Durham Unified School District  
Regular and Annual Organizational Meeting of the Board of Trustees  
Wednesday, December 20, 2017

6:00 p.m. ORGANIZATIONAL MEETING

CLOSED SESSION IMMEDIATELY FOLLOWING  
(RETURN TO OPEN SESSION AT 7:00 P.M.)  
District Boardroom  
9420 Putney Drive, Durham, Ca 95938

AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ANNUAL ORGANIZATION OF GOVERNING BOARD
   1. Election of Board Officers  
      Election of Board President  
      Election of Board Clerk  
      Appoint Secretary (Employee)  
   2. Establishment of 2018 Regular Board Meeting Dates, Times, and Location

D. MOVE TO CLOSED SESSION

E. 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)
   3. Public Employee Discipline / Dismissal / Release / Complaint  
      (Government Code 54957)
   4. Public Employee Performance Evaluation: Superintendent  
      (Government Code 54957)
   5. Public Employee Appointment/Employment: Superintendent  
      (Government Code 54957)
   6. 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

F. RETURN TO OPEN SESSION

G. PLEDGE OF ALLGIANCE

H. REPORT OF ACTION TAKEN IN CLOSED SESSION
3. 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. (BB9323)

"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 x 227 or by email lwebb@durhamunified.org

K. DISTRICT REPORTS
1. Student of the Month: Durham Elementary
2. Special Presentation: Brian Czechowski
3. MOT (Maintenance, Operations and Transportation)
4. Principals
5. Business Manager
6. Superintendent

L. CONSENT AGENDA
1. Minutes of Regular Meeting November 15, 2017
2. Accounts Payable Warrants for the Month of November 2017
3. Employment:

Administrative Resignation:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terry Bennett</td>
<td>Durham High School Principal</td>
<td>12-31-2017</td>
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Certificated Stipend Position:

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<tbody>
<tr>
<td>Jaqueline Lincoln</td>
<td>Odyssey of the Mind</td>
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Classified Hire:

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<td>Heather McCune</td>
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<td>Erika Montgomery</td>
<td>DIS Library Tech</td>
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Classified Resignation:

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<td>Nicole McKinney-Brown</td>
<td>Health Technician</td>
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4. Coaches 2017-2018

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</tr>
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<td>Jessica Libby</td>
<td>Softball</td>
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<tr>
<td>Oscar Rangel</td>
<td>Boys Soccer</td>
<td>Volunteer</td>
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<tr>
<td>Christian Mitchell</td>
<td>DIS 7th Boys BB</td>
<td>Volunteer</td>
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<tr>
<td>Tony Longueria</td>
<td>JV Baseball</td>
<td>Paid</td>
</tr>
<tr>
<td>Edgar Quezada</td>
<td>Boys Soccer</td>
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Returning Coaches for Fall 2018

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<tr>
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<tr>
<td>Skip Riley</td>
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</tr>
<tr>
<td>Gran Riley</td>
<td>Varsity Football, Assistant</td>
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<tr>
<td>Jason Slightom</td>
<td>Varsity Football Assistant</td>
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<td>Brev Creech</td>
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<td>Gina Schweitzer</td>
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<td>Mark Chavez</td>
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5. Resolution of Appreciation

M. DISCUSSION ITEMS:

1. **Discussion**: Re-investigating facility improvement: Isom Advisors, a full service planning and financial advisory company serving California School Districts.

N. ACTION ITEMS:

1. **Action**: Adoption of 2018 Board Meeting Calendar

2. **Action**: First Reading/Adoption of BP Vision OOOO (a-b); BP Philosophy 0100 (a-c); E Charter School Oversight 0420.41 (a-g); BP Evaluation of Superintendent 2140 (a-b); AR Certification 4112.2 (a-f); AR Employment References 4112.61, 4212.61, 4312.61; BP Selection and Evaluation of Instructional Materials 6161.1 (a-e); E Selection and Evaluation of Instructional Materials 6161.1 (a-c); BP Mello-Roos Districts 7212 (a-c); BB President 9121 (a-c); BB Governing Board Elections 9220 (a-f); BB Orientation 9230 (a-b); BB Board Self-Evaluation 9400 (a-b).

3. **Action**: Adoption of the 2016-2017 Audit Report
   Available at District Office for review

4. **Action**: Adoption of First Interim Budget 2017-2018
   Available at District Office for review

5. **Action**: Adoption of Resolution #18-07 Accounting of 2016-2017 Developer Fee Fund.
   Government code sections 66001(d) and 66006 (b) require this District to make an annual accounting of the Fund and to make additional findings every five years if there are any funds remaining in the Fund at the end of the prior fiscal year. This Resolution makes various findings and takes action regarding the Fund as required by the above Government codes.
6. **Action:** Adoption of Resolution # 18-08 Fund 76  
   *This is an interest bearing fund for use and recording of financial activity of the Durham Unified School District payroll liabilities.*

7. **Action:** Approval of Overnight and Out of State Trips for Athletics

**O. ITEMS FROM THE BOARD**

**P. CLOSED SESSION**

**Q. RETURN TO OPEN SESSION**

**R. REPORT OF ACTION TAKEN IN CLOSED SESSION**

**S. NEXT BOARD MEETING DATE:** To be announced

**T. 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, November 15, 2017  
6:00 p.m.  
(RETURN TO OPEN SESSION AT 7:00 P.M.)  
District Boardroom

Minutes

A regular meeting of the Board of Trustees of the Durham Unified School District was held in the Durham Unified School District Board Room, Wednesday, November 15, 2017.

Trustees Present: Alex DuBose, Kathy Horn, Ed McLaughlin, Lance Smith & Todd Southam  
Trustees Absent: None  
Staff Members Present: Superintendent Lloyd Webb, Business Manager Ron Sherrod, District Secretary Tina Blinn, Principal Shirley Williams, Principal Jason Bramson, Principal Terry Bennett and Drew Edwards, MOT Manager  
Staff Members Absent: School Psychologist/Director of Special Education Terry Quinto

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

B. MOVE TO CLOSED SESSION

C. CLOSED SESSION  
1. Conference with Labor Negotiators Agency designated representatives: Board President Ed McLaughlin, Unrepresented Employee(s): Superintendent (Government Code 54957.6)  
4. Public Employee Performance Evaluation: Superintendent (Government Code 54957)

D. RETURN TO OPEN SESSION  
President Ed McLaughlin reconvened Open Session at 7:03pm.

E. PLEDGE OF ALLEGIANCE  
Drew Edwards, MOT Manager, led the Pledge of Allegiance.

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

G. ORDER OF AGENDA  
Items Removed from Agenda: N #6 Special Education Para Professional Position: .34 FTE and N #9 Consideration/Second reading of Board Bylaw Student Representative
H. Information Items
   1. 2017-2018 Durham High School Winter Sports Schedules

I. ITEMS FROM THE PUBLIC
   There were no comments from the public

J. DISTRICT REPORTS
   Students of the Month: DHS Josiah Badic and Alejandra Corona-Miranda

MOT Report, Drew Edwards
   • Surveillance cameras at DHS
   • Bidding tree trimming service for DUSD rental on Midway
   • Custodial Substitutes have been great
   • Transportation is doing better than expected; especially with the help of Zero period bus route and driver. Bus 6 repair. Still waiting on the duplicate titles for out of service vans.

