

Please Note
This meeting is recorded.
Aviso:
Esta junta se grabará en cinta.

**LOS BANOS UNIFIED SCHOOL DISTRICT
GOVERNING BOARD OF EDUCATION
REGULAR/ORGANIZATIONAL MEETING
Los Banos Unified School District Boardroom
1717 S. 11th Street, Los Banos, CA 93635**

**Thursday, December 14, 2017
6:00 P.M. - First Interim Report Study Session
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. First Interim Report Study Session (6:00 P.M.)

C. Closed Session (6:30 P.M.)

1. Student Discipline: Cases #5517149 and #8194975468
2. Public Employee: Discipline/Dismissal/Release/Reassignment (Section 54957) (Action)
3. 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).

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

A. Roll Call of Board Members Present

Dennis Areias	Gary Munoz
Margaret Benton	Anthony Parreira
Megan Goin	Marlene Smith
Ray Martinez	Kyle Jackson

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

Motion by _____ Seconded by _____
Proposed Action: Approve Agenda

V. ANNUAL ORGANIZATIONAL BUSINESS

A. Election of Officers: (Page 8)

1. President

Motion By _____ Seconded By _____

Proposed Action: To elect _____ President of the Board.
(President presides for remainder of the meeting).

2. Vice-President

Motion By _____ Seconded By _____

Proposed Action: To elect _____ Vice-President of the Board.

3. Clerk

Motion By _____ Seconded By _____

Proposed Action: To elect _____ Clerk of the Board.

4. Secretary to the Board

Motion By _____ Seconded By _____

Proposed Action: Name Mark Marshall as Secretary to the Board.

B. Statement of Facts (Page 9)

It is recommended the Board approve the *Statement of Facts* for filing with the State of California as per Government Code Section 53051.

Motion By _____ Seconded By _____

Proposed Action: Approve

VI. RECOGNITION/INTRODUCTIONS

1. Los Banos High School Student Representative, Kyle Jackson, will be introduced.

VII. **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]

VIII. **REPORTS**

- A. Student Representative Report
- B. California School Employees' Association Report
- C. Los Banos Teachers' Association Report
- D. Superintendent's Report
 - 1. Superintendent's Facilities Subcommittee:
 - 2. Superintendent's Finance Subcommittee:
 - 3. Superintendent's 2x3 Subcommittee:
 - 4. Superintendent's Scholarship Committee:
 - 5. Curriculum Council Representative:
 - 6. Recommendation to the Recreation Commission:
- E. Facilities Report
- F. Board Member Reports

IX. **NEW BUSINESS**

- A. First Interim Budget Report (Page 11)

5 Min.

The First Period Budget Interim Report requires the Board to certify the financial condition of the District twice each year.

Motion By _____ Seconded By _____

Proposed Action: Approve Interim Report and certify District can meet its financial obligations for the current year and two subsequent years.

- B. 2017 Dashboard Local Indicators Report (Page 12) **5 Min.**

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

- C. Schedule of 2018 Board Meetings (Page 13) **5 Min.**

It is recommended the Board adopt the schedule for 2018 Board meetings as submitted.

Motion By: _____ Seconded By: _____

Proposed Action: Adopt

- D. Loftin Stadium Project Piggyback Contract (Page 15) **5 Min.**

It is recommended that the Board adopt Resolution #29-17 approving the District to enter 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.

Motion By _____ Seconded By _____

Proposed Action: Adopt Resolution & Approve Piggyback (ROLL CALL VOTE)

- E. Additional Classroom Facility Plan (Page 17) **5 Min.**

It is recommended the Board approve the Facilities Committee recommendation for additional classrooms needed for the 2018-19 school year.

Motion By _____ Seconded By _____

Proposed Action: Approve

- F. District Classroom Expansion Piggyback Contract (Page 18) **5 Min.**

It is recommended by the Facilities Subcommittee that the Board adopt Resolution #30-17 to approve the District enter into a “piggyback” agreement with Global Modular to build the necessary modular classrooms needed throughout the District.

Motion By _____ Seconded By _____

Proposed Action: Adopt Resolution & Approve Piggyback (ROLL CALL VOTE)

- G. Bid Award to Install Marquee Sign at Pacheco High School (Page 20) **5 Min.**

It is recommended the Board award the bid to Fluoresco Services to provide labor and material to install an electric marquee sign at Pacheco High School.

Motion By _____ Seconded By _____

Proposed Action: Approve

H. Revised Director/Supervisor Salary Schedule (Page 22) **5 Min**

It is recommended the Board approve the revised Director/Supervisor salary schedule to include the following: adding the Program Director of Preschool Programs to the current salary schedule.

Motion By _____ Seconded By _____
Proposed Action: Approve

I. Mandated Policy Changes/Updates (First Reading) (Page 28) **5 Min**

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

Motion By _____ Seconded By _____
Proposed Action: Declare Intent to Adopt

J. Course Adoptions (First Reading) (Page 121) **5 Min.**

It is recommended the Board declare its intent to adopt the following Course: *Physical Education*.

Motion By _____ Seconded By _____
Proposed Action: Declare Intent to Adopt

X. **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 Meeting, November 16, 2017 (Page 122)
- B. Personnel Actions
 - 1. Report of Certificated Staffing Actions (Page 127)
 - 2. Report of Classified Staffing Actions (Page 128)

C. Monthly Fiscal Report (Page 129)

The monthly Fiscal Report is provided for Board information.

D. 2018-19 School Calendars (Second Reading) (Page 137)

It is recommended the Board adopt the 2018-19 school calendars.

E. Governance Handbook (Second Reading) (Page 140)

It is recommended the Board review the revisions to the Governance Handbook and declare intent to adopt.

F. Revised Job Description (Page 159)

It is recommended the Board approve the revised job description for the Program Director of Preschool Programs.

G. Mandated Policy Changes/Updates (Second Reading) (Page 162)

It is recommended the Board adopt the following mandated policy updates:

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

H. Contracts/Agreements/Proposals

1. Blackboard Connect, autodialing system (Page 256)
2. Alpha Vista Services Inc., Bilingual Psychologist (Page 260)
3. K.D. Anderson & Associates, Inc., Traffic Engineering Study (Page 264)
4. LDA Partners, Additional Classroom Facility Project (Page 270)

I. Overnight/Out of State Travel

1. LBHS Senior Grad Nite, Disneyland, May 29-30, 2018 (Page 274)
2. LBHS Boys' Varsity Golf Team, AT&T Pro-Am Pebble Beach, Feb. 7-11, 2018 (Page 275)

J. Crossroads Alternative Education Center Building Exemption (Page 276)

It is recommended the Board approve the exemption request with the State Allocation Board for the Crossroads Alternative Education Center facility.

K. Disposal of Obsolete Electronic Equipment (Page 278)

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

L. Approval/Ratification of Warrants

Motion By _____ Seconded By _____

Proposed Action: Approve Consent Calendar as listed. **(ROLL CALL VOTE)**

XI. REPORTING CLOSED SESSION ACTION

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

XII. DISCUSSION, INFORMATION & FUTURE AGENDA ITEMS (Board/Superintendent)

XIII. CLOSED SESSION (If needed)

XIV. REPORTING CLOSED SESSION ACTION (If needed)

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

XV. 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: **2018 Election of Board Officers**

REQUESTED ACTION: Elect Officers

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board elect officers for 2018 - President, Vice-President, and Clerk and appoint the Secretary to the Board.

BACKGROUND INFORMATION:

Each year Trustees nominate and elect officers to serve a one year term on the Board. As per Education Code, the Superintendent serves as Secretary to the Board.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does support a specific Board Goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

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

None

ORIGINATOR: Mark Marshall, Ed.D., Superintendent
Date: December 14, 2017

Board Reference Material

SUBJECT TITLE: Statement of Facts

REQUESTED ACTION: Approve

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended that the Board approve the *Statement of Facts* for filing with the State of California as per Government Code Section 53051.

