

**LOS BANOS UNIFIED SCHOOL DISTRICT  
GOVERNING BOARD OF EDUCATION  
REGULAR MEETING  
Los Banos City Council Chambers  
520 J Street – Los Banos, CA 93635**

**Thursday, January 11, 2018  
6:30 P.M. – Closed Session  
7:00 P.M. – Regular Meeting**

**AGENDA**

The District welcomes Spanish speakers to Board meetings. Anyone planning to attend and needing an interpreter should call 826-3801, 48 hours in advance of the meeting, so arrangements can be made for an interpreter.  
*El Distrito da la bienvenida a las personas de habla hispana a las juntas de la Mesa Directiva. Si planea asistir y necesita interpretación llame al 826-3801, 48 horas antes de la junta, para poder hacer arreglos de interpretación.*

**I. OPENING BUSINESS**

**A. Call Public Session to Order**

**B. Roll Call of Board Members Present**

Dennis Areias	Gary Munoz
Margaret Benton	Anthony Parreira
Megan Goin-Soares	Marlene Smith
Ray Martinez	Marielle Gimeno

**D. Closed Session (6:30 P.M.)**

1. Parental Request for Early Graduation for two Crossroads Alternative Ed. Students #3000746 and # 1501848 (Action)
2. Student Discipline, Cases: #5517149 (Action)
3. Leave Extension Request, classified employee (Section 54957) (Action)
4. Claim Against the District (Section 910): Government Claim filed by Kevin Tamber (action)
5. Compromise & Release Agreement: Case #2017120164 (Action)  
(Section 54956.9(a) of the California Government Code)

**II. OPEN REGULAR MEETING (7:00 P.M.)**

**III. PLEDGE OF ALLEGIANCE**

**IV. APPROVAL OF AGENDA**

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_  
**Proposed Action:** Approve Agenda

V. **PUBLIC HEARING**

**Public Presentations:**

Members of the public may request an item be placed on the agenda of a regular meeting by submitting a request in writing, with all supporting documents, if any, to the Superintendent at least two weeks before the scheduled meeting date. [BB 9322(a)]

**General Public Comment:**

Individuals wishing to address the Board on items not on the agenda may do so by approaching the podium. Once recognized, individuals shall identify themselves and make their statement. Speakers are limited to three (3) minutes, with the total time for public input at twenty (20) minutes per non-agenda item. [BB 9323]

**Public Comment on Agenda Items:**

Members of the community may address specific items on the agenda as they are taken up by the Board in open session or prior to the Board going into closed session. The Board President will recognize individuals who wish to speak. Speakers are limited to three (3) minutes, with the total time for public input at twenty (20) minutes per agenda item. Once public comment on the agenda item is concluded and the Board begins deliberations or recesses to closed session, no further public comment shall be permitted on the agenda item. [BB 9323]

VI. **REPORTS**

- A. Student Representative Report
- B. California School Employees Association Report
- C. Los Banos Teachers Association Report
- D. Superintendent's Report
- E. Facilities Report
- F. Board Member Reports

VII. **NEW BUSINESS**

- A. 2016-17 Audit Report (Page 6)

**10 Min.**

Representatives from Jeanette L. Garcia & Associates present the 2016-17 Audit Report. It is recommended the Board accept the Audit Report.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**Proposed Action:** Accept Audit Report

- B. FFA Report (Page 7)
- Min.**

**10**

Los Banos High School FFA representatives will report on various FFA activities, the 2017 National FFA Convention and the Washington, D.C. leadership tour.

- C. Local Control Accountability Plan Report (Page 8) **5 Min.**

Paul Enos and Paula Mastrangelo will provide an informational report on the Local Control Accountability Plan (LCAP).

- D. Addendum to the Additional Classroom Facility Plan (Page 9) **5 Min.**

It is recommended the Board approve the addendum to the additional classroom facility plan for the 2018-19 school year.

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

**Proposed Action:** Approve

- E. CSEA Agreement Proposal (Page 10) **5 Min.**

It is recommended the Board approve the discussions to begin between the California School Employees Association, Chapter 92, and the Los Banos Unified School District regarding modifications to the existing Collective Bargaining Agreement (CBA).

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

**Proposed Action:** Approve

- F. Crossroads Alternative Education Center PE Course Offering (Page 11) **5 Min.**

It is recommended that the board approve the PE offerings from Crossroads Alternative Education Center for targeted high school students.

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

**Proposed Action:** Approve

### VIII. CONSENT CALENDAR

The Consent Calendar represents routine items acted upon in one motion by roll call vote. The recommendation is for adoption, unless otherwise specified. Any item can be removed for discussion upon request.

A. Approval of Minutes

1. Regular/Organizational Meeting, December 14, 2017 (Page 12)
2. Special Board Meeting, December 21, 2017 (Page 18)

B. Personnel Actions

1. Report of Certificated Staffing Actions (Page 19)
2. Report of Classified Staffing Actions (Page 20)

C. Monthly Fiscal Report (Page 21)

The monthly Fiscal Report is provided for information.

D. 2017-18 Budget Calendar (Page 29)

It is recommended the Board approve the 2017-18 Budget Calendar as the first step in developing the District budget.

E. New Job Description

It is recommended the Board approve the new job description for:  
Speech and Language Pathologist Assistant (Page 31)  
Translator/Interpreter (Page 33)

F. Williams Complaint Summary (Page 36)

It is recommended the Board approve the October/December Williams Complaint Summary Report as submitted.

G. Mandated Policy Changes/Updates (Second Reading) (Page 38)

It is recommended the Board declare its intent to adopt the following mandated policy updates:

BP 0500	Accountability
BP 3280	Sale or Lease of District-Owned Real Property
AR 3515.6	Criminal Background Checks for Contractors
BP 4140/4240/4340	Bargaining Units
BP/AR 5117	Interdistrict Attendance
AR 5125.2	Withholding Grades, Diploma or Transcripts
BP/AR 6020	Parent Involvement
AR 6112	School Day
BP 6153	School-Sponsored Trips
BP 6170.1	Transitional Kindergarten
BP/AR 6173.2	Education of Children of Military Families

H. Architect Qualification (Page 131)

It is recommended the Board approve that the attached listed architects be eligible to provide architecture services to the District.

I. Donations (Page 133)

It is recommended the Board approve the following donations:

1. Donations to the LBUUSD Scholarship Fund from Jan. 1 through Dec. 31, 2017 (Page )

J. Contracts/Agreements/Proposals :

1. Agreement, Alliance for the Study of School Climate (Page 135)
2. Sierra Vista Mental Health Clinician Contract (Page 141)

K. Overnight/Out-of-State Travel

1. Travel, LBHS Every 15 Minute Retreat, Santa Nella, March 22, 2018 (Page 142)

L. Obsolete Books (Page 143)

It is recommended the Board declare specific library books and/or textbooks as obsolete and dispose of in accordance with Board Policy #3270.

M. Disposal of Obsolete Electronic Equipment (Page 146)

It is recommended the Board approve the removal and disposal of obsolete electronic equipment.

N. Approval/Ratification of Warrants

Motion By \_\_\_\_\_ Seconded by \_\_\_\_\_  
**Proposed Action:** Approve Consent Calendar as listed. (ROLL CALL VOTE)

IX. **REPORTING CLOSED SESSION ACTION**

The Board will report action taken at the closed session held prior to the meeting.

X. **DISCUSSION, INFORMATION & FUTURE AGENDA ITEMS** (Board-Superintendent)

XI. **CLOSED SESSION** (If needed)

XII. **REPORTING CLOSED SESSION ACTION** (If needed)

The Board will report on action taken at the closed session.

XIII. **ADJOURNMENT**

Americans with Disabilities Act Assistance: Auxiliary aids and services include a wide range of services and devices that promote effective communications for individuals with disabilities. If you require such assistance, please notify the Office of the Superintendent at 826-3801 as soon as possible. Every effort will be made to give primary consideration to expressed preferences or provide equally effective means of communication to insure equal access to Los Banos Unified School District programs and events.

## **Board Reference Material**

**SUBJECT TITLE:**    **2016-17 Audit Report.**

**REQUESTED ACTION:**    Accept 2016-17 Audit Report

Action   X  

Discussion/Information                     

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### **RECOMMENDATION:**

The Board is asked to review and accept the 2016-17 Audit Report as prepared by the accounting firm Jeanette L. Garcia & Associates.

### **BACKGROUND INFORMATION:**

The Board is required by Education Code 41020.3 to review and accept the prior year's Audit Report at a public meeting on or before January 31<sup>st</sup>. The audit was submitted on time with the State of California and Merced County Office of Education.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is an operational activity and does not directly support a specific Board Goal.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None.

### **SPECIFIC FINANCIAL IMPACT (Include impact on School District Facilities):**

The audit costs are included in the Adopted Budget.

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ORIGINATOR: Don Laursen – Assistant Superintendent, Administrative Services  
Date: January 11, 2018

## **Board Reference Material**

**SUBJECT TITLE:**     **Los Banos High School FFA Report**

**REQUESTED ACTION:**   None, report only.

Action\_\_\_\_\_

Discussion/Information\_\_\_X\_\_\_

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### **RECOMMENDATION:**

Los Banos High School FFA representatives will report on various FFA activities, the 2017 National FFA Convention and the Washington, D.C. Leadership Tour.

### **BACKGROUND INFORMATION:**

Each year FFA students from Los Banos & Pacheco High Schools travel to the National Convention followed by a Leadership Tour of Washington D.C. FFA students also participate in numerous events throughout the year; this report will highlight these events as well as the 2017 National Convention and Leadership Tour.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This activity supports Board Goal #3: Create and sustain inspirational learning environments that are safe, drug free and conducive to learning.

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### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

N/A

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ORIGINATOR: Veli Gurgen, Principal, Los Banos High School.  
Date: January 11, 2018

## **Board Reference Material**

**SUBJECT TITLE:**     **LCAP Update**

**REQUESTED ACTION:** Discussion only

Action \_\_\_\_\_

Discussion/Information   X  

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### **RECOMMENDATION:**

Staff will update the Board on the progress of the implementation of the Local Control Accountability Plan (LCAP) for the 2017-18 school year.

### **BACKGROUND INFORMATION:**

In June of 2017, our District approved and adopted the 4th LCAP required by the state for the Local Control Funding Formula (LCFF). The LCAP addresses the District's goals and funding priorities for the next 3 years. Staff will share with the Board the progress made so far towards those goals along with the programs and funding to support them.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

The information to be shared addresses a variety of Board goals.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

N/A

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

None

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ORIGINATOR: Paul Enos and Paula Mastrangelo, Assistant Superintendents  
Date: January 11, 2018

## **Board Reference Material**

**SUBJECT TITLE:** Addendum to the Additional Classroom Facility Plan

**REQUESTED ACTION:** Approve

Action   X  

Discussion/Information           

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### **RECOMMENDATION:**

It is recommended the Board approve the addendum to the additional classroom facility plan needed for the 2018-19 school year. The addendum will include classrooms at Volta Elementary and San Luis High School and restrooms at Volta Elementary and Los Banos High School.

### **BACKGROUND INFORMATION:**

We are in need of additional classroom portables at Volta Elementary and San Luis High School (SLJHS). Based on initial feedback from the Facilities Committee, the option of an additional kindergarten classroom at Volta was discussed if space permitted. There is consensus from stakeholders at school that an additional kindergarten class would augment the expansion for the site. SLHS, for many years, has needed the additional portable; however, the request has been put on hold because a new campus, located at East B and Park Avenue was on schedule to be constructed and erected by the start of the 16-17 school year. As you are aware funding for this project was reallocated. As it is no clear when there will be funding to complete the SLHS project, an additional portable is a more than adequate interim step. Finally, to accommodate the ongoing student growth in the district, restroom accommodations are needed at both Volta Elementary and Los Banos High School.

If the Board approves this recommendation, contracts from the architect and modular companies will need approval.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This activity supports a Board Goal #5 Provide student capacity in our schools for a single-track schedule throughout the district.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

There is no opposition to the plans.

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

The estimated budget for these projects is \$80,000 to be paid from a combination of the Developer Fees and the Capital Improvement/Fund 40.

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ORIGINATOR: Mark E. Marshall, Ed.D., Superintendent  
Date: January 11, 2017

## **Board Reference Material**

**SUBJECT TITLE:**      **CSEA Agreement Proposal**

**REQUESTED ACTION:** Approve

Action      X  

Discussion/Information                   

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### **RECOMMENDATION:**

It is recommended the Board approve the discussions to begin between the California School Employees Association, Chapter 92, and the Los Banos Unified School District regarding modifications to the existing Collective Bargaining Agreement (CBA).

### **BACKGROUND INFORMATION:**

The purpose of the discussions and modifications is to incorporate revisions to the contract that will correct errors, update out of date provisions, and roll previously negotiated Memorandums of Understanding into the CBA.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS**

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None.

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

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ORIGINATOR: Tammie Calzadillas, Ed.D., Assistant Superintendent, Human Resources  
Date: January 11, 2018

## **Board Reference Material**

**SUBJECT TITLE:** Crossroads Alternative Education Center PE Course Offering

**REQUESTED ACTION:** Approve

Action   X  

Discussion/Information                     

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### **RECOMMENDATION:**

It is recommended that the board approve the PE offerings from Crossroads Alternative Education Center for targeted high school students.

### **BACKGROUND INFORMATION:**

Some high school students focus on Ag classes or music classes, and are unable to complete required PE classes due to additional electives. Those students have traditionally taken those PE courses during summer school. This approval will allow a small number of targeted students to fulfill their PE requirement through a PE course that is currently offered at Crossroads.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

Ensuring that all students graduate from high school having completed a clear pathway of A-G requirements and are ready to enter a four-year university is consistent with the Los Banos Unified School District Board Goals. This proposal allows students at the district's comprehensive high school sites an additional option for fulfilling their high school PE requirement.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

none

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

Teachers would be paid at the hourly rate after school hours of \$44.18. Each student will be assigned a 20 minute appointment per week. This would then negate the need for students to take this class in summer school.

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ORIGINATOR: Barbara Severns, Principal, Crossroads Alternative Education Center and  
Paul J. Enos, Assistant Superintendent

Date: January 11, 2018

LOS BANOS UNIFIED SCHOOL DISTRICT  
MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF EDUCATION  
December 14, 2017

District Office  
Board Room

A First Interim Budget Study Session was held prior to the beginning of the meeting.	First Interim Study Session
Mr. Parreira called the meeting to order at 6:00 P.M.	Call to Order
PRESENT: Mr. Areias, Ms. Benton, Ms. Goin, Mr. Martinez, Mr. Munoz, Mr. Parreira, Ms. Smith	Roll Call
A closed session was held at 6:30 P.M. for: Student Discipline: Case #8194975468 (Action); Public Employee: Discipline/Dismissal, Release Reassignment (Section 54957) (Action); Conference with Labor Negotiator (Section 54957.6) Agency Negotiators: Tammie Calzadillas, Paul Enos, Don Laursen, Mark Marshall and Paula Mastrangelo; Employee Organization: CSEA (No action).	Closed Session
The audience was led in the Pledge of Allegiance by English Language & Family Services Coordinator, Nancy Velador.	Pledge of Allegiance
On a motion by Member Areias, seconded by Member Munoz, Trustees approved the agenda as submitted, tabling Item J. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Approval of Agenda
A motion was made by Member Munoz nominating Member Parreira for the position of President of the Board. Member Martinez seconded the motion. Carried in support of Member Parreira: Ayes Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Mr. Parreira was elected President of the Board for 2018.	Election of Officers: President
A motion was made by Member Benton nominating Member Areias for the position of Vice President of the Board for 2018. Member Goin seconded the motion. Carried in support for Member Areias: Ayes Areias, Benton, Goin, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: 0.	Vice President
A motion was made by Member Goin nominating Member Benton for the position of Clerk of the Board for 2018. The motion was seconded by Member Areias. Ayes: Areias, Benton, Goin, Parreira; Noes: Martinez, Munoz, Smith; Absent: 0. A motion was made by Member Smith nominating Member Munoz for the position of Clerk of the Board for 2018. The motion was seconded by Member Martinez: Ayes: Martinez, Munoz, Smith; Noes: Areias, Benton, Goin, Parreira. Carried in support of Member Benton	Clerk
A motion was made by Member Parreira, and seconded by Member Munoz to name Dr. Mark Marshall as Secretary to the Board. Ayes Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried	Secretary to the Board

On a motion of Member Goin, Seconded by Member Martinez, Trustees approved the <i>Statement of Facts</i> for filing with the State of California as per Government Code Section 53051. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Statement of Facts
Los Banos High School Student Representative, Kyle Jackson, was introduced.	Recognition / Introductions
No one came forward.	Public Forum
Los Banos High School Student Representative, Kyle Jackson, reported on the many activities at Los Banos and Pacheco High Schools.	Student Report
No Report	CSEA Report
Mr. Jason Walsh, LBTA President, came forward and thanked Dr. Marshall for including him as representative of the Teachers Association at the recent Facilities Committee Meeting. He said the invitation helped to provide the association with a better understanding of the interim facility plan which he shared with the LBTA Representative Council. He said LBTA is supportive of the plan and has some suggestions that they would like to share regarding the process. He said that interim plan has made him realize the importance of a Bond Measure. He gave an update on the 2018-19 school calendar that is on the agenda for approval. He explained how the calendar is built, developed, and finalized.	LBTA Report
Dr. Marshall commended Los Banos Junior High School VFW Essay 1 <sup>st</sup> and 2 <sup>nd</sup> place county winners and also announced that LBJH won the LB Police department food drive contest. He commended all sites for their holiday activities and fellowship. He said that he had the pleasure of helping Henry Miller Elementary School deliver holiday meals to needy family as part of the school's outreach program. He said the District has been selected to be a part of the Improvement Collaboration Cohort 2 and MCOE has recommended the District for Differential Assistance Opportunity for African American Students. He said the district is still working on policies related to PE Credit and internet based courses at Crossroads to provide more students with flexibility in their schedules. He said his six month entry plan report will be presented at the January meeting. He reported that the bond survey had very favorable results and he hopes to move forward with the process. He appointed Board members to the following Superintendent Subcommittees: <u>Facilities</u> : Mr. Areias, Mrs. Benton, Mr. Parreira; <u>Finance</u> : Mr. Parreira, Ms. Goin-Soares and Ms. Smith; <u>2x3</u> : Mr. Areias, Ms. Goin-Soares, and Mr. Martinez; <u>LBUSD Scholarship</u> : Mr. Martinez and Mr. Munoz; <u>Curriculum Council Representative</u> : Mrs. Benton; <u>City of Los Banos Recreation Commission</u> : Mr. Munoz.	Superintendent's Report: Committee Assignments
Tom Worthy gave an update on the Loftin Stadium modular project and the additional classroom facility plans.	Facilities Report

Mr. Martinez thanked everyone for attending the meeting. He said he recently attended the Pacheco High School Freshman Orientation and a Christmas Program at Volta. He said he is very impressed with the teacher's within the District's dedication and passion for the students. He thanked Los Banos Lions Club for sponsoring a local speech contest. He congratulated the November staff and students of the month for displaying a positive attitude. He commended the Los Banos Junior High Choir on their recent performance at the State Capital in Sacramento, all district athletes for representing our District and the athletic directors for their hard work organizing all of the District sporting events. He thanked Desiree Solis for facilitating the local winter coat drive, thanked everyone for all their hard work and wished everyone a Merry Christmas. Ms. Goin thanked all staff for the extra work that they do during the holidays organizing the Christmas Programs, she said she is thankful for the facebook posting of the site holiday events and wished everyone a Happy Holiday. Ms. Smith attended the Choir Performance and congratulated Mr. Faria and students for a beautiful performance. She attended the CSEA Christmas Party, LFE Christmas Event and helped students at her local church with a float for the Los Banos Christmas Parade. She thanked MCOE for recognizing and providing assistance to help the District to close the achievement gap for African American males. She is pleased with the recent test scores. She thanked Mr. Rosales for hosting the local NAACP meeting and invited everyone to attend future meetings. She wished everyone a Merry Christmas. Mr. Areias attended Freshman Orientation at PHS and said it was a very nice event. He thanked CSEA for inviting him to their Christmas Dinner and commended Mr. Meas for a successful San Luis High School Career Day. He recently attended the CSBA Conference in San Diego and reported that many Districts throughout the State are waiting for the State to refund money owed. He said the passing of a Bond is very important to the District in order to complete the facility projects needed. He wished everyone a very Merry Christmas and Happy New Year. On behalf of Los Banos Unified School District, Mr. Munoz congratulated Amanda Ruiz, Adriana Cervantes, Martha Cordero and Maria Sanchez on their recent graduation from the Parent Leadership Training Program. He thanked LFE Parenting Partners for the invitation, enjoyed the site Christmas Programs, SLHS College Fair, and the CSEA Dinner. He said he hoped everyone has a safe and Happy Holiday. Ms. Benton said that she enjoyed the CSBA Conference. She reminded everyone that Century 21 still has coats available for those in need and they are also still taking donations. She said that the Crossing Guard interviews take place Monday, December 18 with the possible start date in January. She wished everyone a Happy Holiday. Mr. Parreira wished everyone a Merry Christmas and Happy New Year.

Trustee Reports

On a motion by Member Areias, seconded by Member Smith Trustees approved the First Interim Report and certified the District can meet its financial obligations for the current year and two subsequent years. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes 0; Absent 0. Motion carried.

First Interim  
Budget

Paul Enos and Paula Mastrangelo provided an informational report on Dashboard Local Indicator for Reporting to California Department of Education Dashboard.

2017 Dashboard  
Local Indicators  
Report

On a motion by Member Areias, seconded by Member Martinez, Trustees adopted the schedule of 2018 Board meetings as submitted. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes 0; Absent 0. Motion carried.	Schedule of 2018 Board Meetings
On a motion by Member Martinez, seconded by Member Goin, Trustees adopted Resolution #29-17 and approved the District entering into a “piggyback” agreement with Global Modular to provide the two modular changing rooms to be located on the southeast and southwest sides of Loftin Stadium. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Loftin Stadium Project Piggyback Contract
On a motion by the Facilities Committee, Trustees approved the recommendation for additional classrooms needed for the 2018-19 school year. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Additional Classroom Facility Plan
On a motion by Member Areias, seconded by Member Munoz, Trustees approved the Facilities Subcommittee recommendation that the Board adopt Resolution #30-17 to approve the District entering into a “piggyback” agreement with Global Modular to build the necessary modular classrooms needed throughout the District. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	District Classroom Expansion Piggyback
On a motion by Member Martinez, seconded by Member Munoz, Trustees approved to the award the bid to Fluoresco Services to provide labor and material to install an electric marquee sign at Pacheco High School. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Bid Award to Install Marquee Sign at Pacheco High School
On a motion by Member Areias, seconded by Member Goin, Trustees approved the revised Director/Supervisor salary schedule to include the following: adding the Program Director of Preschool Programs to the current salary schedule. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Revised Director/Supervisor Salary Schedule
On a motion by Member Areias, seconded by Member Benton, Trustees declared its intent to adopt the following mandated policies: BP 0500 Accountability, BP 3280 Sale or Lease of District-Owned Real Property, AR 3515.6 Criminal Background Checks for Contractors, BP 4140/4240/4340 Bargaining Units, BP/AR 5117 Interdistrict Attendance, AR 5125.2 Withholding Grades, Diploma or Transcripts, BP/AR 6020 Parent Involvement, AR 6112 School Day, BP 6153 School-Sponsored Trips, BP 6170.1 Transitional Kindergarten, BP/AR 6173.2 Education of Children of Military Families, Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Mandated Policy Changes/Updates (First Reading)
On motion by Member Goin, seconded by Member Martinez, Trustees approved the Consent Calendar as submitted. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	CONSENT CALENDAR

Trustees approved minutes of the: Regular Meeting held on November 16, 2018	Minutes
Certificated Report: Resigned: Brinlee, Kelli-Henry Miller Elementary, Reading Intervention Teacher effective 12/15/1; Extra Duty Appointments: Pricilla Gutierrez-Frosh Girls Basketball-LBHS, Carlos Rodriguez-Frosh Girls Basketball PHS, Michael Perkins-JV Boys Soccer Coach PHS, Cynthia Hernandez- JV Girls Soccer Coach PHS, Michael Singh- Asst. Wrestling Coach PHS, Manuel Rico- Asst. Wrestling Coach LBHS, Claudine Gutierrez-Academic Mentor CJHS. Classified Report: Promotional: Lewis, Lynn -FS, Child Nutrition Technician (8.0 Hrs); Termination: Kumar, Anthony-SS, Effective 11/13/2017.	Personnel Actions
The monthly Fiscal Report was submitted for Board information.	Fiscal Report
Trustees adopted the 2018-19 school calendars.	2018-19 School Calendar (Second Reading)
Trustees adopted the Governance Handbook.	Governance Handbook (Second Reading)
Trustees approved the revised job description for the Preschool Development Program Director.	Job Description
Trustees adopted the following mandated policies: BP 0400 Comprehensive Plan, BP/AR 0460 Local Control and Accountability Plan-LCAP, BP 3513.4 Drugs and Alcohol Free Schools- New Policy, BP/AR 5113.1 Chronic Absence and Truancy, BP/AR 1113 (a) District and School Web Sites, AR 5113.11 Attendance Supervision- New Policy, BP/AR 5113.12 District School Attendance Review Board-SARB- New Policy, BP 5131.6 Alcohol and Other Drugs, AR 6173.1 Educations for Foster Youth, BB 9150 Student Board Members.	Mandated Policies (Second Reading)
Trustees approved the following agreements/proposals: Blackboard Connect, autodialing system; Alpha Vista Services Inc., Bilingual Psychologist; K.D. Anderson & Associates, Inc., Traffic Engineering Study; LDA Partners, Additional Classroom Facility Project.	Agreements/ Contracts
Trustees approved the following overnight/out-of-state travel: LBHS Senior Grad Nite, Disneyland, May 29-30, 2018; LBHS Boys' Varsity Golf Team, AT&T Pro-Am Pebble Beach, Feb. 7-11, 2018.	Travel
Trustees declared specified electronic equipment as obsolete and authorized disposal in accordance with Board Policy #3270.	Obsolete Electronic Equipment
Trustees approved the warrants for payment.	Warrants

On motion by Member Areias seconded by Member Martinez, Trustees expelled student case #8194975468 from the District for one calendar year. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.

Reporting Closed Session

None

Future Agenda Items

The meeting was adjourned by Mr. Parreira at 8:43 P.M.