Principal Shirley Williams, Durham Elementary School:
   • VAPA performances were amazing, thank you Lisa Farrage Johnson
   • DES GALA will be held March 23 at Sierra Nevada Big Room. Ticket are on sale.
   • PTS will offer Shop & Drop for child care as you shop
   • Professional Development continues with staff: Nurtured Heart, PBIS Strategies, AVID & MAP
   • Parent Teacher Conferences went well
   • Enrollment: 496

Principal Jason Bramson, Durham Intermediate School:
   • October 26, 6th grade hosted Chico State Engineering Department for the Great American Shakeout. The 8th grade students participated in Chico State “Pumpkin Drop”.
   • LCAP training in Woodland November 3rd; in depth sessions on school accountability in California.
   • Principal Bramson and staff attended MAP training hosted at Durham Elementary and implementing the first MAP assessment prior to December 8th. Also on Friday November 3rd, DIS celebrated a fantastic Jog-A-Thon with a free Jog-A-Thon dance in the DIG.
   • November 8 was Rachell’s Challenge, an eye opening experience for students, staff and parents regarding the impact of kindness. DIS participated in Red Ribbon Week celebrating being drug free with various dress up days.
   • DIS Enrollment: 236

ATHLETICS:
   • See November 13th Durham Athletic Newsletter
   • Girls Swim league champions; the boys finished second. Coach Schweitzer was awarded Girls Coach of the Year.
   • Football is 9-1. Second round of playoffs will be held at Durham Friday November 17th @ 7pm
   • Volleyball won Section and is hosting State playoff games.
   • Girls’ Cross-Country is also a Section Champion. The State final is on Saturday, November 25

TECHNOLOGY:
   • Cabling project nearing completion at Elementary School and DIS. Durham High School had a walk thru assessment.
   • Positive feedback from District employees related to online work request process. Andrew Lopez and Linnie Wallen monitor servers and complete campus projects.
Principal Terry Bennett, Durham High School
- Thank you Class of 2017 for contribution towards the new drinking fountain/water refill station
- Rachel’s Challenge produced a positive message, “Believe in yourself and be kind.” A club called Friends of Rachel will begin at High School.
- December 13th will be our District Winter Band Concert held in the High School gym beginning at 6:30 pm.
- Finals are scheduled for December 20, 21, and 22nd, 2017.
- Professional Development: Staff members attended the CUE Fall Conference and will continue to lead professional development with a focus on technology and enhanced learning. Google Classroom is being used by almost all teachers.
- Enrollment: 285.

Business Manager, Ron Sherrod
- Escape has been the main focus. The “Go Live” date is January 1, 2018. Over the next year we will implement additional features of the system. A huge thank you to Jill Hernandez, DUSD Business Clerk, who has gone above and beyond to help achieve this program change.
- Updating the Budget for the First Interim Report presented at the 12/20/17 Board meeting.
- Site wiring: Completed at DES and DIS; coming soon to DHS.

Superintendent, Lloyd Webb
- Superintendent Webb spoke on California Dashboard Local Measurement Metrics and how it informs the LCAP process. Refer to Discussion Item #2 of the agenda.

K. CONSENT AGENDA
The Consent Agenda was approved as read.

Moved: Todd Southam Second: Alex DuBoise Vote: 5-0 Abstained: 0 Absent: 0

L. DISCUSSION ITEMS:

1. Discussion: The Durham Unified School District Board of Trustees set the date for the Annual Organizational Meeting for December 20, 2017; held in conjunction with the next scheduled Board Meeting.

2. Discussion: A review of the California Dashboard Local Measurement Metrics was presented by Superintendent Lloyd Webb demonstrating how it informs the LCAP process.


M. ACTION ITEMS:

1. Action: Public Hearing and adoption of Resolution #18-06 Increasing School Facilities Fees. If adopted, this resolution will implement development fees established by the District against residential construction and reconstructions at $3.38 per sq. ft. and against new commercial or industrial construction at 0.56 per sq. ft. Education Code Section 17620 and Government Code Section 65995 authorize the proposed fees. Data pertaining to the cost of school facilities is available for inspection during regular business hours at the District administrative office. The fee, if approved by the Governing Board will become effective on January 15, 2018, which is 60 days after the proposed adoption of the resolution levying such fee by the Governing Board.

   Approved

   Moved: Lance Smith Second: Todd Southam Vote: 5-0 Abstained: 0 Absent: 0
2. **Action**: Request to approve Proposal for School Facilities Consulting Services to obtain modernization study.  
   This item was pulled for further study. No Action Taken

3. **Action**: Request to approve Zero Period Bus Driver FTE  
   **Approved**  
   Moved: Todd Southam  
   Second: Kathy Horn  
   Vote: 5-0  
   Abstained: 0  
   Absent: 0

4. **Action**: Request to approve Technology Cabling Network Project at DIS.  
   **Approved**  
   Moved: Kathy Horn  
   Second: Lance Smith  
   Vote: 5-0  
   Abstained: 0  
   Absent: 0

5. **Action**: Request to approve Technology Cabling Network Project at DHS.  
   **Approved**  
   Moved: Kathy Horn  
   Second: Lance Smith  
   Vote: 5-0  
   Abstained: 0  
   Absent: 0

6. **Action**: Approve Special Education Para Professional Position: .34 FTE  
   This Item was removed from the agenda. No Action Taken

7. **Action**: Approve second reading; Dual Credit Agreement with Butte College for CLP 101, “Career, Education and Life Choices”.  
   **Approved**  
   Moved: Todd Southam  
   Second: Kathy Horn  
   Vote: 5-0  
   Abstained: 0  
   Absent: 0

8. **Action**: Approve second reading of BP 5141.52 (a-c) and AR 5141.52 (a-f): Suicide Prevention. California state law requires every LBA (Local Education Agency) to adopt a Suicide Prevention policy and AR. This is the second reading of the proposed policy, which includes the mandated input from stakeholders.  
   **Approved and adopted upon complete addition of CA Ed Code 49602**  
   Moved: Todd Southam  
   Second: Lance Smith  
   Vote: 5-0  
   Abstained: 0  
   Absent: 0

9. **Action**: Approve second reading of Board Bylaw – BB9150/AR 9150 Student Board Member  
   This is the revised draft of the DUSD Student Board Representative policy, after discussion in the October 18th, 2017 Governing Board meeting.  
   This Item was removed from the agenda. No action was taken.

**N. ITEMS FROM THE BOARD OF TRUSTEES**  
The DUSD Board thanked Superintendent Webb for his quick response sent out on Blackboard Connect to parents and staff regarding the incident at Rancho Tehama.  
Recognition of athletic teams will begin at the next Board meeting.

**O. RETURN TO CLOSED SESSION**  
No return to closed session

**P. NEXT BOARD MEETING DATE**: December 20, 2017

**Q. ADJOURNMENT**  
President Ed McLaughlin adjourned the meeting of the DUSD Board of Trustees at 8:04 pm.

Notes:
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**Detailed AP Check Register**

**DURHAM UNIVERSITY SCHOOL DISTRICT**
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Detailed AP Check Register
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**Check History**

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<th>Date</th>
<th>Vendor</th>
<th>Amount</th>
<th>Check No.</th>
<th>Notes</th>
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<td>VENDOR 3</td>
<td>$1,500</td>
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**Vendor List**

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<tr>
<th>Vendor Name</th>
<th>Contact Person</th>
<th>Phone</th>
<th>Email</th>
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</thead>
<tbody>
<tr>
<td>VENDOR 1</td>
<td>Jane Doe</td>
<td>555-5555</td>
<td><a href="mailto:janedoe@email.com">janedoe@email.com</a></td>
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<tr>
<td>VENDOR 2</td>
<td>John Smith</td>
<td>555-6666</td>
<td><a href="mailto:johnsmith@email.com">johnsmith@email.com</a></td>
</tr>
<tr>
<td>VENDOR 3</td>
<td>Emily Johnson</td>
<td>555-7777</td>
<td><a href="mailto:emilyjohnson@email.com">emilyjohnson@email.com</a></td>
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</tbody>
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**Additional Details**

- **Due Date:** 04/30/2020
- **Payment Terms:** Net 30
- **Vendor Policy:** All invoices must be paid within 15 days of receipt.
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**Durham Unified School District**

**Detailed AP Vendor Check Register**
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Durham Unified School District

Detailed AP Vendor Check Register
RESOLUTION OF THE GOVERNING BOARD OF THE  
DURHAM UNIFIED SCHOOL DISTRICT  
December 20, 2017  

RESOLUTION OF APPRECIATION  

Whereas, Terry Sven Bennett has continuously served with distinction from August 2014 to December 2017 as a Principal of Durham High School and was an ardent supporter of instructional and extra curricular programs; and  

Whereas, Terry Sven Bennett has faithfully and unselfishly given his time and personal energy in dedicated service to the District and the community of Durham and in the furtherance of the best interests and objectives for providing a sound program for the students throughout Durham Unified School District; and  

Whereas, Terry Sven Bennett has carefully safeguarded the interests of the students and staff of Durham High School; and  

Whereas, Terry Sven Bennett has been instrumental in addressing the needs of students, employees and parents of the High School and the District; and  

Whereas, Terry Sven Bennett has continuously demonstrated the characteristics of honesty, integrity, personal discipline, empathy and loyalty; and  

Whereas, Terry Sven Bennett has used a professional business attitude in addressing the needs of Durham High School and Durham Unified School District instructional and co-curricular programs and has offered sound advice in attempting to meet such needs.  

