Superintendent of Business and Operations Ron Sherrod; District Secretary Tina Blenn; Principal Robbin Pedrett; Principal Lora Fox; Principal Shirley Williams; Director of Special Education Marilyn Bertolucci; and MOT Manager Eric Kolstad.

Staff Members Absent:

CALL TO ORDER
Trustee Ed McLaughlin called the DUSD Board of Trustees meeting to order at 6:00 pm.

A. MOVE TO CLOSED SESSION

B. CLOSED SESSION

1. Conference with Labor Negotiators Agency designated representatives: Board President, Unrepresented Employee(s): Superintendent (Government Code 54957.6)
2. Conference with Labor Negotiators Agency designated representatives: Superintendent Lloyd Webb
   Employee Organizations: Administrative, CTA, CSEA, and Classified Confidential (Government Code 54957.6)
4. Public Employee Performance Evaluation: Superintendent (Government Code 54957)
5. Student Expulsion: (1-Student #2017-1) Pursuant to Education Code section 35146. The Education Code requires closed session in these cases to prevent disclosure of confidential student record information

C. RETURN TO OPEN SESSION
Trustee Ed McLaughlin reconvened Open Session at 7:07 pm.

D. PLEDGE OF ALLEGIANCE
Trustee Lance Smith led the Pledge of Allegiance.

REPORT OF ACTION TAKEN IN CLOSED SESSION
No action was taken in closed session.

E. ADJUSTMENTS TO ORDER OF AGENDA:
Correction of date: Consent Agenda Item 11 – Gold Nugget Museum from May 6 to May 3.
F. ITEMS FROM THE PUBLIC:
    - Durham FFA members, Emily Mendonca and Rico Merlo reported on Durham FFA activities and grape harvest.

G. DISTRICT REPORTS:
    Jona O'Shea, DUTA President and Megan Farley, DUTA VP – Gave their positive report on Durham education, amazing class activities and staff professional development.

    Eric Kolstad MOT Manager: In the process of selecting candidates to interview for the Custodian 1 opening. Maintenance is OK. Grounds are working on trimming trees. Our maintenance vehicle will need to be replaced soon.

    Celebration of the Month:
    Jona O'Shea was honored with a Board resolution for her achievement of Butte County Teacher of the Year.
    Student of the Month: Taylor Turner from Durham Intermediate School

    Shirley Williams DES Principal:
    VAPA Performances are just around the corner with Lisa Farrage-Johnson
    PTS Mother/Son Mini Golf will be October 23, 2018. The Sweetheart Father/Daughter dance is coming soon.
    Country Village Resident Visit will be October 24, 2018.
    Red Ribbon Week is October 22 – 26, 2018
    DELAC/Café con las Familias are having a Drug Awareness Presentation October 22, 2018 and End of Harvest Celebration November 4, 2018.
    Professional Development: AVID workshop, MAP Training, Autism Symposium, Positive Behavioral Interventions & Supports (PBIS)* Tier I and II training.
    Parent Conferences: November 7 – 9, 2018
    Enrollment: 478

    Lora Fox DIS Principal:
    Staff Collaboration: October 22, 2018
    Student Study Round Table: October 29, 2018
    Staff Meeting: November 5, 2018
    Staff Collaboration: November 26, 2018
    DIS 7/8 Girls Basketball has begun
    CJSF Dance: November 2, 2018
    Girls Panther Classic Basketball Tourney: October 25-27, 2018
    8th Grade Pumpkin Drop at Clinco State
    Red Ribbon Week: October 29 – November 2, 2018
    Jog-A-Thon raised $15,112
    PBIS* Training
    Enrollment: 249

    Robbin Pedret DHS Principal:
    MAP Data used for “evidence of learning” September 28, 2018
    Struggling Students identified, MAP scores part of the process October 1, 2018
    Vertical Articulation with DIS October 8, 2018
    Vertical Articulation with DIS October 15, 2018
    MAP as an intervention; SBAC scores from 8-9th grade and discussion on a 6 or 7 period day for next year at DHS.
Football will make the playoffs.
Championships have begun for Cross Country
Various Championship contest for the next 2 weeks with Swim Team
Volleyball will finish the regular season with Senior night October 18, 2018
Band is busy playing at home games; has a competition October 20, 2018.
ABS is always working. Homecoming, Odyssey Assembly, Concession Stands, Senior Sport
Recognition and more.
Events: FFA has been attending contest and field days. Durham FFA was represented at Cow Palace,
Redding Jackpot, and a livestock judging contest. The grapes were harvested, students attended the
winery to observe some of the processing of the grapes. There is a Durham label in the works that will
grace the bottled product after about 1.5 years of aging. FFA is organizing for the upcoming fairs and
contests.
Quarter Report Cards are mailed on October 18, 2018.
CDE Intent to Apply submission for a CTE Grant was accepted for RAP (A Recording Arts Program for
Digital Sound) the final submission is due November 7, 2018. Receiving the full Grant award would be
$100,000 for the Band Department.
Many meetings with parents, students, counselor and staff for academic improvement. Still the Best
Teachers, staff and parents who value a partnership to educate Durham Students!
Enrollment: 308
PLEASE REMEMBER CASINO NIGHT, DHS TECHNOLOGY FUNDRAISER November 3, 2018

Assistant Superintendent of Business and Operations, Ron Sherrod:
Surveillance Systems: Beginning to receive orders through E-Rate to get the DIS and District Office
cameras operational. Installation of switches by BCOE IT staff will follow.
Technology: Due to hardware failures, our wireless access point controller went offline for about an
hour. This failure was described as rare for these types of devices. Because we only have one access
control point handling the entire District; a resolution is to build in a second wireless access point
controller.
ASB Operations: We have a vision of what the procedures and operations should look like with some
validation from the external auditors. Meetings and discussions are being held to organize
structure and authorize changes.
Enrollment: The CBEDs count is used for projecting current year P-2 ADA as well as projections for the
two subsequent fiscal years. Our current enrollment is 1,042.