Adjournment

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SECRETARY

LOS BANOS UNIFIED SCHOOL DISTRICT  
MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF EDUCATION  
December 21, 2017

LBHS Library

Mr. Parreira called the meeting to order at 4:00 P.M.

Call to Order

PRESENT: Mr. Areias, Ms. Benton, Ms. Goin, Mr. Martinez, Mr. Munoz, Mr. Parreira, Ms. Smith

Roll Call

The audience was led in the Pledge of Allegiance by Mr. Amer Iqbal, Director of Fiscal Services.

Pledge of  
Allegiance

On motion by Member Areias, seconded by Member Benton, Trustees approved the agenda as submitted. Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.

Approval of  
Agenda

No one came forward to speak.

Public Forum

On motion by Member Smith, seconded by Member Benton, Trustees approved the agreement with Clifford Moss Communication Consultants.

Contract/  
Agreement

The meeting was adjourned by Mr. Parreira at 4:11 P.M.

Adjournment

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SECRETARY

# LOS BANOS UNIFIED SCHOOL DISTRICT

## DIVISION OF HUMAN RESOURCES

REPORT OF CERTIFICATED EMPLOYMENT  
FOR BOARD APPROVAL – January 11, 2018

Tammie Calzadillas, Assistant Superintendent

**APPOINTMENT:**

None

**RESIGNED:**

None

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**EXTRA DUTY:**

None

**APPOINTMENTS:**

None

# LOS BANOS UNIFIED SCHOOL DISTRICT

## DIVISION OF HUMAN RESOURCES

### REPORT OF CLASSIFIED EMPLOYMENT FOR BOARD APPROVAL – January 11, 2018

Tammie Calzadillas, Assistant Superintendent

#### New Hires:

Huarte, Jaime – DW, Crossing Guard (3.0 Hrs)

#### Appointments:

#### Promotional:

Helbling, Addie – TR, Bus Driver (6.0 Hrs)

Preciado, Susana – SS, Office Assistant (8.0 Hrs)

Salvatier, Iris – FS, Child Nutrition Worker (6.5 Hrs)

#### Retired:

#### Resigned:

#### Termination:

Leon Rivera, Marla, LEAP – Effective 12/14/2017

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## **Board Reference Material**

**SUBJECT TITLE:**     **Monthly Fiscal Report**

**REQUESTED ACTION:**   None—report only

Action\_\_\_\_\_

Discussion/Information\_\_\_X\_\_\_

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### **RECOMMENDATION:**

The attached reports are provided for informational purposes only.

### **BACKGROUND INFORMATION:**

- Board Financial Summary Report, General Fund
- Enrollment Graphs
- Developer Fee Collection Report (summary only)

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is an operational activity and does not directly support a specific Board goal.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

N/A

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

N/A

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ORIGINATOR: Amer Iqbal, Director of Fiscal Services  
Date: January 11, 2018

monthly Board report

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND/COUNTY SSF

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
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REVENUE DETAIL

REVENUE LIMIT SOURCES :	105,774,890.00	1,688,018.00-	104,086,872.00	38,708,562.33	65,378,309.67	37.18
FEDERAL REVENUES :	5,112,500.00	1,780,698.00	6,893,198.00	1,612,789.61	5,280,408.39	23.39
OTHER STATE REVENUES :	9,958,703.00	585,489.00	10,544,192.00	3,717,586.74	6,826,605.26	35.25
OTHER LOCAL REVENUES :	810,000.00	1,787,287.00	2,597,287.00	457,002.40	2,140,284.60	17.59
* TOTAL YEAR TO DATE REVENUES	* * 121,656,093.00 *	2,465,456.00 *	124,121,549.00 *	44,495,941.08 *	79,625,607.92 *	35.84

EXPENDITURE DETAIL

CERTIFICATED SALARIES :	50,790,534.00	174,892.00-	50,615,642.00	24,566,120.47	26,049,521.53	48.53
CLASSIFIED SALARIES :	18,669,563.00	573,909.00-	18,095,654.00	9,398,843.39	8,696,810.61	51.93
EMPLOYEE BENEFITS :	32,862,412.00	37,751.00-	32,824,661.00	14,395,616.47	18,429,044.53	43.85
BOOKS AND SUPPLIES :	8,607,083.00	3,367,218.00	11,974,301.00	1,954,181.47	10,020,119.53	16.31
SERVICES, OTHER OPER. EXPENSE:	7,205,527.00	548,030.00	7,753,557.00	4,224,611.73	3,528,945.27	54.48
CAPITAL OUTLAY :	784,594.00	147,423.00	932,017.00	773,837.57	158,179.43	83.02
OTHER OUTGOING :	1,640,000.00	35,043.00	1,675,043.00	850,359.80	824,683.20	50.76
DIRECT SUPPORT/INDIRECT COSTS:	381,000.00-	13,116.00-	394,116.00-	.00	394,116.00-	0.00
PRIOR YEAR EXPENDITURE :	1,122,003.00		1,122,003.00	568,196.20	553,806.80	50.64
* TOTAL YEAR TO DATE EXPENDITURES	* * 121,300,716.00 *	3,298,046.00 *	124,598,762.00 *	56,731,767.10 *	67,866,994.90 *	45.53

OTHER FINANCING SOURCES ( USES )

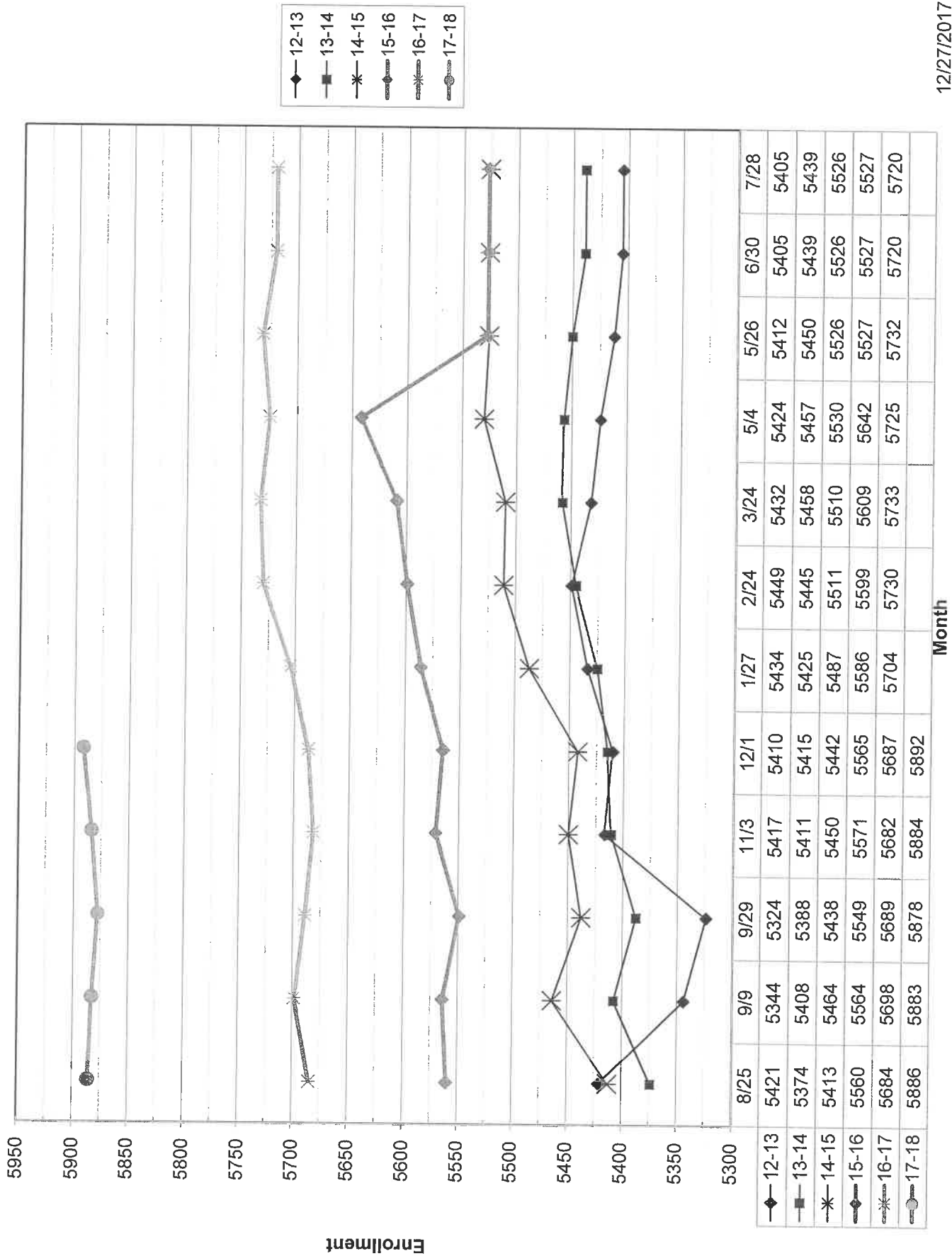
INTERFUND TRANSFERS - OUT :	.00		.00	17,930.47-	17,930.47	NO BDGT
CONTRIB.- RESTRICTED PROGRAMS:	.00		.00	.00	.00	NO BDGT
* TOTAL YEAR TO DATE OTHER FINANCING	* .00 *	.00 *	.00 *	17,930.47 *	17,930.47 *	NO BDGT

UNRESTRICTED/RESTRICTED COMBINED

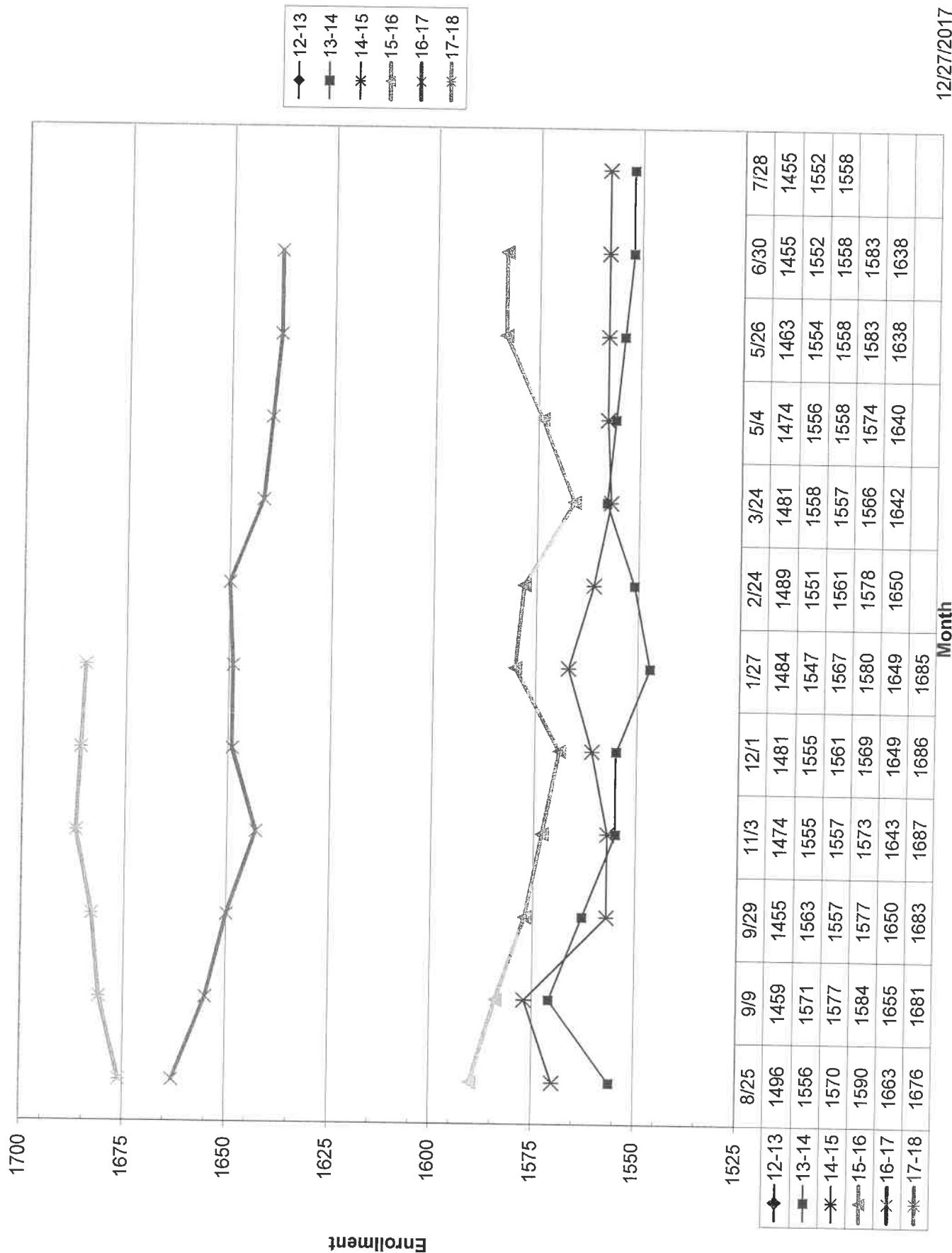
FUND: 01 GENERAL FUND/COUNTY SSF

OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE
FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	15,458,309.41	9,591,300.24-	5,867,009.17
9130	REVOLVING CASH ACCOUNT	24,900.00	100.00	25,000.00
9135	CASH W/ FISCAL AGENT		40.51-	40.51-
9210	ACCOUNTS RECEIVABLE PRIOR YEAR	2,444,314.72	2,285,482.68-	158,832.04
9310	DUE FROM OTHER FUNDS	301,893.89	301,893.89-	.00
9319	DUE FROM OTHER FUNDS - SET UP		30,000.00	30,000.00
9340	OTHER CURRENT ASSETS	2,250.00	.00	2,250.00
9510	ACCOUNTS PAYABLE CURRENT LIAB	2,731,275.67-	1,959,284.22	771,991.45-
9522	STRS REF EXCESS CONTRIBUTION	166.72-	697.18-	863.90-
9550	USE TAX LIABILITY	12,932.46-	5,885.86	7,046.60-
9553	REPAY		990.98-	990.98-
9554	INSURANCE	5,066.81	22,717.55	27,784.36
9556	MISC DISTRICT VOL-DEDS (1)	100.80	9,319.90-	9,219.10-
9557	Refunds of PERS, STRS, SS, MED		165.87-	165.87-
9564	RETIREE LIABILITY	17,754.41-	293.67	17,460.74-
9567	INSURANCE MISCELLANEOUS	105.98	82,585.07-	82,479.09-
9610	DUE TO OTHER FUNDS	438.53-	438.53	.00
9640	CURRENT LOANS (TRANS)		2,000,000.00-	2,000,000.00-
9650	UNEARNED (DEFERRED) REVENUE	555,843.72-	.00	555,843.72-
-----				
* NET YEAR TO DATE FUND BALANCE	**	14,918,530.10 *	12,253,756.49-*	2,664,773.61 *
-----				
* EXCESS REVENUES/(EXPENDITURES)	**	14,918,530.10 *	12,253,756.49-*	2,664,773.61 *

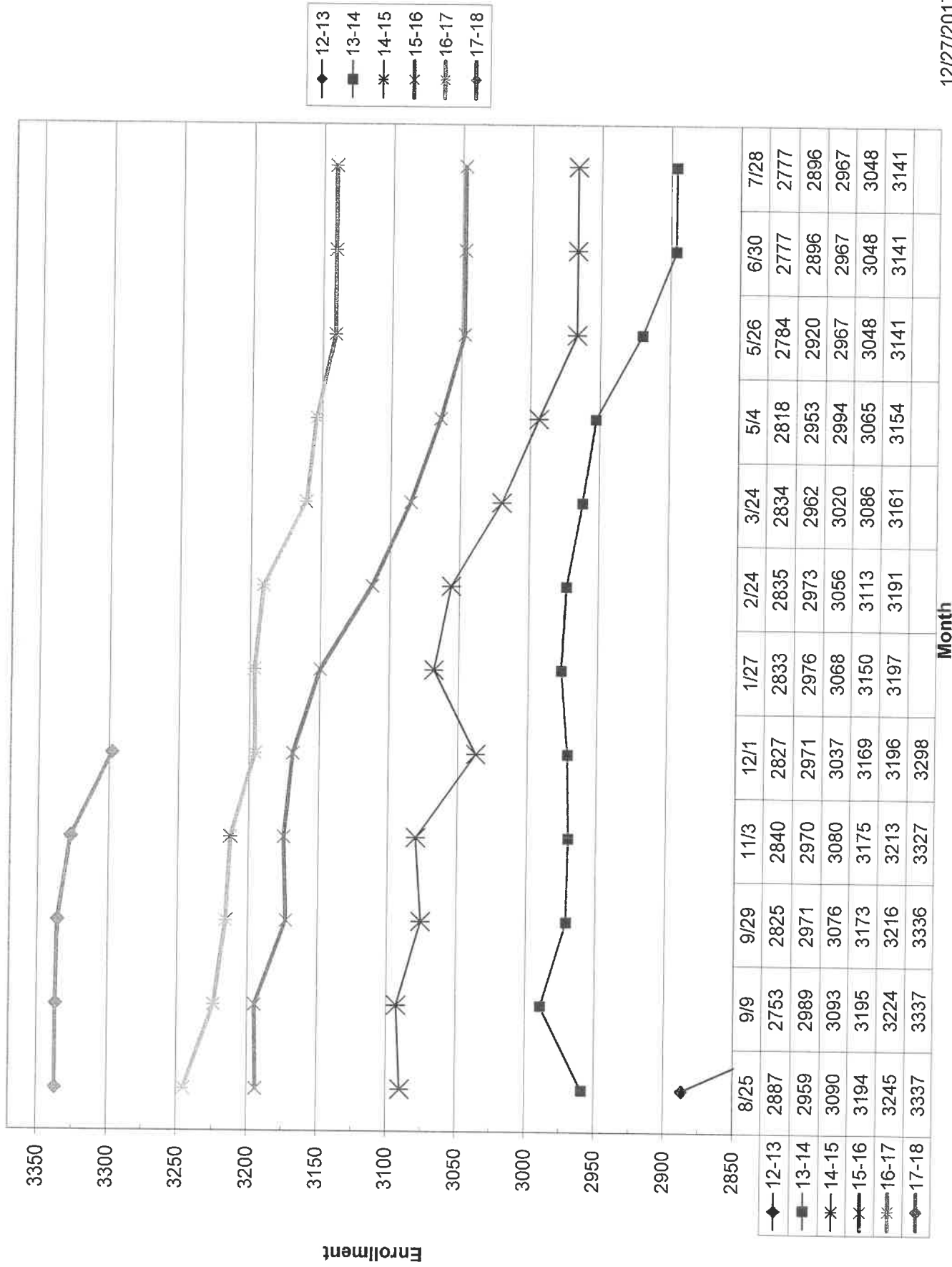
# K-6 Enrollment (including SDC) by Month



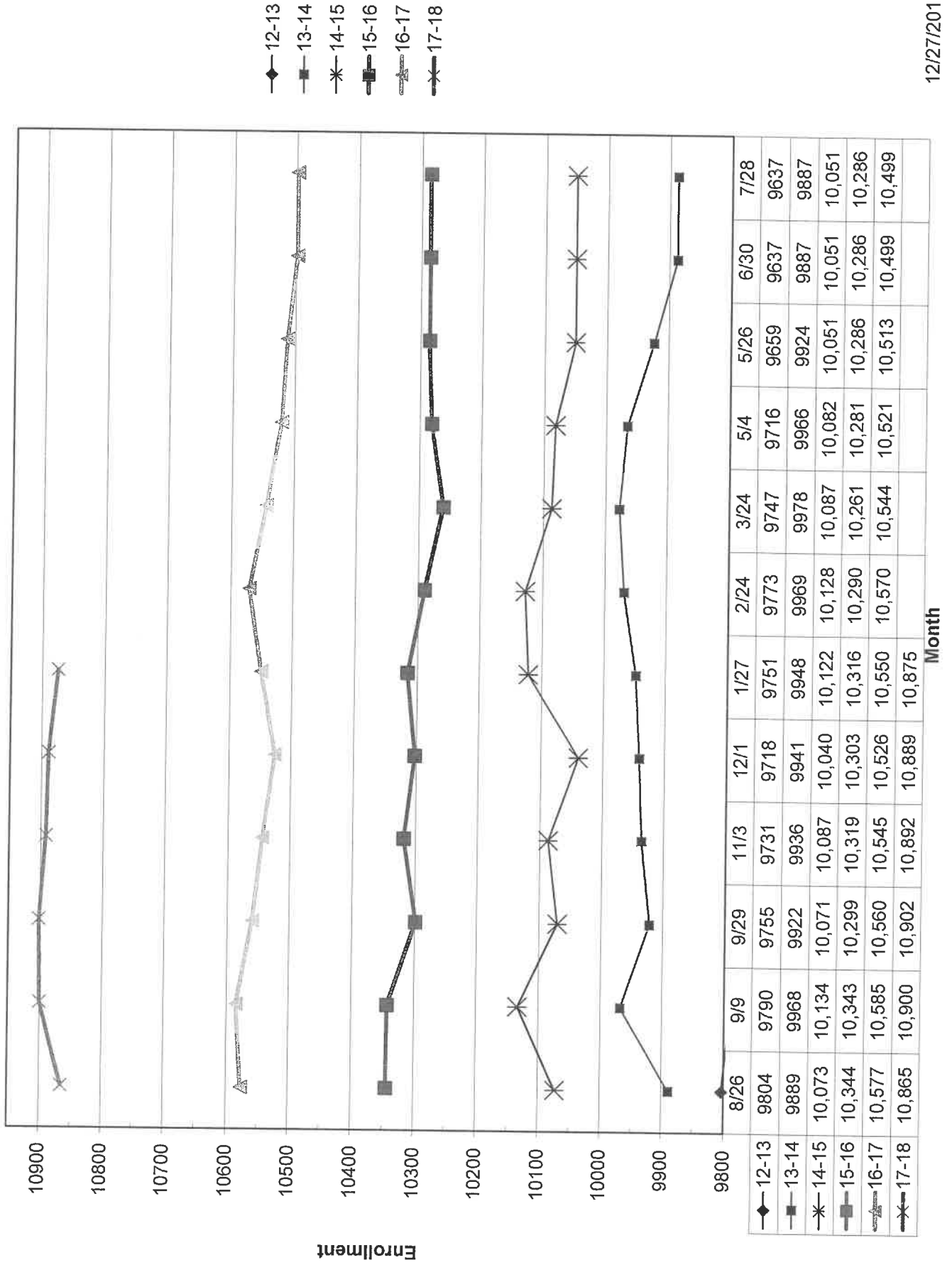
# 7-8 Enrollment (including SDC)



# 9-12 Enrollment (including SDC)



# K-12 Enrollment (including SDC) by Month



Los Banos Unified School District  
2017-2018 Developer Fees

	2014-15	Monthly %	Cumulative %	2015-16	Monthly %	Cumulative %	2016-17	Monthly %	Cumulative %	2017-18	Monthly %	Cumulative %
JUL	\$117,386.08	12.91%	12.91%	\$109,941.25	7.48%	7.48%	\$5,731.20	0.25%	0.25%	\$274,657.79	21.50%	21.50%
AUG	\$78,003.40	8.58%	21.48%	\$105,310.08	7.17%	14.65%	\$26,649.18	1.16%	1.41%	\$208,796.85	16.35%	37.85%
SEP	\$77,550.43	8.53%	30.01%	\$37,320.27	2.54%	17.19%	\$47,479.74	2.07%	3.48%	\$275,404.32	21.56%	59.41%
OCT	\$185,797.66	20.43%	50.43%	\$19,825.11	1.35%	18.54%	\$51,686.41	2.25%	5.74%	\$218,715.47	17.12%	76.53%
NOV	\$111,157.12	12.22%	62.65%	\$28,945.89	1.97%	20.51%	\$186,628.12	8.14%	13.88%	\$197,943.82	15.50%	92.02%
DEC	\$272,878.32	30.00%	92.65%	\$82,174.85	5.59%	26.11%	\$60,503.79	2.64%	16.51%	\$101,904.27	7.98%	100.00%
JAN	\$50,405.07	5.54%	98.19%		0.00%	26.11%	\$365,848.48	15.95%	32.47%		0.00%	100.00%
FEB	\$1,345.14	0.15%	98.34%	\$61,428.06	4.18%	30.29%	\$273,114.28	11.91%	44.38%		0.00%	100.00%
MAR		0.00%	98.34%	\$111,836.09	7.61%	37.90%	\$165,196.51	7.20%	51.58%		0.00%	100.00%
APR		0.00%	98.34%	\$304,266.24	20.71%	58.61%	\$145,515.82	6.35%	57.93%		0.00%	100.00%
MAY		0.00%	98.34%	\$436,037.69	29.68%	88.29%	\$787,362.62	34.34%	92.27%		0.00%	100.00%
JUN	\$15,090.57	1.66%	100.00%	\$171,996.03	11.71%	100.00%	\$177,319.04	7.73%	100.00%		0.00%	100.00%
TOTAL	\$909,613.79	100.00%		\$1,469,081.56	100.00%		\$2,293,035.19	100.00%		\$1,277,422.52	100.00%	
	513,000.00			250,000.00			250,000.00			250,000.00		

## **Board Reference Material**

**SUBJECT TITLE:**    2018-19 Budget Calendar

**REQUESTED ACTION:**    Approve

Action      X  

Discussion/Information \_\_\_\_\_

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### **RECOMMENDATION:**

It is recommended the Board approve the 2018-19 Budget Calendar.

### **BACKGROUND INFORMATION:**

The basic steps to developing the District's budget begin with establishing a budget calendar. Attached is our proposed 2018-19 budget calendar.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is an operational activity and does not directly support a specific Board goal.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None.

### **SPECIFIC FINANCIAL IMPACT (Include impact on School District Facilities):**

None.