BACKGROUND INFORMATION:

Government Code Section 53051 requires public agencies file a *Statement of Facts* to verify school board members reside within the boundaries of the school district they represent, and to update any new information.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

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

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

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

None

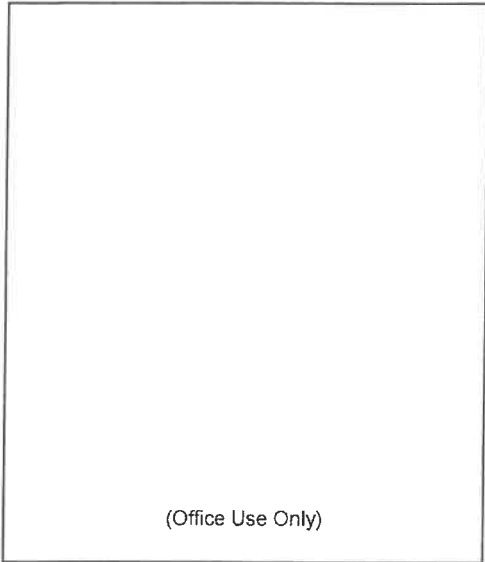
ORIGINATOR: Mark Marshall, Ed.D., Superintendent
Date: December 14, 2017



State of California Secretary of State

STATEMENT OF FACTS ROSTER OF PUBLIC AGENCIES FILING

(Government Code section 53051)



(Office Use Only)

Instructions:

1. Complete and mail to: Secretary of State,
P.O. Box 942870, Sacramento, CA 94277-2870 (916) 653-3984
2. A street address must be given as the official mailing address or as the address of the presiding officer.
3. Complete addresses as required.
4. If you need additional space, attach information on an 8½" X 11" page, one sided and legible.

New Filing Update

Legal name of Public Agency: Los Banos Unified School District

Nature of Update: Elections

County: Merced

Official Mailing Address: 1717 S. Eleventh Street, Los Banos, CA 93635

Name and Address of each member of the governing board:

Chairman, President or other Presiding Officer (Indicate Title): President

Name: _____ Address: _____

Secretary or Clerk (Indicate Title): _____

Name: _____ Address: _____

Members:

Name: Dennis Areias Address: 13315 S. Baker Rd., Los Banos, CA. 93635

Name: Margaret Benton Address: 1634 W. I Street, Los Banos, CA. 93635

Name: Megan Goin-Soares Address: 534 Ranchwood Drive, Los Banos, CA. 93635

Name: Ray Martinez Address: 2357 S. Fallbrook Drive, Los Banos, CA. 93635

Name: Gary Munoz Address: 348 Louie Ave, Los Banos, CA. 93635

Name: Anthony Parreira Address: 1024 Jackson Ave, Los Banos, CA. 93635

Name: Marlene Smith Address: 209 Orange Avenue, Los Banos, CA. 93635

RETURN ACKNOWLEDGMENT TO: (Type or Print) December 14, 2017

Date

NAME [Mark Marshall, Los Banos Unified School District]

ADDRESS 1717 S. Eleventh Street Signature

CITY/STATE/ZIP [Los Banos, CA 93635]

Typed Name and Title

Board Reference Material

SUBJECT TITLE: 2017-18 1st Interim Report

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the 1st Interim Report and certify that the District can meet its obligations for the current year, and two subsequent years.

BACKGROUND INFORMATION:

Current law requires the Board to certify the financial condition of the District twice each year. Attached is the 1st Interim Report for the period ending October 31, 2017. The report shows a positive certification of the budget.

The report will be distributed under separate cover.

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.

ORIGINATOR: Amer Iqbal, Director, Fiscal Services

Date: December 14, 2017

Board Reference Material

SUBJECT TITLE: **2017 Dashboard Local Indicators Report**

REQUESTED ACTION: Report Only

Action _____

Discussion/Information X

RECOMMENDATION:

No action required; report only

BACKGROUND INFORMATION:

Staff will share the initial data that was reported on the Spring 2017 Dashboard for the District.

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):

N/A

ORIGINATOR: Paula Mastrangelo & Paul J. Enos, Assistant Superintendents
Date: December 14, 2017

Board Reference Material

SUBJECT TITLE: 2018 Board Meetings Schedule

REQUESTED ACTION: Adopt

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended the Board adopt the 2018 Board meetings schedule.

BACKGROUND INFORMATION:

All regular Board meetings are proposed for the second Thursday of each month.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS:

This is an operational activity and does support a specific Board Goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

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

None

ORIGINATOR: Mark Marshall, Ed.D., Superintendent

Date: December 14, 2017

**LOS BANOS UNIFIED SCHOOL DISTRICT
2018 BOARD OF EDUCATION MEETINGS
2nd THURSDAY OF EACH MONTH (unless otherwise noted)
7:00 P.M.
Los Banos City Hall Council Chambers**

REGULAR MEETINGS

**Thursday, January 11, 2018
Thursday, February 8, 2018
Thursday, March 8, 2018
Thursday, April 12, 2018
Thursday, May 10, 2018
Thursday, June 14, 2018
Thursday, July 12, 2018
Thursday, August 9, 2018
Thursday, September 13, 2018
Thursday, October 11, 2018
Thursday, November 8, 2018
Thursday, December 13, 2018**

SPECIAL MEETINGS

**Thursday, May 24, 2018
Budget Study
5:00 p.m. – LBUSD Boardroom**

**Thursday, June 21, 2018
LCAP/Budget Approval
5:00 p.m. – LBUSD Boardroom**

Board Reference Material

SUBJECT TITLE: **Authorize Resolution to Participate in a Piggyback Contract**

REQUESTED ACTION: Adopt Resolution and Approve

 Action X

 Discussion/Information

RECOMMENDATION:

It is recommended that the Board adopt Resolution #29-17 approving the District to enter 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.

BACKGROUND INFORMATION:

On November 16, 2017, the Board approved purchasing two modular changing rooms from Global Modular for Loftin Stadium. Due to the dollar value of the modulars this approval must be in the form of a piggyback agreement. The attached Resolution approves the required piggyback agreement. The cost will increase from November’s approval by: \$2,080 to cover the bonding cost that is required with the piggyback + \$12,000 for floors that will tolerate water.

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):

The additional cost approved with this item is \$14,080 bringing the total cost to \$121,094 that will be paid from Capital Improvement Fund 40.

ORIGINATOR: Don Laursen- Assistant Superintendent, Administrative Services
Date: December 14, 2017

**Los Banos Unified School District
1717 S. Eleventh Street
Los Banos, California 93635**

Resolution #29-17

Authorizing the Acquisition of Modular Classrooms

WHEREAS, the Governing Board of Los Banos Unified School District has determined that a need exists for the acquisition of modular classrooms to provide changing rooms at Loftin Stadium; and

WHEREAS, the governing board of a school district may under section 2018 of the California Public Contract Code, without advertising for bids, if the board has determined it to be in the best interest of the district, authorized by contract, lease, requisition or purchase order, any public corporation or agency to lease data processing equipment, purchase materials, supplies, equipment, vehicles, tractors, services and other property for the district in the manner in which the public corporation is authorized by law to lease or purchase; and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to authorize the acquisition of these items under the Piggyback Contract for the purchase of relocatable classroom buildings procured by the Fairfax School District, awarded to Global Modular on April 10, 2014 and such Piggyback Contract extended to April 22,2018.

NOW, THEREFORE, the Board hereby finds, determines, declares, and resolves as follows:

Section 1. All of the recitals set forth above are true and correct and the Board so finds and determines.

Section 2. The Board hereby finds and determines the acquisition of the modular classrooms under the Piggyback Contract pursuant to the Public Contracts section 20118 to be in the best interest of the District.

Section 3. The Superintendent or Superintendent designee is hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may, in consultation with legal counsel, deem necessary or advisable in order to consummate this transaction and otherwise carry out, give effort to and comply with the terms and intent of this Resolution.

Section 4. This Resolution shall be effective as of the date of its adoption.

APPROVED, passed and adopted by the Governing Board of Los Banos Unified School District, Merced County, State of California, this 14th day of December, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

President, Board of Education
Los Banos Unified School District

Secretary, Board of Education
Los Banos Unified School District

Board Reference Material

SUBJECT TITLE: Additional Classroom Facility Plan

REQUESTED ACTION: Approve the Facility Project Plan

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the Facilities Committee recommendation for additional classrooms needed for the 2018-19 school year. The new classrooms are necessary to accommodate the anticipated student growth.

BACKGROUND INFORMATION:

The District is expecting to reach school site facility capacity by the 2018-19 school year. With the construction of a new elementary school still two years away, a plan to for additional classrooms is needed. In order to have rooms ready for August 2018, per agreement/discussion with LBTA, Dr. Marshall and the Facilities Committee are recommending: Moving Transitional Kindergarten to the former Green Valley Charter School site, adding modular classrooms to Volta Elementary School and adding modular classrooms to Pacheco High School. This plan will create room for 500-700 students.

If the Board approves this direction, 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 \$2,100,000 to be paid from a combination of the Developer Fees and the Capital Improvement/Fund 40.