NOW, THEREFORE, BE IT RESOLVED:  
1. That the Board of Trustees of the Durham Unified School District does by this Resolution declares its sincere appreciation and gratitude to Terry Sven Bennett for his dedicated service and generous contributions to the success and well-being of Durham High School and the Durham Unified School District.  
2. That this Board, speaking for the community, students and employees of the Durham Unified School District, does hereby express the people’s gratitude and appreciation to Terry Sven Bennett for a job well done.  

BE IT FURTHER RESOLVED that this Resolution be entered in and made a part of the Minutes of the Durham Unified School District on December 20, 2017 and that a copy duly signed by the members of the Board is presented to Terry Sven Bennett.  

______________________________  
Ed McLaughlin, President  

______________________________  
Alex DuBose, Board Trustee  

______________________________  
Lance Smith, Board Trustee  

______________________________  
Todd Southam, Clerk  

______________________________  
Kathy Horn, Board Trustee  

______________________________  
Lloyd Webb, Superintendent  

ATTEST by
2018 Regular Board Meeting Dates

Regular Board Meetings are scheduled for the third Wednesday of the month.

Return to Open Session for regular meetings is scheduled to begin at 7:00 p.m. or unless noted differently on the agenda for that meeting

January 17
February 21
March 21
April 18
May 16
June 20
June 27
August 15
September 19
October 17
November 14 2nd Wednesday of the Month
December 19

Adopted:
Philosophy, Goals, Objectives, and Comprehensive Plans

VISION

The Governing Board believes that a clearly stated purpose and direction for the district provide the foundation for continuous improvement and accountability. The Board shall adopt a long-range vision for district programs and activities that focuses on the achievement and well-being of all students and reflects the importance of preparing students for the future academically, professionally, and personally. The vision shall recognize the unique role of students, parents/guardians, staff, and community partners in contributing to a high-quality education for all students. The district's vision may be incorporated into its mission or purpose statement, philosophy or motto, long-term goals, short-term objectives, and comprehensive plans such as the local control and accountability plan (LCAP).

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall recommend an appropriate process, with clearly defined procedures, timelines, and responsibilities, for establishing, reviewing, and updating the district's vision statements. This process shall include a review of relevant district documents and data including, but not limited to, information about student demographics, student achievement, current programs, and emerging educational issues. The process shall incorporate an analysis and identification of district strengths and areas in which growth is needed. Input shall be solicited from parents/guardians, students, staff, and community members through methods such as surveys, focus groups, advisory committees, and/or public meetings and forums.

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 6020 - Parent Involvement)

The Board shall review the district's vision statements annually, in conjunction with the update to the LCAP, to ensure consistency among all documents that set direction for the district. Following these reviews, the Board may revise or reaffirm the direction it has established for the district.

The Superintendent or designee shall communicate the district's vision to staff, parents/guardians, and the community.

(cf. 1113 - District and School Web Sites)
(cf. 1100 - Communication with the Public)

Board decisions regarding curriculum, policies, the budget, collective bargaining agreements, and other district operations shall be aligned with the district's vision. In addition, the Superintendent or designee shall ensure that staff's implementation of district programs and activities supports attainment of the district's vision.
VISION (continued)

The Superintendent or designee shall regularly report to the Board regarding district progress toward the vision.

(cf. 0500 - Accountability)

Legal Reference:
EDUCATION CODE
52060-52077 Local control and accountability plan

Management Resources:
CSBA PUBLICATIONS
The School Board Role in Creating the Conditions for Student Achievement: A Review of the Research, May 2017
Governance to Achieve: A Synthesis of Research on School Governance to Support Student Achievement, August 7, 2014
Defining Governance, Issue 4: Governance Decisions, Governance Brief, June 2014
Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014
WEB SITES
CSBA: http://www.csba.org
Philosophy, Goals, Objectives, and Comprehensive Plans

PHILOSOPHY

In order to establish and support a guiding vision for the district, the Governing Board shall develop, articulate, and regularly review an overarching set of fundamental principles which describe the district's core beliefs, values, and tenets. The Board and district staff shall incorporate these principles into all programs, activities, and operations of the district.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 9000 - Role of the Board)

It is the philosophy of the district that:

1. All students can learn and succeed.

2. Every student should have an opportunity to receive a quality education regardless of his/her social, cultural, or economic background.

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

3. Every student in the district has a right to be free from discrimination, harassment, intimidation, and bullying, as prohibited by law or district policy.

4. The future of our nation and community depends on students possessing the skills to be lifelong learners, collaborative and creative problem solvers, and effective, contributing members of a global and technologically advanced society.

5. Highly skilled and dedicated teachers and educational support staff have the capacity to guide students toward individual achievement and growth, and have a direct and powerful influence on student learning and life experiences.

6. A safe, nurturing environment and positive school climate are necessary for learning, academic achievement, and student development.

(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)

7. Parents/guardians have a right and an obligation to be engaged in their child's education and to be involved in the intellectual, physical, emotional, and social development and well-being of their child.

(cf. 6020 - Parent Involvement)

8. The needs of the whole child must be addressed, as the ability of children to learn is affected by social, health, and economic conditions and other factors outside the classroom.
PHILOSOPHY (continued)

9. Early identification of learning and behavioral difficulties and timely and appropriate support and intervention contribute to student success.

10. Students and staff are encouraged and motivated by high expectations and recognition for their accomplishments.

11. School improvement is a dynamic process requiring flexibility and innovation to meet the needs of students in a changing world.

12. Professional development for the Board and district staff is essential for the growth and success of the district and its students.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)  
(cf. 9240 - Board Training)

13. The diversity of the student body and school staff enriches the learning experience, promotes cultural awareness and acceptance, and serves as a model for citizenship in a global society.

14. A common set of norms and protocols is crucial to effective governance.

15. Communication, trust, respect, collaboration, and teamwork strengthen the relationship among Board members and between the Board and Superintendent, and contribute to the effectiveness of the governance team.

16. The community and district are inextricably connected partners, wherein the community's engagement in issues that impact the schools enhances the district's programs and student learning.

(cf. 1000 - Concepts and Roles)

17. Two-way communication with all stakeholders is essential for establishing continuity, support, and shared goals both within the district and with the surrounding community.

18. The Board has a responsibility to advocate on behalf all students, keep current on legislative issues affecting education, and build positive relationships with local, state, and federal representatives.

19. A fiscally sound budget which is reflective of the district's vision is imperative to the financial stability of the district and to the attainment of its goals.
PHILOSOPHY (continued)

20. Responsibility for district programs and operations is shared by the entire educational community, with ultimate accountability resting with the Board as the basic embodiment of representative government.