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ORIGINATOR:    Amer Iqbal, Director of Fiscal Services

Date:    January 11, 2018

# Los Banos Unified School District

## 2018-19 Proposed Budget Calendar

<b>Phase I</b>	
January 10, 2018	Governor's January Budget issued
January 11, 2018	Board Approves Budget Calendar
February 8, 2018	Board Reviews Budget Guidelines and Assumptions
<b>Phase II</b>	
April 14, 2018	Enrollment Projections Update
May, 2018	Governor's May Revised Budget issued
June 14, 2018	Public Hearing 2018-19 Local Control Accountability Plan
June 14, 2018	Public Hearing 2018-19 Budget
June 21, 2018	Board Adopts 2018-19 Local Control Accountability Plan
June 21, 2018	Board Adopts 2018-19 Budget
<b>Phase III</b>	
July, 2018	Update District revenues when State adopts Budget
45 Days After State Budget	Board adopts Revised Budget based on final State Budget, as needed
September 13, 2018	Review 2017-18 Unaudited Actuals and 2017-18 Beginning Fund Balances
September, 2018	Update Beginning Fund Balances
<b>Phase IV</b>	
December 13, 2018	1st Interim Report
March, 2019	2nd Interim Report
<b>Phase V</b>	
September, 2019	Review Unaudited Actuals and Ending Fund Balances
January, 2020	Board Finance Committee reviews audit
January, 2020	Board Approves audit

## **Board Reference Material**

**SUBJECT TITLE:**     **Speech and Language Pathologist Assistant**

**REQUESTED ACTION:**     Approve Job Description

Action   X  

Discussion/Information                     

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**RECOMMENDATION:**

It is recommended the Board approve a new job description for Speech and Language Pathologist Assistant. The Speech and Language Pathologist Assistant would provide a full range of educationally related speech and language services to district students including implementing individual education plans (IEP), goals and objectives; individual, group speech/ language sessions; and collaboration with the Speech Language Therapists and district staff as identified for implementation through the Individual Education Plan (IEP).

**BACKGROUND INFORMATION:**

Over the past few years the district has seen an increase needs for our students in the area of speech and language development. Currently, these students are serviced by 6 Speech Language Therapists whose caseloads are exceeding the caseload cap number allowed by California Education Code. The district has advertised and made every effort to recruit qualified Speech language Pathologists for the past 4 years to no avail due to the state wide shortage of the Speech Language Pathologist.

**HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

GOAL 1: Promote the educational success of all students by closing the achievement gap between groups of students by using best practices to attain proficiency or better by all students in reading and mathematics.

**ALTERNATIVES/IDENTIFIED OPPOSITION:**

None at this time.

**SPECIFIC FINANCIAL IMPACT: (Include Impact on School District Facilities)**

The cost of the Speech Language Pathologist Assistant will be paid by special education fund.

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ORIGINATOR: Min Yuan, Director of Special Services  
Date: January 11, 2018

## **Job Description**

**Position Title:** Speech Language Pathology Assistant

**Department:** Special Services

**Reports to:** Director of Special Services

**Work Year:** 185 days

**Summary:** Under the direction of the Director of Special Services and the supervision of Los Banos Unified School District's credentialed Speech Language Pathologists, the Speech Language Pathology Assistant (SLPA) completes a variety of activities designed to develop pre-language and language skills, oral-motor control for speech production, vocalization and the use of assistive technology to support communication. The SLPA works with students who have identified speech and language disorders as well as other disabilities in which speech or language impacts educational performance.

### **Essential Duties and Responsibilities:**

1. Provides direct treatment assistance to students to meet speech and/or language needs
2. Follow and implements documented treatment plans or protocols
3. Documents student progress toward meeting established objectives and report information to the supervising therapist
4. Assists the therapist during assessments
5. Prepares therapy materials and or/equipment for use in therapy activities
6. Adapts or modifies instructional materials and/or equipment as determined by student needs and abilities
7. Assists in maintaining student records, tallying data, preparing charts, records, graphs and reports
8. Observes and reports significant behavioral patterns or other problems to the therapist.
9. Assists in maintaining appropriate behavior between activities
10. Prepares various teaching materials such as charts, pictures, word lists and other related items
11. Perform other related duties as assigned by site or district administration

### **Education and Experience:**

- Associate of Arts degree in speech-language pathology or communication disorders, or graduation from a speech-language pathology assistant program

## **Board Reference Material**

**SUBJECT TITLE:**     Translator/ Interpreter

**REQUESTED ACTION:**     Approve Job Description

Action   X  

Discussion/Information                     

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**RECOMMENDATION:**

It is recommended the Board approve a new job description for translator/ interpreter position. The translator/interpreter would provide translating and interpreting services to meet the needs of the district and community.

**BACKGROUND INFORMATION:**

Over the past few years the district has seen an increase needs in translation and interpretation for our students and community. The staff and community are facing the challenge of communicating effectively in order to support the students to reach their educational goals.

**HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

GOAL 1: Promote the educational success of all students by closing the achievement gap between groups of students by using best practices to attain proficiency or better by all students in reading and mathematics.

**ALTERNATIVES/IDENTIFIED OPPOSITION:**

None at this time.

**SPECIFIC FINANCIAL IMPACT: (Include Impact on School District Facilities)**

The cost of the translator/interpreter will be paid by special education fund as well as elementary and secondary education fund.

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ORIGINATOR: Min Yuan, Director of Special Services  
Date: January 11, 2018

## **TRANSLATOR-INTERPRETER**

**BASIC FUNCTION:** Under the direction of the Director of Special Services, translate and produce a variety of general, technical, legal and medical documents and materials between English and a second designated language for schools and district office staff. Provide simultaneous interpretations during various formal meetings and as-needed in order to provide information to non-English speaking students, parents and community members.

### **REPRESENTATIVE DUTIES:**

- Prepares written translations of a variety of documents used at school sites and the district office including, but not limited to, individualized educational plans, legal materials, assessments, bulletins, correspondence, meeting minutes and forms.
- Produces verbatim translations of formal and informal meetings using idiomatic expressions when necessary and appropriate to ensure accurate and effective message content and intent delivery.
- Provide simultaneous interpretations during formal presentations at schools and district meeting sites using district interpretation equipment.
- Interprets from English to a specified second language and from the specified second language to English in order to assist district personnel in communicating with non-English speaking students, families and community members.
- Use, distribute and maintain headsets and microphones used during oral interpretation assignments. • Use modern office equipment in the preparation of translations.
- Attend various meetings as necessary; travel to schools and offices as assigned.

### **KNOWLEDGE OF:**

Correct oral and written usage of English and a designated second language.

Correct English usage, grammar, spelling, punctuation and vocabulary.

Oral and written communication skills.

Interpersonal skills using tact, patience and courtesy.

Basic record-keeping techniques.

Operation of desktop computer software and peripherals.

### **ABILITY TO:**

Read, write and translate English and a designated second language.

## **Job Description**

Los Banos Unified School District

Speak and interpret English and a designated second language.

Understand and follow oral and written directions.

Learn the procedures, functions and limitations of assigned duties.

Communicate effectively with students, teachers, parents, staff and the public including members of ethnic communities.

Read, interpret, apply and explain rules, regulations, policies and procedures.

Establish and maintain cooperative and effective working relationships with others.

Meet schedules and timelines. Communicate effectively both orally and in writing.

### **EDUCATION AND EXPERIENCE:**

Graduation from high school and experience assisting non-English speakers with translation and interpretation services preferred.

## **Board Reference Material**

**SUBJECT TITLE:** Williams Quarterly Complaint Report Summary

**REQUESTED ACTION:** Approve

Action   X  

Discussion/Information           

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### **RECOMMENDATION:**

It is recommended that the Board approve the October – December 2017 complaint summary as submitted.

### **BACKGROUND INFORMATION:**

Education Code 35186 requires a school district to report summarized data on the nature and resolution of all Williams Complaints on a quarterly basis to the County Superintendent of schools and the governing board of the school district. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the governing board of the school district. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

The general complaint summary areas include Textbooks & Instructional Materials, Facilities, and Teacher Vacancy & Misassignments. At this time, there are no pending complaints with the District.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

Compliance in Nature

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None

### **SPECIFIC FINANCIAL IMPACT:**

None

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ORIGINATOR: Paula Mastrangelo, Assistant Superintendent Elementary Education  
DATE: January 11, 2018

Quarterly Uniform Complaint Report Summary for Submission to Merced County Office of Education												
Quarter Covered by this Report		January to March		April to June		July to September		October to December		2017		
Textbooks & Instructional Materials: <i>Enter zero in any cell that does not apply.</i>		Facilities:				Teacher Vacancy & Misassignment				Totals		
# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	
0	0	0	0	0	0	0	0	0	0	0	0	
Submitted by:		Paula Mastrangelo										
Title:		Assistant Superintendent										
School District:		Los Banos Unified										
Telephone:		209-826-3801 extension 7007										
PLEASE RETURN VIA E-MAIL TO: Heather Woody - Merced County Office of Education - hwoody@mcocoe.org												

## Board Reference Material

**SUBJECT TITLE:**            **Second Reading: Board Policy Updates**

**REQUESTED ACTION:**    Adopt

Action      X  

Discussion/Information \_\_\_\_\_

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### **RECOMMENDATION:**

It is recommended that the Board adopt the following Board Policies as submitted.

### **BACKGROUND INFORMATION:**

This is a part of routine policy update and Manual Maintenance program. This is the first reading of the December 2017 updated policies. These policies address mandated legal changes. The updates are primarily legal requirements and/or changes in the law. Below are the specific reasons for the policy updates.

BP 0500	Accountability
BP 3280	Sale or Lease of District-Owned Real Property
AR 3515.6	Criminal Background Checks for Contractors
BP 4140/4240/4340 -	Bargaining Units
BP/AR 5117	Interdistrict Attendance
AR 5125.2	Withholding Grades, Diploma or Transcripts
BP/AR 6020	Parent Involvement
AR 6112	School Day
BP 6153	School-Sponsored Trips
BP 6170.1	Transitional Kindergarten
BP/AR 6173.2	Education of Children of Military Families

#### **BP 0500 - Accountability**

(BP revised)

Policy updated to reflect the new state accountability system (the California School Dashboard), which consists of both state and local indicators to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP.

#### **BP 3280 - Sale or Lease of District-Owned Real Property**

(BP revised)

Policy updated to delete the requirement to first offer surplus property to a charter school with at least 80 students. Material regarding the appointment of the district advisory committee expanded to specify the circumstances under which the district is not required to appoint a committee, including the exception for the sale, lease, or rental of excess property to be used for teacher or other employee housing pursuant to **NEW LAW (AB 1157, 2017)**. Policy expands section on "Use of Proceeds" to reflect additional legal requirements, and deletes the authority (repealed) to use the proceeds from the sale of

surplus property for any one-time general fund purpose provided that the district adopted a plan and made certain certifications to the State Allocation Board.

#### **AR 3515.6 - Criminal Background Checks for Contractors**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 949, 2017)** which requires criminal background checks for sole proprietors who contract with the district to provide specified services, if they will have contact with children, and provides that it is the responsibility of the district to prepare and submit the fingerprints of the sole proprietor to the Department of Justice. Regulation also reorganized to clarify criminal background check requirements applicable to entities contracting for construction, reconstruction, rehabilitation, or repair of a school facility.

#### **BP 4140/4240/4340 - Bargaining Units**

(BP revised)

Policy updated to reflect **NEW LAW (SB 285, 2017)** which prohibits districts from deterring or discouraging employees from becoming or remaining members of an employee organization. Policy also reflects **NEW LAW (AB 119, 2017)** which requires districts to provide employee organizations with specified contact information for new employees in the bargaining unit and to give employee organizations access to new employee orientations (limited in scope to onboarding sessions where newly hired employees are advised of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters).

#### **BP/AR 5117 - Interdistrict Attendance**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 99, 2017)** which makes a number of changes to the school district of choice program, including (1) requiring a participating district to register as a school district of choice with the Superintendent of Public Instruction and the county board of education by July 1, 2018; (2) expanding the factors that must not be considered by districts in the selection process; and (3) revising the requirements for annually reporting the disposition of transfer requests. Regulation updated to reflect provisions of AB 99 related to public announcements regarding the program, priorities for admission, and the timeline for notification of a student's provisional acceptance or rejection. Regulation also reflects **NEW LAW (SB 344, 2017)** which gives the county board in a class 1 county, as defined, 60 calendar days to decide an appeal when a district denies a transfer under an interdistrict attendance agreement. Section on "Transfers Out of the District" moved from BP to AR, and revised to reflect **NEW LAW (AB 2659, 2016)** which provides that a district must not prohibit the transfer of a child of a military family to any district that approves the transfer.

#### **AR 5125.2 - Withholding Grades, Diploma or Transcripts**

(AR revised)

Regulation updated to clarify the circumstances under which the district may withhold a student's grades, diploma, and/or transcripts until the student's parents/guardians have paid for the damages to or loss of district property willfully caused by the student. Regulation also clarifies the student's due process rights, as well as the requirement to continue to withhold the grades, diploma, and/or transcripts when such a student transfers from one district to another.

## **BP/AR 6020 - Parent Involvement**

(BP/AR revised)

Policy and regulation updated to reflect requirements for parent involvement in schools receiving federal Title I, Part A funding, as amended by the Every Student Succeeds Act, including expanding activities to include engagement of family members. Policy also reflects parent involvement as a state priority that must be addressed in the district's LCAP.

## **AR 6112 - School Day**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 99, 2017)** which permits districts to maintain kindergarten or transitional kindergarten classes for different lengths of time during the school day, either at the same or different school sites. Regulation also reflects provision of AB 99 which allows districts to schedule classes in an early college high school or middle college high school so that students attend classes for at least 900 minutes during any five school day period or 1,800 minutes during any 10 school day period.

## **BP 6153 - School-Sponsored Trips**

(BP revised)

Policy updated to reflect **NEW LAW (AB 341, 2017)** which eliminates the prohibition against the use of district funds to pay for the expenses of students participating in field trips or excursions to another state, to the District of Columbia, or to a foreign country.

## **BP 6170.1 - Transitional Kindergarten**

(BP revised)

Policy updated to reflect **NEW LAW (AB 99, 2017)** which permits districts to maintain transitional kindergarten classes for different lengths of time during the school day, either at the same or different school sites, provided that the length of the school day complies with legal requirements related to the minimum and maximum length of the school day.

## **BP/AR 6173.2 - Education of Children of Military Families**

(BP/AR revised)

Policy updated to reflect the Every Student Succeeds Act, which provides that military-connected students will be assigned a national identification number to facilitate monitoring of their academic progress and requires districts to issue an annual report card that includes state achievement results for such students. Policy also adds optional language on collaborating with the military's school liaison officers and providing staff development related to the educational rights of military-connected students. Regulation updated to add material regarding the transfer of course credits, exemption from local graduation requirements when a student transfers after the completion of the second year of high school, and use of the uniform complaint procedures for allegations of noncompliance by the district, pursuant to **NEW LAW (AB 365, 2017)**. Regulation also reflects **NEW LAW (SB 455, 2017)** which provides that a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation within the state, and **NEW LAW (AB 2659, 2016)** which provides that districts must not prohibit the transfer of a military-connected student out of the district regardless of whether the district has an interdistrict transfer agreement with another district.

**HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This activity is operational in nature.

**ALTERNATIVES/IDENTIFIED OPPOSITION:**

None

**SPECIFIC FINANCIAL IMPACT:**

None

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ORIGINATOR: Dr. Mark Marshall, Superintendent  
DATE: January 11, 2018

# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0500(a)

### ACCOUNTABILITY

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

The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of the district and each district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in capacity to improve student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals set forth in the local control and accountability plan (LCAP).

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 2140 - Evaluation of the Superintendent)

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

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9400 - Board Self-Evaluation)

Note: California's accountability system, which is based on both state and federal requirements, including the calculation of an Academic Performance Index (API) pursuant to Education Code 52052.52052.1 and a determination as to whether schools and districts make "adequate yearly progress" (AYP) pursuant to 20 USC 6311. Both the API and AYP incorporate multiple measures, including, but not limited to, student performance on statewide assessments. However, as amended by AB 484 (Ch. 489, Statutes of 2013), Education Code 52052 authorizes the State Board of Education to suspend the API in the 2013-14 and 2014-15 school years while the state assessment system is transitioning from the Standardized Testing and Reporting program to the California Measurement of Academic Performance and Progress. measures district and school performance on a variety of indicators of school success. 20 USC 6311, as amended by the Every Student Succeeds Act (P.L. 114-95), requires each state to have an accountability system that incorporates multiple measures, including, but not limited to, statewide assessment results for all students as well as numerically significant subgroups. The California Accountability and Continuous Improvement System consists of both state and local indicators to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the local control and accountability plan (LCAP). The degree to which districts and schools are meeting these criteria is reflected in the California School Dashboard, which is a color-coded chart that includes the status of performance on the indicators as well as the change in performance from year to year.

Beginning in the 2018-19 school year, the California Department of Education (CDE) will notify schools identified for comprehensive and/or targeted support and improvement pursuant to 20 USC 6311. Until

then, the CDE encourages schools previously identified for program improvement to utilize the

BP 0500(b)

## ACCOUNTABILITY (continued)

Dashboard to determine areas of improvement in preparation for implementation of support and improvement requirements.

Further information about the Accountability and Continuous Improvement System and the Dashboard can be found on the CDE web site.

Indicators of district progress in improving student achievement shall include, but are not limited to, the state Academic Performance Index (API) and the measures of "adequate yearly progress" (AYP) required under the federal accountability system. District and school performance shall be annually evaluated based on multiple measures specified in the California Accountability and Continuous Improvement System as reported on the California School Dashboard.

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - State Academic Achievement Tests)*

*(cf. 6162.52 - High School Exit Examination)*

Note: The following paragraph should be revised to reflect the types of alternative schools maintained by the district. Pursuant to Education Code 52052, alternative schools serving high-risk student populations are subject to an alternative accountability system. Commencing in the fall of 2018, alternative accountability indicators will be incorporated into the Dashboard Alternative School Status (DASS) program, as a replacement for the Alternative Schools Accountability Model. The schools described in the following paragraph will automatically qualify for this alternative status. In addition, schools approved through the former Alternative Schools Accountability Model process between July 1, 2016 and June 30, 2017 are considered active DASS schools. Other schools serving high-risk students may apply to establish eligibility for DASS. Further information regarding the DASS and participation/withdrawal instructions and forms are available on the CDE web site.

The district's aAlternative schools serving high-risk student populations, including continuation high schools, opportunity schools, and community day schools, and nonpublic, nonsectarian schools pursuant to Education Code 56366, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction. (Education Code 52052, 56366)

*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

Note: Education Code 52052 requires that schools and districts demonstrate comparable improvement in academic achievement by all numerically significant student subgroups, as defined below. AB 104 (Ch. 13, Statutes of 2015) amended Education Code 52052 to add homeless students to the list of student subgroups.

The district and each district school shall demonstrate comparable improvement in academic achievement, ~~as measured by the API,~~ for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically

BP 0500(c)

## ACCOUNTABILITY (continued)

disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth or homeless students. (Education Code 52052)

Note: The following optional paragraph may be revised to reflect district practice. ~~AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 52056, which had required an annual discussion of the results of each school's API ranking at a regularly scheduled Governing Board meeting. Nevertheless, reporting~~ **Providing regular reports** to the public and receiving input from the public in regard to school and district progress are key components of accountability.

~~Education Code 52060 and 52061, as added by AB 97 and amended by SB 97 (Ch. 357, Statutes of 2013), requires that the district to consult with parents/guardians, students, teachers, principals, administrators, other school personnel, and employee bargaining units in the development~~ **and annual update** of the district's local control and accountability plan (LCAP); see BP 0460 - Local Control and Accountability Plan.

The Superintendent shall provide regular reports to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the ~~local control and accountability plan (LCAP).~~

~~(cf. 0460 - Local Control and Accountability Plan)~~

~~(cf. 0510 - School Accountability Report Card)~~

~~(cf. 1100 - Communication with the Public)~~

~~(cf. 1113 - District and School Web Sites)~~

~~(cf. 1112 - Media Relations)~~

~~(cf. 1220 - Citizen Advisory Committees)~~

~~(cf. 6020 - Parent Involvement)~~

Note: ~~A school or district that receives federal Title I funds may be identified for program improvement if it does not meet AYP criteria for two consecutive years within specific areas; see BP/AR 0520.2 Title I Program Improvement Schools and BP/AR 0520.3 Title I Program Improvement Districts.~~

Pursuant to Education Code 52071, ~~as added by AB 97 (Ch. 47, Statutes of 2013),~~ a district will receive technical assistance whenever the County Superintendent of Schools does not approve the district's LCAP or annual update to the LCAP, the district fails to improve student achievement across more than one state priority identified in Education Code 52060, or the district requests technical assistance. ~~AB 97 also added Education Code 52072 which provides that, under specified conditions, the Superintendent of Public Instruction may intervene to revise the district's LCAP or budget and/or to stay or rescind any district action,~~ **not required by local collective**

bargaining agreement, that is preventing the district from improving outcomes for all student subgroups and is not required by a collective bargaining agreement. See BP/AR 0460 - Local Control and Accountability Plan.

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

BP 0500(d)

## ACCOUNTABILITY (continued)

(cf. 0400 - Comprehensive Plans)

(cf. 0420 - School Plans/Site Councils)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 4141/4241 - Collective Bargaining Agreement)

### Legal Reference:

#### EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability

33400-33407 California Department of Education evaluation of district programs

44660-44665 Evaluation of certificated employees

51041 Evaluation of the educational program

52052-52052.1 ~~Academic Performance Index~~ Public school performance accountability program

52055.57-52055.59 ~~Districts identified or at risk of identification for program improvement~~

52060-52077 Local control and accountability plan

56366 ~~Nonpublic, nonsectarian schools~~

60640-60649 California Assessment of Student Performance and Progress

#### CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability model, assessments

15440-15463 ~~15464~~ Standards and criteria for fiscal accountability

#### UNITED STATES CODE, TITLE 20

6311 Accountability, ~~adequate yearly progress~~ state plan

6312 Local educational agency plan

6316 School and district improvement

#### CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 ~~200.12-200.24~~ Adequate yearly progress State accountability system

200.30-200.53 ~~200.48~~ Program improvement State and LEA report cards and plans

### Management Resources:

#### WEB SITES

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

California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>

California School Dashboard: <http://www.caschooldashboard.org>

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

(10/13 10/15) 10/17

**Policy Reference UPDATE Service**

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# CSBA Sample

## Board Policy

### Business and Noninstructional Operations

BP 3280(a)

#### SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY

Note: The following optional policy and accompanying administrative regulation detail the procedures that govern the district's sale or lease of surplus real property.

When district properties are not being utilized for school purposes after specific time periods, Education Code 17219-17224 authorize the State Allocation Board (SAB) to charge an "unused site fee." The Office of Public School Construction has developed a guide, the Unused Site Program Handbook, to assist districts with non-use payments. For further information regarding non-use payments, see the Office of Public School Construction's Unused Site Program Handbook.

Education Code 17455 authorizes the sale, or lease of up to 99 years, of any district real property together with any personal property located thereon without taking a vote of the electors of the district. To do so, the property must not or will not be needed by the district and the district must follow the procedures under Education Code 17387-17391. When a district is selling any property or leasing it with an option to purchase, Education Code 17464 lists the public entities that have priority to lease or purchase surplus district properties and the types of notice that the district must provide such entities before disposing of the property. Pursuant to Education Code 17457.5, as amended by AB 86 (Ch. 48, Statutes of 2013), an offer to sell the property must first be extended to a charter school that: (1) projects an in-district average daily attendance of at least 80 students for the following fiscal year, (2) submitted a written request to the district to be notified of surplus property offered for sale or lease by the district, and (3) intends to use the property exclusively to provide instruction or instructional support.

Under certain circumstances, districts may also need to comply with Education Code 17485-17500 (the Naylor Act), which require the granting of priority to public agencies when disposing of any district property that includes a playground, playing field, or land with an outdoor recreational purpose. Under certain conditions, the district may grant priority to licensed child care providers pursuant to Education Code 17458 or may sell surplus property for less than fair market value to public entities for recreational purposes pursuant to Education Code 17230.

When proposing the sale or lease of surplus property, the district must also comply with the California Environmental Quality Act, Public Resources Code 21000-21177.

The Governing Board believes that the district should utilize its facilities and resources **should be utilized** in the most **an** economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space for the effective delivery of instruction.

(cf. 1330 - Use of School Facilities)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7160 - Charter School Facilities)

Note: Pursuant to Education Code ~~17388~~ **17387-17391**, before surplus real property is sold or leased, the Governing Board must appoint an advisory committee to advise the Board on the disposition of such property.

Education Code 17388 and 17391 establish exceptions from this requirement for rentals not exceeding 30 days and for the lease or rental of a district facility to a private educational institution for the purpose of offering summer school. In addition, Education Code 17391, as amended by AB 1157 (Ch. 717, Statutes of 2017), provides that an advisory committee need not be appointed prior to the sale, lease, or rental of excess real property if it is to be used for teacher or other employee housing.

Education Code 17389 requires that the advisory committee be representative of specific groups within the community and be composed of not less than seven nor more than 11 members (commonly referred to as a "7-11 committee"). See the accompanying administrative regulation for further information on the composition and duties of this committee.

Prior to the sale or lease of any surplus real property, The Board shall appoint a district advisory committee prior to the sale or lease of any surplus real property to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. Rentals of surplus property not exceeding 30 days are exempted from this requirement. When the sale, lease, or rental of surplus property is for the purpose of teacher or other employee housing or for the offering of summer school by a private educational institution, the Board may elect not to appoint a district advisory committee. (Education Code 17388-17389 17387-17391)

(cf. 1220 - Citizen Advisory Committees)

Note: Pursuant to Government Code 65402, before disposing of any real property, the district is required to submit a report to its local planning agency for comparison with the local planning agency's general plan. If the county or city has adopted a general plan which is applicable in the area where the district property is located, the district must notify the county or city planning agency of the location, purpose, and extent of the proposed disposition of district property so that the agency can determine and report on the extent to which the disposition conforms with the local planning agency's general plan. The planning agency has 40 days during which it may raise objections. If objections are not raised within 40 days, the lack of response is deemed acceptance of the district report. If objections are timely raised, the Board may either make adjustments to accommodate such objections or take further steps to override those objections, to be a finding that the district's proposed disposition of the property is in conformity with the local planning agency's adopted general plan.

Upon determination that district property is no longer needed, or may not be needed until some future time, If the local planning agency has adopted a general plan that affects or includes the area where the surplus property is located, the Board shall first submit a report to the local planning agency as to what real property the district intends to offer for sale or lease describing the location of the surplus property and the purpose and extent of the proposed sale or lease. (Government Code 65402)

Note: When proposing the sale or lease of surplus property, the district must also comply with Public Resources Code 21000-21177 (the California Environmental Quality Act) (CEQA), when applicable. Pursuant to 14 CCR 15061, the sale or lease of property is exempt from detailed CEQA review if there is no possibility that the sale or lease will have a significant environmental effect. In such cases, the district must adopt a notice of exemption in accordance with 14 CCR 14062.