Superintendent:
Erin Lizardo, DHS Art Teacher, will be managing the Durham Unified School District website update.
Everyone is excited about this form of renewal. Working to bring in ADA compliance format.
Teacher Leadership meeting well attended. Study Island presentation, a program that works hand in
hand with MAP that we are using for student assessments.
Infinity House: Asbestos Survey Report
Butte County Office of Education Superintendent Meeting: Presentation by Sheriff Honea

H. CONSENT AGENDA
The consent agenda was approved as presented.

Moved: Alex DuBose Second: Lance Smith Vote: 4-0 Abstained: 0 Absent: 1

I. INFORMATION ITEMS:
1. Trustee Ed McLaughlin introduced new appointment to the Durham Unified Board of Trustees,
   Matt Thorpe
2. Williams Uniform Complaint had no filings
3. Infinity House Asbestos Survey and Report
4. Dashboard Overview and Local Indicators/ LCAP – incorporating Dashboard Metrics Summary – PowerPoint presentation

J. DISCUSSION ITEMS: None

K. ACTION ITEMS:

1. **Action**: Approval of Reduction of Classified Hours Resolution #19-04.
   
   Moved: Alex DuBose  Second: Kathy Horn  Vote: 4-0  Abstained: 0  Absent: 1

2. **Action**: Approval of Proposal/Agreement to Prepare Developer Fee Justification Study for Durham Unified School District.
   
   Moved: Kathy Horn  Second: Lance Smith  Vote: 4-0  Abstained: 0  Absent: 1

   
   Moved: Alex DuBose  Second: Lance Smith  Vote: 4-0  Abstained: 0  Absent: 1

   
   Moved: Alex DuBose  Second: Lance Smith  Vote: 4-0  Abstained: 0  Absent: 1

5. **Action**: Approval of the proposal for GASB 74/75 actuarial valuation.
   
   Moved: Lance Smith  Second: Kathy Horn  Vote: 4-0  Abstained: 0  Absent: 1

6. **Action**: The date for the Annual Organizational Board Meeting has been set for December 19, 2018.
   
   Moved: Kathy Horn  Second: Lance Smith  Vote: 4-0  Abstained: 0  Absent: 1

7. **Action**: Approval of increase Resource Specialist FTE from .60 to 1.0 FTE.
   
   Moved: Lance Smith  Second: Kathy Horn  Vote: 4-0  Abstained: 0  Absent: 1

L. ITEMS FROM THE BOARD OF TRUSTEES
   - Trustee Horn: 1. Competition Cheer on next agenda
     2. Update on Gun Club
     3. Update on all Academic Teams/Clubs
   - Lance Smith: Congratulations Jona! All the Principals, Great Job! Please send photos of your sites to the Forum.
   - Alex DuBose: Congratulations Jona!
     Let’s get a process for screening new coaches prior to submission to the Board

M. RETURN TO CLOSED SESSION
   The Board returned to closed session at 9:03 p.m.

N. NEXT BOARD MEETING DATE: November 14, 2018
O. ADJOURNMENT – Trustee Ed McLaughlin adjourned the meeting of the DUSD Board of Trustees at 9:40 p.m.

Notes:
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<th>Department</th>
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**Notes:**
- Checks are dated 10/10/18 through 10/31/2018.
- Checks are paid to the order of.
- Checks must be approved by the Board of Trustees.
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<tr>
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<td>Pay Tapes - DESS/ASIS will reimburse</td>
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<td>3491</td>
<td>Foodstuff for Food Club</td>
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<td>6930</td>
<td>10-8000 DUSD Phone Manufacturing Renewal</td>
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**Checks: Paid through 10/31/2018**

- Board Report
- Reimbursement

**Notes:**
- Checks paid through 10/31/2018
- Records for the financial year 2018
- Financial information for the board of trustees
- Financial report for the fiscal year 2018
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**Check Details**

- **Check Number**: 234567
- **Pay To the Order Of**: John Doe
- **Amount**: $300.00
- **Date**: 10/31/2018
- **Bank**: ABC Bank
- **Routing Number**: 1234567

**Check Dates**

- Issued: 10/01/2018
- Expires: 10/31/2018
- **Checks Dated**: 10/01/2018 through 10/31/2018
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**Check Paid Details**

- **Check Date:** 10/31/2018
- **Check Number:** 005-123456
- **Amount:** $10000

**Board Reports**

- **Report Name:** Board of Directors
- **Date:** 12/20/2018

**Notes**

- Items marked with an asterisk (*) require further review and approval.
- The total amount paid is $10000, which is within the approved budget.
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Note: The fund amounts are calculated based on the given data.
Durham Unified School District

Fund Raising Request Form

All fund raising projects/activities are to be approved by the school principal or the Board of Education at least one month prior to initiating the project/activity. The principal/designee shall maintain a written financial record of each approved fund raising project/activity. Funds generated from the projects/activities shall be deposited in the Associated Student Body account, PTS account, Boosters account, or in the appropriate District account.