Legal Reference:
EDUCATION CODE
51002 Local development of programs based on stated philosophy and goals
51019 Definition of philosophy
51100-51101 Parental involvement

Management Resources:
CSBA PUBLICATIONS
The School Board Role in Creating the Conditions for Student Achievement: A Review of the Research, May 2017
Governing to Achieve: A Synthesis of Research on School Governance to Support Student Achievement, August 7, 2014
Defining Governance, Issue 2: Governing Commitments, Governance Brief, February 2014
WEB SITES
CSBA: http://www.csba.org
National School Climate Center: http://schoolclimate.org
CHARTER SCHOOL OVERSIGHT

REQUIREMENTS FOR CHARTER SCHOOLS

Charter schools shall be subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements that are expressly applicable to charter schools, including, but not limited to, requirements that each charter school:

1. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

2. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)

3. Not charge tuition (Education Code 47605)

4. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)

6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

7. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)

8. Admit all students who wish to attend the school, according to the following criteria and procedures:

   a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

    If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission
CHARTER SCHOOL OVERSIGHT (continued)

preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance, except for existing students of the charter school, shall be determined by a public random drawing. Preference shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)

c. Other admission preferences may be permitted by the chartering district on an individual school basis consistent with law. (Education Code 47605)

9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)

10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)

11. If the school offers a kindergarten program: (Education Code 48000)

   a. Offer a transitional kindergarten (TK) program to students whose fifth birthday is from September 2 through December 2

   b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020

12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

13. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

14. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)
CHARTER SCHOOL OVERSIGHT (continued)

15. Report to the CTC any change in a certificated employee's employment status (dismissal, nonre-election, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)

16. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

17. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

18. If the school serves students in grades 7-12, adopt a policy on suicide prevention, intervention, and postvention with specified components (Education Code 215)

19. If the school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)

20. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605, 60850-60859)

21. Until July 31, 2018, grant a high school diploma to any student who completed grade 12 in the 2003-04 school year or a subsequent school year and who has met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 60851.6)

22. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)

23. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

24. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

25. If the school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by
CHARTER SCHOOL OVERSIGHT (continued)

gender, the number of students who participate in competitive athletics classified by
gender, and the number of boys' and girls' teams classified by sport and by
competition level (Education Code 221.9)

26. If the school offers an athletic program, annually provide information sheets about
concussions/head injuries and sudden cardiac arrest to athletes and their
parents/guardians, which must be signed and returned to the school before the athlete
initiates practice or competition. In the event that an athlete is suspected of sustaining
a concussion or head injury, passes out, or faints during or immediately after
participation in an athletic activity, he/she shall be immediately removed from the
activity for the remainder of the day and shall not be permitted to return to the activity
until he/she is evaluated by a licensed health care provider and receives written
clearance to do so. (Education Code 33479-33479.5, 49475)

27. On a regular basis, consult with parents/guardians and teachers regarding the school's
educational programs (Education Code 47605)

28. Provide students the right to exercise freedom of speech and of the press including,
but not limited to, the use of bulletin boards; the distribution of printed materials or
petitions; the wearing of buttons, badges, and other insignia; and the right of
expression in official publications (Education Code 48907, 48950)

29. Maintain written contemporaneous records that document all student attendance and
make these records available for audit and inspection (Education Code 47612.5)

30. If a student subject to compulsory full-time education is expelled or leaves the charter
school without graduating or completing the school year for any reason, notify the
Superintendent of the school district of the student’s last known address within 30
days and, upon request, provide that district with a copy of the student’s cumulative
record, including a transcript of grades or report card, and health information
(Education Code 47605)

31. If the school serves high school students, submit to the Student Aid Commission, for
use in the Cal Grant program, the grade point average (GPA) of all students in grade
12 and verification of high school graduation or its equivalent for students who
graduated in the prior academic year. However, such information shall not be
submitted when students opt out or are permitted by the rules of the Student Aid
Commission to provide test scores in lieu of the GPA. (Education Code 69432.9,
69432.92)

32. Develop a transportation safety plan that includes procedures to ensure that a student
is not left unattended on a school bus, student activity bus, youth bus, or child care
CHARTER SCHOOL OVERSIGHT (continued)

motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus (Education Code 39831.3)

33. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

34. Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222)

35. Ensure the availability and proper use of emergency epinephrine auto-injectors by: (Education Code 49414)

a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device

b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive

c. Providing defense and indemnification to volunteers for any and all civil liability from such administration

36. If the school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

37. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)
CHARTER SCHOOL OVERSIGHT (continued)

38. Annually prepare and submit financial reports to the district Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

b. By July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan template adopted by the State Board of Education. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5, 52064)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

f. By December 15, a copy of the charter school’s annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and the California Department of Education. (Education Code 47605)
CHARTER SCHOOL OVERSIGHT (continued)

39. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)

40. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

41. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.
EVALUATION OF THE SUPERINTENDENT

The Governing Board recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support his/her continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent’s progress toward meeting established goals.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0500 - Accountability)
(cf. 2121 - Superintendent's Contract)
(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)

The Board shall determine, with the Superintendent's input, the criteria, schedule, method(s), and instrument(s) to be used for the Superintendent's evaluation. Evaluation criteria shall include, but are not limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

(cf. 2110 - Superintendent Responsibilities and Duties)
(cf. 2111 - Superintendent Governance Standards)

Prior to the evaluation, the Superintendent shall provide to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendations from the previous evaluation.

Each Board member shall independently evaluate the Superintendent's performance based upon the evaluation criteria, after which the Board shall produce a single document that integrates the individual evaluations and represents the consensus of the Board.

(cf. 9121 - President)

The evaluation shall provide commendations in areas of strength and achievement and recommendations for improving effectiveness in any areas of need, concern, or unsatisfactory performance.

The Board shall meet in closed session with the Superintendent to discuss the evaluation.

(Government Code 54957)

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)
EVALUATION OF THE SUPERINTENDENT  (continued)

At this meeting, the Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional information regarding his/her performance or district progress.

The discussion shall include the establishment of performance goals for the next year and may identify professional development opportunities for the Superintendent and/or the entire governance team to address areas of concern, strengthen the relationship between the Superintendent and Board, or enhance the Superintendent's knowledge of current educational issues and leadership and management skills.

(cf. 9240 - Board Training)
(cf. 9400 - Board Self-Evaluation)

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file. The evaluation, including personal performance goals, shall be confidential to the extent permitted by law.

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

Legal Reference:
GOVERNMENT CODE  
6254.8 Public Records Act; employment contracts  
54957 Closed session, personnel matters  
COURT DECISIONS  

Management Resources:  
WEB SITES  
CSBA:  http://www.csba.org  
Association of California School Administrators:  http://www.acsa.org
Certificated Personnel

CERTIFICATION

Verification of Credentials

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

(cf. 4112.21 - Interns)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 4121 - Temporary/Substitute Personnel)
(cf. 5148 - Child Care and Development)
(cf. 6178 - Career Technical Education)
(cf. 6200 - Adult Education)

The Superintendent or designee shall verify that any person who is employed by the district while his/her application for certification is being processed by the CTC possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (Education Code 44332, 44332.5, 44332.6)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Basic Skills Proficiency

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test, provided that he/she takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of his/her test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)
CERTIFICATION (continued)

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.2 - Certificate of Proficiency)
(cf. 6162.5 - High School Exit Examination)

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

Short-Term Staff Permit

The district may request that the CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher

2. Inability of the teacher of record to finish the school year due to approved leave or illness

3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved intern program

4. Inability of the applicant to enroll in an approved intern program due to timelines or lack of space in the program

5. Unavailability of a third-year extension of an intern program or the applicant's withdrawal from an intern program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to the CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested

2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit
CERTIFICATION (continued)

(cf. 4131 - Staff Development)
(cf. 4131.1 - Teacher Support and Guidance)

3. Written justification for the permit signed by the Superintendent or designee

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

Provisional Internship Permit

Before requesting that the CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

(cf. 4111/4211/4311 - Recruitment and Selection)

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience.
CERTIFICATION (continued)

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.

4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.

5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

Teaching Permit for Statutory Leave

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that the CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to the CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

(cf. 4161.1 - Personal Illness and Injury Leave)
(cf. 4161.11 - Industrial Accident/Illness Leave)
(cf. 4161.8 - Family Care and Medical Leave)

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)
CERTIFICATION (continued)

The district shall verify to the CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment

2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment

3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022. He/she shall annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)

(cf. 4113 - Assignment)

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

Long-Term Emergency Permits

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit, or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective
CERTIFICATION (continued)

techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

(cf. 4117.14/4317.14 - Postretirement Employment)

Substitute Teaching Permits

The district may employ a person whose credential or permit authorizes substitute teaching services, provided that:

1. A person holding an emergency 30-day substitute teaching permit, STSP, PIP, TPSL, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the California Basic Educational Skills Test, shall not serve as a substitute for more than 30 days for any one teacher during the school year. He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)

2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)

3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)

4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or #4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)
All Personnel

EMPLOYMENT REFERENCES

The Superintendent or designee shall be responsible for processing requests for employment references, letters of recommendation, or information about the reasons for separation regarding all district employees other than himself/herself. All letters of recommendation to be issued on behalf of the district for current or former employees shall be approved by the Superintendent or designee. At his/her discretion, the Superintendent or designee may refuse to give a recommendation.