The Board shall determine whether the sale or lease of the surplus property is subject to review under the California Environmental Quality Act. (Public Resources Code 21000-21177; 14 CCR 15061-15062)

Note: When a district is selling any surplus property or leasing it with an option to purchase, Education Code 17464 lists the public entities that have must be given priority to lease or purchase surplus district properties ~~the property~~ and the types of notice that the district must provide such entities before disposing of the property. Under certain circumstances, districts may also need to comply with the Naylor Act (Education Code 17485-17500 ~~(the Naylor Act)~~), which requires that the granting of priority be given to public agencies when disposing of any district property that includes a playground, playing field, or land with an outdoor recreational purpose. Under certain conditions, the district may grant priority to licensed child care providers pursuant to Education Code 17458 or may sell surplus property for less than fair market value to public entities for recreational purposes pursuant to Education Code 17230. Pursuant to Education Code 17457.5, as amended by AB 86 (Ch. 48, Statutes of 2013), an offer to sell the property must first be extended to a charter school that: (1) projects an in-district average daily attendance of at least 80 students for the following fiscal year, (2) submitted a written request to the district to be notified of surplus property offered for sale or lease by the district, and (3) intends to use the property exclusively to provide instruction or instructional support. ~~The requirement to first offer surplus property to a charter school with a projected in-district average daily attendance of at least 80 students expired July 1, 2016 pursuant to the terms of Education Code 17457.5.~~

~~Not less than 40 days after issuance of the report to the local planning agency, and prior to entering into any agreement for sale or lease of~~ **When selling or leasing** district real property, the Board shall ~~offer to sell or lease district-owned real property in accordance with~~ **comply with** ~~the~~ priorities and procedures specified in applicable law. (Education Code 17230, ~~17387-17391, 17457.5, 17464, 17485-17500-17499; Government Code 54222, 65402)~~

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

Note: Pursuant to Education Code 17462.3, as amended by AB 308 (Ch. 496, Statutes of 2013), the SAB may require a district selling real property purchased, constructed improved, or modernized with funds received from a state school facilities funding program to return those funds if: (1) the state funds were received and the property purchased or improved within the previous 10 years; (2) the proceeds from the sale are not used for capital outlay; and (3) the property is not sold to a charter school, another school district, a county office of education, or an agency that will use the property exclusively for the delivery of child care and development services.

In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a state school facilities funding program, the Board shall consider whether any of the proceeds from the sale will need to be returned to the State Allocation Board (SAB) pursuant to Education Code 17462.3.

## **Resolution of Intention to Sell or Lease**

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regularly scheduled open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a

public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9323.2 - Actions by the Board)*

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a newspaper exists. (Education Code 17469)

In accordance with Education Code 17470, the Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it.

### **Acceptance/Rejection of Bids**

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting a written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

*(cf. 1431 - Waivers)*

### **Use of Proceeds**

Note: Pursuant to Education Code 17462, the proceeds derived from the sale or lease of surplus property or lease with an option to purchase must generally be used for capital outlay or maintenance, except as provided below. However, proceeds from the sale or lease with an option to purchase may be deposited in the district's general fund when the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements. Thus, districts may not apply to the state for new construction or modernization funding during that time period unless certain conditions specified in Education Code 17462 are satisfied. In addition, Education Code 17462 requires that the proceeds be used for one-time expenditures and prohibits the use for ongoing expenditures such as salaries and general operating expenses. 2 CCR 1700 defines "ongoing expenditures" as costs paid by a district's general or special fund in support of salaries. However, 2 CCR 1700 creates an exception and authorizes the use of such proceeds, if approved by the SAB, for one-time funding to reduce a district's unfunded liability for other postemployment benefits (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits for retired employees). For information about prefunding OPEBs and reporting the district's liability for OPEBs, see BP 3100 - Budget and AR 3460 - Financial Reports and Accountability.

The law does not place limitations on the use of proceeds for a lease of surplus property that does not include an option to purchase.

The Superintendent or designee shall ensure that the proceeds from the sale; or lease with an option to purchase; of district surplus district property are used in accordance with law for one-time expenditures and not for ongoing expenditures such as salaries and general operating expenses. (Education Code 17462)

Proceeds from a sale of surplus district property shall be used for capital outlay or maintenance costs that the Board determines will not recur within a five-year period. (Education Code 17462)

Proceeds from a lease of district property with an option to purchase may be deposited into a restricted fund for the routine repair of district facilities, as defined by the SAB, for up to a five-year period. (Education Code 17462)

Note: Pursuant to Education Code 17462, proceeds from the sale or lease with an option to purchase may be deposited in the district's general fund when the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements. Thus, districts may not apply to the state for new construction or modernization funding during that time period unless certain conditions specified in Education Code 17462 are satisfied.

If the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements, the proceeds from the sale or lease with an option to purchase may be deposited in a special reserve fund for the future maintenance and renovation of school sites or in the district's general fund. Proceeds from the sale or lease with option to purchase of district property may also be deposited in a special reserve fund for capital outlay or maintenance costs of district property that the Board determines will not recur within a five-year period. (Education Code 17462)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

Note: As amended by AB 86 (Ch. 48, Statutes of 2013), Education Code 17463.7 has extended, until January 1, 2016, the authority to use the proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one time general fund purpose. Districts that choose to exercise this authority will be ineligible for hardship funding from the SAB for five years after the proceeds are deposited.

Prior to exercising this authority, Education Code 17463.7 requires the Board to adopt a plan for expending the resources and to make specific certifications to the SAB, as specified below. Education Code 17463.7 contains additional requirements applicable to the sale of property purchased with proceeds from a local general obligation bond or revenue from developer fees.

Pursuant to the authorization in Education Code 17463.7, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one time general fund purpose(s). Before the district exercises this authority: (Education Code 17463.7)

1. The Board shall submit documents to the SAB certifying that:
  - a. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.
  - b. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.

(cf. 7214 - General Obligation Bonds)

- c. The real property is not suitable to meet projected school construction needs for the next 10 years.
2. The Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district.

*Legal Reference:*

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions  
17230-17234 Surplus property  
17385 Conveyances to and from school districts  
17387-17391 Advisory committees for use of excess school facilities  
17400-17429 Leasing property  
17430-17447 Leasing facilities  
17453 Lease of surplus district property  
17455-17484 Sale or lease of real property, especially:  
17457.5 Offer to charter school  
17462.3 State Allocation Board program to reclaim funds  
17463.7 Proceeds for general fund purposes  
17485-17500 Surplus school playground (Naylor Act)  
17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

50001-50002 Definitions

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App. 4th 1356

Management Resources: (see next page)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008 December 2015

WEB SITES

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

California Department of Education, School Facilities Planning Division: <http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Office of Public School Construction: <http://www.dgs.ca.gov/opsc>

(7/11 4/14) 10/17

Policy Reference UPDATE Service

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# CSBA Sample

## Administrative Regulation

Business and Noninstructional Operations

AR 3515.6(a)

### CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

Note: Education Code 45125.1 requires entities having contracts with districts, as specified below, to submit fingerprints to the Department of Justice (DOJ) for processing. As amended by AB 2102 (Ch. 840, Statutes of 1998), Education Code 45125.1 has been narrowed to require the fingerprinting of only those contract employees who are working at a school site.

Pursuant to Education Code 45125.1(i), this regulation also applies to charter schools.

Education Code 45125.1 and 45125.2 require certain employees of entities contracting to provide services to the district, as specified below, to obtain a criminal background check. Pursuant to Education Code 45125.1, as amended by AB 949 (Ch. 84, Statutes of 2017), the requirement for a criminal background check also applies to any individual operating as a sole proprietor who contracts with the district. In the case of a sole proprietor, Education Code 45125.1, as amended, provides that it is the responsibility of the district to prepare and submit the employee's fingerprints to the Department of Justice (DOJ) for processing.

Whenever the district contracts for school and classroom janitorial, school site administrative, school site grounds and landscape maintenance, student transportation, and school site food-related services, the Superintendent or designee shall ensure that the contracting entity certifies in writing that any employees who may come into contact with students have not. When the employees of any entity contracting with the district to provide specified services will have contact with students, the entity shall certify in writing to the Superintendent or designee that none of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1, unless the employee has received a certificate of rehabilitation and a pardon. In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting employee who may have contact with students has been convicted of a violent or serious felony as defined, a certificate of rehabilitation and a pardon as required pursuant to Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the district. (Education Code 45125.1)

These requirements shall apply to a sole proprietor or entity contracting with the district to provide any of the following services: (Education Code 45125.1, 45125.2)

1. School and classroom janitorial services
2. School site administrative services
3. School site grounds and landscape maintenance services

**4. Student transportation services**

**5. School site food-related services**

**6. Construction, reconstruction, rehabilitation, or repair of a school facility**

Note: Pursuant to Education Code 45125.1, as amended by AB 2102 (Ch. 840, Statutes of 1998), a contractor may employ a person who has been convicted of a serious felony, as long as (1) the serious felony is not a violent felony and (2) the employee can prove to the sentencing court that he/she has been rehabilitated, for the purposes of school site employment, for at least one year.

(cf. 3540 - Transportation)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3600 - Consultants)

(cf. 7140 - Architectural and Engineering Services)

Note: Education Code 45125.1, as amended by AB 2102 (Ch. 840, Statutes of 1998), allows districts to determine on a case-by-case basis that entities providing other school site services should also submit fingerprints, unless the district determines that the employees will have limited contact with students as defined below.

On a case-by-case basis, the Superintendent or designee may also require a contracting entity providing school site services, other than those listed above, to comply with these requirements. (Education Code 45125.1)

Note: As amended by AB 2102 (Ch. 840, Statutes of 1998), Education Code 45125.1 no longer requires the contracting entity to present to the Board a list of employees who may come into contact with students.

~~These requirements shall not apply~~ **The Superintendent or designee may determine that criminal background checks will not be required if:**

1. ~~if the Superintendent or designee determines that t~~The contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)
2. ~~In addition, these requirements shall not apply if the Superintendent or designee determines that t~~The employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including the following factors **such as:** 1. ~~T~~the length of time the contractors will be on school grounds, 2. ~~W~~whether students will be in proximity with the site where the contractors will be working, and 3. ~~W~~whether the contractors will be working by themselves or with others. (Education Code 45125.1)

## CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

Note: If it is determined that the employee will have limited contact with students, the employee is not required to submit a fingerprint identification card to the DOJ.

Upon a determination that an employee shall **will** have limited contact with students, the Superintendent or designee shall take appropriate steps to protect the safety of any students who may come in contact with this employee. (Education Code 45125.1)

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

These steps may include, but **are** not be limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.

(cf. 3515.3 - District Police/Security Department)

3. **The contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)**

### Other Facility Contractors

Note: Education Code 45125.2, as added by AB 2102 (Ch. 840, Statutes of 1998) requires districts contracting with an entity for construction, reconstruction, rehabilitation or repair of a school facility to ensure the safety of students by complying with the following requirements. If the district utilizes one of the three methods listed below, the contracting entity is not required to comply with the requirement to submit fingerprints pursuant to Education Code 45125.1.

~~When the district contracts for construction, reconstruction, rehabilitation or repair of a school facility where the employees of the entity will have contact, other than limited contact with students, the Superintendent or designee shall ensure the safety of students by utilizing one or more of the following methods: (Education Code 45125.2)~~

- ~~1.a.~~ The installation of a physical barrier at the worksite to limit contact with students.
- ~~2.b.~~ Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony.

~~—The supervising employee may submit his/her fingerprints to the Department of Justice pursuant to Education Code 45125.1.~~

AR 3515.6(d)

## CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

### ~~3.c.~~ Surveillance of employees of the entity by school personnel-

~~These requirements shall not apply if the Superintendent or designee determines that the contracting entity is providing construction, reconstruction, rehabilitation, or repair services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.2)~~

#### *Legal Reference:*

##### EDUCATION CODE

41302.5 School districts, definition

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Criminal background checks for contractors

45125.2 Criminal background checks for construction

##### PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

#### *Management Resources:*

##### WEB SITES

Department of Justice: <https://oag.ca.gov/fingerprints>

(10/97 10/98) 10/17

Policy Reference UPDATE Service

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# CSBA Sample

## Board Policy

All Personnel

BP 4140(a)

BARGAINING UNITS

4240

4340

Note: Pursuant to Government Code 3544, an employee organization may become the employees' exclusive representative for negotiations by filing a request with the district providing proof that a majority of the employees in an appropriate unit wish to be represented by that organization. Notice of such request must be immediately posted conspicuously on all employee bulletin boards in each district facility in which members of the unit are employed. Government Code 3544.1 requires the district to grant the request for recognition unless (1) the district doubts the appropriateness of the unit, (2) another employee organization files a challenge to the appropriateness of the unit or submits a competing claim of representation within 15 work days of the posting of notice of the written request, or (3) the district currently has a lawful written agreement with another employee organization representing the same employees.

AB 501 (Ch. 674, Statutes of 2011) amended Pursuant to Government Code 3540.1, to expand the definition of "exclusive representative" to include representation of "all public school employees" other than management and confidential employees, as defined. Thus, employees such as noon-time aides who are neither certificated nor classified employees (e.g., noon-time duty aides) now have the right to may be represented.

In addition, AB 501 amended Government Code 3540.1, to expand the definition of "public school employer" to include a joint powers agency (JPA) provided that the JPA is a separate entity with its own employees and meets one of the following criteria: (1) it provides educational services primarily performed by school districts, county boards of education, or county superintendents of schools; (2) a school district, county board of education, or county superintendent of schools is designated as a party to the joint powers agreement pursuant to Government Code 6503.5; or (3) the JPA is comprised solely of educational agencies.

Education Government Code 3543 provides that public school employees have the right to represent themselves individually in their employment relations with the district except that, once an exclusive representative has been recognized, an employee in that unit is prohibited from meeting and negotiating with the district.

The Governing Board recognizes the right of district employees to form a bargaining units, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

## BARGAINING UNITS (continued)

BP 4140(b)  
4240  
4340

Note: Government Code 3550, as added by SB 285 (Ch. 567, Statutes of 2017), prohibits a district from deterring or discouraging employees from becoming or remaining members of an employee organization.

~~Neither the district nor the employee organization~~ The district shall not deter or discourage employees from becoming or remaining members of an employee organization, impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, ~~3543.6~~ 3550)

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

### Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4301 - Administrative Staff Organization)

(cf. 4312.1 - Contracts)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Note: Pursuant to Government Code ~~3540.1~~ 3543.4, management and confidential employees, as defined in Government Code 3540.1, are excluded from the right to be represented in negotiations by an employee organization. The Public Employment Relations Board ultimately determines, based upon the duties of the position, which positions qualify as "management" or "confidential" and thus are excluded from bargaining, ~~as detailed below.~~

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves

individually or may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. ~~but~~ When represented by an employee organization, that organization shall not meet and negotiate with the district. For this purpose: (Government Code 3540.1, 3543.4)

1. *Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. *Confidential employee* means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

#### Access to Employee Orientations and Contact Information

Note: Pursuant to Government Code 3556, as added by AB 119 (Ch. 21, Statutes of 2017), districts are required to provide recognized employee organizations access to new employee orientations, as defined, and to give at least 10 days' notice in advance of any such orientation. However, shorter notice may be provided if an unforeseeable urgency critical to the district's operations prevents giving the required 10 days' notice.

Government Code 3556 and 3557, as added by AB 119, require that the structure, time, and manner of access to new employee orientations be determined by mutual agreement of the district and employee organization. If the parties fail to reach an agreement regarding the new employee orientation, the negotiations become subject to compulsory interest arbitration. Although districts are required to negotiate how access is provided to employees, they are not required to negotiate the manner in which onboarding is conducted.

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations

and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

Note: Government Code 6254.3 authorizes disclosure of an employee's home address and home telephone number to an employee organization unless the district receives a written request by the employee to not disclose the information. The appeals court in *County of Los Angeles v. Service Employees International Union, Local 721* clarified that nonmembers or agency fee payers have a reasonable expectation of privacy and thus are entitled to notice and an opportunity to object before the disclosure of their personal information. This case has been appealed to the California Supreme Court.

Pursuant to Government Code 3558, as added by AB 119 (Ch. 21, Statutes of 2017), districts are required to provide recognized employee organizations with specified contact information for new employees in the bargaining unit, as provided below. The information required by Government Code 3558 must be provided in a manner consistent with Government Code 6254.3, which authorizes disclosure of an employee's home address, home telephone number(s), and personal cell phone number to an employee organization unless the district receives a written request by the employee to not disclose the information. Pursuant to Government Code 6254.3, as amended by AB 119, the personal email address of an employee is not disclosable unless used by the employee to conduct public business. The following paragraph should be revised if districts have an agreement with their employee organization(s) requiring more frequent or more detailed contact lists.

In *County of Los Angeles v. Service Employees International Union, Local 721*, the California Supreme Court held that (1) an employer has a duty to provide information relevant to collective bargaining to the applicable bargaining unit and failure to do so is a violation of the employer's obligation to bargain in good faith; (2) the disclosure of an employee's home address and phone number(s) by an employer to the union does not violate the employee's constitutional right of privacy; and (3) other avenues for implementing privacy safeguards are available, such as bargaining for a notice and opt-out procedure or drafting employment contracts that will notify employees that their home contact information is subject to disclosure to the union and that they may request nondisclosure.

The Superintendent or designee may provide an employee organization with the home address and home telephone number of employees, except any employees performing law enforcement-related functions and any employees who provide written request that the information not be disclosed for this purpose. ~~shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same information on all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative.~~ (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor shall he/she disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address

confidentiality program pursuant to Government Code 6207 or any employees who provides written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

(cf. 1340 - Access to District Records)

### Payment of Dues or Service Fee

Note: Pursuant to Government Code 3546, all employees in a classification represented by an employee organization are required to pay a fee to the employee organization to cover the costs of negotiations, contract administration, and other activities that are germane to its function as the exclusive bargaining representative (i.e., "agency fee" arrangements, which require employees to either join the union or pay a "fair share service fee"). However, the constitutionality of agency fee statutes such as Government Code 3546 is a legal issue currently before the U.S. Supreme Court in Janus v. American Federation of State, County, and Municipal Employees.

Upon the written request of a recognized employee organization, the Superintendent or designee shall deduct the amount of organization dues or the fair share service fee, determined in accordance with Government Code 3546, from the wages and salary of each employee represented by that employee organization and shall pay that amount to the employee organization. (Education Code 45060, 45168; Government Code 3546)

Any employee who is a member of a religious body whose traditional tenets or teachings include objections to joining or financially supporting employee organizations shall not be required to join, maintain membership in, or financially support any employee organization as a condition of employment. However, such an employee may be required to pay an amount equal to the service fee to a designated charitable fund. (Government Code 3546.3)

Each employee organization shall, within 60 days after the end of its fiscal year, provide the Board and the employees who are members of the organization with a detailed financial report consisting of a balance sheet and an operating statement. If the employee organization fails to provide the financial report, the Board may issue an order compelling the organization to provide the financial report or any employee within the organization may petition the Board for such an order. (Government Code 3546.5)

(cf. 3460 - Financial Reports and Accountability)

*Legal Reference: (see next page)*

*Legal Reference:*

#### EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definitions of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45168 Deduction of fees from salary or wage payment, classified employees  
45220-45320 Merit system, classified employees

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act, especially:

3540.1 Definitions

3543.4 Management position; representation

3545 Appropriateness of unit; basis

3550-3552 Prohibition on public employers deterring or discouraging union membership

3555-3559 Public employee communication, information and orientation

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6254.3 Disclosure of employee contact information to employee organization

6503.5 Joint powers agencies

53260-53264 Employment contracts

CODE OF REGULATIONS, TITLE 8

33015-33490 Recognition of exclusive representative; proceedings

33700-33710 Severance of established unit

34020 Petition to rescind organizational security arrangement

34055 Reinstatement of organizational security arrangement

COURT DECISIONS

*Janus v. American Federation of State, County and Municipal Employees, Council 31*, (7th Cir. 2017) 851 F.3d 746, cert granted Sept. 28, 2017, No. 16-1466

*Friedrichs v. California Teachers Association, et al.*, (2016) 136 S.Ct. 1083

*County of Los Angeles v. Service Employees International Union, Local 721*, (2011), 192 Cal.App.4th 1409 (2013) 56 Cal. 4th 905

*Abood v. Detroit Board of Education*, (1977) 431 U.S. 209

Management Resources:

CSBA PUBLICATIONS

Collective Bargaining DVD-ROM

Before the Strike: Planning Ahead in Difficult Negotiations, 1996

WEB SITES

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

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

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

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

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

Public Employment Relations Board: <http://www.perb.ca.gov>

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Policy Reference UPDATE Service

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# CSBA Sample

## Board Policy

Students

BP 5117(a)

### INTERDISTRICT ATTENDANCE

Note: The Education Code provides a number of options under which **a district may enroll a student whose parent/guardian does not reside within district boundaries** ~~may attend school in a district other than the district where he/she resides.~~ Under an "interdistrict attendance permit" or "reciprocal agreement" pursuant to Education Code 46600-46611, a student may attend school in a different district when both the district of residence and the district of proposed attendance agree (Option 1 below). ~~Under the "school district of choice program,"~~ **Alternatively**, pursuant to Education Code 48300-48316 **48317**, the Governing Board may declare the district to be a "school district of choice" willing to accept a specific number of interdistrict transfers into the district through a random selection process (Option 2 below). In order to maintain the integrity of the random selection process, it is recommended that a school district of choice not also accept transfers under the interdistrict attendance permit option except when extraordinary circumstances exist, as provided in Option 2 below. Districts that wish to use both sources of authority should consult legal counsel.

In addition, **pursuant to** Education Code 48204, **a district may** ~~authorize a student in a participating district to be deemed a "resident" in order to attend a school in the district where his/her~~ **whose** parent/guardian is employed **within district boundaries to attend a school in the district** (Allen bill transfer); see AR 5111.1 - District Residency. A student attending a school identified as low achieving on the state's Open Enrollment List may transfer to a school in any other district in the state, pursuant to Education Code 48350-48361; see BP/AR 5118 - Open Enrollment Act Transfers.

The Governing Board recognizes that parents/guardians of students who reside **within the geographic boundaries of** ~~in~~ one district may, for a variety of reasons, ~~choose~~ **desire** to enroll their **children** in a school in another district.

*(cf. 0520.3 - Title I Program Improvement Districts)*

*(cf. 5111.1 - District Residency)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5118 - Open Enrollment Act Transfers)*

### OPTION 1: Interdistrict Attendance Permits

Note: The following section is for use by districts that have entered into an agreement with one or more other districts to accept transfers through interdistrict attendance permits pursuant to Education Code 46600-46611. Districts selecting this option should also select Option 1 in the accompanying administrative regulation.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

Note: Education Code 46600 requires that the interdistrict attendance agreement specify the terms and conditions under which individual permits may be granted or denied. In addition, pursuant to Education Code 46600,

students who have been granted an interdistrict attendance permit must be allowed to continue to attend the school without having to reapply unless the agreement between the two districts contains specific agreed-upon standards for reapplication; see the accompanying administrative regulation. Districts also may include in the agreement their agreed-upon standards for revocation of students' interdistrict attendance. Examples of conditions that may result in revocation include falsification of information stated on the permit application, unsatisfactory attendance, continual disruption, or poor academic achievement.

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Note: Pursuant to Education Code 46600, it is the responsibility of the attendance supervisor of the district of residence, subject to board policies of the district of residence and terms of the agreement, to issue an individual permit verifying the district's approval of an interdistrict transfer out of the district. The permit shall become valid when endorsed by the board's designee in the district of proposed attendance.

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

## **OPTION 2: School District of Choice Program**

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48316 **48317**. Districts selecting this option should also select Option 2 in the accompanying administrative regulation. Pursuant to Education Code 48315, the school district of choice program has been reauthorized until July 1, 2016 and any district may participate in the program. Education Code 48301 authorizes the Board to annually determine the number of student transfers that will be accepted into the district.

Pursuant to Education Code 48301, as amended by AB 99 (Ch. 15, Statutes of 2017), any district that elects to participate in this program must, on or before July 1, 2018, register as a school district of choice with the Superintendent of Public Instruction and the County Board of Education. Pursuant to Education Code 48317, as amended by AB 99, failure to register will result in the loss of a portion of the district's local control funding formula apportionment attributable to the average daily attendance (ADA) of students enrolled through the school district of choice program in the previous year.

~~The Board has designated the district as a "school district of choice" and shall accept students who reside in other California districts who wish to attend a district school.~~

~~Each year, the Superintendent or designee shall recommend to the Board the number of transfer students that the district will be able to accept and shall identify the schools, grade levels, and programs that will be able to accept these students.~~

BP 5117(c)

## INTERDISTRICT ATTENDANCE (continued)

**Note:** Education Code 48301, as amended by AB 99 (Ch. 15, Statutes of 2017), requires that a school district of choice accept all transfers up to the maximum number established by the Board.

Upon receiving the Superintendent's recommendation, ~~t~~The Board shall, ~~by resolution,~~ **annually establish** determine the number of students that ~~who~~ will be accepted into the district through this program. ~~Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity.~~ This number shall be reflected in the minutes of the Board's meeting. **(Education Code 48301)**

*(cf. 9324 Minutes and Recordings)*

**Note:** Whenever the number of student applications exceeds the number of transfers that the Board has established, Education Code 48301 requires a random, unbiased process for selecting students who will be admitted and prohibits consideration of certain factors. AB 99 (Ch. 15, Statutes of 2017) amended Education Code 48301 to expand the list of factors that must not be considered. Pursuant to Education Code 48301, family income may only be considered to the extent necessary to determine enrollment priority pursuant to Education Code 48306; see the accompanying administrative regulation.

The Superintendent or designee ~~Board~~ shall establish a selection process which ensures that students are admitted to district schools through a random, ~~an~~ unbiased process that prohibits ~~an inquiry into or evaluation or consideration~~ of whether ~~or not~~ a student should be enrolled based upon his/her academic or athletic performance, ~~physical condition, proficiency in English, any of the individual characteristics set forth in Education Code 200, or family income.~~ **(Education Code 48301)**

If the number of student ~~transfer~~ applications exceeds the number of transfers the Board has designated for acceptance under the program ~~elected to accept,~~ **approval for transfer shall be determined by** the Superintendent or designee shall conduct a random drawing ~~held in public at a regularly scheduled Board meeting.~~ **(Education Code 48301)**

**Note:** Because the school district of choice program requires a random selection process, it is recommended that participating districts not admit students through the interdistrict attendance permit process described in Option 1 above except under extraordinary circumstances. Such circumstances might include approving interdistrict attendance permits for students who are victims of an act of bullying. Such students are given priority for interdistrict attendance permits pursuant to Education Code 46600, as amended by AB 1156 (Ch. 732, Statutes of 2011); see the accompanying administrative regulation.