School: D.E.S.
Club or Organization: Student Council (ASB)
Advisor/President: Samantha Brown

Purpose of the fund raising project/activity:
Hallow-Grams (Cookie Grams)  Field Trips, School Supplies

Financial Goal of the project:
X Minor: Estimated Gross $300.00  Estimated Net $150.00

Nature of project/activity (i.e., car wash):

Beginning/ending date(s) and times if appropriate of proposed fund raising project(s)/activity(ies):
Beginning: 10/22/18  Ending: 10/26/18
Location: In front of D.E.S. office in front of school

Number of students to be involved: 15

Date: 10/18/18  Organization Officer’s Signature
        Samantha Brown
Date:  
        Advisor’s Signature (if applicable)
        W
Date: 10/23/18  Principal’s Signature
        
Date:  
        Student Body President’s Signature
Date: 10/23/18  Superintendent’s Signature (if required)
        
White: Club  Yellow: File  Pink: ASB Files
DURHAM UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST

Date Submitted: 10-15-18

School Site: DHS Program: Band Seat Count: 46

Requesting Party: Plummer Phone: 530 591-2103 Cell:

Purpose of Trip: Band Competition

Date of Trip: 10-20-18 Day of Week: Sat.
Contact Name: Plummer Cell: 530 591-2103

TYPE OF TRANSPORTATION REQUESTED

X School Bus Charter District Van Parent Driver

Have DMV records been checked for parent driver yes _____ no _____

Destination:________________________

Address:________________________ City:________________________ State:________________________

Scheduled Departure Time:____________ Scheduled Return Time:____________

Payment Method: ASB Funds PTS Budget Transfer

APPROVALS:
Principal: Rodd McWhorter Superintendent: [Signature]

Date: 10/15/18 Date: 10/15/18

Revised Form: 2/25/11
Date Submitted: 10/22/18
School Site: DES  Program:  Seat Count: 84
Requesting Party: Kasey Hardesty  Grade: 3rd  Phone: 895-4697 ext 231  Cell: 864-2206
Purpose of Trip: Butte county ag
Date of Trip: Nov. 1, 2018  Day of Week: Thurs.
Contact Name: Kasey Hardesty  Cell: 

TYPE OF TRANSPORTATION REQUESTED

√ School Bus  ____ Charter  ____ District Van  ____ Parent Driver

Have DMV records been checked for parent driver  yes____ no____

Destination:

Address:  City:  State: 

Scheduled Departure Time:  Scheduled Return Time: 

Payment Method:  ____ ASB Funds  ____ PTS  ____ Budget Transfer

APPROVALS:

Principal:  Date: 10/22/18

Superintendent:  Date: 10/23/18

Revised Form: 2/25/11
DURHAM UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST

Date Submitted: 10-24-2018
School Site: D.H.S. Program: Spanish IV Seat Count: 22
Requesting Party: Suzanne Contreras Phone: same Cell: 530.566.4763
Purpose of Trip: Day of the Dead Exhibit
Date of Trip: Nov 8, Thurs Day of Week:
Contact Name: Suzanne Contreras Cell: 530.566.4763

TYPE OF TRANSPORTATION REQUESTED

School Bus Charter District Van Parent Driver
Have DMV records been checked for parent driver yes X no
Destination: Somarts
Address: 934 Brannan Street City: S.F. State: CA
Scheduled Departure Time: 7:00 Scheduled Return Time: 4:00
Payment Method: ASB Funds PTS Budget Transfer

APPROVALS:
Principal: Date: 10/24/18
Superintendent: Date: 10/29/18

Revised Form: 2/25/11
DURHAM UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST

Date Submitted: 10-25-18

School Site: D = S Program: Mr. Coffee's 5th Grade Seat Count: 30

Requesting Party: Mr. Coffee Phone: Cell: 566 5890

Purpose of Trip: visit CSU Math Lab - hands-on/math enrichment

Date of Trip: Nov. 9 Day of Week: Fri.

Contact Name: D. Coffee Cell: 566 5890

TYPE OF TRANSPORTATION REQUESTED

_____ School Bus _____ Charter _____ District Van x Parent Driver

Have DMV records been checked for parent driver: yes x no

Destination: CSU Chico

Address: __________________ City: __________ State: __________

Scheduled Departure Time: 9:30 AM Scheduled Return Time: 12:20 PM

Payment Method: _____ ASB Funds _____ PTS _____ Budget Transfer

2 parent donation

APPROVALS:

Principal: 9W Superintendent:

Date: 10-25-18 Date: __________

(Sorry for late request - I was offered a cancellation spot yesterday)

Revised Form: 2/25/11
Date Submitted: Oct 31, 2018
School Site: DES Program: __________________________ Seat Count: ________
Requesting Party: Mrs. Lincoln Phone: ______________________ Cell: ________
Purpose of Trip: Hands on Math Lab/Anthropology
Date of Trip: Nov. 16th Day of Week: Friday Museum
Contact Name: Jacqueline Lincoln Cell: 530-521-1150

TYPE OF TRANSPORTATION REQUESTED

____ School Bus _____ Charter _____ District Van _____ Parent Driver

Have DMV records been checked for parent driver yes [ ] no [x]

Destination: CSUC Hands on Math Lab/Anthropology
Address: __________________________ City: Chico State: CA

Scheduled Departure Time: 10:30 Scheduled Return Time: 2:30
Payment Method: [ ] N/A [ ] ASB Funds [ ] PTS [ ] Budget Transfer

APPROVALS:
Principal: [Signature] Date: 11/5/18
Superintendent: [Signature] Date: 11/5/18
DURHAM UNIFIED SCHOOL DISTRICT

Board Meeting Date: November 14, 2018

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<th>MTSS (MULTI-TIERED SYSTEM OF SUPPORT) PRESENTATION</th>
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<td>Nancy Riley</td>
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| RECOMMENDATION         | □ Approve  | □ Do Not Approve |
|                        | □ Accept   | □ Discuss        |
|                        | □ Information Only |

BACKGROUND:
The DHS MTSS group would like to give an informational presentation to the Board on what MTSS is and what our group is working on.
Durham Unified School District
Board Policy
Charter School Renewal

BP 0420.42
Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school’s effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education on appeal after initial denial by the Board.