ORIGINATOR: Mark Marshall, Ed.D., Superintendent
Date: December 14, 2017

Board Reference Material

SUBJECT TITLE: **Authorize Resolution to Participate in a Piggyback Contract**

REQUESTED ACTION: Adopt Resolution and Approve

 Action X

 Discussion/Information _____

RECOMMENDATION:

It is recommended by the Facilities Subcommittee that the Board adopt Resolution #30-17 to approve the District enter into a “piggyback” agreement with Global Modular to build the necessary modular classrooms for District Facilities.

BACKGROUND INFORMATION:

Due to the ongoing growth and the renewed housing development in Los Banos, we need to add classrooms to sites within the District. The use of a piggyback agreement allows the District to get the “low bid price” that was established by another District in the State this past year. The site development work will need to be hard bid out to the lowest responsive general contractor or enter into a lease/leaseback contract to complete the site work. By awarding the modular contract through a piggyback contract, we will save approximately two months bid time while getting the low bid established over the past year. Due to the ongoing growth, we need to immediately begin the selection process for a site work contractor in order to have any chance to open in August.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This action supports Board Goals Four and Five.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

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

The cost of the total project will be in the neighborhood of \$514,338.50.

ORIGINATOR: Mark Marshall, Ed.D., Superintendent

Date: December 14, 2017

**Los Banos Unified School District
1717 S. Eleventh Street
Los Banos, California 93635**

Resolution #30-17

Authorizing the Acquisition of Modular Classrooms

WHEREAS, the Governing Board of Los Banos Unified School District has determined that a need exists for the acquisition of modular classrooms to add capacity to District Facilities; and

WHEREAS, the governing board of a school district may under section 2018 of the California Public Contract Code, without advertising for bids, if the board has determined it to be in the best interest of the district, authorized by contract, lease, requisition or purchase order, any public corporation or agency to lease data processing equipment, purchase materials, supplies, equipment, vehicles, tractors, services and other property for the district in the manner in which the public corporation is authorized by law to lease or purchase; and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to authorize the acquisition of these items under the Piggyback Contract for the purchase of relocatable classroom buildings procured by the Fairfax School District, awarded to Global Modular on April 10, 2014 and such Piggyback Contract extended to April 22, 2018.

NOW, THEREFORE, the Board hereby finds, determines, declares, and resolves as follows:

Section 1. All of the recitals set forth above are true and correct and the Board so finds and determines.

Section 2. The Board hereby finds and determines the acquisition of the modular classrooms under the Piggyback Contract pursuant to the Public Contracts section 20118 to be in the best interest of the District.

Section 3. The Superintendent or Superintendent designee is hereby authorized and directed to do any all things and to execute and deliver any and all documents which they may, in consultation with legal counsel, deem necessary or advisable in order to consummate this transaction and otherwise carry out, give effort to and comply with the terms and intent of this Resolution.

Section 4. This Resolution shall be effective as of the date of its adoption.

APPROVED, passed and adopted by the Governing Board of Los Banos Unified School District, Merced County, State of California, this 14th day of December, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

President, Board of Education
Los Banos Unified School District

Secretary, Board of Education
Los Banos Unified School District

Board Reference Material

SUBJECT TITLE: Bid Award to Install Marquee Sign at Pacheco High School

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board award the bid to Fluoresco Services to provide labor and material to install an electric marquee sign at Pacheco High School.

BACKGROUND INFORMATION:

A pre-bid walk through was held on Monday, November 20, 2017 at 10:00am. The bid opening was conducted on Monday, November 27, 2017 at 1:00pm. One bid was received from Fluoresco Services in the amount of \$14,516.37. The marquee sign was purchased by the District. The project will only involve labor and material to install the sign.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is operational in nature and does not support a specific Board Goal.

ALTERNATIVE/IDENTIFIED OPPOSITION:

None.

SPECIFIC FINANCIAL IMPACT:

Total project cost will be paid from the General Fund

ORIGINATOR: Tom Worthy, Director of Facilities, Operations, and Transportation
DATE: December 14, 2017



QUOTE 185060
Quoted Date: 11/27/17

Page: 1

To: LOS BANOS UNIFIED SCHOOL DISTRICT
646 W PACHECO BLVD
LOS BANOS, CA 93635
Attn:

Site Id: FLFNO646ADR
Location: PACHECO HIGH SCHOOL
Address: 200 N WARD ROAD
LOS BANOS, CA 93635

Qty	Item #	Description	Price	Amount
1	6077	LABOR: BASED ON 2017 PW WAGE RECEIVE, INSPECT & INSTALL CUSTOMER SUPPLIED MARQUEE SIGN.	\$6,980.00	\$6,980.00
1	6590	FOOTING	\$6,962.00	\$6,962.00

NOTES:

ELECTRICAL TO SIGN BY OTHERS.
ALL INSPECTIONS, INCLUDING DSA BY OTHERS

I hereby accept this quotation/change order, please place my order.

Signature / _____

_____ Date

Print Name _____

Subtotal: \$13,942.00
Sales Tax: \$574.37
Project total: \$14,516.37
Deposit Required: \$7,258.19
Total \$7,258.18

QUOTATION VALID FOR 30 DAYS FROM THE DATE INDICATED ABOVE.

Joanne Parvin
Phone: (559) 221-7273 Ext. 7273
Direct Phone: 559-221-7273 Fax (559) 221-7274
Email: jparvin@fluoresco.com

LIGHTS OUT? FLUORESCO'S DEDICATED SERVICE & MAINTENANCE TEAM IS HERE FOR ALL YOUR NEEDS.
CALL 800-797-0870

TERMS AND CONDITIONS:

The Terms and Conditions which apply to this order are available by clicking the link below or copying into your web browser:
http://extranet.everbrite.com/common2/terms_conditions_fluor.pdf

LOS BANOS UNIFIED SCHOOL DISTRICT
DIRECTOR & SUPERVISOR SALARY SCHEDULE

RANGE	CLASSIFICATION
17	EXECUTIVE SECRETARY / OFFICE SUPERVISOR
19	PROGRAM DIRECTOR PRESCHOOL
20	TRANSPORTATION SUPERVISOR
20	FISCAL SERVICES SUPERVISOR
23	CAFETERIA SUPERVISOR
23	MAINTENANCE & OPERATIONS SUPERVISOR
23	MAINTENANCE / OPERATIONS / TRANSPORTATION SUPERVISOR
23	BEFORE / AFTER SCHOOL PROGRAM SUPERVISOR
26	TRANSPORTATION MANAGER
26	NETWORK SYSTEMS ADMINISTRATOR
31	INFORMATION SYSTEMS SUPERVISOR
32	DIRECTOR FACILITIES / OPERATIONS / TRANSPORTATION
32	DIRECTOR OF CLASSIFIED PERSONNEL
32	DIRECTOR OF FISCAL SERVICES
32	BOARD CERTIFIED BEHAVIOR ANALYST
37	ASSISTANT SUPERINTENDENT - ADMIN SERVICES