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46611 except under extraordinary circumstances.

BP 5117(d)

## INTERDISTRICT ATTENDANCE (continued)

Note: Education Code 48313 requires a school district of choice to maintain and report specified information regarding requests for transfers and the disposition of those requests. As amended by AB 99 (Ch. 15, Statutes of 2017), Education Code 48313 requires this report to include the eligibility for free or reduced-price meals of students transferring into or out of the district and the number of students provided transportation; see items #3 and 5 below.

The Superintendent or designee shall maintain a record of requests for admittance that contains ~~includes, but is not limited to,~~ all of the following: (Education Code 48313)

1. ~~The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial~~
2. ~~The number of students transferred out of and transferred into **into and out of** the district pursuant to this program~~
3. ~~The race, ethnicity, gender, self-reported socio-economic status, **eligibility for free or reduced-price meals,** and the district of residence for each student in item #2 above **transferred into or out of the district pursuant to this program**~~
4. ~~The number of students in item #2 above **transferred into or out of the district pursuant to this program** who are classified as English learners or students with disabilities~~

Note: Education Code 48311 authorizes, but does not require, a school district of choice to provide transportation to participating students to the extent that the district provides transportation assistance to other students. See section on "Transportation" below. Item #5 may be deleted by districts that do not provide transportation.

5. ~~As applicable, the number of students described in items #3 and 4 above who are provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program~~

Note: AB 99 (Ch. 15, Statutes of 2017) amended Education Code 48313 to revise the deadline for submitting the above report and to delete the requirement to submit the report to the Department of Finance. As amended, Education Code 48313 requires the California Department of Education to collect and report statewide data on its web site and to share the information with specified state agencies.

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-45 above. By May ~~No later than October 15~~ of each year, the Superintendent or designee shall provide the same information ~~for the current school year,~~ as well as information regarding the district's status as a school district of choice

**INTERDISTRICT ATTENDANCE** (continued)

in the upcoming school year, to each geographically adjacent school district, the county office of education, ~~and the California Department of Education, and the Department of Finance Superintendent of Public Instruction.~~ (Education Code 48313)

Note: Education Code 48301 requires a school district of choice, at its expense, to ensure that the annual audit of district funds conducted pursuant to Education Code 41020 include a review of the district's compliance with the requirements in Education Code 48301 regarding a random, unbiased selection process and factually accurate communications to parents/guardians (see the accompanying administrative regulation for details of the communication). A summary of any audit exceptions found by the auditor must be included in the reports to the Board and other agencies. See AR 3460 Financial Reports and Accountability for requirements pertaining to the annual audit.

The report to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit. (Education Code 48301, 48313)

~~The district's compliance with program requirements shall be subject to the annual district audit conducted pursuant to Education Code 41020.~~ (Education Code 48301)

(cf. 3460 - Financial Reports and Accountability)

**Transportation**

Note: The following optional section is for use by all districts and should be revised to reflect district practice. Districts are not required to provide transportation or transportation assistance to students admitted under an interdistrict attendance permit pursuant to Education Code 46600-46611 ~~or through the school district of choice program pursuant to Education Code 48300-48316.~~ Pursuant to Education Code 48311, a school district of choice is authorized, but not required, to provide transportation assistance to the extent that the district otherwise provides transportation assistance to students.

The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer students to and from designated bus stops within the attendance area of the school that the student attends if space is available.

[SECTION ON "TRANSFERS OUT OF THE DISTRICT" MOVED TO AR]

*Legal Reference: (see next page)*

## INTERDISTRICT ATTENDANCE (continued)

### *Legal Reference:*

#### EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48316 ~~48316~~ 48317 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

#### CALIFORNIA CONSTITUTION

Article I, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

#### ATTORNEY GENERAL OPINIONS

87 Ops. Cal. Atty. Gen. 132 (2004)

84 Ops. Cal. Atty. Gen. 198 (2001)

#### COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192

Cal.App.4th 234

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

### *Management Resources:*

#### CSBA PUBLICATIONS

Transfer Law Comparison, Fact Sheet, March 2011

#### WEB SITES

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

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

(7/12 12/15) 10/17

### **Policy Reference UPDATE Service**

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# CSBA Sample

## Administrative Regulation

Students

AR 5117(a)

### INTERDISTRICT ATTENDANCE

#### OPTION 1: Interdistrict Attendance Permits

Note: The following option is for use by districts that have entered into an agreement with one or more other school districts to accept transfers through the "interdistrict attendance permit" or "reciprocal agreement" process pursuant to Education Code 46600-46611. (See Option 1 in the accompanying Board policy.) In 87 Ops.Cal.Atty.Gen. 132 (2004), the Attorney General opined that districts could not charge students a fee for processing applications for interdistrict attendance.

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance.

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

Note: AB-1156 (Ch. 732, Statutes of 2011) amended Education Code 46600 to require districts to give priority for interdistrict attendance permits to a student who is a victim of an act of bullying, as provided below. For this purpose, Education Code 48900(r) defines bullying to include, but not be limited to, bullying committed by means of an electronic act directed specifically toward the student; see AR 5144.1 - Suspension and Expulsion/Due Process.

1. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)

(cf. 5131.2 - Bullying)

Note: **Optional** items #2-12 below should be revised and/or deleted to reflect district practice.

2. To meet the child care needs of the student. Such a student may be allowed to continue to attend district schools only as long as he/she continues to use a child care provider within district boundaries.

(cf. 5148 - Child Care and Development)

3. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

*(cf. 6159 - Individualized Education Program)*

4. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.
5. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year.
6. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.
7. To allow a high school senior to attend the same school he/she attended as a junior, even if his/her family moved out of the district during the junior year.
8. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district.
9. When the student will be living out of the district for one year or less.
10. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5113.12 - District School Attendance Review Board)*

11. When there is valid interest in a particular educational program not offered in the district of residence.
12. To provide a change in school environment for reasons of personal and social adjustment.

Note: In 84 Ops.Cal.Att'y.Gen. 198 (2001), the Attorney General opined that a lack of school facilities is a justifiable reason for denial of the interdistrict attendance permit request. However, according to the Attorney General, once the student is admitted, the district may not later deny the student continued attendance at a district school because of overcrowding. Although Attorney General opinions are not binding on the courts, they are generally afforded deference in the court when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

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

Note: Education Code 46601 requires that, within 30 days of a request for an interdistrict permit, parents/guardians whose permit application was denied must be informed about their right to appeal to the County Board of Education. This notice shall be provided by the district denying the request, or, in the absence of an agreement between the districts, by the district of residence.

Pursuant to Education Code 46601, parents/guardians may submit their appeal within 30 calendar days of the failure or refusal to issue the permit. The County Board then has 30 calendar days, unless extended by an additional five school days for good cause, to make its determination as to whether the student should be allowed to attend the district of his/her choice. However, as amended by AB 1851 (Ch. 104, Statutes of 2014), until July 1, 2018, SB 344 (Ch. 461, Statutes of 2017), Education Code 46601 allows a larger class 1 county (i.e., a county with a 1994-95 average daily attendance (ADA) of 180,000 500,000 or more for all districts in the county) 40 60 calendar days to make its determination, and a class 2 county (i.e., a county with a 1994-95 ADA of 180,000-499,999) 45 calendar days to make its determination.

Pursuant to Education Code 46602, if the County Board determines that the student should be permitted to attend the district of his/her choice, the district shall admit the student without delay.

Within 30 calendar days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (Education Code 46601)

*(cf. 5145.6 - Parental Notifications)*

Pending a decision by the two districts or an appeal by the County Board, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

*(cf. 5119 - Students Expelled from Other Districts)*

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

Note: Pursuant to Education Code 46600, once an interdistrict permit is granted and the student is enrolled in the new school, the district of enrollment (1) may not require the student to reapply; (2) must allow the student to continue to attend the school, unless the permit contains specific standards for reapplication; and (3) along with the district of residence, may not revoke the student's existing permit if he/she is entering grade 11 or 12. Therefore, even if an interdistrict attendance agreement between the two districts has expired, the student may be allowed to continue attending the school to which he/she has transferred, unless the agreement contains specific language requiring reapplication.

Once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall

not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

## **OPTION 2: ~~School District of Choice Program~~**

~~Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48316 48317. (See Option 2 in the accompanying Board policy.) The program has been reauthorized by the Legislature until July 1, 2016 and any district may participate.~~

~~The Superintendent or designee shall communicate with parents/guardians regarding transfer opportunities under the school district of choice program. The Superintendent or designee shall ensure that any eCommunications sent to parents/guardians is shall be available in all languages for which translations are required pursuant to Education Code 48985, shall be factually accurate, and does shall not target particular neighborhoods or individual parents/guardians on the basis of a child's actual or perceived academic or athletic performance skill or any other personal characteristic. (Education Code 48301, 48980)~~

~~Note: The following paragraph may be revised to reflect district practice. Education Code 48312, as amended by AB 99 (Ch. 15, Statutes of 2017), requires a school district of choice to make public announcements regarding district schools, programs, policies, and procedures, including transportation options. Education Code 48302, as amended by AB 99, encourages districts to hold informational meetings and make public announcements regarding the current educational programs offered by the district so that parents/guardians may make informed decisions regarding their child's education and provide input on methods to improve the current programs.~~

~~The Superintendent or designee shall also make public announcements regarding district schools, programs, policies, and procedures, including transportation options if applicable, during the enrollment period. (Education Code 48312)~~

~~Note: Education Code 48301, as amended by AB 99 (Ch. 15, Statutes of 2017), requires that application information be posted on the district's web site.~~

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AR 5117(e)

## **INTERDISTRICT ATTENDANCE (continued)**

~~The process for student transfers into the district under the school district of choice program, including, but not limited to, any applicable form, the timeline for a transfer, and an explanation of the selection process, shall be posted on the district's web site. (Education Code 48301)~~

~~(cf. 1113—District and School Web Sites)~~

~~Parents/guardians shall submit a~~Applications for interdistrict attendance shall be submitted to the district office by January 1 of the school year preceding the school year for which the student may be transferred. The application deadline may be waived upon agreement between the district and the student's district of residence. (Education Code 48308)

The application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48308)

~~(cf. 6173.2 - Education of Children of Military Families)~~

Note: Education Code 48306, as amended by AB 99 (Ch. 15, Statutes of 2017), adds a requirement that second priority for admission under the school district of choice program be given to students who are eligible for free and reduced price meals and that third priority be given to children of military personnel.

~~Priority for transfer under the school district of choice program shall be granted as follows: (Education Code 48306)~~

- ~~1. First priority shall be given~~ The district shall give priority for attendance to siblings of students already in attendance in the district. (Education Code 48306)
- ~~2. Second priority shall be given to students eligible for free or reduced price meals.~~

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

Note: The following optional paragraph is for use by districts that have chosen to give attendance priority to children of military personnel pursuant to Education Code 48306.

- ~~3. Third priority shall be given~~ The district also may give priority for attendance to children of military personnel. (Education Code 48306)

Note: Pursuant to Education Code 48305, if the district chooses to use existing entrance criteria for specialized schools or programs, then the criteria must be uniformly applied. The following optional paragraph is for use by districts that choose to use existing entrance criteria.

AR 5117(f)

## ~~INTERDISTRICT ATTENDANCE~~ (continued)

~~Any existing entrance criteria for specialized schools or programs shall be uniformly applied to all applicants. (Education Code 48305)~~

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

~~The district may deny a transfer into the district under the school district of choice program if under either of the following circumstances:~~

~~Note: Education Code 48303 provides that a district may not deny a transfer because the additional cost of educating the student would exceed the amount of additional state aid to be received. However, pursuant to Education Code 48303, a transfer may be rejected if it would require the district to create a new program to serve the student, as specified in item #1.~~

- ~~1. The transfer into the district would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303)~~

~~Note: Pursuant to Education Code 48301 **48307**, the district a school district of choice may prohibit a transfer under the school into the district of choice program if the Governing Board determines that the transfer would negatively impact a court-ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the district. In Crawford v. Huntington Beach Union High School District, a California appellate court held that a district's intradistrict open enrollment policy, which contained a racial and ethnic balance component as authorized by Education Code 35160.5, was unconstitutional. The court did not consider whether a policy based on a court-ordered or voluntary desegregation plan would be constitutional. According to the court, because the constitutional provisions added by Proposition 209 in 1996 (**California Constitution, Article 1, Section 31**) **prohibit discrimination against or preferential treatment for any individual or group on the basis of race, sex, color, ethnicity, or national origin**, prohibit a district from adopting a district must not adopt a policy containing different admission criteria on the basis of race. Although the provisions in Education Code 48301 relative to racial and ethnic balance remain in law, because of the continuing legal uncertainty, item #1 below does not reflect those provisions of Education Code 48301. Districts that choose to deny interdistrict transfers on that basis should consult legal counsel. However, pursuant to Education Code 48307, as amended by AB 99 (Ch. 15, Statutes of 2017), denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the provisions of Proposition 209. It is recommended that the district consult legal counsel before adopting a policy to allow the denial of transfers on either of these bases.~~

~~The following optional paragraph is for use by districts with either a court-ordered or voluntary desegregation plan.~~

~~For language regarding student transfers out of the district for any of the reasons specified in item #2a-c, see section "Transfers Out of the District" below.~~

- ~~2. The Board determines that the transfer into or out of the district would negatively impact a court ordered or voluntary desegregation plan of the district any of the following: (Education Code 48307)~~

AR-5117(g)

## INTERDISTRICT ATTENDANCE (continued)

- a. ~~A court-ordered desegregation plan~~
- b. ~~A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31~~

e. ~~The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31~~

~~Whenever the number of applicants transfer applications exceeds the number of interdistrict transfers that may be accepted as annually determined by the Governing Board, students accepted for transfer shall be selected by a random drawing of the provisionally accepted applications held in public at a regularly scheduled Board meeting. (Education Code 48301)~~

Note: ~~The following two paragraphs are optional and should be revised to reflect district practice. Education Code 48308, as amended by AB 99 (Ch. 15, Statutes of 2017), requires that parents/guardians of students who have requested a transfer be provided the following notice by February 15.~~

~~Not later than 90 days after the district receives an application for transfer Between January 1 and February 15 of the school year preceding the school year for which the student is requesting to be transferred, the Superintendent or designee shall notify the parent/guardian in writing whether the application has been provisionally accepted or rejected and or of the student's position on any waiting list. (Education Code 48308)~~

Note: ~~Education Code 48308, as amended by AB 99 (Ch. 15, Statutes of 2017), requires the following notifications to the district of residence.~~

~~Final acceptance or rejection of applications shall be made by May 15 preceding the school year for which the student may be transferred. (Education Code 48308)~~

~~If a student's application for transfer is accepted, the Superintendent or designee shall so notify the student's district of residence no later than February 15 of the school year preceding the school year for which the student is requesting to be transferred. (Education Code 48308)~~

~~The number of students accepted for transfer into the district, by school and grade level, shall be reported to the district of residence on or before February 15. (Education Code 48308)~~

~~If a student's application is denied, the Superintendent or designee shall notify the student's parents/guardians that the number of students requesting to transfer~~

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AR 5117(h)

INTERDISTRICT ATTENDANCE (continued)

~~exceeded the district's capacity and that the student was not selected during the random drawing. The determination shall be accurately recorded in the minutes of the Board meeting at which the determination was made. (Education Code 48308)~~

~~(cf. 9324—Minutes and Recordings)~~

~~However, if an application is submitted for a student who is residing with a parent/guardian enlisted in the military and that For a student whose parent/guardian was relocated by the military 90 days prior to the submission of the application, then the district shall make a final decision to accept or reject the application within 90 days of its receipt. If the student's application has been submitted less than 90 days prior to the beginning of the school year, then the district shall accept or deny the application before the school year begins. Upon his/her acceptance, the student may immediately enroll in a district school. (Education Code 48308)~~

Note: The following paragraph is optional.

~~The Superintendent or designee shall notify the student's district of residence of the district's decision.~~

~~Vacancies may be filled from the waiting list until May 1 of the school year preceding the school year for which students are requesting to be transferred. (Education Code 48308)~~

~~The final number of students accepted for transfer into the district, by school and grade level, along with the names of the students, shall be reported to the district of residence on or before May 2. (Education Code 48308)~~

~~Students admitted through the school district of choice program are deemed to have fulfilled district residency requirements pursuant to Education Code 48204. (Education Code 48301)~~

~~(cf. 5111.1—District Residency)~~

~~(cf. 5116.1—Intradistrict Open Enrollment)~~

~~Final acceptance of the transfer is applicable for one school year and shall be renewed automatically each year unless the Board, by adoption of a resolution, withdraws from participation in the program and no longer accepts transfer students from other districts. (Education Code 48308)~~

Note: The following paragraph is for use by districts maintaining ~~may be revised by districts that do not~~ maintain high schools.

AR 5117(i)

**INTERDISTRICT ATTENDANCE** (continued)

~~Even if the district withdraws from participation in the program, students who attended or received a notice of acceptance into the district before the Board's resolution of withdrawal shall be permitted to attend school in the district, and~~ admitted high school students may continue attending school in the district until they graduate from high school. (Education Code 48307, 48308)

~~The district may accept any completed coursework, attendance, and other academic progress credited to an accepted student by any district(s) he/she has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's academic progress. (Education Code 48309)~~

*(cf. 6146.3 Reciprocity of Academic Credit)*

~~The district may revoke a student's enrollment if he/she is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)~~

### **Limits on Student Transfers Out of the District to a School District of Choice**

Note: The following optional section is for use by all districts.

~~Pursuant to Education Code 48301 48307, as amended by AB 306 (Ch. 771, Statutes of 2015), a district must not prohibit the transfer of deny a student whose parent/guardian is in active military duty from transferring out of the district to any other district. In addition, Education Code 46600, as amended by AB 2659 (Ch. 186, Statutes of 2016), provides that a district must not prohibit the transfer of such a student out of the district to any other district that approves the transfer, regardless of whether or not an interdistrict transfer agreement exists or a permit is issued.~~

~~A child of an active military duty student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, to a school district of choice, if provided the other school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48301 48307)~~

~~The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)~~

Note: Even if a district has not designated itself as a school district of choice, it has the authority pursuant to Education Code 48307 to limit the number of students transferring out of the district into other districts that have designated themselves as school districts of choice. A district with an average daily attendance (ADA) of more than 50,000 may annually limit the number of such transfers to one percent of its current year estimated ADA. A district with less than 50,000 an ADA of 50,000 or less may limit the number of such transfers to three percent of its current estimated ADA and may limit the maximum number of such transfers for the duration of the program to 10 percent of the ADA for that period. In Walnut Valley Unified School District v. Superior Court of Los Angeles County, the appellate court held that the 10 percent cap on outbound transfers "for the duration of the program" should be based on the district's ADA over the entire

AR 5117(j)

## INTERDISTRICT ATTENDANCE (continued)

life of the district of choice program (i.e., from the program's inception in 1994 until the present day). The district may revise the following paragraph item #1 to reflect the applicable percentage in Education Code 48307 based on its ADA.

1. ~~The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on **has reached the limit** the percentages of average daily attendance specified in Education Code 48307 based on the district's average daily attendance.~~
2. ~~In addition, transfers out of the district may be limited during a fiscal year when tThe County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice. (Education Code 48307)~~

*(cf. 3100—Budget)*

*(cf. 3460—Financial Reports and Accountability)*

Note: ~~Item #3 is optional and should be revised to reflect district practice. As noted above in the section "Option 2: School District of Choice Program," Education Code 48307 authorizes the district to prohibit a transfer in or out of the district under the school district of choice program if the Board determines that the transfer would negatively impact a court-ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the district. As amended by AB 99 (Ch. 15, Statutes of 2017), Education Code 48307 provides that denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the constitutional provisions added by Proposition 209 in 1996 (California Constitution, Article 1, Section 31). Districts that choose to deny interdistrict transfers on that basis should consult legal counsel. It is recommended that districts consult legal counsel before adopting policy to allow denial of transfers on either of these bases.~~

3. ~~The district may deny a transfer of a student out of the district to a school district of choice if tThe Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301) **any of the following:** (Education Code 48307)~~
  - a. ~~A court-ordered desegregation plan~~
  - b. ~~A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31~~
  - c. ~~The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31~~

Note: Pursuant to Education Code 48301, as amended by AB 306 (Ch. 771, Statutes of 2015), a district must not prohibit the transfer of a student whose parent/guardian is in active military duty.

**INTERDISTRICT ATTENDANCE** (continued)

~~A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to a school district of choice, if the other school district approves the application for transfer. (Education Code 48301)~~

~~(cf. 6173.2 - Education of Children of Military Families)~~

(11/10 7/12) 10/17

Policy Reference UPDATE Service

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# CSBA Sample

## Administrative Regulation

Students

AR 5125.2(a)

### WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS

Note: Pursuant to Education Code 48904, parents/guardians of any minor who willfully cuts, defaces, or otherwise injures any real or personal property belonging to the district, or who does not return district property that was loaned to the student, are liable for paying damages to the district up to the amount specified in law and annually adjusted for inflation; see BP/AR 3515.4 - Recovery for Property Loss or Damage. Until the damages are paid, the district is authorized to withhold the grades, diploma, and/or transcripts of the student responsible for the damage.

Education Code 48904 mandates the Governing Board to establish regulations governing its procedures for seeking reparation when school property is willfully damaged or not returned, and for withholding a student's grades, diploma, and/or transcripts until reparation is made. In such cases, the district must afford the student his/her due process rights, and the district's procedures must parallel Education Code procedures for student expulsion. (Education Code 48904) The district may not withhold records for nonpayment of meal tickets or library overdue fines.

When a minor student willfully cuts, defaces, or otherwise injures real or personal property of the district or does not return district property that has been loaned to him/her upon demand of a district employee, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. Until the student's parents/guardians have paid for the damages, the Superintendent or designee may withhold the student's grades, diploma, and/or transcripts. (Education Code 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 5125 - Student Records)  
(cf. 5131.5 - Vandalism and Graffiti)  
(cf. 6161.2 - Damaged or Lost Instructional Materials)

When school property has been willfully damaged or not returned upon demand, the principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due. Before withholding the student's grades, diploma, and/or transcripts, the Superintendent or designee shall inform the student's parents/guardians in writing of the student's alleged misconduct. (Education Code 48904)

(cf. 5145.6 - Parental Notifications)

This notice shall include a statement that the district may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.

## WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

*(cf. 6161.2—Damaged or Lost Instructional Materials)*

**Note:** Education Code 48904 mandates that the district's procedures for withholding a student's grades, diploma, and/or transcripts conform to procedures established in the Education Code for student expulsion. For due process procedures related to student expulsion, see BP/AR 5144.1 - Suspension and Expulsion/Due Process.

If reparation is not made, the district shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts. The student shall be afforded due process consistent with procedures established for the expulsion of students. (Education Code 48904)

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

If the student and parents/guardians are unable to pay for the damages or return the property, the principal **Superintendent** or designee shall provide a program of voluntary work for the student to do in lieu of monetary damages. When this Upon completion of the voluntary work is completed, the student's grades, diploma, and/or or transcripts shall be released. (Education Code 48904)

**Note:** A district cannot refuse to transfer student records to another district. Upon receiving notice that the district is withholding a student's grades, diploma or transcripts, however, any district to which the student transfers must also withhold them until it receives notice that the first district's decision has been rescinded.

The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents. When a student who is transferring into the district has had his/her grades, diploma, and/or transcripts withheld by the previous district, the Superintendent or designee shall continue to withhold the student's grades, diploma, and/or transcripts until notified by the previous district that the decision to withhold has been rescinded. (Education Code 48904.3)

When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared. Upon receiving notice that a student whose grades, diploma, and/or transcripts have been withheld by the district has transferred to another district in California, the Superintendent or designee shall provide the student's records to the new district and notify the new district that the student's grades, diploma, and/or transcripts

are being withheld from the student and parents/guardians pursuant to Education Code 48904.

AR 5125.2(c)

## WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

The Superintendent or designee shall also notify the student's parents/guardians in writing that ~~this district's~~ the decision to withhold the student's grades, diploma, and/or transcripts will be enforced by the new district. (Education Code 48904.3)

~~The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents. (Education Code 48904.3)~~

~~(cf. 5125—Student Records)~~

### *Legal Reference:*

#### EDUCATION CODE

48904 *Liability of parent*

48904.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold*

48911 *Suspension by principal, designee or superintendent*

49069 *Absolute right to access*

(12/91) 10/17

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# CSBA Sample Board Policy

Instruction

BP 6020(a)

## PARENT INVOLVEMENT

Note: 20 USC 6318, as amended by the Every Student Succeeds Act (P.L. 114-95), mandates each district receiving federal Title I, Part A, funds to have a written parent/guardian and family engagement involvement policy developed jointly with and agreed upon by parents/guardians and family members of participating students. Education Code 11504 mandates districts to adopt a policy on parent/guardian involvement applicable to each school that does not receive Title I funds. The following policy and accompanying administrative regulation contain language satisfying both mandates and should be revised to reflect district practice.

In addition, Education Code 51101 mandates policy for all districts addressing the manner in which parents/guardians, school staff, and students may share responsibility for continuing the intellectual, physical, emotional, and social development and well-being of students; see BP/AR 5020 - Parent Rights and Responsibilities for language fulfilling this mandate.

For best practices in implementing parent/guardian and family engagement programs, see the California Department of Education's Family Engagement Framework: A Tool for California School Districts.

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall ~~work with staff and~~ consult with parents/guardians and family members in the development of ~~to develop~~ meaningful opportunities at all grade levels for ~~parents/guardians~~ them to be involved in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)

(cf. ~~0520.2 - Title I Program Improvement Schools~~)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. ~~5145.6 - Parental Notifications~~)

The district's local control and accountability plan shall include goals and strategies for parent/guardian involvement, including district efforts to seek parent/guardian input in

## PARENT INVOLVEMENT (continued)

district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

*(cf. 0460 - Local Control and Accountability Plan)*

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement involvement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of parent involvement opportunities and on barriers that may inhibit parent/guardian participation.