(cf. 0420.4 - Charter School Authorization)
(cf. 0420.41 - Charter School Oversight)
(cf. 0420.43 - Charter School Revocation)
(cf. 0500 - Accountability)

No charter school that submits a renewal petition on or after July 1, 2019 shall be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

Each renewal granted by the Board shall be for a period of five years. (Education Code 47607)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605, except that the signature requirement for new petitions is not applicable to petitions for renewal. (Education Code 47607; 5 CCR 11966.4)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

In determining whether to grant a charter renewal, the Board shall consider the past academic, financial, and operational performance of the charter school in evaluating the likelihood of future success, along with any plans for improvement. Increases in academic achievement for all numerically significant groups of students served by the charter school, as defined in Education Code 52052, shall be the most important factor. (Education Code 47607; 5 CCR 11966.4)

The Board shall not deny a renewal petition unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)
1. The charter school presents an unsound educational program for the students enrolled in the school.

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).

4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

5. The charter school has failed to demonstrate that it meets at least one of the following criteria of academic performance:

   a. Increases in academic achievement for all groups of students schoolwide and among numerically significant student subgroups, as determined using measures identified pursuant to Education Code 52052

   b. Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school

      Such performance shall be determined based on a review of documented clear and convincing data; student achievement data from assessments, including, but not limited to, state academic achievement tests, for demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall not grant a renewal until at least 30 days after the submission of any such documentation by the charter school. The Superintendent or designee shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for the Board's determination.

      (cf. 6162.51 - State Academic Achievement Tests)

   c. Qualification for the state's alternative accountability system for schools that serve high-risk students

Timelines for Board Action

Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)
If the Board fails to make a written factual finding pursuant to items #1-5 in the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

Legal Reference:
EDUCATION CODE
47600-47616.7 Charter Schools Act of 1992
52052 Definition of numerically significant student subgroup
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement
CODE OF REGULATIONS, TITLE 5
11960-11969 Charter schools
UNITED STATES CODE, TITLE 20
7223-7225 Charter schools

Management Resources:
CSBA PUBLICATIONS
The Role of the Charter School Authorizer, Online Course
WEB SITES
CSBA: http://www.csba.org
California Charter Schools Association: http://www.calcharters.org
California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs

(3/12 11/12) 10/18
Durham Unified School District
Board Policy
Communication With The Public

BP 1100
Community Relations

The Governing Board recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

(cf. 1112 - Media Relations)
(cf. 1340 - Access to District Records)
(cf. 2111 - Superintendent Governance Standards)
(cf. 3580 - District Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 9005 - Governance Standards)
(cf. 9010 - Public Statements)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Superintendent or designee shall utilize a variety of methods to provide information to the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social media, electronic communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

(cf. 0510 - School Accountability Report Card)
(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Superintendent or designee may provide staff members with professional development to assist them in effectively responding to requests for information or assistance by parents/guardians or members of the public.

The Superintendent or designee shall provide multiple avenues and opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

Mass Mailings at Public Expense

Newsletters or mass mailings regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

A mass mailing is prohibited if all of the following criteria are met: (Government Code 89001-89002)
1. The mailing involves sending a tangible item, such as a videotape, record, button, or written document, which is delivered by any means to recipients at their residence, place of employment or business, or post office box.

2. The item features a Board member or includes the name, office, photograph, or other reference to a Board member and is prepared or sent in cooperation, consultation, coordination, or concert with the Board member.

3. The costs of distribution, or any costs of design, production, and printing exceeding $50, are paid with district funds.

4. More than 200 substantially similar items, as defined in Government Code 89002, are sent in a single calendar month.

The above prohibition does not apply to the types of mass mailings specified in Government Code 89002(b), including, but not limited to: (Government Code 89002)

1. An item in which the Board member's name appears only in a roster containing the names of all Board members or in the letterhead or logotype of the stationery, forms, and envelopes of the district, a district committee, or the Board member

2. An announcement including only a single mention of the Board member's name which concerns a public meeting related to the Board member's duties or any official district event(s) for which the district is providing the use of its facilities, staff, or other financial support

3. A business card that contains only one mention of the Board member's name and no photograph of the Board member

However, any of the excepted mailings listed in items #1-3 above that meets the criteria for prohibited mass mailings shall not be sent within 60 days preceding an election in which a Board member to whom the mailing relates will appear on the ballot as a candidate. (Government Code 89003)

Comprehensive Communications Plan

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

Legal Reference:
EDUCATION CODE
7054 Use of district property or funds re: ballot measures and candidates
35145.5 Board meetings, public participation
35172 Promotional activities
38130-38138 Civic Center Act
48980-48985 Parental notifications
GOVERNMENT CODE
54957.5 Meeting agendas and materials
82041.5 Mass mailing
89001-89003 Newsletter or mass mailing
CODE OF REGULATIONS, TITLE 2
18901.1 Campaign-related mailings sent at public expense
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California School Public Relations Association: http://www.calspra.org

(3/08 3/11) 10/18
Durham Unified School District
Board Policy
Gifts, Grants And Bequests

BP 3290
Business and Noninstructional Operations

The Governing Board may accept any gift, grant, or bequest of money, property, or service to the
district from any individual, organization, foundation, or public or private agency that desires to
support the district's educational program. While greatly appreciating suitable donations, the
Board shall reject any gift which may directly or indirectly impair its authority to make decisions
in the best interest of district students or its ability or commitment to provide equitable
educational opportunities.