The Superintendent or designee may communicate information about the job performance or qualifications of a current or former district employee when such information is based upon credible evidence and is given to a prospective employer without malice and at the prospective employer's request. (Civil Code 47)

Any reference, letter of recommendation, or information provided about the reasons for separation issued on behalf of the district shall provide a truthful and accurate account of the employee's job performance and qualifications.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

No certificated employee shall write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true, relating to the professional qualifications or personal fitness to perform certificated services of any person who the writer knows will use the letter or memorandum to obtain professional employment. (5 CCR 80332)

No certificated employee shall agree to provide a positive letter of recommendation which misrepresents facts as a condition of another employee's resigning or withdrawing action against the district. (5 CCR 80332)

Legal Reference:

LABOR CODE
1050-1054 Reemployment privileges
CIVIL CODE
47 Privileged communication
CODE OF CIVIL PROCEDURE
527.3 Labor disputes
CODE OF REGULATIONS, TITLE 3
80332 Professional candor and honesty in letters or memoranda of employment recommendation
COURT DECISIONS

Regulation approved: CSBA MANUAL MAINTENANCE SERVICE
July 2017
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect society's diversity, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

(cf. 0440 - District Technology Plan)
(cf. 6000 - Concepts and Roles)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.5 - Student Assessment)
(cf. 6163.1 - Library Media Centers)

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code 60605 or the Common Core State Standards adopted pursuant to Education Code 60605.8. (Education Code 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (Education Code 60400)

Review Process

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.

(cf. 1220 - Citizen Advisory Committees)

The review process shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members. (Education Code 60002)

(cf. 6020 - Parent Involvement)

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

If the district chooses to use instructional materials for grades K-8 that have not been adopted by the SBE, the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.

(cf. 9270 - Conflict of Interest)

The committee shall review instructional materials using criteria provided in law and administrative regulation, and shall provide the Board with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

(cf. 5020 - Parent Rights and Responsibilities)

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

Public Hearing on Sufficiency of Instructional Materials

The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks and other instructional materials. (Education Code 60119)

OPTION 1: The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

OPTION 2: The hearing shall be held on or before the end of the eighth week from the first day of the school year of any district school that operates on a multitrack year-round calendar that begins its school year in August or September. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

(cf. 9322 - Agenda/Meeting Materials)
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials which are aligned to the state content standards adopted pursuant to Education Code 60605 or the Common Core State Standards adopted pursuant to Education Code 60605.8 and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined in each of the following subjects: (Education Code 60119)

1. Mathematics
   (cf. 6142.92 - Mathematics Instruction)

2. Science
   (cf. 6142.93 - Science Instruction)

3. History-social science
   (cf. 6142.94 - History-Social Science Instruction)

4. English language arts, including the English language development component of an adopted program
   (cf. 6142.91 - English/Language Arts Instruction)
   (cf. 6174 - Education for English Learners)

5. World/foreign language
   (cf. 6142.2 - World/Foreign Language Instruction)

6. Health
   (cf. 6142.8 - Comprehensive Health Education)

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district and has
the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

If the Board determines that there are insufficient textbooks or instructional materials, it shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)

(cf. 0460 - Local Control and Accountability Plan)

Complaints

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference: (see next page)
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

Legal Reference:
EDUCATION CODE
220 Prohibition against discrimination
1240 County superintendent, general duties
33050-33053 General waiver authority
33126 School accountability report card
35272 Education and athletic materials
44805 Enforcement of course of studies; use of textbooks, rules and regulations
49415 Maximum textbook weight
51501 Nondiscriminatory subject matter
52060-52077 Local control and accountability plan
60000-60005 Instructional materials, legislative intent
60010 Definitions
60040-60052 Instructional requirements and materials
60060-60063.5 Requirements for publishers and manufacturers
60070-60076 Prohibited acts (re instructional materials)
60110-60115 Instructional materials on alcohol and drug education
60119 Public hearing on sufficiency of materials
60200-60210 Elementary school materials
60226 Requirements for publishers and manufacturers
60350-60352 Core reading program instructional materials
60400-60411 High school textbooks
60510-60511 Donation for sale of obsolete instructional materials
60505 State content standards
60505.8 Common Core State Standards
60505.86-60605.88 Supplemental instructional materials aligned with Common Core State Standards
CODE OF REGULATIONS, TITLE 5
9505-9530 Instructional materials

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Instructional Materials FAQ
01-05 Guidelines for Piloting Textbooks and Instructional Materials, rev. January 2015
Standards for Evaluating Instructional Materials for Social Content, 2013
WEB SITES
CSBA: http://www.csba.org
California Academic Content Standards Commission, Common Core State Standards:
http://www.scoe.net/castandards
California Department of Education: http://www.cde.ca.gov
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Resolution On Sufficiency Of Instructional Materials

Whereas, the Governing Board of the Durham Unified School District in order to comply with the requirements of Education Code 60119, held a public hearing on DATE, at 7:00 o'clock p.m. which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or instructional materials were provided to all students, including English learners, in the Durham Unified School District, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards adopted by the State Board of Education pursuant to Education Code 60605 and/or the Common Core State Standards adopted pursuant to Education Code 60605.8;

Finding of Sufficient Textbooks or Instructional Materials

Whereas, sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks were provided to each student, including each English learner, in the following subjects:

- Mathematics: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

- Science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

- History-social science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

- English language arts, including the English language development component of an adopted program: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

- World/foreign language: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

- Health: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

Whereas, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the *(year)* school year, the *(name of school district)* has provided each student with sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks.

**Finding of Insufficient Textbooks or Instructional Materials**

Whereas, information provided at the public hearing and to the Board at the public meeting detailed that insufficient standards-aligned textbooks or instructional materials were provided to students in the following subjects and grade levels at district schools: *(For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in mathematics, science, history-social science, English language arts, world/foreign language, and health.)*
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

Whereas, sufficient textbooks or instructional materials were not provided at each school listed above due to the following reasons: (For each school at which there is an insufficiency, list the reasons that each student does not have sufficient instructional materials in each subject and grade level listed above.)

Therefore, it is resolved, that for the (year) school year, the (name of school district) has not provided each student with sufficient textbooks or instructional materials that are consistent with the cycles and content of the curriculum framework, and;

Be it further resolved, that the following actions will be taken to ensure that all students have sufficient standards-aligned textbooks or instructional materials in all subjects that are consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. (List actions to be taken to resolve insufficiency.)

PASSED AND ADOPTED THIS ____ day of ________ , ________ at a meeting, by the following vote:

AYES: ______  NOES: ______  ABSENT: ______

Attest:

Secretary                  President
Facilities

MELLO-ROOS DISTRICTS

The Governing Board desires to provide adequate facilities in order to enhance student learning and to help the district achieve its vision for educating district students. Toward that end, the Board may order the formation of a community facilities district (CFD) (Mello-Roos district) for the acquisition or improvement of school facilities when, in the Board's judgment, it is in the best interest of district students and the community. The issuance of debt through the CFD shall be consistent with law and the district's debt management policy.