*(cf. 0500 - Accountability)*

### Title I Schools

Note: The following section is for use by districts that receive Title I funds. 20 USC 6318 **mandates** that such districts develop, jointly with parents/guardians and family members of participating students, a parent involvement policy which establishes expectations and objectives for meaningful parent/guardian and family involvement and describes how the district will address specified components. See the accompanying administrative regulation for the required components and optional strategies for addressing each component.

State law (Education Code 11503) also mandates ~~reinforces federal law by requiring annual objectives for the parent involvement program and procedures to ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the Title I parent/guardian and family engagement involvement program.~~

~~Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)~~

*(cf. 6171 - Title I Programs)*

~~The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318. (20 USC 6318)~~

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe

how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

*(cf. 6171 - Title I Programs)*

Note: Pursuant to 20 USC 6318, the Board must reserve at least one percent of the district's Title I funding to carry out parent involvement activities, including promotion of family literacy and parenting skills, provided that one percent of the allocation received by the district totals more than \$5,000. At least 95 percent of the reserved funds must be distributed to eligible schools. The following paragraph is for use by districts that receive more than \$500,000 in Title I, Part A funding. Pursuant to 20 USC 6318, the Governing Board must reserve at least one percent of the district's Title I funding to carry out parent/guardian and family engagement involvement activities, including promotion of family literacy and parenting skills, provided that one percent of the allocation received by the district totals more than \$5,000. As amended by P.L. 114-95, 20 USC 6318 requires that aAt least 95 90 percent of the reserved funds must be distributed to eligible schools, with priority given to "high-need schools" as defined in 20 USC 6631.

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities. The Superintendent or designee ~~shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians and family members of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement involvement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law.~~ (20 USC 6318, 6631)

*(cf. 3100 - Budget)*

Note: As amended by P.L. 114-95, 20 USC 6318 identifies allowable uses of the Title I funds reserved for parent/guardian and family engagement, as provided below. These uses are consistent with the activities that must be addressed in the district's parent/guardian and family engagement policy, as described in the accompanying administrative regulation.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members

PARENT INVOLVEMENT (continued)

2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

Note: In addition to the district-level policy described above, 20 USC 6318 requires that each individual school receiving Title I funds have a written parent involvement policy with specified components; see the accompanying administrative regulation.

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement involvement policy in accordance with 20 USC 6318.

**Non-Title I Schools**

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 mandates the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502. See the accompanying administrative regulation for information about these goals and sample strategies for addressing each goal.

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

*Legal Reference:*

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities  
52060-52077 Local control and accountability plan

Legal Reference continued: (see next page)

## PARENT INVOLVEMENT (continued)

BP 6020(e)

Legal Reference: (continued)

EDUCATION CODE (continued)  
54444.1-54444.2 Parent advisory councils, services to migrant children  
56190-56194 Community advisory committee, special education  
64001 Single plan for student achievement  
LABOR CODE  
230.8 Time off to visit child's school  
CODE OF REGULATIONS, TITLE 5  
18275 Child care and development programs, parent involvement and education  
UNITED STATES CODE, TITLE 20  
6311 ~~Parental notice of teacher qualifications and student achievement State plan~~  
6312 Local educational agency plan  
6314 Schoolwide programs  
6316 School improvement  
6318 ~~Parent involvement and family engagement~~  
6631 Teacher and school leader incentive program, purposes and definitions  
CODE OF FEDERAL REGULATIONS, TITLE 28  
35.104 Definitions, auxiliary aids and services  
35.160 Communications

Management Resources:

CSBA PUBLICATIONS  
~~Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006~~  
STATE BOARD OF EDUCATION POLICIES  
~~89-01 Parent Involvement in the Education of Their Children, rev. 1994~~  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Title I School-Level Parental Involvement Policy  
Family Engagement Framework: A Tool for California School Districts, 2014  
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS NON-REGULATORY GUIDANCE  
Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education, Family, School, Community Partnerships:  
<http://www.cde.ca.gov/lr/pf>  
California Parent Center: <http://parent.sdsu.edu>  
California State PTA: <http://www.capta.org>  
National Coalition for Parent Involvement in Education: <http://www.ncpie.org>  
National PTA: <http://www.pta.org>  
~~No Child Left Behind: <http://www.ed.gov/nclb>~~  
Parent Information and Resource Centers: <http://www.pirc-info.net>  
Parents as Teachers National Center: <http://www.parentsasteachers.org>  
U.S. Department of Education: <http://www.ed.gov>

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**Policy Reference UPDATE Service**

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# CSBA Sample Administrative Regulation

Instruction

AR 6020(a)

## PARENT INVOLVEMENT

Note: The following administrative regulation contains parent/guardian and family engagement involvement strategies that meet legal requirements applicable to districts and schools receiving federal Title I funds and those that do not receive Title I funds. The district should use and adapt the section(s) applicable to its circumstances. If desired, the district may develop one set of strategies applicable to all schools, provided that all the provisions required by law for both types of schools are included.

### District Strategies for Title I Schools

Note: The following section is for use by districts that receive Title I, Part A, funds. 20 USC 6318, as amended by the Every Student Succeeds Act (P.L. 114-95), mandates that such districts develop a policy that describes the means by which the district will address the components specified in items #1-6 below. Under each required component, below are optional strategies for addressing the component, which should be modified to reflect the specific strategies jointly developed by the district and the the district should list specific strategies, developed jointly with parents/guardians and family members of participating students, that describe how it will address the component. In the state's Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district has identified such strategies.

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the Superintendent or designee district shall:

Note: Pursuant to 20 USC 6318, districts must involve parents/guardians and family members in the development of the Title I local educational agency (LEA) plan described in 20 USC 6312; also see BP 6171 - Title I Programs. In California, all the requirements of the LEA plan are addressed in an addendum to the local control and accountability plan (LCAP). See BP 0460 - Local Control and Accountability Plan for further information about the development of the LCAP, including requirements for consultation with parents/guardians and other stakeholders and for the establishment of a parent advisory committee and English learner parent advisory committee.

1. Involve parents/guardians of participating students and family members in the joint development of the Title I local educational agency (LEA) plan pursuant to a district plan that meets the requirements of 20 USC 6312 and in the process of school review and improvement pursuant to 20 USC 6316 development of school support and improvement plans pursuant to 20 USC 6311 (20 USC 6318)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6171 - Title I Programs)

Note: Items #a-f below are optional and should be revised to reflect strategies jointly developed by district staff and parents/guardians of participating students.

**PARENT INVOLVEMENT** (continued)

The Superintendent or designee may:

- a. **In accordance with Education Code 52063, e**Establish a district-level **parent advisory** committee ~~including parent/guardian representatives from each school site~~ **and, as applicable, an English learner parent advisory committee** to review and comment on the LEA plan in accordance with the review schedule established by the Governing Board
- b. Invite input on the LEA plan from other district committees and school site councils

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 1220 - Citizen Advisory Committees)*

- c. Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the LEA plan and the opportunity to provide input
  - d. Provide copies of working drafts of the LEA plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
  - e. Ensure that there is an opportunity at a public Board meeting for public comment on the LEA plan prior to the Board's approval of the plan or revisions to the plan
  - f. Ensure that school-level policies on parent/**guardian and family engagement** ~~involvement~~ address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist **and build the capacity of** Title I schools in planning and implementing effective parent/**guardian and family engagement** ~~involvement~~ activities to improve student academic achievement and school performance, **which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education** (20 USC 6318)

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

Note: Items #2a-d below are ~~optional~~ and should be revised to reflect strategies jointly developed by district staff and parents/guardians of participating students.

~~\_\_\_\_\_~~ The Superintendent or designee may:

- a. ~~\_\_\_\_\_~~ Assign person(s) in the district office to serve as a liaison to the schools regarding Title I parent involvement issues
  - b. ~~\_\_\_\_\_~~ Provide training for the principal or designee of each participating school regarding Title I requirements for parent involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent involvement activities
  - c. ~~\_\_\_\_\_~~ Provide ongoing district-level workshops to assist school site staff and parents/guardians in planning and implementing improvement strategies, and seek input from parents/guardians in developing the workshops
  - d. ~~\_\_\_\_\_~~ Provide information to schools about the indicators and assessment tools that will be used to monitor progress
3. ~~\_\_\_\_\_~~ Build the capacity of schools and parents/guardians for strong parent involvement (20 USC 6318)

Note: 20 USC 6318 **mandates** that the district's policy or regulation include items #2a-f below. The district may expand these items to describe methods the district will use to carry out each activity.

The Superintendent or designee shall: (20 USC 6318)

- a. Assist parents/guardians in understanding such topics as the **challenging** state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

*(cf. 6011 - Academic Standards)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - State Academic Achievement Tests)*

*(cf. 6162.52 - High School Exit Examination)*

- b. Provide **parents/guardians with** materials and training, such as literacy training and using technology **(including education about the harms of copyright piracy)**, as appropriate, to help parents/guardians **them** work with their children to improve their children's achievement, ~~such as literacy training and using technology, as appropriate, to foster parent involvement~~

- c. With the assistance of parents/guardians, ~~e~~Educate teachers, ~~student services~~ specialized instructional support personnel, principals and other school leaders, and other staff, ~~with the assistance of parents/guardians~~, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: The district may revise item #d below to specify programs offered by the district.

- d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, ~~Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, Parents as Teachers Program, public preschool, and other programs~~, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in ~~more~~ fully participating in their children's education
- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
- f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

Note: Although not mandated to be included in the district's policy or regulation, item #2g reflects a legal requirement in 20 USC 6318(g) to inform parents/guardians about the existence of parent information and resource centers in the state that work with Title I schools, districts, and parents/guardians. See the management resources in the accompanying Board policy for resources that can help districts locate the centers closest to them.

- g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students

Note: Items #2a-pt below are optional and should be revised to reflect ~~strategies jointly developed by district staff and parents/guardians of participating students~~ district practice. Items #a2-h are authorized, but not required, by 20 USC 6318.

In addition, the Superintendent or designee may:

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training
- c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
- d. Train parents/guardians to enhance the involvement of other parents/guardians
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation
- f. Adopt and implement model approaches to improving parent/guardian involvement
- g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
- h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

*(cf. 1020 - Youth Services)*

- j. Provide a master calendar of district activities and district meetings
- k. Provide information about opportunities for parent/guardian and family engagement ~~involvement~~ through the district newsletter, web site, or other written or electronic means

**PARENT INVOLVEMENT** (continued)

- l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 - School-Connected Organizations)

- m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians **and family members** as needed
- n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
- e.o. Provide ongoing district-level workshops to assist school site staff, and parents/guardians, **and family members** in planning and implementing improvement strategies, and seek **their** input ~~from parents/guardians~~ in developing the workshops
- b.p. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/**guardian and family engagement** involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of ~~parent involvement~~ **related** activities
- e.g. Regularly evaluate the effectiveness of staff development activities related to parent/**guardian and family engagement** involvement
- p.r. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

- a.s. Assign ~~person(s) in the district office~~ **district personnel** to serve as a liaison to the schools regarding Title I parent/**guardian and family engagement** involvement issues
- d.t. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

Note: The district may revise item #4 below to specify programs offered by the district.
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## PARENT INVOLVEMENT (continued)

4. 3. To the extent feasible and appropriate, cCoordinate and integrate Title I parent/guardian and family engagement involvement strategies with ~~Head Start, Reading First, Early Reading First, Even Start, Home Instruction Program for Preschool Youngsters, Parents as Teachers Program, public preschool, and other programs~~ parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318)

*(cf. 5148.3 - Preschool/Early Childhood Education)*

Note: Items #a-d below are **optional** and should be revised to reflect strategies jointly developed by district staff and parents/guardians of participating students.

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

*(cf. 2230 - Representative and Deliberative Groups)*

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

*(cf. 5030 - Student Wellness)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

*(cf. 6174 - Education for English Learners)*

*(cf. 6175 - Migrant Education Program)*

*(cf. 6178 - Career Technical Education)*

- b. Involve district and school site representatives from other programs to assist in identifying specific population needs
- c. Schedule joint meetings with representatives from related programs and share data and information across programs
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals
5. 4. Conduct, with **meaningful** involvement of parents/guardians **and family members**, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement involvement policy in improving the academic quality of the schools served by Title I, **including identification of:** (20 USC 6318)

Note: 20 USC 6318 mandates that the district's policy or regulation include items #a-b below. The district may expand these items to describe methods the district will use to carry out each activity.

The Superintendent or designee shall:

- a. ~~Ensure that the evaluation include the identification of b~~Barriers to greater participation in parent/guardian and family engagement involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background (20 USC 6318)
- b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers
- c. Strategies to support successful school and family interactions

(cf. 0500 - Accountability)

Note: Although it is not mandated to be included in the district's policy or regulation, item #c below the following paragraph reflects a legal requirement of Education Code 11503 pertaining to evaluation of the district's parent/guardian involvement efforts.

- e. ~~Assess the district's progress in meeting annual objectives for the parent involvement program,~~ The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms; and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)
- b. ~~Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy (20 USC 6318)~~

Note: Although not mandated to be included in the district's policy or regulation, item #c below reflects a legal requirement of Education Code 11503 pertaining to evaluation of the district's parent involvement efforts.

- e. ~~Assess the district's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communications mechanisms, and provide a copy to parents/guardians upon their request (Education Code 11503)~~

Note: Items #a-c below are optional and should be revised to reflect strategies jointly developed by district staff and parents/guardians of participating students.

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
  - b. Gather and monitor data regarding the number of parents/guardians **and family members** participating in district activities and the types of activities in which they are engaged
  - c. Recommend to the Board measures to evaluate the impact of the district's parent/**guardian and family engagement** involvement efforts on student achievement
- b. **5.** Use the ~~evaluation results~~ **findings of the evaluation conducted pursuant to item #4 above** to design **evidence-based** strategies for more effective parent/**guardian and family** involvement and, if necessary, to ~~recommend changes in~~ **revise** the parent/**guardian and family engagement** involvement policy (20 USC 6318)
6. Involve parents/guardians in the activities of schools served by Title I, **which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy** (20 USC 6318)

Note: Items #a-c below are ~~optional~~ and should be revised to reflect strategies jointly developed by district staff and parents/guardians of participating students.

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians **and family members**
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians **and family members** ~~with special needs~~
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

Note: Pursuant to 20 USC 6318, the district's parent/**guardian and family engagement** involvement policy must be incorporated into the district's Title I local educational agency **LEA** plan. See BP/AR 6171 - Title I Programs for language regarding the plan's development. **In California, all the requirements of the LEA plan are addressed in an addendum to the local control and accountability plan (LCAP). See BP 0460 - Local Control and Accountability Plan.**

The district's Board policy and administrative regulation containing parent/guardian and family engagement involvement strategies shall be incorporated into the LEA plan district's local control and accountability plan in accordance with 20 USC 6312 and shall be distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

### School-Level Policies for Title I Schools

Note: The following section is for use by districts that receive federal Title I, Part A funds. 20 USC 6318, as amended by P.L. 114-95, mandates that each individual school receiving Title I funds have a written parent/guardian and family engagement involvement policy, developed jointly with and agreed upon by parents/guardians and family members of participating students, that describes the means for carrying out the requirements of 20 USC 6318(c) through (f), reflected in items #1-8 below. The following section lists the required components but does not include specific strategies which should be added by each school. Schools may also use a template available on the web site of the California Department of Education, Title I School-Level Parental Involvement Policy, to develop the school-level policy.

At each school receiving Title I funds, a written policy on parent/guardian and family engagement involvement shall be developed jointly with ~~and agreed upon by the~~ parents/guardians and family members of participating students. Such policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement

Note: As provided in item #3 below, 20 USC 6318 requires parent/guardian involvement in the development of the comprehensive plan required by 20 USC 6314 for schoolwide programs. Under state law (Education Code 64001), this plan must be incorporated into the single plan for student achievement covering all categorical programs in the state's consolidated application; see AR 6171 - Title I Programs and BP/AR 0420 - School Plans/Site Councils for further information about the development of this plan.

3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement involvement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
  - a. Timely information about Title I programs
  - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and ~~the proficiency levels students are expected to meet~~ **the achievement levels of the challenging state academic standards**

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

(cf. 5123 - Promotion/Acceleration/Retention)

- c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

Note: 20 USC 6318 requires Title I schools to develop a school-parent compact as provided in item #6 below. U.S. Department of Education non-regulatory guidance, Parental Involvement: Title I, Part A, provides a sample template that schools may use in the development of the school-parent compact.

6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's ~~student~~ **challenging** academic achievement standards
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, ~~such as monitoring attendance, homework completion, and television viewing;~~ volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5113 - Absences and Excuses)

(cf. 6145 - Extracurricular/Cocurricular Activities)  
(cf. 6154 - Homework/Makeup Work)

- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
  - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
  - (2) Frequent reports to parents/guardians on their children's progress
  - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
  - (4) Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand**
7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the **required** activities described in ~~items #3a-h~~ **item #2**—in the section "District Strategies for Title I Schools" above
8. To the extent practicable, provide ~~full~~ opportunities for the **informed** participation of parents/guardians **and family members (including parents/guardians and family members)** with limited English proficiency, parents/guardians **and family members** with disabilities, and parents/guardians **and family members** of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

Each school's parent/**guardian and family engagement** involvement policy shall be made available to the local community. **Parents/guardians shall be notified of the policy** and ~~distributed to parents/guardians of participating students~~ in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

Note: The following paragraph is **optional**. Education Code 64001 requires that the single plan for student achievement covering the categorical programs in the state's consolidated application, including Title I schoolwide programs, be annually reviewed by the school site council and submitted to the Board for approval; see BP/AR 0420 - School Plans/Site Councils.

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/**guardian and family engagement** involvement policy. Such evaluation may be

conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

~~The principal or designee, jointly with parents/guardians of participating students,~~ **The school's policy** shall **be** periodically updated ~~the school's policy~~ to meet the changing needs of parents/guardians and the school. (20 USC 6318)

### District Strategies for Non-Title I Schools

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 **mandates** the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502 as reflected in items #1-5 below. Subitems under items #1-5 are **optional** strategies for carrying out the legal requirement and should be revised to reflect district practice.

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

~~Note: Items #a-c below are optional and should be revised to reflect district practice.~~

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
  - b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
  - c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)

~~Note: Items #a-b below are optional and should be revised to reflect district practice.~~

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment **for their children** at home and to encourage good study habits
  - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
  - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

~~Note: Items #a-g below are optional and should be revised to reflect district practice.~~

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
- b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
- c. Provide information about parent/**guardian and family engagement** involvement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
- d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
- e. Develop mechanisms to encourage parent/guardian input on district and school issues
- f. Identify barriers to parent/guardian **and family** participation in school activities, including parents/guardians **and family members** who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background

- g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)

Note: Items #a-b below are ~~optional~~ and should be revised to reflect district practice.

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
  - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
5. Integrate parent/guardian and family engagement ~~involvement~~ programs into school plans for academic accountability

Note: Items #a-b below are ~~optional~~ and should be revised to reflect district practice.

The Superintendent or designee may:

- a. Include parent/guardian and family engagement ~~involvement~~ strategies in school reform or school improvement initiatives
- b. Involve parents/guardians and family members in school planning processes

(8/06) 10/17

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# CSBA Sample Administrative Regulation

## Instruction

AR 6112(a)

## SCHOOL DAY

Note: The following optional administrative regulation specifies minimum and maximum school days for each grade level as provided by law. The district may revise this regulation to reflect district practice.

Pursuant to Education Code 46114, the minimum school day in grades K-8 may be computed by determining the average number of minutes over 10 consecutive school days (i.e., the number of minutes of attendance in any 10 consecutive school days, divided by 10). Education Code 46142 authorizes the minimum school day in junior high and high schools to be computed by averaging the number of minutes over two consecutive school days. The district will be in compliance if the average is at least the minimum day required by law, even if the number of minutes in any one school day is less than the minimum required school day specified below. However, Education Code 46114 and 46142 provide that no single school day may be less than 60 minutes for kindergarten, 170 minutes for grades 1-3, or 180 minutes for grades 4-12.

Education Code 46201 and 46207 require districts that have reached their local control funding formula (LCFF) funding target, as well as districts that received longer day or longer year funding prior to the implementation of the LCFF, to offer at least the following instructional minutes per school year: 36,000 minutes for kindergarten, 50,400 for grades 1-3, 54,000 for grades 4-8, and 64,800 for grades 9-12. Pursuant to Education Code 46201 and 46207, if this requirement is not met for any grade level, a portion of the district's LCFF allocation will be withheld.

### Kindergarten/Transitional Kindergarten

Note: The following section is for use by districts that maintain kindergarten and transitional kindergarten (TK) classes. Education Code 37202, as amended by AB 99 (Ch. 15, Statutes of 2017), permits districts to maintain kindergarten or TK classes for different lengths of time during the school day, either at the same or different school sites. Districts offering kindergarten or TK classes for different lengths of time are still required to meet the minimum and maximum length of school day described below.

Kindergarten and transitional kindergarten (TK) classes in district schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

~~Note: The following section is for use by districts that maintain kindergarten classes. Education Code 46117 establishes a minimum school day of three hours (180 minutes) for kindergarten students as provided below. However, pursuant to Education Code 46119, if a district has less than a total of fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher.~~

Except as otherwise provided permitted by law, the average school day established for kindergarten and TK students shall be at least three hours, including recesses but excluding

noon intermissions, but no longer than four hours, excluding recesses. (Education Code 46111, 46114, 46115, 46117)

AR 6112(b)

## SCHOOL DAY (continued)

Note: The following paragraph is **optional**. Although Education Code 46111 provides that recess shall be excluded from determining the maximum school day, it is the interpretation of the California Department of Education (**CDE**) that recess time may be counted as instructional minutes, at the district's discretion, if teacher supervision occurs.

Recess may be counted as instructional minutes for purposes of determining the maximum school day if **it occurs under** teacher supervision-occurs.

Note: The following **optional** paragraph is for use by districts that maintain multitrack year-round schools pursuant to Education Code 37670(a).

In any multitrack year-round school operating pursuant to Education Code 37670(a), the kindergarten school day may be up to 265 minutes, excluding recesses. (Education Code 46111)

*(cf. 6117 - Year-Round Schedules)*

Note: The following **optional** paragraph is for use by districts that have established an early primary program pursuant to Education Code 8970-8974 in order to provide an integrated, experiential, and developmentally appropriate educational program with specified components for students in prekindergarten through grade 3. Education Code 8973 provides that the kindergarten school day in such programs may exceed four hours under the conditions described below, although districts do not receive additional apportionment funds.

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day.
2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program.

**Note: Pursuant to Education Code 48003, districts are required to provide an annual report to the CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both, by completing the School Information Form 2017 located on the CDE web site. The form also includes the type(s) of TK program offered.**

The Superintendent or designee shall annually report to the California Department of Education as to whether the district's kindergarten and TK programs are offered full day, part day, or both. (Education Code 48003)

AR 6112(c)

## SCHOOL DAY (continued)

### Grades 1-8

Note: The following section is for use by districts that maintain any of grades 1-8 and should be modified to reflect the grade levels offered by the district.

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes. (Education Code 46112, 46142)
2. At least 240 minutes for students in grades 4-8 (Education Code 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (Education Code 46115)

### Grades 9-12

~~Note: The following section is for use by districts that maintain any of grades 9-12 and may be modified to reflect the grade levels offered by the district.~~

~~The school day for students in grades 9-12 shall be at least 240 minutes. (Education Code 46141, 46142)~~

~~Note: The following list should be revised to reflect programs offered by the district.~~

~~However, the school day may be less than 240 minutes when authorized by law. Programs that have a minimum school day of 180 minutes include, but are not necessarily limited to:~~

- ~~1. Continuation high school or classes (Education Code 46141, 46170)~~

~~(cf. 6184 Continuation Education)~~

- ~~2. Opportunity school or classes (Education Code 46141, 46180)~~

3. ~~Regional occupational center (Education Code 46141, 52325)~~

~~(cf. 6178.2 Regional Occupational Center/Program)~~

AR 6112(d)

**SCHOOL DAY** (continued)

4. ~~Work experience education program approved pursuant to Education Code 51760-51769.5 (Education Code 46141, 46144)~~

~~A student in grade 12 who is enrolled in work experience education and is in his/her last semester or quarter before graduation may be permitted to attend school for less than 180 minutes per school day if he/she would complete all requirements for graduation, except physical education courses, in less than 180 minutes each day. (Education Code 46147)~~

~~(cf. 6178.1 Work-Based Learning)~~

5. ~~Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (Education Code 46146)~~

~~(cf. 6172.1 Concurrent Enrollment in College Classes)~~

Note: SB 1316 (Ch. 67, 2012) amended Education Code 46141 and added Education Code 46146.5 to exempt early college high schools and middle college high schools from the 240-minute minimum school day requirement under the circumstances described in item #6 below.

6. ~~An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with item #5 above (Education Code 46141, 46146.5)~~

7. ~~Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)~~

~~(cf. 6178 Career Technical Education)~~

8. ~~Adult education classes (Education Code 46190)~~

~~(cf. 6200 Adult Education)~~

Note: The following optional paragraph is for use by districts that operate an evening high school pursuant to Education Code 51720-51724.

~~For an evening high school operated pursuant to Education Code 51720-51724, the number of days, specific days of the week, and number of hours during which the program shall be in session shall **may** be determined by the Board. (Education Code 46141, 51721)~~

AR 6112(e)

## SCHOOL DAY (continued)

~~Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions, independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Board that is equivalent to the approved high school course of study. (Education Code 46145)~~

~~(cf. 6158 – Independent Study)~~

~~(cf. 6159 – Individualized Education Program)~~

## Alternative Block Schedule for Secondary Schools

~~Note: The following optional section is for use by districts that choose to create a block schedule pursuant to Education Code 46160-46162; see the accompanying Board policy. In establishing a block schedule, the district should be aware of state law (Education Code 51222) that requires secondary students to attend physical education courses for at least 400 minutes each 10 school days; see AR 6142.7 Physical Education and Activity. Although the daily alternating block schedule, often referred to as the A/B block schedule, does fulfill the requirement for physical education minutes, other block schedules do not and thus require a waiver from the State Board of Education (SBE). See SBE Waiver Policy #99-03 for waiver criteria.~~

~~In order to establish a block or other alternative schedule or to accommodate career technical education and regional occupational center/program courses, the district may authorize students to attend fewer than the total number of days in which school is in session provided that students attend classes for at least 1,200 minutes during any five school day period or 2,400 minutes during any 10 school day period. (Education Code 46160)~~

~~Note: The following optional paragraph is for use by districts that maintain an early college high school or middle college high school. Pursuant to Education Code 46160, as amended by AB 99 (Ch. 15, Statutes of 2017), such districts may schedule classes in these schools so that students who satisfy the provisions of Education Code 46146.5 in regard to part time enrollment at community college, the California State University, or the University of California attend classes for at least 900 minutes during any five school day period or 1,800 minutes during any 10 school day period.~~

~~An early college high school or middle college high school may be scheduled so that students attend classes for at least 900 minutes during any five school day period or 1,800 minutes during any 10 school day period. (Education Code 46160)~~

(11/06 4/13) 10/17

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# CSBA Sample

## Board Policy

### Instruction

BP 6153(a)

### SCHOOL-SPONSORED TRIPS

Note: The following **optional** policy should be revised to reflect district practice. For language regarding transportation for field trips, see AR 3541.1 - Transportation for School-Related Trips.