Los Banos Unified School District
2017-2018

Director/Supervisory Salary Schedule

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII
Range						6-9 Yrs	10-14 Yrs	15-19 Yrs	20-24 Yrs	25-29 Yrs	30-34 Yrs	35 + Yrs
Highlighted area indicates a monthly salary for an 8 hour employee with 261 paid days.												
26A	\$41.54	\$43.20	\$44.95	\$46.73	\$48.60	\$50.55	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.96
	\$7,227.96	\$7,516.80	\$7,821.30	\$8,131.02	\$8,456.40	\$8,795.70	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,129.04
27	\$42.36	\$44.05	\$45.81	\$47.66	\$49.55	\$51.54	\$53.60	\$55.73	\$57.98	\$60.29	\$62.71	\$65.21
	\$7,370.64	\$7,664.70	\$7,970.94	\$8,292.84	\$8,621.70	\$8,967.96	\$9,326.40	\$9,697.02	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54
27A	\$43.20	\$44.95	\$46.73	\$48.60	\$50.55	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52
	\$7,516.80	\$7,821.30	\$8,131.02	\$8,456.40	\$8,795.70	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48
28	\$44.05	\$45.81	\$47.66	\$49.55	\$51.54	\$53.60	\$55.73	\$57.98	\$60.29	\$62.71	\$65.21	\$67.83
	\$7,664.70	\$7,970.94	\$8,292.84	\$8,621.70	\$8,967.96	\$9,326.40	\$9,697.02	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54	\$11,802.42
28A	\$44.95	\$46.73	\$48.60	\$50.55	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.18
	\$7,821.30	\$8,131.02	\$8,456.40	\$8,795.70	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,037.32
29	\$45.81	\$47.66	\$49.55	\$51.54	\$53.60	\$55.73	\$57.98	\$60.29	\$62.71	\$65.21	\$67.83	\$70.54
	\$7,970.94	\$8,292.84	\$8,621.70	\$8,967.96	\$9,326.40	\$9,697.02	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54	\$11,802.42	\$12,273.96
29A	\$46.73	\$48.60	\$50.55	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94
	\$8,131.02	\$8,456.40	\$8,795.70	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,517.56
30	\$47.66	\$49.55	\$51.54	\$53.60	\$55.73	\$57.98	\$60.29	\$62.72	\$65.21	\$67.83	\$70.53	\$73.36
	\$8,292.84	\$8,621.70	\$8,967.96	\$9,326.40	\$9,697.02	\$10,088.52	\$10,490.46	\$10,913.28	\$11,346.54	\$11,802.42	\$12,272.22	\$12,764.64
30A	\$48.60	\$50.55	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94	\$74.82
	\$8,456.40	\$8,795.70	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,517.56	\$13,018.68
31	\$49.55	\$51.54	\$53.60	\$55.73	\$57.98	\$60.29	\$62.72	\$65.22	\$67.83	\$70.53	\$73.36	\$76.30
	\$8,621.70	\$8,967.96	\$9,326.40	\$9,697.02	\$10,088.52	\$10,490.46	\$10,913.28	\$11,348.28	\$11,802.42	\$12,272.22	\$12,764.64	\$13,276.20
31A	\$50.55	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94	\$74.82	\$77.83
	\$8,795.70	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,517.56	\$13,018.68	\$13,542.42
32	\$51.54	\$53.62	\$55.73	\$57.98	\$60.29	\$62.71	\$65.21	\$67.83	\$70.53	\$73.36	\$76.29	\$79.32
	\$8,967.96	\$9,329.88	\$9,697.02	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54	\$11,802.42	\$12,272.22	\$12,764.64	\$13,274.46	\$13,801.68
32A	\$52.56	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94	\$74.82	\$77.83	\$80.93
	\$9,145.44	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,413.16	\$14,488.98	\$13,542.42	\$14,081.82
33	\$53.60	\$55.73	\$57.98	\$60.29	\$62.71	\$65.21	\$67.83	\$70.53	\$73.36	\$76.29	\$79.32	\$82.52
	\$9,326.40	\$9,697.02	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54	\$11,802.42	\$12,272.22	\$12,764.64	\$13,274.46	\$13,801.68	\$14,358.48
33A	\$54.66	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94	\$74.82	\$77.83	\$80.93	\$84.16

Los Banos Unified School District
2017-2018

Director/Supervisory Salary Schedule

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII
Range						6-9 Yrs	10-14 Yrs	15-19 Yrs	20-24 Yrs	25-29 Yrs	30-34 Yrs	35 + Yrs
	Highlighted area indicates a monthly salary for an 8 hour employee with 261 paid days.											
	\$9,510.84	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,517.56	\$13,018.68	\$13,542.42	\$14,081.82	\$14,643.84
34	\$55.73	\$57.98	\$60.29	\$62.71	\$65.21	\$67.83	\$70.53	\$73.36	\$76.29	\$79.32	\$82.51	\$85.81
	\$9,697.02	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54	\$11,802.42	\$12,272.22	\$12,764.64	\$13,274.46	\$13,801.68	\$14,356.74	\$14,930.94
34A	\$56.86	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94	\$74.82	\$77.83	\$80.93	\$84.15	\$87.52
	\$9,893.64	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,517.56	\$13,018.68	\$13,542.42	\$14,081.82	\$14,642.10	\$15,228.48
35	\$57.98	\$60.29	\$62.71	\$65.21	\$67.83	\$70.53	\$73.36	\$76.29	\$79.32	\$82.51	\$85.81	\$89.27
	\$10,088.52	\$10,490.46	\$10,911.54	\$11,346.54	\$11,802.42	\$12,272.22	\$12,764.64	\$13,274.46	\$13,801.68	\$14,356.74	\$14,930.94	\$15,532.98
35A	\$59.14	\$61.49	\$63.95	\$66.52	\$69.17	\$71.94	\$74.82	\$77.83	\$80.93	\$84.15	\$87.52	\$91.07
	\$10,290.36	\$10,699.26	\$11,127.30	\$11,574.48	\$12,035.58	\$12,517.56	\$13,018.68	\$13,542.42	\$14,081.82	\$14,642.10	\$15,228.48	\$15,846.18
36	\$60.33	\$62.73	\$65.24	\$67.85	\$70.57	\$73.38	\$76.31	\$79.38	\$82.54	\$85.84	\$89.27	\$92.85
	\$10,497.42	\$10,915.02	\$11,351.76	\$11,805.90	\$12,279.18	\$12,768.12	\$13,277.94	\$13,812.12	\$14,361.96	\$14,936.16	\$15,532.98	\$16,155.90
36A	\$61.54	\$63.98	\$66.55	\$69.20	\$71.98	\$74.84	\$77.85	\$80.96	\$84.20	\$87.55	\$91.06	\$94.70
	\$10,707.96	\$11,132.52	\$11,579.70	\$12,040.80	\$12,524.52	\$13,022.16	\$13,545.90	\$14,087.04	\$14,650.80	\$15,233.70	\$15,844.44	\$16,477.80

Board Reference Material

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

REQUESTED ACTION: Review

Action _____ Discussion/Information X

RECOMMENDATION:

It is recommended that the Board review 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

ORIGINATOR: Dr. Mark Marshall, Superintendent
DATE: December 14, 2017

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** improving 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 ~~a~~Alternative 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>

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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~~**T**he 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~~**T**~~he 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~~**T**he length of time the contractors will be on school grounds, 2. ~~W~~**W**hether students will be in proximity with the site where the contractors will be working, **and** 3. ~~W~~**W**hether 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)

4240

BARGAINING UNITS

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)

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

Aboud 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, 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 **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>

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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.Atty.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.~~

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~~

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~~
 - e. ~~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

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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

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Policy Reference UPDATE Service

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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/ls/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/netb>

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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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
- o-q. 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, c**oordinate 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 #e 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 #e 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-e 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

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.

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)~~

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Policy Reference UPDATE Service

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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 d~~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>

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Policy Reference UPDATE Service

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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, a~~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.tkcalifornia.org>

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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~~ **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/CChildWelfareCouncil.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: Apex Physical Education - CORE P.E. Course # 2550 (First Reading)

REQUESTED ACTION: Declare Intent to Adopt

Action X

Discussion/Information

RECOMMENDATION:

It is recommended that the board declare intent to adopt the PE offerings for 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.

The Apex Physical Education course combines the best of online instruction with actual student participation in weekly cardiovascular, aerobic, and muscle toning activities, related to the CORE P.E. program approved for LBUSD.

Students will be required to report to their teacher weekly to review progress in the assigned course and review their activity logs. The online courses are available 7 days per week from APEX Learning. Students will earn five credits of P.E. per quarter.

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.

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.

ORIGINATOR: Paul J. Enos, Assistant Superintendent, Secondary Education
Board Date: December 14, 2017

LOS BANOS UNIFIED SCHOOL DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF EDUCATION
November 16, 2017

City Hall
Council Chambers

Mr. Parreira called the meeting to order at 6:15 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:

Closed Session

Student Discipline: Cases #6185995784, #5518917, #1136976873, #3174324647, #9195515741, #6191908064, #8178349228 (Action)

Public Employee: Discipline/Dismissal/Release/Reassignment (Section 54957) (Action)

The audience was led in the Pledge of Allegiance by LBTA President, Jason Walsh.

Pledge of Allegiance

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

Approval of Agenda

No one came forward.

Public Forum

LBHS Student, Elena Gutierrez Ramirez, LBHS teacher Jon Betschart, LBJH Student, Ignacio Gutierrez Ramirez and LBJH teacher Jason Walsh were recognized for recent student accomplishments. Retirees, Martie Lloyd, Christina Torres, Randall W. Ware, Virginia Iudice, and Maria T. Rojas were recognized for their years of service with the LBUSD. New Director of Fiscal Services, Amer Iqbal was introduced and welcomed to the District.

Recognition / Introductions

Pacheco High School Student Representative, Marielle Gimeno, reported on the many activities at Los Banos and Pacheco High Schools.