(cf. 3470 - Debt Issuance and Management)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7210 - Facilities Financing)
(cf. 7211 - Developer Fees)
(cf. 7213 - School Facilities Improvement Districts)

Proceedings to establish a CFD may be instituted at the Board's discretion. In addition, such proceedings shall be instituted when a written request to establish a CFD has been filed by any two Board members, or a petition has been submitted by at least 10 percent of registered voters residing within the territory of the proposed CFD or by the owners of at least 10 percent of the area of land to be included within the proposed CFD. (Government Code 53318)

Prior to initiating proceedings to form a CFD, the Board shall consider and adopt local goals and policies that include the following elements: (Government Code 53312.7)

1. The priority that various facilities shall have for financing through the Mello-Roos Community Facilities Act, including public facilities to be owned and operated by other public agencies and services to be provided by other public agencies

2. The credit quality to be required of bond issues and criteria to be used in evaluating the credit quality

3. Steps by which prospective property purchasers will be fully informed about their related taxpaying obligations

4. Criteria for evaluating the equity of tax allocation formulas, including desirable and maximum amounts of special tax to be levied against any parcel

5. Definitions, standards, and assumptions to be used in appraisals required by Government Code 53345.8

6. To the extent authorized by law, priority for students residing within the CFD to attend schools financed in whole or in part by the CFD, in a manner that reflects the proportion of each school's financing provided through the CFD

(cf. 3116 - School Attendance Boundaries)
MELLO-ROOS DISTRICTS (continued)

Within 45 days of receiving a written request or petition to establish a CFD, the Board shall determine a fee to be paid by the requesters or petitioners which shall be sufficient to compensate the district for the costs incurred in conducting proceedings to create the CFD. Proceedings for establishing the CFD shall only be initiated after payment of the fee. (Government Code 53318)

Upon Board action to form a CFD, or within 90 days after the receipt of a petition or request to form a CFD and the payment of any applicable fee, the Board shall adopt a resolution of intention and conduct a hearing in accordance with law. The resolution shall fix the time and place for holding a public hearing on the establishment of the CFD, which shall be within 30-60 days after the adoption of the resolution. Notice of the hearing shall be given by publishing the text or a summary of the resolution of intention once, in a newspaper of general circulation published in the area of the proposed CFD, at least seven days before the hearing, and shall include other requirements specified in Government Code 53322. Notice of the hearing may also be sent by first-class mail to each registered voter and to each landowner within the proposed CFD. (Government Code 53320, 53321, 53322, 53322.4)

If, after the hearing, the Board decides to establish a CFD, the Board shall adopt a resolution of formation in accordance with law. (Government Code 53325, 53325.1)

If a special tax is proposed to be levied in the CFD, the Board shall submit the resolution of formation and other information specified in Government Code 53326 to the elections official within three business days after the adoption of the resolution of formation, and the question of levying the special tax shall be submitted to the qualified electors of the proposed CFD in accordance with law. (Government Code 53326)

Upon approval by two-thirds of the voters in the proposed CFD, the tax may be levied in accordance with Government Code 53340. (Government Code 53328)

Whenever the Board deems it necessary for the CFD to incur a bonded indebtedness, it shall follow the procedures specified in Government Code 53345-53365.7, as applicable.

The proceeds of any bonds, notes, or other securities issued pursuant to the Mello-Roos Community Facilities Act shall be deposited or invested in accordance with Government Code 53356.03.

The Superintendent or designee shall, within seven months after the last day of each fiscal year, prominently display the following reports on the district's web site: (Government Code 53343.2)

1. A copy of an annual report for that fiscal year, if requested pursuant to Government Code 53343.1
MELLO-ROOS DISTRICTS (continued)

2. A copy of the report provided to the California Debt and Investment Advisory Commission pursuant to Government Code 53359.5

3. A copy of the report provided to the State Controller's Office pursuant to Government Code 12463.2

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

EDUCATION CODE
15300-15425 School facilities improvement districts
17060-17066 Joint venture school facilities construction projects

GOVERNMENT CODE
6061 One time notice
12463.2 Reports
17556 Payment of costs mandated by the state
53311-53368.3 Mello-Roos Community Facilities Act of 1982
53753 Assessment notice and hearing requirements
53753.5 Exemptions
54954.1 Mailed notice to property owners
54954.6 New or increased tax or assessment; public meetings and hearings; notice
65970-65981 School facilities development project
65995 Levies against development projects

CODE OF REGULATIONS, TITLE 2
1859-1859.106 School facility program

Management Resources:

CSBA PUBLICATIONS
Bond Sales - Questions and Considerations for Districts, 2012

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Office of Public School Construction: http://www.opsc.dgs.ca.gov
Coalition for Adequate School Housing: http://www.cashnet.org
PRESIDENT

The Governing Board shall elect a president from among its members to provide leadership on behalf of the governance team and the educational community it serves.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9100 - Organization)

To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the Board as he/she may deem necessary, giving notice as required by law

(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session Purposes and Agendas)

2. Consult with the Superintendent or designee on the preparation of Board meeting agendas

(cf. 9322 - Agenda/Meeting Materials)

3. Call the meeting to order at the appointed time and preside over the meeting

4. Announce the business to come before the Board in its proper order

5. Enforce the Board's bylaws related to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act

6. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference

7. Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused

8. Rule on issues of parliamentary procedure

9. Put motions to a vote, and clearly state the results of the vote

(cf. 9323 - Meeting Conduct)

The president shall have the same rights as other members of the Board, including the right to discuss and vote on all matters before the Board.
PRESIDENT (continued)

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the Board

2. Working with the Superintendent or designee to ensure that Board members have necessary materials and information

3. Subject to Board approval, appointing and dissolving all committees

(cf. 9130 - Board Committees)

4. In conjunction with the Superintendent or designee, representing the district as the Board's spokesperson in communications with the media

(cf. 1112 - Media Relations)

5. Leading the Board's advocacy efforts to build support within the local community and at the state and national levels

The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance his/her leadership skills.

(cf. 9240 - Board Training)

OPTION 1: When the president resigns or is absent, the clerk shall perform the president's duties. When both the president and clerk are absent, the Board shall choose a president pro tempore to perform the president's duties.

OPTION 2: When the president resigns or is absent, the vice president shall perform the president's duties. When both the president and vice president are absent, the clerk shall perform the president's duties.

(cf. 9123 - Clerk)

Legal Reference: (see next page)
Legal Reference:

EDUCATION CODE
35022 President of the board
35143 Annual organizational meetings; dates and notice
GOVERNMENT CODE
54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2015
Board Presidents' Handbook, revised 2002
CSBA Professional Governance Standards, 2000
WEB SITES
CSBA: http://www.csba.org
GOVERNING BOARD ELECTIONS

Board Member Qualifications

Any person is eligible to be a member of the Governing Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the school district, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

A district employee elected to the Board shall resign his/her employment before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

(cf. 9224 - Oath of Affirmation)
(cf. 9270 - Conflict of Interest)

The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. The Superintendent or designee shall provide all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

(cf. 9230 - Orientation)
(cf. 9240 - Board Training)

Consolidation of Elections

To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302.

In addition, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections. The district shall move its election to the next state statewide election date, unless the Board has adopted a plan by January 1, 2018 to consolidate Board elections not later than the November 8, 2022 statewide general election. (Elections Code 14051, 14052)
GOVERNING BOARD ELECTIONS (continued)

In order to consolidate elections based on either circumstance described above, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

(cf. 9110 - Terms of Office)

Elections Process and Procedures

OPTION 1: (Election by trustee area)

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

OPTION 2: (Election using "at-large" voting method)

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

OPTION 3: (Election from trustee area/hybrid method)

Each Board member shall reside within the trustee area that he/she represents but shall be elected by all voters in the district.

To ensure ongoing compliance with the California Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.
GOVERNING BOARD ELECTIONS (continued)

If the Board determines that a change is necessary, it shall hold public hearings in accordance with Elections Code 10100 before adopting a resolution at an open meeting specifying the change(s), and shall, in accordance with Education Code 5019, obtain approval from the county committee on school district organization having jurisdiction over the district.

(cf. 9320 - Meetings and Notices)

Campaign Conduct

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 9005 - Governance Standards)

Statement of Qualifications

On the 125th day prior to the day fixed for the general district election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term

2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

(cf. 9223 - Filling Vacancies)

OPTION 1: Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)
GOVERNING BOARD ELECTIONS (continued)

OPTION 2: Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter’s pamphlet, prepare and submit a candidate statement for electronic distribution.

OPTION 1: In order to help defray the costs of campaigning for the Board, the district shall pay the cost of printing, handling, translating, mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.