~~The following paragraph is consistent with the goals of field trips and excursions specified in Education Code 35330. Districts that wish to prohibit certain types of trips because of educational or safety concerns may modify the following paragraph accordingly (e.g., trips to amusement parks, boating).~~

The Governing Board recognizes that school-sponsored **field** trips are an important component of a student's development and supplement and enrich the classroom learning experience, **lead to increased student achievement, and foster student engagement. The Board encourages field trips to reinforce and increase learning opportunities and to enhance district programs.**

*(cf. 0460 - Local Control and Accountability Plan)*

Note: The following paragraph is consistent with the goals of field trips and excursions specified in Education Code 35330. Districts that wish to prohibit certain types of trips (e.g., trips to amusement parks, boating) because of educational or safety concerns may modify the following paragraph accordingly.

School-sponsored **Field** trips may **shall** be conducted in connection with the district's course of study or school-related social, educational, cultural, athletic, school band activities, or other extracurricular or cocurricular activities. A field trip to a foreign country may be permitted to familiarize students with the language, history, geography, natural science, and other studies relative to the district's course of study. **(Education Code 35330)**

*(cf. 6143 - Courses of Study)*

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

*(cf. 6145.2 - Athletic Competition)*

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

Requests for school-sponsored **field** trips involving out-of-state, out-of-country, or overnight travel shall be submitted to the Superintendent or designee. The Superintendent or designee shall review the request and make a recommendation to the Board as to whether the request should be approved by the Board. All other school-sponsored **field** trips shall be approved in advance by the principal.

*(cf. 3312.2 - Educational Travel Program Contracts)*

**SCHOOL-SPONSORED TRIPS** (continued)

The principal shall establish a process for approving a staff member's request to conduct a school-sponsored **field** trip. When planning trips, staff shall consider student safety, objectives of instruction, the most effective use of instructional time, the distance from school, district and student expense, and transportation and supervision requirements. Principals may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.

*(cf. 3530 - Risk Management/Insurance)*  
*(cf. 3541.1 - Transportation for School-Related Trips)*  
*(cf. 5142 - Safety)*  
*(cf. 5143 - Insurance)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The Superintendent or designee shall coordinate with community groups to supply funds for students in need. (Education Code 35330)

*(cf. 1230 - School-Connected Organizations)*  
*(cf. 1321 - Solicitation of Funds from and by Students)*  
*(cf. 1700 - Relations Between Private Industry and the Schools)*

**Note: Education Code 35330, as amended by AB 341 (Ch. 40, Statutes of 2017), eliminates the prohibition against the use of district funds to pay for the expenses of students participating in field trips or excursions to another state, to the District of Columbia, or to a foreign country. Pursuant to Education Code 35330, unlike field trips within the state, no transportation allowances will be made by the Superintendent of Public Instruction for out-of-state field trips.**

**The Board may approve the use of** District funds shall not be used to pay **for** student expenses for **in-state**, out-of-state, or out-of-country field trips or excursions **when permitted by law**. However, **In addition**, expenses of instructors, chaperones, and other personnel participating in such trips, as well as incidental expenses for the use of district equipment during the trip, may be paid from district funds. (Education Code 35330)

*Legal Reference: (see next page)*

## SCHOOL-SPONSORED TRIPS (continued)

### *Legal Reference:*

#### EDUCATION CODE

- 8760 Authorization of outdoor science and conservation programs*
  - 32040-32044 First aid equipment: field trips*
  - 35330 Excursions and field trips*
  - 35331 Provision for medical or hospital service for pupils (on field trips)*
  - 35332 Transportation by chartered airline*
  - 35350 Transportation of students*
  - 44808 Liability when pupils not on school property*
  - 48908 Duties of pupils; authority of teachers*
- #### BUSINESS AND PROFESSIONS CODE
- ~~17540 Travel promoters~~*
  - 17550-17550.9 Sellers of travel*
  - 17552-17556.5 Educational travel organizations*

### *Management Resources:*

#### WEB SITES

- American Red Cross: <http://www.redcross.org>*
- California Association of Directors of Activities: <http://www.cadal.org>*
- U.S. Department of Homeland Security: <http://www.dhs.gov>*

(3/91 7/06) 10/17

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# CSBA Sample

## Board Policy

Instruction

BP 6170.1(a)

### TRANSITIONAL KINDERGARTEN

Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, any child whose birthday is between September 2 and December 2 must be offered a transitional kindergarten (TK) program.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

For guidance on implementing TK programs, see the Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, published by the California Department of Education (CDE).

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist ~~TK-children~~ students in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in ~~program—the~~ development, implementation, and evaluation of the district's TK program.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 6020 - Parent Involvement)*

### Eligibility

~~Note: Pursuant to Education Code 48200, each person between the ages of 6 and 18 years is subject to compulsory full-time education, unless otherwise exempted by law. Thus, parents/guardians are not required to enroll children in TK or kindergarten but, if they do so, are subject to the age criteria specified below.~~

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Note: The CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

Note: The following paragraph is **optional**. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying that he/she agrees to have the child continue in kindergarten the following year; see section "Continuation in Kindergarten" below.

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

Note: The following paragraph is **optional**. Pursuant to Education Code 48000, ~~as amended by AB 104 (Ch. 13, Statutes of 2015)~~, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after December 2. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for a child whose birthday is after December 2 until the child reaches his/her fifth birthday.

~~The district may,~~ At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

### Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: As amended by SB 858 (Ch. 32, Statutes of 2014), Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by the CDE. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

Note: The following optional paragraph may be revised to reflect district practice. Education Code 37202, as amended by AB 99 (Ch. 15, Statutes of 2017), permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. requires that all elementary schools in the district be maintained for an equal length of time during the school year. In its "Transitional Kindergarten FAQs," the CDE has interpreted this to mean that the district's annual instructional minutes offered to TK students should be the same as the number of instructional minutes offered to kindergarten students, as reflected in its annual audit. Pursuant to Education Code 46111 and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, unless the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, the Governing Board it may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.

Pursuant to Education Code 48003, districts are required to provide an annual report to the CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The School Information Form 2017, located on the CDE web site, requires a report on the type of TK program offered.

The Board shall ~~fix~~ establish the length(s) of the school day in the district's TK program, ~~which TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is~~ shall be at least three hours but no more than four hours. The Superintendent or designee shall annually report to the California Department of Education as to whether the district's TK programs are offered full day, part day, or both. (Education Code 37202, 46111, 46117, 48003)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

BP 6170.1(d)

## TRANSITIONAL KINDERGARTEN (continued)

Note: The following optional paragraph may be revised to reflect district practice. According to the CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

### Staffing

Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing (CTC) authorizing instruction in TK. ~~As amended by SB 876 (Ch. 687, Statutes of 2014),~~ Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.

TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

*(cf. 4112.2 - Certification)*

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

*(cf. 4131 - Staff Development)*

### Continuation to Kindergarten

Note: The following section is consistent with guidance in the CDE's "Transitional Kindergarten FAQs."

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

## TRANSITIONAL KINDERGARTEN (continued)

Note: The following **optional** paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in a combination of TK and kindergarten.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(*cf.* 5123 - Promotion/Acceleration/Retention)

### Assessment

Note: The following section may be revised to reflect district practice. One assessment resource for TK students is the CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

(*cf.* 0500 - Accountability)

(*cf.* 6162.5 - Student Assessment)

### Legal Reference:

#### EDUCATION CODE

8973 Extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 *Computation of ADA, inclusion of kindergarten and transitional kindergarten*  
48000 *Age of admission, kindergarten and transitional kindergarten*  
48002 *Evidence of minimum age required to enter kindergarten or first grade*  
**48003 Kindergarten annual report**  
48200 *Compulsory education, starting at age six*

*Management Resources:*

**CSBA PUBLICATIONS**

***What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016***

***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***

***Transitional Kindergarten FAQs***

***Desired Results Developmental Profile, 2015***

***Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013***

***California Preschool Curriculum Framework, Vol. 1, 2010***

***California Preschool Learning Foundations, Vol. 1, 2008***

**WEB SITES**

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

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

*California Kindergarten Association: <http://www.ckanet.org>*

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

*Transitional Kindergarten California: <http://www.tkcalfornia.org>*

(4/15 10/15) 10/17

Policy Reference UPDATE Service

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# CSBA Sample

## Board Policy

Instruction

BP 6173.2(a)

### EDUCATION OF CHILDREN OF MILITARY FAMILIES

Note: Pursuant to Education Code 49700-49704, as added by AB 343 (Ch. 237, Statutes of 2009), the Interstate Compact on Educational Opportunity for Military Children is applicable to California school districts from January 1, 2010 through January 1, 2013, unless extended by the Legislature. Education Code 49700-49701 establish uniform means of assisting children of "active duty military families" transferred into or out of California by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians. Among other things, Education Code 49701 requires that districts be flexible in applying their local rules to such students in order to facilitate their enrollment, placement, advancement, eligibility for extracurricular activities, and on-time graduation. The following optional policy is optional and may be revised to reflect district practice.

The Governing Board recognizes the challenges to the academic success of that children of military families face challenges to their academic success caused by the frequent moves or deployments of their parents/guardians in fulfillment of military service. In accordance with law, The district shall provide such students with academic resources, services, and opportunities for extracurricular and enrichment activities that are available to all district students.

(cf. 5125 - Student Records)  
(cf. 6011 - Academic Standards)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6179 - Supplemental Instruction)

Note: Education Code 49700 encourages districts to facilitate the placement of children of military families so that they are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment. Pursuant to Education Code 49700-49704, the Interstate Compact on Educational Opportunity for Military Children is applicable to California school districts. Education Code 49700-49701 establish uniform means of assisting children of military families, as defined in the accompanying administrative regulation, by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians. Among other things, Education Code 49701 requires that districts be flexible in applying certain local rules to such students in order to facilitate their enrollment, placement, advancement, eligibility for extracurricular activities, and on-time graduation.

In making decisions about children of military families, including decisions regarding their enrollment, placement, eligibility for extracurricular activities, or waiver of any graduation requirement, the Superintendent or designee shall be flexible to the extent permitted by law and district policy. The Superintendent or designee may waive district policies or rules when necessary to facilitate the enrollment, placement, advancement, eligibility for extracurricular activities, or on-time graduation of children of military families, in

accordance with the Interstate Compact on Educational Opportunity for Military Children as ratified in Education Code 49700-49704.

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.3 - Reciprocity of Academic Credit)*

Note: The following optional paragraph reflects a recommendation in the California Department of Education's (CDE) Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children.

The Superintendent or designee shall provide information and/or training to administrators, other appropriate district staff, and military families regarding the provisions of the Interstate Compact and the educational rights of children of military families.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

Note: The following optional paragraph may be revised to reflect district practice. Each branch of the military appoints school liaison officers or comparable positions to serve as the primary point of contact for school-related matters. Their duties include coordinating with local school systems and assisting military families with school issues.

The Superintendent or designee shall ~~work~~ collaborate with parents/guardians, and ~~shall collaborate with school liaison officers from military installations, and/or local, state, and~~ other agencies within and outside the state to facilitate the transition of children of military families into and out of the district.

*(cf. 1020 - Youth Services)*

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

*(cf. 6020 - Parent Involvement)*

Note: The following paragraph may be revised to reflect district practice. Pursuant to 20 USC 6311, as amended by the Every Student Succeeds Act (P.L. 114-95), states and districts are required to issue an annual report card which must include state achievement results for students who have parents/guardians who are members of the Armed Forces on active duty or full-time National Guard duty. The CDE has updated the California Longitudinal Pupil Achievement Data System to indicate such students. These students will be assigned a national identification number that will facilitate monitoring of their academic progress as they move across military bases and from state to state.

The Superintendent or designee shall ~~regularly~~ annually report to the Board ~~and the public~~ on the educational outcomes of children of military families. ~~enrolled in district schools, Such reports may include, including, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade levels, participation in extracurricular activities, and graduation rates.~~

## EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

(cf. 5123 - Promotion/Acceleration/Retention)  
(cf. 6162.51 - State Academic Achievement Tests)  
(cf. 6162.52 - ~~High School Exit Examination~~)

### Legal Reference:

#### EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation  
35179 Interscholastic athletics; associations or consortia  
35181 Students' responsibilities  
35351 Assignment of students to particular schools  
46600-46611 Interdistrict attendance agreements  
48050-48054 Nonresidents  
48200-48208 Persons included (compulsory education law)  
48300-48316 Student attendance alternatives, school district of choice program  
49700-49704 Education of children of military families  
51225.3 Requirements for graduation  
51240-51246 Exemptions from requirements  
51250-51251 School-age military dependents  
~~60850-60859 High school exit examination~~  
66204 Certification of high school courses as meeting university admissions criteria

#### UNITED STATES CODE, TITLE 10

##### 101 Definitions

1209 Transfer to inactive status list instead of separation  
1211 Members on temporary disability retired list: return to active duty; promotion

#### UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

##### 6311 State plan

#### UNITED STATES CODE, TITLE 29

794 Section 504 of the federal Rehabilitation Act

### Management Resources:

#### CALIFORNIA CHILD WELFARE COUNCIL

##### Partial Credit Model Policy and Practice Recommendations

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS TASK FORCE REPORT TO THE LEGISLATURE

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, April 2014

#### WEB SITES

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

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Educational Options Office: <http://www.cde.ca.gov/ls/pf/mc>

Military Interstate Children's Compact Commission: <http://www.mic3.net>

(11/09) 10/17

**Policy Reference UPDATE Service**

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# CSBA Sample

## Administrative Regulation

### Instruction

AR 6173.2(a)

### EDUCATION OF CHILDREN OF MILITARY FAMILIES

Note: The following administrative regulation is **optional**. Pursuant to Education Code 49701, as added by AB 343 (Ch. 237, Statutes of 2009), districts are required to be flexible in applying their local rules to children of military families in order to facilitate their enrollment, placement, advancement, eligibility for extracurricular activities, and on-time graduation.

In addition, Education Code 51251 authorizes the Governing Board to establish a course credit transfer policy and to provide early entry transfer, pretranscript evaluation, student support services, and other similar assistance to any school-aged child of a military service member who is on active duty, or within one year of his/her discharge, or when the child's transfer to a new school is a direct result of the military transfer or discharge of his/her parent/guardian.

### Definitions

*Children of military families* are school-aged children in the household of: (Education Code 49701)

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement
3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

### Enrollment

The Superintendent or designee shall facilitate the enrollment of children of military families and ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements. (Education Code 49701)

Note: Pursuant to Education Code 48204.3, as amended by SB 455 (Ch. 239, Statutes of 2017), a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation, as defined, within the state. See AR 5111.1 - District Residency.

A child of a military family shall be deemed to meet district residency requirements if his/her parent/guardian, while on active military duty pursuant to an official military

## EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

order, is transferred or is pending transfer to a military installation within the state. The Superintendent or designee shall accept electronic submission of such a student's application for enrollment, including enrollment in a specific school or program within the district, and for course registration. (Education Code 48204.3)

*(cf. 5111.1 - District Residency)*

When a child of a military family is transferring into the district, the Superintendent or designee may enroll the child based on the child's placement in the previous district, pending receipt of the child's records. Upon enrollment, the Superintendent or designee shall immediately request the student's records from the student's previous district. The Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

*(cf. 5111 - Admission)*

*(cf. 5125 - Student Records)*

*(cf. 5141- Health Care and Emergencies)*

*(cf. 5141.31- Immunizations)*

Note: Pursuant to Education Code 48301-48307, as amended by AB 99 (Ch. 15, Statutes of 2017), as amended by AB 306 (Ch. 771, Statutes of 2015), a district must not deny a student whose parent/guardian is on active military duty from transferring out of the district to a "school district of choice." any other district. In addition, Education Code 46600, as amended by AB 2659 (Ch. 186, Statutes of 2016), provides that districts must not prohibit the transfer of such a student out of the district to any other district that approves the transfer, regardless of whether or not an interdistrict transfer agreement exists or a permit is issued. Also see BP 5117 - Interdistrict Attendance.

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to any district that has declared itself to be a "school district of choice" pursuant to Education Code 48300-48316, if the other school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48301- 48307)

*(cf. 5117 - Interdistrict Attendance)*

When a child of a military family is transferring out of the district, the Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

### Placement and Attendance

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 51251, the district may provide pretranscript evaluations, as described below, in order to address the needs of children of military families.

## EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Whenever a student's parent/guardian is serving on active duty or has been discharged from military service within the last year and the student transfers to a new school as the direct result of the military transfer or discharge, the Superintendent or designee may, prior to the receipt of official transcript(s) or the arrival of the student, review the student's coursework to date, including any unofficial transcript(s), to determine the appropriate placement of the student in classes. The evaluation shall also include communication with school counselors and teachers at the former school by videoconferencing, email, and/or telephone calls. (Education Code 51251)

The Superintendent or designee shall initially honor the placement of any child of a military family in educational courses and programs based on the child's enrollment and/or assessment in his/her previous school. The Superintendent or designee may, to the extent permitted by Board policy, waive course or program prerequisites, preconditions, and/or application deadlines when making decisions regarding placement of children of military families and their eligibility for extracurricular academic, athletic, and social activities. (Education Code 49701)

(cf. 6141.5 - Advanced Placement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

Note: Pursuant to Education Code 49701, the district is required to provide a child of a military family who has been identified as a student with a disability eligible for services under the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act (29 USC 794) with services based on his/her current individualized education program or Section 504 plan, as appropriate. See BP/AR 6159 - Individualized Education Program and BP/AR 6164.6 - Identification and Education Under Section 504.

When a child of a military family transferring into the district has been identified as an individual with a disability pursuant to 20 USC 1400-1482, the Superintendent or designee shall provide comparable services to the student based on his/her current individualized education program. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

## EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

### Transfer of Coursework and Credits

Note: The following section is for use by districts maintaining high schools. Education Code 51225.2, as amended by AB 365 (Ch. 739, Statutes of 2017), requires districts to issue credit for coursework satisfactorily completed at another school, as provided below.

When a child of a military family transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a nonpublic, nonsectarian school or agency, or a juvenile court school and shall not require the student to retake the course. (Education Code 51225.2)

(cf. 6146.3—Reciprocity of Academic Credit)

(cf. 6159.2—Nonpublic, Nonsectarian School or Agency Services for Special Education)

If the student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take only the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the student's parent/guardian, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued, the student shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Note: Although Education Code 51225.2 requires districts to award partial credits to children of military families who transfer from school to school, there is no uniform system for calculating and awarding partial credits. A recommendation for how to award partial credit is available in the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and should be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.

In no event shall the district prevent a child of a military family from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143—Courses of Study)

### Absences

Note: The California Department of Education's (CDE) Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, available on its web site, contains a sample letter that may be provided to parents/guardians to report deployment-related absences.

## EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

When a student's parent/guardian is an active duty member and is called to duty **for**, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the Superintendent or designee may grant additional excused absences to the student to visit with his/her parent/guardian. (Education Code 49701)

(cf. 5113 - Absences and Excuses)

### Graduation

~~The Superintendent or designee may also waive specific district course requirements for graduation if similar coursework has been satisfactorily completed by the student in his/her previous school. (Education Code 49701)~~

~~(cf. 6162.52 - High School Exit Examination)  
(cf. 6179 - Supplemental Instruction)~~

~~The Superintendent or designee shall facilitate the on-time graduation of children of military families by providing supplemental instruction to incoming students as necessary to enable them to meet the district's graduation requirements. (Education Code 49701)~~

~~If after considering all alternatives, the Superintendent or designee believes that a student who has transferred into the district in grade 12 will not be able to satisfy the district's graduation requirements in time to graduate with his/her class, the Superintendent or designee shall work with the sending district to have the sending district issue the student its diploma, provided the student satisfies that sending district's graduation requirements. (Education Code 49701)~~

Note: The following paragraph is optional.

~~Upon request of a school district to which a former district student has transferred, the Superintendent or designee shall issue the district's diploma of graduation to the former student, provided the student has satisfactorily completed the district's graduation requirements, including the passage of the high school exit examination.~~

### Graduation Requirements

Note: The following section is for use by districts maintaining high schools. Education Code 51225.1, as amended by AB 365 (Ch. 739, Statutes of 2017), exempts children of military families from district-established graduation requirements, under certain conditions, when they transfer after completing two years of high school. Also see BP 6146.1 - High School Graduation Requirements.

~~To obtain a high school diploma, a child of a military family shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.~~

## ~~EDUCATION OF CHILDREN OF MILITARY FAMILIES~~ (continued)

*(cf. 6146.1—High School Graduation Requirements)*

~~However, when a child of a military family who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student and his/her parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a child of a military family pursuant to Education Code 49701. (Education Code 51225.1)~~

~~To determine whether a child of a military family is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)~~

~~The Superintendent or designee shall notify any child of a military family who is granted an exemption and his/her parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)~~

~~The district shall not require or request a child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or his/her parent/guardian shall be permitted to request a transfer solely to qualify for an exemption. (Education Code 51225.1)~~

~~If a child of a military family is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a child of a military family or if he/she transfers to another school or school district. (Education Code 51225.1)~~

~~If the Superintendent or designee determines that a child of a military family is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)~~

## EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

1. ~~Inform the student and, if under 18 years of age, his/her parent/guardian of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution~~
2. ~~Provide information to the student about transfer opportunities available through the California Community Colleges~~
3. ~~Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements~~

### Notification and Complaints

Note: Education Code 51225.1 and 51225.2, as amended by AB 365 (Ch. 739, Statutes of 2017), provide that complaints of noncompliance with specified requirements related to the educational rights of children of military families may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of children of military families, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of children of military families, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(11/09 3/16) 10/17

## **Board Reference Material**

**SUBJECT TITLE:**     Architect Qualification

**REQUESTED ACTION:** Approve

Action   X  

Discussion/Information                     

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### **RECOMMENDATION:**

It is recommended the Board approve that the attached listed architects be eligible to provide architecture services to the District.

### **BACKGROUND INFORMATION:**

The State building program reimburses districts for facilities only if the architect has been “qualified.” This does not mean they are the low bidder, but instead means their qualifications meet the district’s needs. The qualification process includes responding to a Request for Qualification, a live presentation/interview and Board approval. The attached architects have been through the process and are recommended as a pool of candidates for future work. Approving this list doesn’t hire anyone, or obligate the District to hire anyone, but simply defines and approves the firms that are eligible to be hired for future work.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is part of the pursuit of goal #4, “Create a comprehensive plan to pursue and utilize state, local and mitigation agreement revenue to build necessary schools in the District.”

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None.

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

The financial impact will vary in relationship to the specific project budget. However, using a qualified architect will allow us to access State building money (approximately half of each project’s entire budget).

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ORIGINATOR: Don Laursen, Assistant Superintendent-Administrative Services  
Date: January 11, 2018

Qualified Architects

LDA Partners, LLP  
Mangini Associates, Inc.  
SKW & Associates  
Teter, LLP

## **Board Reference Material**

**SUBJECT TITLE:**     **Donations: Los Banos Unified School District Scholarship Fund**

**REQUESTED ACTION:**    Accept Donations

Action   X  

Discussion/Information           

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### **RECOMMENDATION:**

It is recommended the Board accept the donations to the Los Banos Scholarship fund for the period from January through December, 2017.

### **BACKGROUND INFORMATION:**

It is standard procedure for the Board to accept donations so there is a clear record of the donation and the designated fund into which the donation will be deposited. Donations to the District Scholarship Fund will be placed on the agenda for Board acceptance once a year.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is an operational activity and does not directly support a specific Board goal.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

N/A

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

These donations are primarily designated to the District Scholarship Fund.

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ORIGINATOR: Mark E. Marshall, Ed.D., Superintendent

Date: January 11, 2018

HONOREE	DONOR	DATE
Minnie Trotter	CSEA	1/24/2017
Dominic Sanchez	CSEA	1/24/2017
Norman Miranda	CSEA	1/24/2017
Los Banos Unified	Employee Payroll Deduction	1/23/2017
Minnie Trotter	Butch & Mary Cotta	2/14/2017
Eugene Anderson	CSEA	2/14/2017
Los Banos Unified	Employee Payroll Deduction	2/17/2017
Los Banos Unified	Employee Payroll Deduction	3/24/2017
Weldon Bowling	CSEA	3/28/2017
John Alarcon	CSEA	3/28/2017
Grandfather of Jamie Martinez	CSEA	3/28/2017
Los Banos Unified	Employee Payroll Deduction	4/19/2017
Father of Jennifer Diaz	CSEA	5/19/2017
Los Banos Unified	Employee Payroll Deduction	5/19/2017
Eduardina Silveira	CSEA	5/24/2017
Los Banos Unified	Employee Payroll Deduction	6/27/2017
Mr. Byrum	CSEA	6/27/2017
Los Banos Unified	Employee Payroll Deduction	8/3/2017
Jose Hernandez	CSEA	8/14/2017
Naomi Conlin	CSEA	8/14/2017
Los Banos Unified	Employee Payroll Deduction	8/30/2017
Tony Valdez	CSEA	8/30/2017
Alma Pereira	Dave & Tina Accardo	10/18/2017
Los Banos Unified	Employee Payroll Deduction	10/25/2017
Los Banos Unified	Employee Payroll Deduction	11/29/2017
Belen Pasillas	CSEA	11/29/2017
Belen Pasillas	CSEA	11/29/2017
Adelaide Barcellos	Ken & Toni Ebner	12/5/2017

## **Board Reference Material**

**SUBJECT TITLE:** Agreement, Alliance for the Study of School Climate

**REQUESTED ACTION:** Approve

Action   X  

Discussion/Information           

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### **RECOMMENDATION:**

It is recommended the Board approve the agreement with Alliance for the Study of School Climate to facilitate our Strategic Planning Process. This proposal is intended to be a target agenda for work delivered by the Alliance for the Study of School Climate to Los Banos Unified School District (LBUSD) for the remainder of the 2018 academic year. Changes can be made based on the determination of the superintendent and team as needed

### **BACKGROUND INFORMATION:**

As indicated in my Final Report of my Entry Plan, the district is in need of a Strategic Plan. Since a good Strategic Plan is essential for organizational success, the strategic planning process is undertaken by an organization to develop the plan for achievement of its overall long-term organizational goals. Dr. John Shindler of the Alliance for the Study of School Climate (ASSC) will facilitate this work in LBUSD. The mission of the ASSC is to help school districts improve from the inside. ASSC was recognized by California Superintendent Jack O'Donnell's California P-16 Council on "Closing the Achievement Gap" in their 2008 report. In the Council's words "ASSC gets it" when it comes to understanding what it takes to create the learning conditions that will narrow the gap in achievement between groups. ASSC will be a valuable partner in assisting LBUSD move toward a higher level of success psychology and a better overall climate for learning, student growth, and collective functioning.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

Goal # 1. Promote the educational success of all students by closing the achievement gap between groups of students by using best practices to attain proficiency or better by all students in reading and mathematics.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

N/A

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

Not to exceed \$10,000.