Student Report

No Report

CSEA Report

No Report

LBTA Report

Dr. Marshall reported that a board member asked for information regarding lowering the cost of summer school. He said Crossroads Alternative Education Program has identified some online courses that could possibly help to reduce the cost of summer school and he hopes to have more information for the next Board Meeting. He reported that the 11th Street and Pacheco crossing guard position is posted and the goal is to have the position filled by the beginning of second semester. He said he hopes to have the follow up report to his initial Entry Plan Presentation at the December or January Board Meeting. He said the District will be conducting a Bond Election Survey and encouraged everyone to participate when they get the phone call. He wished everyone a Happy Thanksgiving.

Superintendent's Report

No report

Facilities Report

Mr. Parreira thanked the sites for inviting the board members to the many activities at the schools. He said he recently judged the LBE Spelling Bee, read to students at LFE and commended the LFE student government for their participation with OPC (Operation Packing Company). He said he was also a judge for the MSE Poetry contest and praised all the school sites for honoring Veterans' with wonderful flag ceremonies. Ms. Benton congratulated LBHS FFA for winning a National Food Service Award at the FFA National Convention. She said she attended the LBHS FFA Greenhand Banquet, read to LFE students, attended PHS multi-cultural open house, judged the Red Ribbon Week poster contest at WUES, and judged the MSE Poetry Contest. She congratulated the teachers and students recognized earlier in the evening and commended them for doing a great job. She thanked Dr. Marshall for a successful Community Cafe and thanked Jane Brittell for a wonderful job hosting the event. She said she is pleased that Caltrans approved a crossing guard at Hwy. 152 and 11th Street and hopes that in the future a stop light will be installed. She wished everyone a Happy Thanksgiving. Mr. Munoz thanked LFE for inviting him to their Jump Start Reading Program. He said he attended the Unconscious Bias Training Workshop in Merced, Parenting Partners at LBJH, and a MESA fieldtrip. He said he is very excited about the Parent Leadership Training Program that will have graduates at a November 28th ceremony and encouraged anyone wanting more information to call him. He wished everyone a Happy Thanksgiving. Mr. Areias commended Volta Elementary School for a wonderful flag raising ceremony and was very impressed with the Poetry Contest at MSE. He reported that at a recent Facilities Committee meeting the Bond Survey was reviewed. He stressed that it is very important that everyone take the time to respond to the survey and emphasized that the District is in need of a new elementary school. He said he has been working with Dr. Marshall on policies related to PE Credit. He wished everyone a Happy Thanksgiving. Mr. Martinez thanked everyone for coming to the Board Meeting, welcomed Mr. Iqbal to the District, and congratulated the retirees and students that were recognized. He said he recently attended the LFE Jump Start Reading Program, FFA Greenhand Banquet and MSE Poetry Contest. He thanked all administrators and staff for their hard work, encouraged everyone to work together and wished everyone a Happy Thanksgiving. Ms. Goin thanked everyone for all they do for the students and wished everyone an enjoyable holiday. Ms. Smith said she recently attended the LFE awards ceremony and complimented how nice it was to see so how many students receive awards. She commended Ms. Brittell for doing a great job and wished everyone a Happy Thanksgiving.

Trustee Reports

Francisco Romo, from Merced County Office of Education, presented the annual Williams Settlement Report.

Williams Report

On motion by Member Areias, seconded by Member Martinez, Trustees declared intent to adopt the revised Governance Handbook. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.

Governance Handbook (first Reading)

On a motion of Member Areias, seconded by Member Smith, Trustees approved December 14, 2017, 7:00 P.M., as the date and time of its annual organizational meeting. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried

Annual Organizational Meeting

On motion of Member Martinez, seconded by Member Benton, Trustees approved the 2017-18 Single Plans for Student Achievement. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	2017-18 Single Plans for Student Achievement
Trustees reviewed the 2018-19 school calendars with an anticipated adoption at the December 14, 2017 Board meeting.	2018-19 School Calendar (First Reading)
On motion by Member Areias, seconded by Member Goin, Trustees adopted Resolution #28-17 authorizing the signatures of the Superintendent, Assistant Superintendent of Fiscal Services, Assistant Superintendent of Human Resources, Assistant Superintendent of Elementary Education, Assistant Superintendent of Secondary Education and Director of Fiscal Services as signatories for orders drawn on District funds. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Signatures on Warrant Registers
On motion by Member Areias, seconded by Member Benton, Trustees adopted Resolution #27-17 designating Don Laursen as the District's representative and Amer Iqbal as alternate to the Merced County School's Insurance Group. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	District Representative, MCSIG
On motion by Member Areias, seconded by Member Smith, Trustees approved the authorized signatures for the District Revolving Fund, Clearing Account and Children's' Welfare Fund. Ayes: Mr. Areias; Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Authorized Signatures
On a motion by Member Benton, seconded by Member Martinez, Trustees declared its intent to adopt 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 Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	Mandated Policies (First Reading)
On motion by Member Goin, seconded by Member Areias, 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 October 12, 2017 and a Special Board Meeting held on October 17, 2017	Minutes
Certificated Report: Appointments: Nehme, Nadia – First Grade Teacher, Los Banos Elementary – effective 11/1/2017, McRae, Brad – Fifth Grade Teacher, Los Banos Elementary – effective 11/1/2017; Extra Duty Appointments: Jennifer Leyva- Head Soccer Coach Girls-PHS, Marcus McGraw-Head Varsity Basketball Coach-Boys-LBHS, Tyrell Jenkins-Head Varsity Basketball Coach-Boys-PHS, Jose Castro-Head Varsity Wrestling Coach-LBHS, Chuck Castaneda-Head Varsity Wrestling Coach-PHS, Scott Brady-Asst. Varsity football Coach-PHS, Marcee Lander-Volleyball	Personnel Actions

Coach Frosh Girls-PHS, Hannah Green-Volleyball Coach JV Girls-PHS, Chancey Lee-Asst. Football Coach-Frosh-PHS, Josh Solis-Asst. Football Coach-Frosh-PHS, Esteban Mendoza-Asst. Wrestling Coach-LBHS, Manuel Silva-Asst. Wrestling Coach-PHS, Jordan Macias-Asst. Wrestling Coach-PHS, Shirley Brand-Flag Team Advisor-CJHS, Anthony Silva-Athletic Trainer/Equipment-LBHS, Carla Cazares-7th Grade Girls Basketball Coach-LBJH, Erica Franco-8th Grade Girls Basketball Coach-LBJH, Cody Mabe- 8th Grade Basketball Coach- CJHS, Robert Smith- 7th Grade Asst. Basketball Coach-LBJH, Kelly Todd-8th Grade Asst. Basketball Coach, Samantha Brand-Boys Soccer Coach-LBHS, Sergio De Alba-Pentathlon-RME, Jim Keller-Pentathlon-MSE, Gerardo Reyes-JV Girls Basketball Coach-LBHS, Peter Costello- JV Girls Basketball Coach-PHS, John Wes Wing- Boys Soccer Coach-PHS, Gonzalo Rodriguez-JV Boys Basketball Coach-LBHS. Classified Report: New Hires: Iqbal, Amer – DO, Director of Fiscal Services (8.0 Hrs), Mendoza, Esteban – LBJH, Campus Security (6.0 Hrs); Promotional: Aaron, Christina – FS, Child Nutrition Worker (7.0 Hrs), Duke, Evangelina – FS, Child Nutrition Site Specialist (8.0 Hrs); Termination: Castaneda, Adriana – SS – Effective 10/31/2017.