(cf. 0200 - Goals for the School District)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 1260 - Educational Foundation)
(cf. 9270 - Conflict of Interest)

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or
restrictions imposed by the donor to ensure their consistency with the district's vision,
philosophy, and operations. If the Board believes the district will be unable to fully satisfy the
donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)
(cf. 0100 - Philosophy)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the
donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)

4. Advertise or endorse the use of non-nutritious food or beverages during the school day

(cf. 5030 - Student Wellness)

5. Encourage or enable the violation of any law or district policy
6. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

Any gift of books or instructional materials may only be accepted if they meet district criteria for selection of instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)

All gifts, grants, and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school, classroom, or teacher. At the Superintendent or designee's discretion, a gift may be used at a particular school or classroom.

When any gift of money received by the district is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

(cf. 3430 - Investing)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

(cf. 3440 - Inventories)
(cf. 3460 - Financial Reports and Accountability)

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 - District and School Web Sites)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3312 - Contracts)
(cf. 6145.2 - Athletic Competition)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications in accordance with BP 1325 - Advertising and Promotion.
Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed.

2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.

3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information and the requirement that the sponsor obtain prior approval of the Board before using such information.

4. The prohibition against the collection or distribution of students' personal information except as allowed by law.

5. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with the district's vision, mission, or goals or the sponsor engages in any prohibited activity.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

Online Fundraising

Any person or entity who wishes to conduct an online fundraising campaign, including a crowdfunding campaign, for the benefit of the district, a school, or a classroom shall submit a written request for prior approval to the Superintendent or designee. Approval of requests shall take into consideration compatibility with the district's vision and goals, core beliefs, instructional priorities, and infrastructure; the manner in which donations are collected and distributed; equity of the use of funds; and any other factors deemed relevant or appropriate by the district.

Any person or entity approved to conduct an online fundraising campaign shall comply with relevant district policies and procedures, including ensuring financial transparency in describing the purpose and use of the funds and protecting student privacy as applicable. Such person or entity shall specify that the district, rather than a staff member, classroom, or school, will own the funded resources.

Funds raised by an online fundraising campaign and donated to the district shall be subject to the same terms, criteria for acceptance, and accountability measures as any other donation as specified in this policy.
Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)
(cf. 7310 - Naming of Facility)

Legal Reference:
EDUCATION CODE
1834 Acquisition of materials and apparatus
35160 Powers and duties
35162 Power to sue, be sued, hold and convey property
41030 School district may invest surplus monies from bequest or gifts
41031 Special fund or account in county treasury
41032 Authority of school board to accept gift or bequest; investments; gift of land requirements
41035 Advisory committee
41036 Function of advisory committee
41037 Rules and regulations
41038 Applicability of other provisions of chapter

Management Resources:
WEB SITES
Durham Unified School District
Administrative Regulation
Claims And Actions Against The District

AR 3320
Business and Noninstructional Operations

Time Limitations

The following time limitations apply to claims against the district:

1. Claims for money or damages relating to any cause of action which is governed by a statute or regulation, including childhood sexual abuse and other causes of action specifically excepted from the Government Claims Act by Government Code 905, shall be filed in accordance with the governing statute or regulation. (Government Code 905, 935)

2. In accordance with the Board’s authority pursuant to Government Code 935, claims for money or damages which relate to any cause of action specifically excepted from the Government Claims Act by Government Code 905 but which are not governed by any other claims presentation statute or regulation shall be filed not later than six months after the accrual of the cause of action. (Government Code 905, 935)

3. Claims for money or damages relating to a cause of action for death or for injury to person, personal property, or growing crops shall be presented to the Governing Board not later than six months after the accrual of the cause of action. (Government Code 911.2)

4. Claims for money or damages relating to any other cause of action shall be filed not later than one year after the accrual of the cause of action. (Government Code 911.2)

Receipt of Claims

A claim, any amendment thereto, or an application to present a late claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district’s joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:
1. The name and post office address of the claimant

2. The post office address to which the person presenting the claim desires notices to be sent

3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted

4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim

5. The name(s) of the district employee(s) causing the injury, damage, or loss if known

6. The amount claimed if it totals less than $10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds $10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case.

7. The signature of the claimant or the person acting on his/her behalf

Notice of Claim Insufficiency

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, personally deliver or mail to the claimant, at the address stated in the claim or application, a notice that states the particular defects or omission in the claim.  (Government Code 910.8, 915.4)

The Board shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim.  (Government Code 910.6)

Late Claims

For claims under items #2 and #3 in the section "Time Limitations" above, any person who presents a claim later than six months after the accrual of the cause of action shall present, along with the claim, an application to present a late claim. Such claim and the application to present a late claim shall be presented not later than one year after the accrual of the cause of action. (Government Code 905, 911.4)
If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant’s failure to present the claim within the time limit.

2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.

3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason he/she failed to present the claim.

4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8. (Government Code 911.8)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.

3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.

4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.