OPTION 2: The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

Tie Votes in Board Member Elections

OPTION 1: Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

OPTION 2: Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall schedule a runoff election in accordance with law. (Education Code 5016)

OPTION 3: Before each election, the Board shall decide whether to resolve a potential tie by lot or by a runoff election. If the Board has decided to resolve a tie by lot, the Board shall, immediately after the election, notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. If the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. (Education Code 5016)

Legal Reference: (see next page)
GOVERNING BOARD ELECTIONS (continued)

Legal Reference:

EDUCATION CODE.
1006 Qualifications for holding office, county board of education
5000-5033 Elections
5220-5231 Elections
5300-5304 General provisions (conduct of elections)
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5380 Compensation (of election officer)
5390 Qualifications of voters
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions
7054 Use of district property
35107 Eligibility; school district employees
35177 Campaign expenditures or contributions
35239 Compensation of governing board member of districts with less than 70 ADA

ELECTIONS CODE.
20 Public office eligibility
1302 Local elections, school district election
2201 Grounds for cancellation
4000-4008 Elections conducted wholly by mail
10010 District boundaries
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
13307 Candidate's statement
13308 Candidate's statement contents
13309 Candidate's statement, indigence
14025-14032 California Voting Rights Act
14050-14057 California Voter Participation Rights Act
20440 Code of Fair Campaign Practices

GOVERNMENT CODE.
1021 Conviction of crime
1097 Illegal participation in public contract
12940 Nondiscrimination, Fair Employment and Housing Act
81000-91014 Political Reform Act

PENAL CODE.
68 Bribes
74 Acceptance of gratuity

Legal Reference continued: (see next page)
GOVERNING BOARD ELECTIONS (continued)

Legal Reference: (continued)

**PENAL CODE (continued)**
- 424 Embezzlement and falsification of accounts by public officers
- 661 Removal for neglect or violation of official duty

**CALIFORNIA CONSTITUTION**
- Article 2, Section 2 Voters, qualifications
- Article 7, Section 7 Conflicting offices
- Article 7, Section 8 Disqualification from office

**UNITED STATES CODE, TITLE 52**
- 10301-10508 Voting Rights Act

**COURT DECISIONS**

**ATTORNEY GENERAL OPINIONS**

Management Resources:

**CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS**
- Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017

**WEB SITES**
- CSBA: http://www.csba.org
- California Secretary of State's Office: http://www.sos.ca.gov
- Institute for Local Self-Government: http://www.ca-ilg.org
Board Bylaws

ORIENTATION

The Governing Board recognizes the importance of providing all newly elected or appointed Board members with support and information to assist them in becoming effective members of the Board. Incoming Board members shall be provided an orientation designed to build their knowledge of the district and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to Board functions, policies, protocols, and standards of conduct.

(cf. 9000 - Role of the Board)
(cf. 9220 - Governing Board Elections)
(cf. 9223 - Filling Vacancies)

As early as possible following the election or appointment of Board members, one or more orientation sessions shall be held during open meeting(s) of the Board. The Board president and the Superintendent or designee shall develop an agenda for the meeting(s) and shall identify resources that may be useful for incoming Board members.

(cf. 9121 - President)

Upon their election or appointment, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office. Additional information for incoming Board members may include, but is not limited to, Board bylaws related to the limits of individual Board member authority, the conduct of Board meetings, and other Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with district staff, members of the public, and the media; and publications on effective governance practices.

(cf. 1112 - Media Relations)
(cf. 1160 - Political Processes)
(cf. 9005 - Governance Standards)
(cf. 9010 - Public Statements)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9012 - Board Member Electronic Communications)
(cf. 9200 - Limits of Board Member Authority)
(cf. 9270 - Conflict of Interest)
(cf. 9323 - Meeting Conduct)

In addition, the Superintendent or designee shall provide incoming Board members with specific background information regarding the district, including, but not limited to, the district's vision and goals statements, local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, district policy manual, district budget, and minutes of recent open Board meetings.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)
ORIENTATION (continued)

The Superintendent or designee may offer incoming Board members a tour of district schools and facilities, and may introduce them to district and school site administrators and other staff.

Incoming members are encouraged, at district expense and with approval of the Board, to attend the California School Boards Association’s Orientation for New Trustees, Institute for New and First-Term Board Members, and workshops and conferences relevant to the needs of the individual member, the Board as a whole, or the district.

(cf. 9240 - Board Training)
(cf. 9320 - Meetings and Notices)

Legal Reference:

EDUCATION CODE
33360 Department of Education and statewide association of school district boards; annual workshops
33362-33363 Reimbursement of expenses; board member or member-elect

GOVERNMENT CODE
54950-54963 The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body
54952.2 Open meeting laws; posting agenda; board actions
54952.7 Copies of Brown Act to board members

Management Resources:

CSBA PUBLICATIONS
Professional Governance Standards for School Boards

WEB SITES
CSBA: http://www.csba.org
BOARD SELF-EVALUATION

The Governing Board shall annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that district governance effectively supports student achievement and the attainment of the district's vision and goals.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 2140 - Evaluation of the Superintendent)

The evaluation may address any area of Board responsibility, including, but not limited to, Board performance in relation to vision setting, curriculum, personnel, finance, policy development, collective bargaining, community relations, and advocacy. The evaluation may also address objectives related to Board meeting operations, relationships among Board members, relationship with the Superintendent, understanding of Board and Superintendent roles and responsibilities, communication skills, or other governance or boardsmanship skills.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)

The Board shall evaluate itself as a whole. Individual Board members are also expected to use the evaluation process as an opportunity to assess and set goals for their own personal performance.

Each year, the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures key components of board responsibility and previously identified performance objectives. Visual and/or audio recordings of a Board meeting may only be used as an evaluation tool when consent is given by all Board members.

Any discussion involving the Board's self-evaluation shall be conducted in open session.

At the request of the Board, a facilitator may be used to assist with the evaluation process. The Board may invite the Superintendent or other individual(s) with pertinent information to provide input into the evaluation process.

Following the evaluation, the Board shall set goals, define and/or refine protocols, and establish priorities and objectives for the following year's evaluation. The Board shall also develop strategies for strengthening Board performance based on identified areas of need, including, but not limited to, Board trainings such as those offered by the California School Boards Association.

(cf. 9230 - Orientation)
(cf. 9240 - Board Training)
BOARD SELF-EVALUATION (continued)

Legal Reference:
GOVERNMENT CODE
54950-54963 Brown Act; board self-evaluations not covered

Management Resources:
CSBA PUBLICATIONS
Professional Governance Standards
Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014
WEB SITES
CSBA: http://www.csba.org
CSBA Board Self-Evaluation: http://bse.csba.org
RESOLUTION OF THE GOVERNING BOARD OF THE DURHAM UNIFIED SCHOOL DISTRICT REGARDING ANNUAL ACCOUNTING OF DEVELOPMENT FEES FOR 2016-2017 FISCAL YEAR IN THE CAPITAL FACILITIES (DEVELOPER FEE) FUND
(Government Code sections 66001(d) and 66006(b))

RESOLUTION # 18-07

1. Authority and Reasons for Adopting this Resolution.

A. This District has levied school facilities fees pursuant to various resolutions, the most recent of which is dated April 10, 2010, and is referenced herein as the “School Facilities Fee Resolution” and is hereby incorporated by reference into this Resolution. These resolutions were adopted under the authority of Education Code section 17620 (formerly Government Code section 53080). These fees have been deposited into the Capital Facilities (Developer Fee) Fund.

B. Government Code sections 66001(d) and 66006(b) require this District to make an annual accounting of the Fund and to make additional findings every five years if there are any funds remaining in the Fund at the end of the prior fiscal year.

C. Government Code sections 66001(d) and 66006(b) further require that the annual accounting of the Fund and those findings be made available to the public no later than 180 days after the last day of each fiscal year (December 28, 2017), that this information be reviewed by this Board at its next regularly scheduled board meeting held no earlier than 15 days after they come available to the public, and that notice of the time and place of this meeting (as well as the address at which this information may be reviewed) was mailed at least 15 days prior to this meeting to anyone who had requested it.

D. The Superintendent has informed this Board that a draft copy of this Resolution (along with Exhibit A which is incorporated by reference into this Resolution) was made available to the public on November 15, 2017. The Superintendent has further informed this Board that notice of the time and place of this meeting (as well as the address at which this information may be reviewed) was mailed as least 15 days prior to this meeting to anyone who had requested it.