The monthly Fiscal Report was submitted for Board information.	Fiscal Report
The quarterly GASB 45 Trust Investment Report was provided for informational purposes.	Quarterly SISC GASB 45 Trust
Trustees approved the new job description for the Preschool Development Program Director.	Job Description
Trustees approved the updated list of student organizations/clubs for Los Banos High School to include the addition of: Public Speaking and Communications Club, Biology Club, Community Improvement Club.	Student Organization/Club Approval
Trustees approved the following agreements/proposals: LDA Partners, Loftin Stadium Project and Global Modular Inc., Loftin Stadium Modular's.	Agreements/ Contracts
Trustees approved the following overnight/out-of-state travel: PHS FFA MFE/ALA Conference Jan. 21-22, Monterey, CA, Chico State Field Day March 9-10 Chico, CA, State FFA Convention April 22-25 Anaheim, CA, Cal Poly State Finals May 4-5 San Luis Obispo, CA, Officer Retreat June 13-15 Pinecrest, CA; LBHS Varsity Girls' Wrestling Napa Valley Girls Classic: Napa, CA, January 4-5, 2018, Sac-Joaquin Girls Regional's: Location TBD, February 2-3, 2018, Sac-Joaquin Girls Masters: Stockton, CA, February 15-16, 2018, Girls CIF State Wrestling Championships: Visalia, CA, February 22-23, 2018; LBHS Varsity Boys' Wrestling December 28-29, 2017: California Coast Classic, Aptos, February 3, 2018: Sac-Joaquin Section Div. IV Dual Team Championship, Stockton, February 15-16, 2018: Boys' Divisional, Foothill High School, February 22-23, 2018: Sac-Joaquin Sections Masters, Stockton, March 1-2, 2018: CIF State Championship, Bakersfield; HME Teacher, Teach It Conference, Charlotte, NC, December 11-12, 2017; CJH MESA college road trip, November 20-22, 2017.	Travel
Trustees declared specific library books and textbooks obsolete and authorize their disposal in accordance with Board Policy #3270.	Obsolete Books

Trustees declared specified electronic equipment as obsolete and authorized disposal in accordance with Board Policy #3270.	Obsolete Electronic Equipment
Trustees approved the removal and disposal of an obsolete/beyond repair of Buses #20 and #27.	Disposal of Obsolete Equipment
Trustees approved the warrants for payment.	Warrants
On motion by Member Smith, seconded by Member Martinez, Trustees expelled student cases #6185995784, #5518917, #1136976873, #3174324647, #9195515741, #8178349228 the following students from the District for the remainder of the school year and expelled student case #6191908064 for the current trimester. Students shall enroll at Valley Community Day School.	Reporting Closed Session
On motion by Member Smith, seconded by Member Martinez, Trustees approved Public Employee: Discipline/Dismissal/Release/Reassignment (Section 54957). Ayes: Areias, Benton, Goin, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: 0. Motion carried.	
None	Future Agenda Items
The meeting was adjourned by Mr. Parreira at 8:18 P.M.	Adjournment

SECRETARY

LOS BANOS UNIFIED SCHOOL DISTRICT

DIVISION OF HUMAN RESOURCES

**REPORT OF CERTIFICATED EMPLOYMENT
FOR BOARD APPROVAL – December 14, 2017**

Tammie Calzadillas, Assistant Superintendent

APPOINTMENT: None

RESIGNED:

Brinlee, Kelli – Henry Miller Elementary, Reading Intervention Teacher –effective 12/15/17

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.

LOS BANOS UNIFIED SCHOOL DISTRICT DIVISION OF HUMAN RESOURCES

Tammie Calzadillas, Assistant Superintendent

**REPORT OF CLASSIFIED EMPLOYMENT
FOR BOARD APPROVAL – December 14, 2017**

New Hires:

Appointments:

Promotional:

Lewis, Lynn – FS, Child Nutrition Technician (8.0 Hrs)

Retired:

Resigned:

Termination:

Kumar, Anthony – SS, Effective 11/13/2017

Board Reference Material

SUBJECT TITLE: **Monthly Fiscal Report**

REQUESTED ACTION: None—report only

 Action_____

 Discussion/Information___X___

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

ORIGINATOR: Amer Iqbal, Director of Fiscal Services
Date: December 14, 2017

UNRESTRICTED/RESTRICTED COMBINED

FUND: 01 GENERAL FUND/COUNTY SSF

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

REVENUE DETAIL

REVENUE LIMIT SOURCES :	105,774,890.00	1,688,018.00-	104,086,872.00	34,050,957.83	70,035,914.17	32.71
FEDERAL REVENUES :	5,112,500.00	1,780,698.00	6,893,198.00	1,469,937.36	5,423,260.64	21.32
OTHER STATE REVENUES :	9,958,703.00	585,489.00	10,544,192.00	3,018,825.74	7,525,366.26	28.63
OTHER LOCAL REVENUES :	810,000.00	1,787,287.00	2,597,287.00	405,673.65	2,191,613.35	15.61

* TOTAL YEAR TO DATE REVENUES * * 121,656,093.00 * 2,465,456.00 * 124,121,549.00 * 38,945,394.58 * 85,176,154.42 * 31.37

EXPENDITURE DETAIL

CERTIFICATED SALARIES :	50,790,534.00	174,892.00-	50,615,642.00	20,401,311.76	30,214,330.24	40.30
CLASSIFIED SALARIES :	18,669,563.00	573,909.00-	18,095,654.00	7,944,027.36	10,151,626.64	43.90
EMPLOYEE BENEFITS :	32,862,412.00	37,751.00-	32,824,661.00	11,957,651.16	20,867,009.84	36.42
BOOKS AND SUPPLIES :	8,607,083.00	3,433,790.00	12,040,873.00	1,769,815.67	10,271,057.33	14.69
SERVICES, OTHER OPER. EXPENSE:	7,205,527.00	483,295.00	7,688,822.00	3,919,554.01	3,769,267.99	50.97
CAPITAL OUTLAY :	784,594.00	141,428.00	926,022.00	453,014.66	473,007.34	48.92
OTHER OUTGOING :	1,640,000.00	35,043.00	1,675,043.00	416,727.00	1,258,316.00	24.87
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 * 3,293,888.00 * 124,594,604.00 * 47,430,297.82 * 77,164,306.18 * 38.06

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

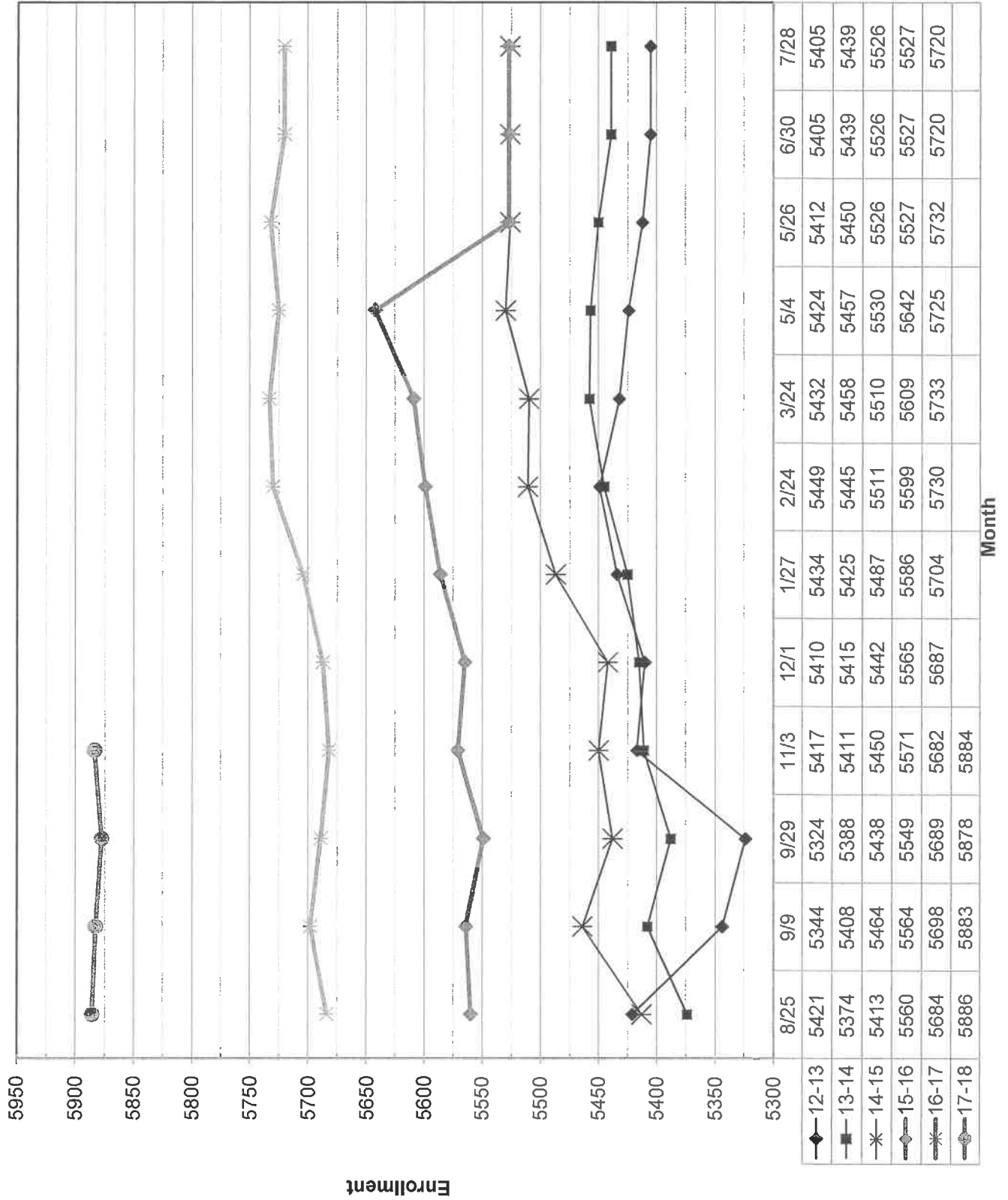
OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE

FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	15,458,309.41	6,047,314.10-	9,410,995.31
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	2,170,673.16-	273,641.56
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-	7,340.66	5,591.80-
9553	REPAY		1,480.44-	1,480.44-
9554	INSURANCE	5,066.81	25,351.69	30,418.50
9555	125 DEP CARE & MED REIMBURSE		10.00	10.00
9556	MISC DISTRICT VOL-DEDS (1)	100.80	3,562.08-	3,461.28-
9557	Refunds of PERS, STRS, SS, MED		.09	.09
9564	RETIREE LIABILITY	17,754.41-	293.67	17,460.74-
9567	INSURANCE MISCELLANEOUS	105.98	8.79	114.77
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-

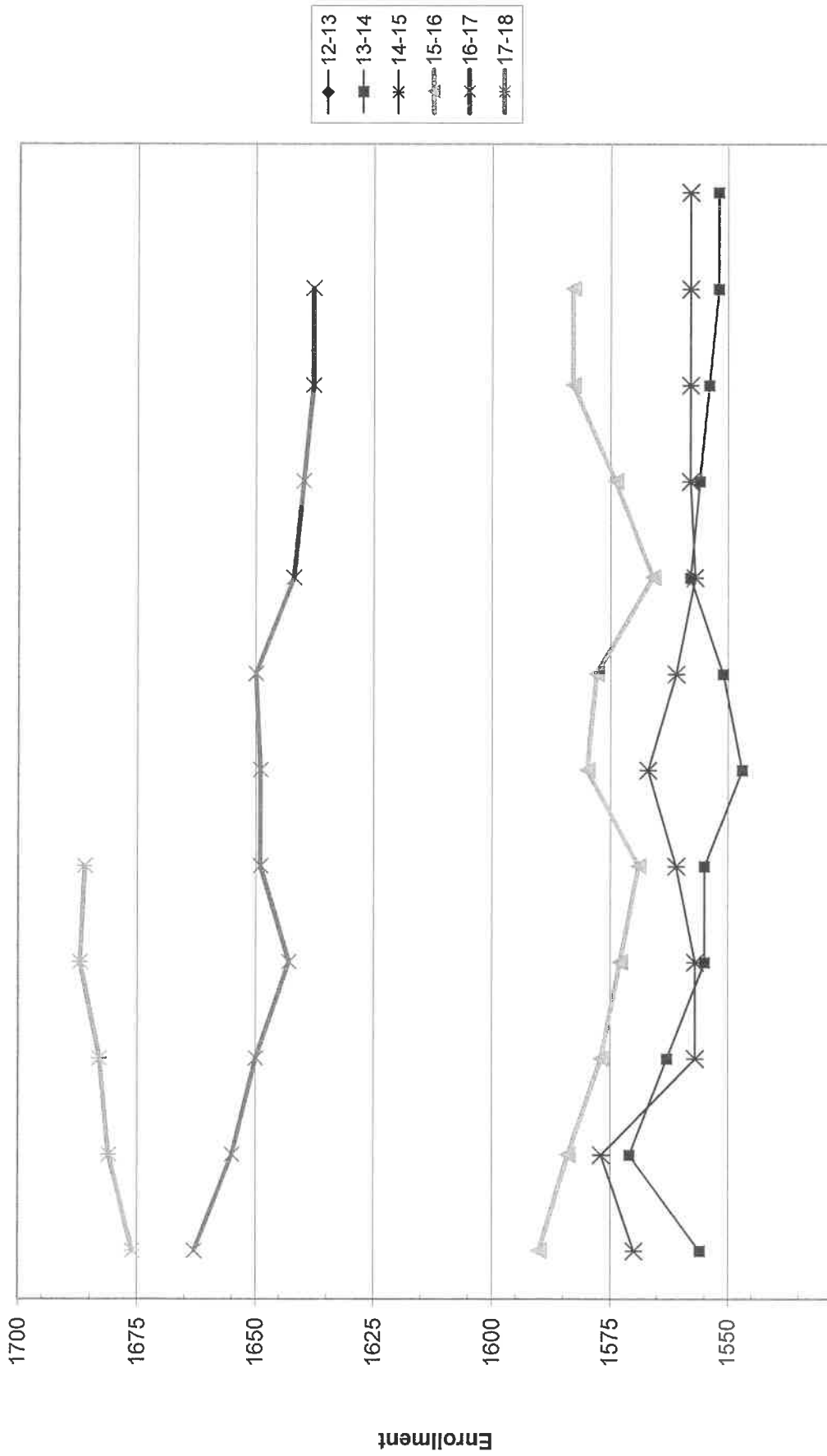
* NET YEAR TO DATE FUND BALANCE	* *	14,918,530.10 *	8,502,833.71-*	6,415,696.39 *

* EXCESS REVENUES/(EXPENDITURES)	* *	14,918,530.10 *	8,502,833.71-*	6,415,696.39 *

K-6 Enrollment (including SDC) by Month

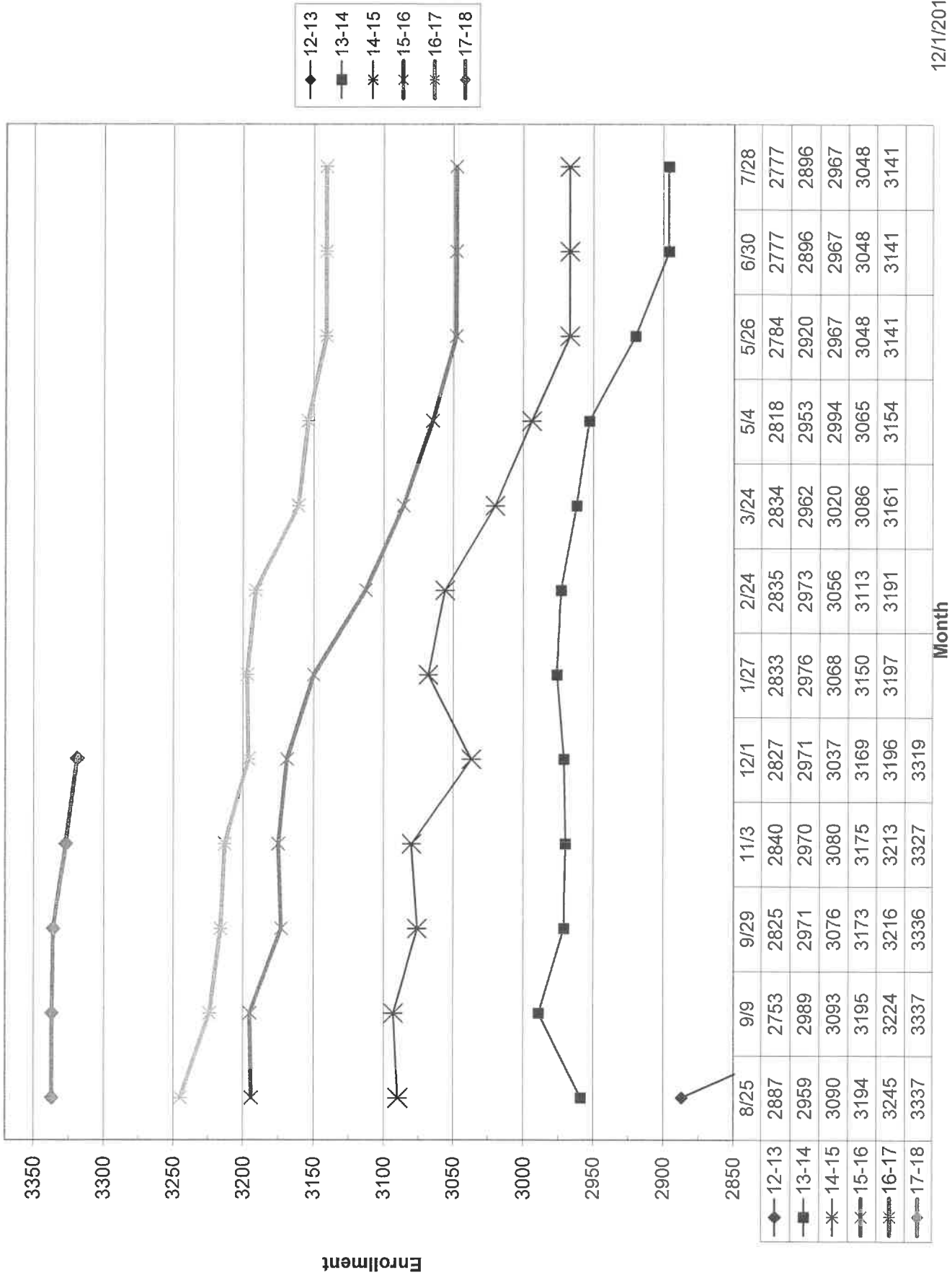


7-8 Enrollment (including SDC)