5. If the Board takes no action on the claim, the claim shall be deemed rejected.

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall either be personally delivered or mailed to the address stated in the claim or application. (Government Code 913, 915.4)

(3/10  7/18) 10/18
Durham Unified School District
Administrative Regulation
Financial Reports And Accountability

AR 3460
Business and Noninstructional Operations

Interim Reports

Each interim fiscal report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

The interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464)

(cf. 3100 - Budget)
(cf. 3220.1 - Lottery Funds)
(cf. 3300 - Expenditures and Purchases)
(cf. 3314 - Payment for Goods and Services)

The report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

(cf. 3110 - Transfer of Funds)

Audit Report

The Superintendent or designee shall establish a timetable for the completion and review of the annual audit within the deadlines established by law.

The Superintendent or designee shall provide the necessary financial records and cooperate with the auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).
The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts, state and federal grant funds, and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3230 - Federal Grant Funds)
(cf. 3430 - Investing)
(cf. 3451 - Petty Cash Funds)
(cf. 3452 - Student Activity Funds)
(cf. 3551 - Food Service Operations/Cafeteria Fund)

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

(cf. 5117 - Interdistrict Attendance)

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Report on Expenditures of State Facilities Funds

When the district participates in the school facilities program pursuant to Education Code 17070.10-17079.30, the Superintendent or designee shall annually report a detailed list of all expenditures of state facilities funds, including interest, and of the district's matching funds for completed projects until all such funds are expended. The report shall identify expenditures on a project-by-project basis, reflect completed projects that were reimbursed within that fiscal year, and clearly indicate the list of projects that have been completed. (Education Code 41024; 2 CCR 1859.104)

Audits of facilities projects shall be concluded within one year of project completion, and shall be included as part of the district's audit for the fiscal year in which the project is reported as completed. A project shall be deemed completed when any of the following conditions is met:
(Education Code 41024; 2 CCR 1859.104)

1. When the notice of completion for the project has been filed, all outstanding invoices, claims, and change orders have been satisfied, and the facility is currently in use by the district

2. Three years from the date of the final fund release for an elementary school project

3. Four years from the date of the final fund release for a middle or high school project

Fund Balance

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact

2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law

3. Committed fund balance, including amounts constrained to specific purposes by the Board

4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose

5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Non-Voter-Approved Debt Report

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)
(cf. 3470 - Debt Issuance and Management)
(cf. 7214 - General Obligation Bonds)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report

In accordance with GASB Statement 75, the district's financial statements shall report the expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a public meeting of the Board. (Education Code 42140)

The district's financial obligation for OPEBs shall be reevaluated every two years in accordance with GASB 75.

Workers' Compensation Claims Report

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

(4/14 9/16) 10/18
Durham Unified School District
Board Policy
Transfers

BP 4114
Personnel

The Governing Board desires that certificated staff be assigned in a manner that equitably distributes highly qualified and experienced teachers, meets the needs of district students, and satisfies staffing requirements at each school. The Superintendent or designee is authorized to assign certificated staff in accordance with district policy and/or the collective bargaining agreement as applicable.

(cf. 0415 - Equity)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4113 - Assignment)
(cf. 4141/4241 - Collective Bargaining Agreement)

Subject to the approval of the Board, the Superintendent or designee may transfer a teacher from one district school to another when he/she determines the transfer is in the best interest of the district. (Education Code 35035)

Voluntary Transfers

The Superintendent or designee may establish processes and deadlines for the submission of transfer requests to facilitate staff assignments with minimal disruption to the educational program.

Upon receipt of a written transfer request by a teacher, the Superintendent or designee may consider the input of the principals at the current school and the requested school, alignment of the teacher's qualifications with needs of students and the school(s), the academic performance of the requested school, and opportunities for the professional growth of the teacher.

(cf. 4112.2 - Certification)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)

After April 15 prior to the school year that a transfer would become effective, no teacher who requests to be transferred to another school shall have priority over other qualified teachers who have applied for positions requiring certification qualifications at that school. (Education Code 35036)

Involuntary Transfers
Involuntary transfers may become necessary when programs are reduced or cancelled, when schools are closed, or when otherwise required in order to accommodate the school's staffing needs.
(cf. 4117.3 - Personnel Reduction)

If a teacher objects to a transfer, he/she may request a meeting with the Superintendent or designee and the principal. If dissatisfied with the results of this meeting, the teacher may appeal to the Board. The Board's decision shall be final.

Legal Reference:
EDUCATION CODE
35035  Additional powers and duties of superintendent, transfer authority
35036  Voluntary transfers
35186  Complaint process, teacher vacancy or misassignment
37616  Assignment of teachers to year-round schools
GOVERNMENT CODE
3543.2  Scope of representation

(11/06) 10/18
Durham Unified School District
Board Policy
School Health Services

BP 5141.6
Students

The Governing Board recognizes that good physical and mental health is critical to a student's ability to learn and believes that all students should have access to comprehensive health services. The district may provide access to health services at or near district schools through the establishment of a school health center and/or mobile van(s) that serve multiple campuses.

The Board and the Superintendent or designee shall collaborate with local and state agencies and health care providers to assess the health needs of students in district schools and the community. Based on the results of this needs assessment and the availability of resources, the Superintendent or designee shall recommend for Board approval the types of health services to be provided by the district.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.25 - Availability of Condoms)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.33 - Head Lice)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.52 - Suicide Prevention)
(cf. 6145.2 - Athletic Competition)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

Board approval shall be required for any proposed use of district resources and facilities to support school health services. The Superintendent or designee shall identify funding opportunities available through grant programs, private foundations, and partnerships with local agencies and organizations.

(cf. 1260 - Educational Foundation)
The Board may prioritize school health services to schools serving students with the greatest need, including schools with medically underserved populations and/or a high percentage of low-income and uninsured children and youth.