E. The Superintendent has also informed this Board that there is no new information which would adversely affect the validity of any of the findings made by this Board in its School Facilities Fee Resolution.
2. **What This Resolution Does.**

This Resolution makes various findings and takes actions regarding the Fund as required by and in accordance with Government Code sections 66001(d) and 66006(b).

3. **Findings Regarding the Fund.**

Based on all findings and evidence contained in, referred to, or incorporated into this Resolution, as well as the evidence presented to this Board at this meeting, the Board finds each of the following with respect to the Fund for the 2016-2017 Fiscal Year:

A. In reference to Government Code section 66006(b)(2), the information identified in section 1 above is correct;

B. In further reference to Government Code section 66001(d)(1), this Board has reviewed the annual accounting for the Fund as contained in Exhibit A and determined that it meets the requirements set forth in Government Code section 66006(b)(1);

C. In reference to Government Code section 66001(d)(1), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the purpose of the fees is to finance the construction or reconstruction of school facilities necessary to reduce overcrowding caused by the development on which the fees were levied, which facilities are more specifically identified in Exhibit B;

D. In reference to Government Code section 66001(d)(2), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the findings and evidence referenced above demonstrate that there is a reasonable relationship between the fees and the purpose for which it is charged;

E. In reference to Government Code section 66001(d)(3), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, all of the sources and amounts of funding anticipated to complete financing on any incomplete improvements identified as the use to which the fees are to be put is identified in Exhibit B;

F. In reference to Government Code section 66001(d)(4), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the approximate dates on which the funding referred to in paragraph E, above, is expected to be deposited into the appropriate account or fund as designated in Exhibit B; and
G. In reference to the last sentence of Government Code section 66006(d), because of all the findings required by that subdivision have been made in the fees that were levied in paragraphs C-F, above, the District is not required to refund any moneys in the Fund as provided in Government Code section 66001(e).

4. Superintendent Authorized to Take Necessary and Appropriate Action.

The Board further directs and authorizes the Superintendent to take, on its behalf, such further action as may be necessary and appropriate to effectuate this Resolution.

5. Certificate of Resolution

I, ____________________, President of the Governing Board of the Durham Unified School District of Butte County, California, certify that this Resolution proposed by ____________________, seconded by ____________________, was duly passed and adopted by the Board, at an official and public meeting this 20th day of December 2017, by the following vote:

AYES:

NOES:

ABSENT:

President of the Board of the Durham Unified School District of Butte County, California
EXHIBIT A
TO RESOLUTION REGARDING ANNUAL ACCOUNTING OF
DEVELOPMENT FEES FOR 2016-2017 FISCAL YEAR IN THE
CAPITAL FACILITIES (DEVELOPER FEE) FUND

Per Government Code Section 66006(b)(1)(A-H) as indicated:

A. A brief description of the type of fee in the fund: Statutory school facilities
developer/impact fees.

B. The amount of the fees: $2.97 per square foot of assessable space of residential
construction; $0.47 per square foot of covered and enclosed space of
commercial/industrial construction; and $0.07 per square foot for a mini-storage
facility; but subject to the District’s determination that a particular project is exempt
from all or part of these fees.

C. The beginning and ending balance of the Fund: See Attachment A-1

D. The amount of the fees collected and the interest earned: See Attachment A-1

E. An identification of each public improvement project on which fees were
expended and the amount of the expenditures on each improvement, including
the total percentage of the cost of the public improvement that was funded with
fees: See Attachment A-1

F. An identification of an approximate date by which the construction of the public
improvement will commence if the local agency determines that sufficient funds
have been collected to complete financing on an incomplete public improvement,
as identified in paragraph (2) subdivision (a) of section 66001, and the public
improvement remains incomplete: The District has not yet identified any specific
or eligible improvement projects.

G. A description of each interfund transfer or loan made from the account or fund,
including the public improvement on which the transferred or loaned fees will be
expended, and, in the case of an interfund loan, the date on which the loan will
be repaid and the rate of interest that the account or fund will receive on the
loan: The District has not made any such inter-fund transfers or loans.

H. The amount of refunds made pursuant to subdivision (e) of section 66001 and
any allocations pursuant to subdivision (f) of section 66001: No refunds or
allocations were made pursuant to subdivisions (e) or (f) of section 66001.
ATTACHMENT A-1
TO RESOLUTION REGARDING ANNUAL ACCOUNTING OF
DEVELOPMENT FEES FOR 2016-2017 FISCAL YEAR IN THE CAPITAL
FACILITIES (DEVELOPER FEE) FUND

Capital Facilities (Developer Fee) Fund Statement of
Revenues, Expenditures and Changes in Fund Balance
As of and for the Fiscal Year Ended June 30, 2017

Revenues
   Fees collected $ 77,855
   Interest 5,540
   Decrease in fair value of cash in county treasury <4,734>
   Total Revenues 78,661

Expenditures
   Administration fees charged by General Fund $ 2,336
   Developer Fee Study Report 3,844
   Total Expenditures 6,180

Revenues in Excess of Expenditures 72,481

Audited Fund Balance - July 1, 2016 513,145

Unaudited Fund Balance - June 30, 2017 $ 585,626
EXHIBIT B
TO RESOLUTION REGARDING ANNUAL ACCOUNTING OF
DEVELOPMENT FEES FOR 2015-2016 FISCAL YEAR IN THE CAPITAL
FACILITIES (DEVELOPER FEE) FUND

Per Government Code section 66001(d)(1-4) as indicated:

A. With respect to only that portion of the Fund remaining unexpended at
the end of the 2015-2016 Fiscal Year, the purpose of the fees is to finance
the construction, reconstruction, or renovation of school facilities
necessary to reduce overcrowding caused by the development on which
the fees were levied.

B. See section 3.D of the Resolution. The fee is necessary to reduce the
impact of possible overcrowding of existing facilities caused by increased
development and population within district boundaries.

C. With respect to only that portion of the Fund remaining unexpended at
the end of the 2015-2016 Fiscal Year, the sources and amounts of funding
anticipated to complete financing any future improvements currently
include only 1) existing statutory developer/mitigation fees and 2) interest
earned on balances in the Capital Facilities (Developer Fee) Fund.

D. With respect to that portion of the Fund remaining unexpended at the
end of the 2015-2016 Fiscal Year, developer/mitigation fees are collected
intermittently as developers are issued permits by the County Building
Department and interest is deposited into this fund quarterly.
DURHAM UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 18-08

ESTABLISHMENT OF SCHOOL WARRANT/PASS-THROUGH FUND
(Standardized Account Code Structure FUND 76)

WHEREAS, multiple school agencies in Butte County are implementing the Escape financial system; and

WHEREAS, Escape uses the Standardized Account Code Structure (SACS) Fund 76, Warrant/Pass-Through Fund, to account for payroll liabilities; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Durham Unified School District that an interest-bearing fund be established for the use and recording of financial activity of the Durham Unified School District payroll liabilities.

PASSED AND ADOPTED at a regular meeting of the Board of Education of Durham Unified School District this 20th day of December, 2017, by the following vote:

Ayes:

Noes:

Absent:

Durham Unified School District

By __________________________
President, Board of Education

Attest:

Clerk
DURHAM UNIFIED SCHOOL DISTRICT  
Board Meeting Date: 12-20-2017

<table>
<thead>
<tr>
<th>SUBJECT: Approval of Overnight &amp; Out of State Trips for Athletics</th>
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<tbody>
<tr>
<td>PREPARER: Jason Bramson, Athletic Administrator</td>
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<tr>
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<tr>
<td>RECOMMENDATION: □ Approve □ Do Not Approve □ Accept □ Discuss</td>
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<td>□ Information Only</td>
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<td>BACKGROUND:</td>
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<td>All overnight field trips and out-of-state trips need to be approved by the board. High school athletic teams could earn their way into a state championship game or tournament which could result in student athletes being required to stay overnight or travel out-of-state. I am requesting approval by the board to grant this request, in case the need should arise during the remainder of the 2000-1718 school year.</td>
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<td></td>
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<tr>
<td>Submitted by,</td>
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<tr>
<td>Jason Bramson</td>
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<tr>
<td>December 8, 2017</td>
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