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ORIGINATOR: Mark Marshall, Ed.D., Superintendent  
Date: January 11, 2018



## Alliance for the Study of School Climate

[www.calstatela.edu/schoolclimate](http://www.calstatela.edu/schoolclimate)

### ASSC Strategic Planning Process: Los Banos School Unified School District

This proposal is intended to be a target agenda for work delivered by the Alliance for the Study of School Climate to Los Banos Unified School District (LBUSD) for the remainder of the 2018 academic year. Changes will be made based on the determination of the superintendent and team as needed.

#### Some of the Primary Outcome Products from the ASSC work in 2018 should include (estimated costs)

- Presentation to leadership teams – building and district level – introduction to strategic planning at the building level and putting in place structures for moving forward (One Sat - \$2000.00)
- All schools administered SCAI survey – district and individual school level reports (\$3000.00)
- Presentation to building teams – processing SCAI data and taking next steps in the strategic planning process including using data to set goals and objectives and improvement priority areas (\$2000.00)
- Work with District level advisory team to create district level strategic plan including mission and vision statements as well as near term improvement plan. (100/hr)
- Provide documents and resources to LBUSD as needed
- Correspond with Superintendent and Building level leaders as needed. (100/hr)
- Present to the School Board (cost TBD)

#### Target Outcomes for the District in this Initial Phase of the process – 2018. (Phase I – Initiating and/or Restructuring – later phase target outcomes are outlined below)

- Outline basic ideas for a mission and vision statement and/or re-examine previous mission and vision statements
- Develop a working knowledge of the theoretical and practical implications of the ASSC roadmap and model.
- Use current and previously collected data to locate – generally where the schools are on the roadmap, reflect on school's current location and how it has gotten there, and conceive a general sense of what moving up the roadmap would imply both practically as well as conceptually.
- Put key personnel in place based on the needs of each school
- Determine budget priorities and resource allocation structures, and potential funding sources for valued initiatives.
- Engage community partners and form a site-based leadership committee
- Identify teacher leaders and initiate a plan to build capacity in that area
- Provide training to site teams in the strategic planning protocols
- Identify data sources that will be used in the strategic planning process

**Reference Material:**

1. Key features of the process
2. Process Implementation
3. Important considerations

**1. A. Key Features**

<b>Data-Driven</b>	<b>Vision and Mission</b>
<ul style="list-style-type: none"><li>✓ Identify the most meaningful outcomes</li><li>✓ Multiple forms of data covering a range of areas</li><li>✓ Assess both what happens – X’s as well as the results – O’s</li><li>✓ Align instructional values with instructional evaluation</li><li>✓ Identify users, encourage data as a source of growth rather than comparison</li></ul>	<ul style="list-style-type: none"><li>✓ Connect/Align References and Values</li><li>✓ Ongoing and evolving process</li><li>✓ Focus on R’s and X’s more than O’s</li><li>✓ Implies a location on the roadmap</li><li>✓ Implies a “masterstory” that guides action</li><li>✓ Second tier document outlines what one will see and not see in a school.</li><li>✓ Include community context</li></ul>
<b>Goals and Objectives</b>	<b>Accountability, Resources, Responsibilities</b>
<ul style="list-style-type: none"><li>✓ Encourage process vs product goals</li><li>✓ Address real problems vs symptoms</li><li>✓ Aligned with Mission and Vision</li><li>✓ Measurable or at least empirical</li><li>✓ Create SMART or similar format to encourage alignment of key areas</li><li>✓ Align objectives to data</li><li>✓ Distinguish long-term and near-term objectives</li></ul>	<ul style="list-style-type: none"><li>✓ Distribute power – democratic – voice</li><li>✓ Teacher powered</li><li>✓ Include community partners</li><li>✓ Identify timelines</li><li>✓ Identify responsible person(s)</li><li>✓ Include structural improvements and the transition process from old to new</li><li>✓ Include cost limitations</li><li>✓ Include currently existing and needed resources to meet objectives</li></ul>

## B. Terms and Abbreviations

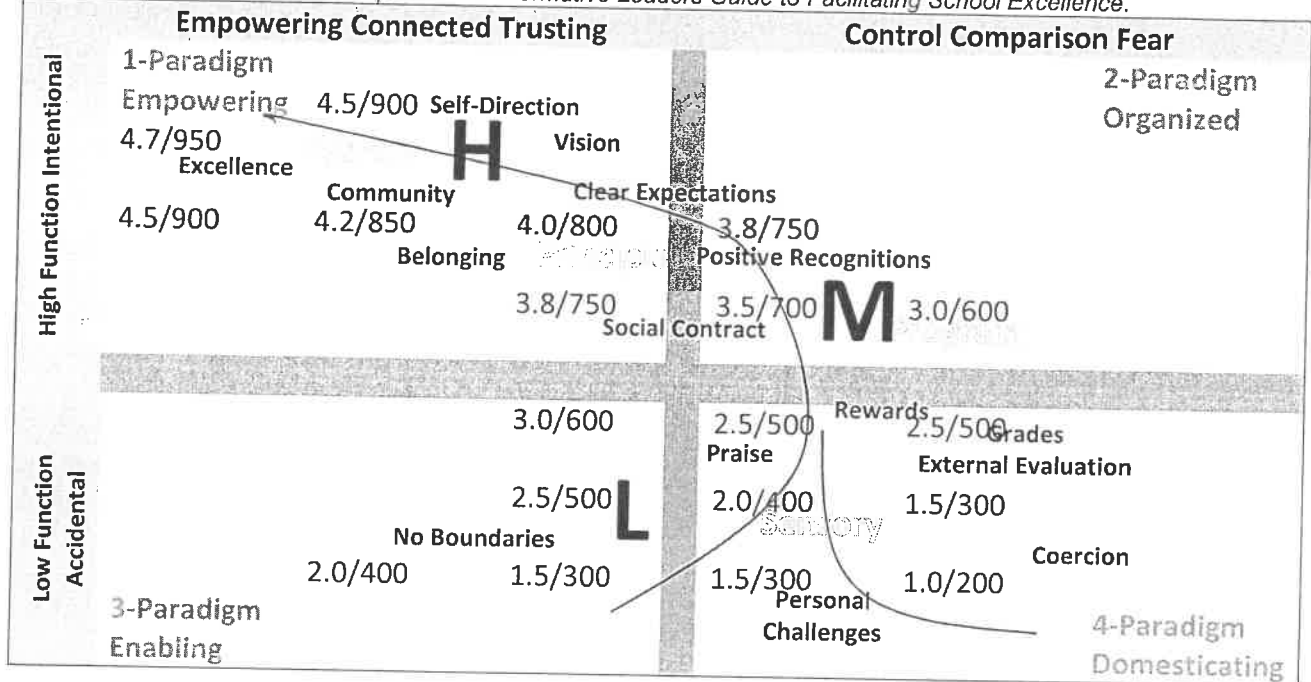
**R** = Reference (values, narratives, vision, beliefs, worldviews, guiding psychology, etc)

**X** = Actions (practices, policies, strategies, procedures, rituals, programs, habitual actions, etc)

**O** = Outcomes (results, scores, learning, feelings, experiences, satisfaction, motivation, quantities, etc)

**Roadmap** = A conceptual model derived from data from over 400 school showing the correlation among – school climate measure (SCAI), student learning levels, and pedagogical intentions of practitioners.

From Chapter 5 of "the Roadmap: The Transformative Leaders Guide to Facilitating School Excellence."



**Types of Schools** = Schools can be divided into 4 basic types based on their level of function and their orientation

	<b>Empowerment Connection Trust</b>	<b>Control Comparison Fear</b>
<b>High Function Intentional Leadership</b>	<b>1-Paradigm School Empowering</b> <ul style="list-style-type: none"> <li>Vision-Driven Facilitative Leadership</li> <li>Student-Centered Classrooms</li> <li>Community Climate</li> <li>Mostly 1-style teaching</li> </ul>	<b>2-Paradigm School Managed</b> <ul style="list-style-type: none"> <li>Efficiency-Driven Top-Down Leadership</li> <li>Teacher-Centered Classrooms</li> <li>Institutional Climate</li> <li>Mostly 2-style teaching</li> </ul>
<b>Low Function Accidental Leadership</b>	<b>3-Paradigm School Amorphous</b> <ul style="list-style-type: none"> <li>Enabling Passive Leadership</li> <li>Unstructured learning</li> <li>Insecure Climate</li> <li>Lots of 3-style teaching (but also a random combo of others)</li> </ul>	<b>4-Paradigm School Bossy</b> <ul style="list-style-type: none"> <li>Dominating and Self-serving Leadership</li> <li>Lecture and Test Teaching</li> <li>Domesticating Climate</li> <li>Mostly 4-style teaching</li> </ul>

## **2. Process and Implementation**

### **A. Early and/or Preliminary Events (Phase I – Initiating and/or Restructuring)**

- Outline basic ideas for a mission and vision statement and/or re-examine previous mission and vision statements
- Develop a working knowledge of the theoretical and practical implications of the ASSC roadmap and model.
- Use current and previously collected data to locate – generally where the schools are on the roadmap, reflect on school's current location and how it has gotten there, and conceive a general sense of what moving up the roadmap would imply both practically as well as conceptually.
- Put key personnel in place based on the needs of each school
- Determine budget priorities and resource allocation structures, and potential funding sources for valued initiatives.
- Engage community partners and form a site-based leadership committee
- Identify teacher leaders and initiate a plan to build capacity in that area
- Provide training to site teams in the strategic planning protocols
- Identify data sources that will be used in the strategic planning process

### **B. Full implementation (Phase II – Cultivating a Growth Process)**

- Create statements of vision and mission for every unit of analysis (each level of the structure).
- Use the vision and mission as the guiding values for all policy and programmatic decisions
- Put structures in place
  - School-based professional learning communities (PLCs)
  - Leadership teams at each unit of analysis (school and district)
  - District advisory
- Collect yearly data from each of the critical data sources – compare them to previous years. Map progress up the roadmap.
- Engage leadership committees or sub-committees in the process of examining data, setting SMART goals, and setting out action plans for improved practices and policies.
- Allocate resources based on the priorities or the mission and what the data say.

### **C. Continuous Improvement (Phase III – Next Level)**

- Create a list at each school that outlines and defines what “one should see” and “should not see” for each school and the district.
- Cultivate a system for sharing expertise and cultivating teacher leadership capacity within each building.
- Cultivate mechanisms that cultivate student leadership, peer conflict resolution, and community building at each school and the district.

- Cultivate relationships with parents and the community that act to spread positive influences out of and into the school, and support student of all types, cultures, and abilities levels.
- Align professional development content and processes with the goals of creating 1-style classrooms, 1-style organizational structure, and teacher powered capacity building.

### 3. Important Considerations

- a. As much as possible mission and vision statements should speak to the unique values of each school. If they look like everyone else's, then are they specific enough to be used in a meaningful way to guide your actions and policies? The answer will vary, but needs to be asked.
- b. Being risk-aversion is necessary, but it should not be the basis of your strategic plan. Let your plan reflect what you seek and your aspirations rather than your fears.
- c. Great schools are trying to be 1-paradigm. And because they are trying to be 1-paradigm their actions reflect 1-paradigm actions, so they achieve 1-paradigm outcomes – R-X-O. If a school is trying to do something else, they will not get 1-paradigm results – i.e., if they are using 2 or 4 paradigm values and practices they will get results at that range on the roadmap. You cannot get 1-paradigm results without trying to do 1-paradigm practices and understanding what you are doing and trying to do.
- d. Teachers need time to plan and be collaborative. There is no substitute for release time and building collaborative opportunities into the schedule. And teacher leaders need to be given the compensation, time and recognition that it takes to get the most from them. Building capacity is primarily going to happen by building teacher leadership and the time for collaboration.
- e. What you focus on and give attention to will grow. So fixing problems is smart, but promoting practice that reflects excellence and quality is going to get you more excellence and quality.
- f. You have one opportunity to get people excited about a change effort. You need to take advantage of the window of willingness, optimism, and good will. And what is put in place will likely be there for a while, so being accidental is rolling the dice. We can give you more advice about guiding a vision-driven change effort – we think it is critical if you want to take advantage of the one best chance to make a change.
- g. Goals and Objectives should reflect an effort to fix real problems rather than symptoms, and they should project growth rather than fear of the unwanted condition.
- h. Process values are much more powerful than outcomes values. John Wooden did not ever ask his team to win, but he demanded that they give 100% and execute the plan. Your strategic plan should read as a plan of what you do more than series of outcome goals.
- i. There is no other instrument that will provide the data that comes from the SCAI. It is actionable, meaningful and points to what "better" looks like. And it is the only data that will give a clear sense of where you are on the roadmap – i.e., what your average R's/values and X's/practices are.

## **Board Reference Material**

**SUBJECT TITLE:** 2018 Sierra Vista Mental Health Clinician Contract

**REQUESTED ACTION:** Approve

Action   X  

Discussion/Information           

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### **RECOMMENDATION:**

It is recommended the Board approve the contract with Sierra Vista Child & Family Services to provide mental health counseling services for the remainder of the 2017-18 school year.

### **BACKGROUND INFORMATION:**

The Los Banos Unified School District has had an increasing need for mental health counseling and support for regular education students. In extreme situations we will call on Special Education staff to provide needed support but it is not enough to address this growing problem. The District is proposing this initial contract to begin setting up a strategic plan of counseling support services for the many regular education students in need.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This supports Goal #3: Create and sustain inspirational learning environments that are safe, drug-free, and conducive to learning...

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

The partial year contract will cost the District \$40,000.

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ORIGINATOR: Paul J. Enos and Paula Mastrangelo, Assistant Superintendents  
Date: January 11, 2018

## **Board Reference Material**

**SUBJECT TITLE:** Every 15 Minute Program & Student Overnight Retreat

**REQUESTED ACTION:** Approve

Action   X   Discussion/Information                     

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### **RECOMMENDATION:**

It is recommended the Board approve the Every 15 Minutes Program at Los Banos High School for the dates March 22nd – 23rd, 2018. We also ask approval for the overnight student retreat. Approximately 28 students, 2 teachers, and 1 administrator will spend the night at Mission de Oro in Santa Nella on March 22<sup>nd</sup>.

### **BACKGROUND INFORMATION:**

*Every 15 Minutes* is a two-day program involving high school juniors and seniors which encourages them to think about personal safety when alcohol is involved. The program challenges the involved participants to make mature decisions and recognize that their actions affect others beside themselves.

Los Banos High School, in conjunction with the California Highway Patrol and the Office of Traffic Safety, is taking a proactive step in educating local high school students about making mature decisions when alcoholic beverages are involved.

Participants in the student retreat will work on team building activities that relate how to be proactive in difficult situations, like preventing someone from driving home drunk.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This event supports the Board's goal to keep students safe and to inform students about the repercussions of drinking and driving.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

Some community members may not like the Every 15 Minutes Program because they do not align with their religious, political, or philosophical beliefs. However, in a limited open forum, if the Every 15 Minutes follows the established rules and regulations they must be allowed to form.

### **SPECIFIC FINANCIAL IMPACT:**

The State will give LBHS a grant to pay for \$6,000 of the costs.

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ORIGINATOR: Veli Gurgun, Principal, Los Banos High School  
DATE: January 11, 2017

## **Board Reference Material**

**SUBJECT TITLE:**            **Obsolete Books**

**REQUESTED ACTION:**    Declare specific Library and Textbooks obsolete and dispose of consistent with BP 3270

Action      X  

Discussion/Information                     

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### **RECOMMENDATION:**

It is recommended the Board declare specific library books and textbooks obsolete and dispose of consistent with BP 3270.

### **BACKGROUND INFORMATION:**

Under Board Policy #3270 the Board may declare instructional materials obsolete and dispose of them in a number of prescribed ways.

Pacheco High School has developed a list of library books and/or texts that are no longer serviceable and useable in their library and or instructional program.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is a procedural matter that does not support a specific Board goal.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None identified.

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

Surplus of undistributed obsolete instructional materials that are usable for educational purposes may be donated to any governing board, county free library of other state institution; any United States public agency or institution; any nonprofit charitable organization; or children or adults in California or foreign countries for the purpose of increasing literacy. They also may be sold to any organization that agrees to use the materials for educational purposes. (Educational Code 60510)

Any organization, agency or institution receiving obsolete instructional materials from the district shall certify to the Board that it agrees to use the materials for educational purposes and make no charge to any persons to whom the materials are given or lent. (Education Code 60511)

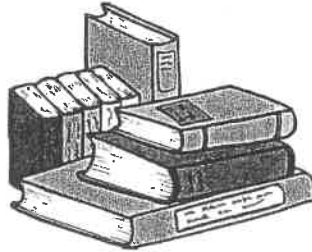
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ORIGINATOR: Paula Mastrangelo, Assistant Superintendent, Elementary Education  
DATE: January 11, 2018



# Los Banos Unified School District

1717 South Eleventh Street  
Los Banos, California 93635-4800  
Telephone (209) 826-3801 Fax (209) 826-6810  
[www.losbanosusd.org](http://www.losbanosusd.org)



Attached is a list of withdrawn titles submitted for board approval.

Date: 12/10/17

Signature: [Signature]

Site: Pacheco High School

Site Principal: [Signature]

Paula Mastrangelo: [Signature] Date 12/7/17  
Date

LBUSD Board of Trustees: \_\_\_\_\_  
Date

## Obsolete Books

### Dime Dos 1-2

Samaniego/Brown/Carlin/Gorman/Sparks ISBN: 0-669-43330-6  
D.C. Heath 1997 322 Copies

### Algebra 2

Barker/Chamberlain/Cowan/Johnson/Massa/Newman/Taepke/Wainscott  
ISBN: 0-07-865980-9 Glencoe/McGraw Hill 2005 CA/2005 609  
Copies

### Algebra 2 TE

1 Copy

ISBN: 0-07-865981-7 \$79.50  
GLENCOE 2005

### Barron's Math Workbook for the NEW SAT

Barron's Educational Services, Inc. : 2005  
978-0-7641-2365-8 83 Copies

### Nuestro Mundo

175 Copies

Battisti/Carrera-Hanley/Lionetti/Bohannon/Layser  
Houghton Mifflin Company : 2002 ISBN: 0-618-08589-0

### The Practice of Statistics

126 Copies

Daniel S. Yates; David S. Moore; Daren S. Starnes ISBN:0-7167-4773-1

## **Board Reference Material**

**SUBJECT TITLE:**     **Disposal of Obsolete Electronic Equipment**

**REQUESTED ACTION:**   Approve

Action   X  

Discussion/Information           

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### **RECOMMENDATION:**

It is recommended the Board approve the removal and disposal of obsolete electronic equipment.

### **BACKGROUND INFORMATION:**

District staff has indicated that numerous computers and other electronic equipment has become inoperable and/or obsolete and are no longer being used by the District. A list of the obsolete equipment is attached.

### **HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?**

This is an operational activity and does not directly support a specific Board goal.

### **ALTERNATIVES/IDENTIFIED OPPOSITION:**

None.

### **SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):**

Monies received from the disposal of surplus property shall be placed in the General Fund.

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ORIGINATOR: Garth Gomes, Information Systems Manager  
Date: January 11, 2018



desktop  
desktop  
desktop  
desktop  
projecor

laptop  
projector

laptop  
printer  
chromebook

e-4000  
e4100  
e6610  
e6100  
sanyoplc xcw 55

hp elete book  
sanyo projector xw55

gateway laptop m255e  
laserjet 1320

*Lenovo*

31621856  
32253074  
8040342303  
32515359  
66zo7993  
67324905  
cnd02906tib  
67216230  
67219221  
60506907  
36661470  
36661488  
36661450  
cnrc6bb4ij  
cnbc45p1w1  
0321td  
039ap2

8374  
858  
9033  
8688  
19176  
6171  
6743  
6725  
6749

2  
3  
2

Make	Model	S/N	Qty	Property Tag	Status
Gateway	E-2600S	36920818	1	6787	Beyond Repair
Gateway	E-2600S	36920819	1	6788	Beyond Repair
Gateway	E-2600S	36920820	1	6789	Beyond Repair
Gateway	E-2600S	36920822	1	6791	Beyond Repair
Gateway	E-2600S	36920823	1	6792	Beyond Repair
Gateway	E-2600S	36920824	1	6793	Beyond Repair
Gateway	E-2600S	36920825	1	6794	Beyond Repair
Gateway	E-2600S	36920828	1	6797	Beyond Repair
Gateway	E-2600S	36920829	1	6798	Beyond Repair
Gateway	E-2600S	36920830	1	6799	Beyond Repair
Gateway	E-2600S	36920831	1	6800	Beyond Repair
Gateway	E-2600S	36920832	1	6801	Beyond Repair
Gateway	LE500	LIC10750227	1	7002702	Beyond Repair
Gateway	E-3400	23852210	1	3140	Beyond Repair
Gateway	E-4610D	40292370	1	N/A	Beyond Repair
Gateway	E4300	35621183	1	6466	Beyond Repair
Sony	PCG-954A	N/A	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05692	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05694	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05683	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05704	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05689	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05693	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05700	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05705	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05690	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05701	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05685	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05702	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05682	1	N/A	Beyond Repair
Gateway	786N	MP163 500 05679	1	N/A	Beyond Repair
Gateway	E-2610D	39233785	1	8856	Beyond Repair
Gateway	E-4610D	37288414	1	6856	Beyond Repair

## Obsolete Equipment List

HP	LE1901 3CQ0264C12	1	no tag Beyond Repair
AOC	2036Sa R0398JA000109	1	no tag Beyond Repair
HP	LE1901 3CQ0264C17	1	no tag Beyond Repair
HP	Deskjet F2240 CN8954T07T	1	no tag Beyond Repair
Gateway	786N MP176 500 01579	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0E 00518	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW678 B0N 01415	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02461	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02454	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02445	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW65C B0C 04062	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW67C B0N 02872	1	no tag Beyond Repair
Gateway	EV700B NU17026DA7448	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02446	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02440	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW678 B0N 01416	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02476	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW682 B0N 00846	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02444	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02457	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW678 B0N 01413	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02480	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW666 B0V 02441	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW678 B0N 01417	1	no tag Beyond Repair
Gateway	TFT1780PS+ MW682 B0N 00819	1	no tag Beyond Repair
HP	Scanjet 2200c CN0CE150P2	1	no tag Beyond Repair
HP	Scanjet 5200C SG8BR130NT	1	no tag Beyond Repair
HP	Scanjet 5300C CN08J23177	1	no tag Beyond Repair
HP	Deskjet960c MY1AL1D08S	1	no tag Beyond Repair
Gateway	E-1600D 36936128	1	6825 Beyond Repair
Gateway	Gateway 2000 7412223	1	5167 Beyond Repair
Gateway	E-1500D 40334069	1	908 Beyond Repair
Gateway	E-1500D 36936123	1	6822 Beyond Repair
Gateway	E4300 34859219	1	6371 Beyond Repair

## Obsolete Equipment List

No Brand	tower	none	1	no tag Beyond Repair
Dell	Optiplex GX270	2P8ZP41	1	no tag Beyond Repair
Dell	Optiplex GX280	2200x61	1	no tag Beyond Repair
Gateway	E3600	27213749	1	7991 Beyond Repair
Gateway	E3600	27204917	1	7969 Beyond Repair
Gateway	E3600	27213762	1	7977 Beyond Repair
Gateway	E-1500d	36936112	1	6828 Beyond Repair
Gateway	E-1500D	39352666	1	8989 Beyond Repair
Dell	Dimension 3000	DPD6Y81	1	no tag Beyond Repair
Gateway	E3400	23914348	1	7624, 3190 Beyond Repair
Gateway	E3600	27213752	1	7976 Beyond Repair
Gateway	E-1500D	39352667	1	8990 Beyond Repair
Gateway	E-1500D	36936113	1	no tag Beyond Repair
Gateway	E3600	27213750	1	no tag Beyond Repair
Gateway	E-2610D	39233745	1	8939 Beyond Repair
Gateway	E-2610D	40332633	1	9055 Beyond Repair
Gateway	E-2610D	39233811	1	8924 Beyond Repair
Gateway	E-2610D	40332631	1	9053 Beyond Repair
Gateway	E-2610D	39233742	1	8872 Beyond Repair
Gateway	E-2610D	39233802	1	8867 Beyond Repair
Gateway	E-2610D	39233824	1	8870 Beyond Repair
Gateway	E-2610D	39233947	1	8854 Beyond Repair
Gateway	E-2610D	39233787	1	8940 Beyond Repair
Gateway	E-2610D	39233755	1	8860 Beyond Repair
Gateway	E-2610D	39233773	1	8908 Beyond Repair
Gateway	E-2610D	39233753	1	3926 Beyond Repair
Dell	Optiplex gx270	5gs2431	1	no tag Beyond Repair
Gateway	E-2610D	39233803	1	8921 Beyond Repair
Gateway	E-2610D	39233763	1	no tag Beyond Repair
Gateway	E-2610D	39233807	1	8889 Beyond Repair
Gateway	E-2610D	39233813	1	8938 Beyond Repair
Gateway	E-1500D	40334074	1	9103 Beyond Repair
Gateway	E-2610D	39233777	1	8914 Beyond Repair
Gateway	E-2610D	39233741	1	8866 Beyond Repair