School health services shall be provided under the supervision of a licensed health care professional. The Board may employ or contract with health care professionals or partner with community health centers to provide the services under the terms of a written contract or memorandum of understanding.

If a school nurse is employed by the school or district, he/she shall be involved in planning and implementing the school health services as appropriate.

The Superintendent or designee shall coordinate the provision of school health services with other student wellness initiatives, including health education, nutrition and physical fitness programs, and other activities designed to create a healthy school environment. The Superintendent or designee shall encourage joint planning and regular communications among health services staff, district administrators, teachers, counselors, other staff, and parents/guardians.

To further encourage student access to health care services, the Superintendent or designee shall develop and implement outreach strategies to increase enrollment of eligible students from low-to moderate-income families in affordable, comprehensive state or federal health coverage programs and local health initiatives. Such strategies may include, but are not limited to, providing information about the Medi-Cal program on the application for free and reduced-price meals in accordance with law.

Consent and Confidentiality

The Superintendent or designee shall obtain written parent/guardian consent prior to providing services to a student, except when the student is authorized to consent to the service pursuant to
Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

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

(cf. 5125 - Student Records)

Payment/Reimbursement for Services

The Superintendent or designee may bill public and private insurance programs and other applicable programs for reimbursement of services as appropriate. Services may be provided free of charge or on a sliding scale in accordance with law.

(cf. 5143 - Insurance)

The district shall serve as a Medi-Cal provider to the extent feasible, comply with all related legal requirements, and seek reimbursement of costs to the extent allowed by law.

Program Evaluation

In order to continuously improve school health services, the Board shall evaluate the effectiveness of such services and the extent to which they continue to meet student needs.

The Superintendent or designee shall provide the Board with periodic reports that may include, but are not necessarily limited to, rates of participation in school health services; changes in student outcomes such as school attendance or achievement; measures of school climate; feedback from staff and participants regarding program accessibility and operations, including accessibility to low-income and linguistically and culturally diverse students and families; and program costs and revenues.

(cf. 0500 - Accountability)

Legal Reference:
EDUCATION CODE
49073-49079 Privacy of student records
49423.5 Specialized physical health care services
49557.2-49558 Eligibility for free and reduced-price meals; sharing information with Medi-Cal
FAMILY CODE
6920-6929 Consent by minor for medical treatment
GOVERNMENT CODE
95020 Individualized family service plan
HEALTH AND SAFETY CODE
104830-104865 School-based application of fluoride or other tooth decay-inhibiting agent
121020 HIV/AIDS testing and treatment; parental consent for minor under age 12
Minor's right to access health records
Limitation on parent/guardian access to minor's health records
California Children's Services Act
Child Health and Disability Prevention Program
Public School Health Center Support Program
Mental health services; consent by minors age 12 and older
Health Insurance Portability and Accountability Act (HIPAA)

WELFARE AND INSTITUTIONS CODE

DEFINITION OF "MEDICALLY NECESSARY"
Confidentiality of Medi-Cal information
Medi-Cal claims process
LEA Medi-Cal Billing Option, program guide
Third-party health coverage
Covered benefits; health services provided by local educational agencies
Administrative claiming process and targeted case management

CODE OF REGULATIONS, TITLE 17
Testing standards for hearing tests
Child Health and Disability Prevention Program

CODE OF REGULATIONS, TITLE 22
Confidentiality
Definitions of Medi-Cal providers and services
Requirements for providers
Wheelchair van requirements
Local educational agency provider; conditions for participation
Limitations on specified benefits
Psychology, physical therapy, occupational therapy, speech pathology, audiological services
Medical transportation services
Targeted case management services
Local educational agency; types of services
Local educational agency eligibility for payment
Reimbursement to local educational agency providers

UNITED STATES CODE, TITLE 20
Family Educational Rights and Privacy Act (FERPA)

UNITED STATES CODE, TITLE 42
Prohibition against disclosure of records
State Children's Health Insurance Program

CODE OF FEDERAL REGULATIONS, TITLE 42
Use and disclosure of information on Medicaid applicants and recipients

CODE OF FEDERAL REGULATIONS, TITLE 45
Health Insurance Portability and Accountability Act (HIPAA)

Management Resources:
CSBA PUBLICATIONS
Expanding Access to School Health Services: Policy Considerations for Governing Boards, Policy Brief, November 2008
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Framework for California Public Schools, Kindergarten Through Grade Twelve
CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES PUBLICATIONS
California School-Based Medi-Cal Administrative Activities Manual
LEA Medi-Cal Provider Manual
CALIFORNIA SCHOOL-BASED HEALTH ALLIANCE PUBLICATIONS
How to Fund Health Services in Your School District, September 2014
Documenting the Link Between School-Based Health Centers and Academic Success, May 2014
NATIONAL CENTER FOR YOUTH LAW PUBLICATIONS
Confidential Medical Release: Frequently Asked Questions from Schools and Districts, November 2015
WEB SITES
CSBA: http://www.csba.org
CSBA, Practi-Cal Program: http://www.csba.org/ProductsAndServices/AllServices/ PractiCal
California County Superintendents Educational Services Association: http://www.ccsesa.org
California Department of Education, Health Services and School Nursing: http://www.cde.ca.gov/ls/he/hn
California Department of Health Care Services: http://www.dhcs.ca.gov
California Department of Public Health: http://www.cdph.ca.gov
California School-Based Health Alliance: http://www.schoolhealthcenters.org
California School Nurses Organization: http://www.csno.org
Center for Health and Health Care in Schools: http://www.healthinschools.org
Centers for Disease Control and Prevention, School Health Policies and Programs (SHPPS)
Study: http://www.cdc.gov/HealthyYouth/shpps
Centers for Medicare and Medicaid Services: http://www.cms.hhs.gov
National Center for Youth Law: http://www.youthlaw.org

(11/08 3/12) 10/18
Durham Unified School District
Administrative Regulation
School Health Services

AR 5141.6
Students

Types of Health Services

In accordance with student and community needs and available resources, school health services offered by the district may include, but are not limited to:

1. Health screenings, evaluations, and assessments of students' need for health services

2. Physical examinations, immunizations, and other preventive medical services
   (cf. 5141.26 - Tuberculosis Testing)
   (cf. 5141.3 - Health Examinations)
   (cf. 5141.31 - Immunizations)
   (cf. 5141.32 - Health Screening for School Entry)

3. First aid and administration of medications
   (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

4. Diagnosis and treatment of minor injuries and acute medical conditions

5. Management of chronic medical conditions
   (cf. 5141.23 - Asthma Management)

6. Basic laboratory tests

7. Emergency response procedures
   (cf. 5141 - Health Care and Emergencies)

8. Nutrition services
   (cf. 3550 - Food Service/Child Nutrition Program)
   (cf. 5030 - Student Wellness)

9. Oral health services that may include preventive services, basic restorative services, and referral to specialty services
The Superintendent or designee shall notify all parents/guardians of the opportunity pursuant to Health and Safety Code 104830-104865 for their child to receive the topical application of fluoride, including fluoride varnish, or other decay-inhibiting agent to the teeth during the school year. Such application of fluoride or other decay-inhibiting agent shall only be provided to a student whose parent/guardian returns the notification with an indication consenting to the treatment. (Health and Safety Code 104830, 104850, 104855)

(cf. 5145.6 - Parental Notifications)

10. Mental health services, which may include assessments, crisis intervention, counseling, treatment, and referral to a continuum of services including emergency psychiatric care, community support programs, inpatient care, and outpatient programs

(cf. 5141.52 - Suicide Prevention)
(cf. 6164.2 - Counseling/Guidance Services)

11. Substance abuse prevention and intervention services

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

12. Vision and audiology services

13. Speech therapy

14. Occupational therapy

15. Physical therapy

16. Reproductive health services

(cf. 5141.25 - Availability of Condoms)

17. Specialized health care services for students with disabilities

(cf. 5141.24 - Specialized Health Care Services)
(cf. 6159 - Individualized Education Program)

18. Medical transportation

19. Targeted case management

20. Referrals and linkage to services not offered on-site

21. Public health and disease surveillance
22. Individual and family health education

23. School or districtwide health promotion

Medi-Cal Billing

In order to provide services as a Medi-Cal provider, the district shall enter into and maintain a contract with the California Department of Health Care Services (DHCS). (Welfare and Institutions Code 14132.06; 22 CCR 51051, 51270)

The Superintendent or designee shall ensure that all practitioners employed by or under contract with the district possess the appropriate license, certification, registration, or credential and provide only those services that are within their scope of practice. (22 CCR 51190.3, 51270, 51491)

The Superintendent or designee shall submit a claim for Medi-Cal reimbursement whenever the district provides a Medi-Cal-eligible student under age 22 and/or a member of the student's family a covered service specified in 22 CCR 51190.4 or 51360. (Welfare and Institutions Code 14132.06; 22 CCR 51096, 51098, 51190.1, 51190.4, 51309, 51360, 51535.5)

The district shall maintain records and supporting documentation including, but not limited to, records of the type and extent of services provided to a Medi-Cal beneficiary in accordance with law. (22 CCR 51270, 51476)

(cf. 3580 - District Records)
(cf. 5125 - Student Records)

Any federal funds received by the district as reimbursement for the costs of services under the Medi-Cal billing option shall be reinvested in approved services for students and their families. The Superintendent or designee shall consult with a local school-linked services collaborative group regarding decisions on reinvestment of federal funds. (22 CCR 51270)

The Superintendent or designee shall submit an annual report to DHCS to identify participants in the community collaborative, provide a financial summary including reinvestment expenditures, and describe service priorities for the future. (22 CCR 51270)

Medi-Cal Administrative Activities

***Note: Districts may receive assistance with Medi-Cal administrative billing through CSBA's Practi-Cal program. See CSBA's web site for further information.***

The district shall apply for reimbursement for activities identified by DHCS which are related to the administration of the Medi-Cal program. Such activities include, but are not limited to, outreach, translation for Medi-Cal services, facilitation of applications, arrangement of nonemergency and nonmedical transportation of eligible individuals, program planning and
policy development, claims coordination and administration, training, and general administration.

Appropriate staff shall receive training in administrative claiming categories and related activities.

To receive reimbursement for Medi-Cal administrative activities, the Superintendent or designee shall, on a quarterly basis, submit an invoice to the local educational consortium or local governmental agency through which the district has contracted.

In addition, the Superintendent or designee shall submit to the local educational consortium or local governmental agency, and shall update each quarter, a roster of all employees who perform direct Medi-Cal services or administrative activities. When notified by the local educational consortium or local governmental agency of the date and time that a random-moment time survey must be conducted by a particular employee, the Superintendent or designee shall coordinate the completion and submission of the survey in accordance with DHCS timelines and procedures.

The Superintendent or designee shall maintain an audit file containing random-moment time survey documentation and other records specified by DHCS. Such documentation shall be kept for three years after the end of the quarter in which expenditures were incurred or, if an audit is in progress, until the completion of the audit.