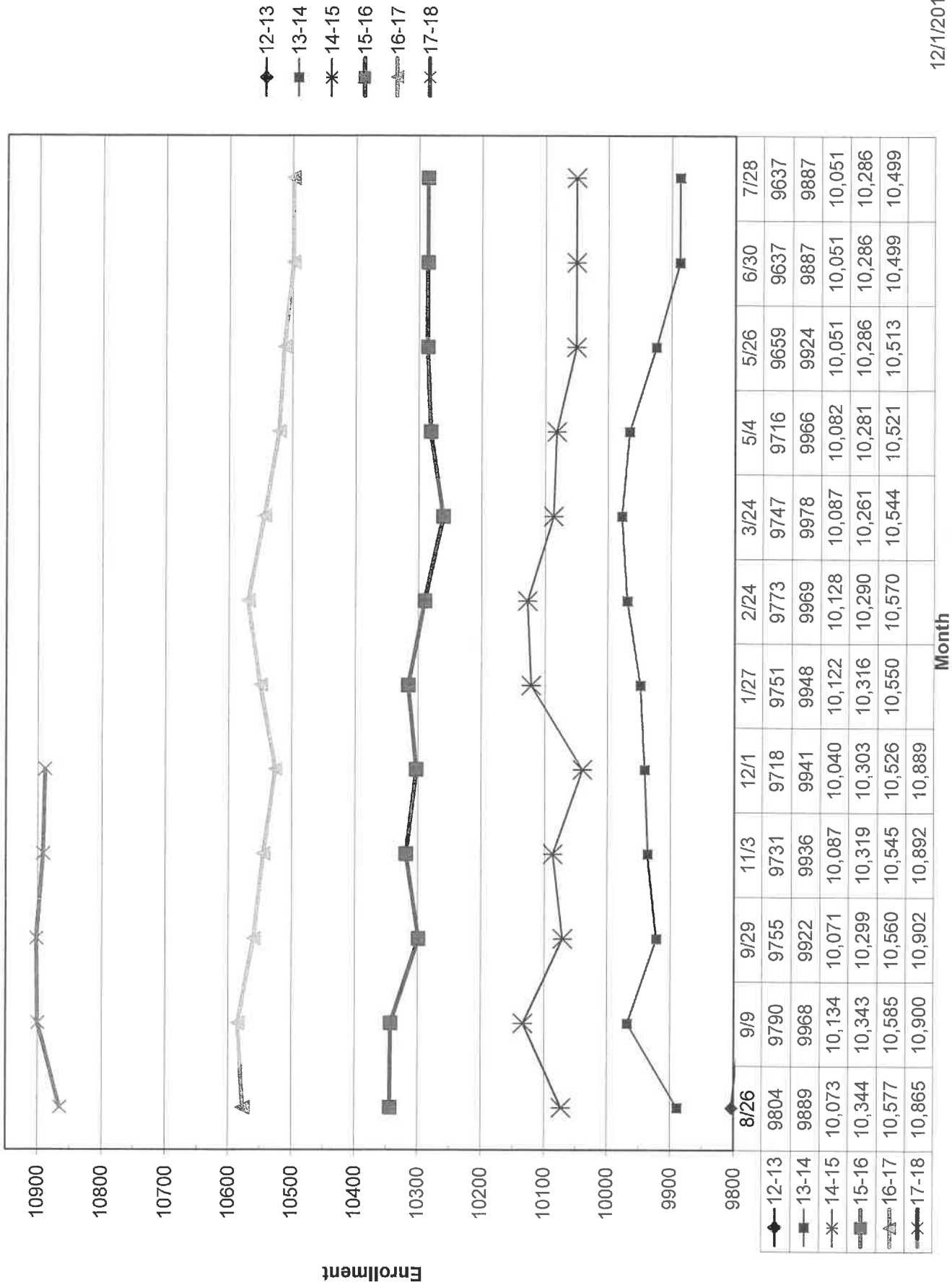


	8/25	9/9	9/29	11/3	12/1	1/27	2/24	3/24	5/4	5/26	6/30	7/28
12-13	1496	1459	1455	1474	1481	1484	1489	1481	1474	1463	1455	1455
13-14	1556	1571	1563	1555	1555	1547	1551	1558	1556	1554	1552	1552
14-15	1570	1577	1557	1557	1561	1567	1561	1557	1558	1558	1558	1558
15-16	1590	1584	1577	1573	1569	1580	1578	1566	1574	1583	1583	
16-17	1663	1655	1650	1643	1649	1649	1650	1642	1640	1638	1638	
17-18	1676	1681	1683	1687	1686							

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	23.36%	23.36%
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	17.76%	41.13%
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	23.43%	64.56%
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	18.61%	83.16%
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	16.84%	100.00%
DEC	\$272,878.32	30.00%	92.65%	\$82,174.85	5.59%	26.11%	\$60,503.79	2.64%	16.51%		0.00%	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%		\$1,175,518.25	100.00%	
	513,000.00			250,000.00			250,000.00			250,000.00		

Board Reference Material

SUBJECT TITLE: **2018-19 School Calendars (Second Reading)**

REQUESTED ACTION: Approval

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended the Board approve the 2018-2019 school calendars.

BACKGROUND INFORMATION:

The 2018-2019 calendar reflects a traditional schedule of 180 instructional days with the first day of school beginning on August 9, 2018 for secondary grades and August 10, 2018 for elementary grades; ending June 6, 2019 and June 7, 2019 respectively. This calendar also reflects three (3) staff development days throughout the school year. These days are August 7, 2018, October 29, 2018 and February 1, 2019.

The calendar for San Luis High School and Crossroads also reflects a traditional schedule of 180 days with the first day of school on July 17, 2018. San Luis High School and Crossroads operate on a six-week cycle.

The calendars were developed by a committee comprised of LBTA representatives and District Office Administrators.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

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

ALTERNATIVES/IDENTIFIED OPPOSITION:

None identified.

SPECIFIC FINANCIAL IMPACT:

N/A

ORIGINATOR: Tammie Calzadillas, Ed.D., Assistant Superintendent, Human Resources
DATE: December 14, 2017

LOS BANOS UNIFIED SCHOOL DISTRICT

2018-2019 School Calendar

All Wednesdays Are Minimum Days for all Elementary Schools

July 2018						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2018						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 2018						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 2018						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 2018						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 2018						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January 2019						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2019						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

March 2019						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2019						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2019						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2019						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

- Elementary Teacher Prep
- All District Teacher Prep
- Secondary Teacher Prep
- Secondary First/Last Day of School
- Elementary First/Last Day of School
- Elementary Parent Teacher Conferences
- Holidays
- Elementary Minimum Day - Teacher Prep
- Elementary Minimum Day
- Secondary Minimum Day
- All District Minimum Day
- Elementary PLC
- High School PLC
- Jr. High PLC
- Staff Development Days
- Classified Staff Holidays

- Holidays**
- September 3
 - November 12 (observed)
 - November 19-23
 - Dec. 21 - Jan. 11
 - January 21
 - February 11
 - February 18
 - March 25-29
 - April 19-22
 - May 3
 - May 27

- Labor Day
- Veteran's Day
- Thanksgiving Break
- Winter Break
- Martin Luther King Day
- Lincoln Day
- Washington Day
- Spring Break
- April Recess
- May Day
- Memorial Day

- Report Card Periods**
- Grades TK-6
 - 1st Trimester Ends - November 2 (59)
 - 2nd Trimester Ends - March 1 (59)
 - 3rd Trimester Ends - June 7 (62)
 - Grades 7-8
 - 1st Trimester Ends - November 2 (60)
 - 2nd Trimester Ends - March 1 (59)
 - 3rd Trimester Ends - June 6 (51)
 - High Schools
 - 1st Quarter Ends - October 12 (46)
 - 2nd Quarter Ends - December 21 (43)
 - 3rd Quarter Ends - March 22 (46)
 - 4th Quarter Ends - June 7 (45)

- Kindergarten Registration**
February 25 thru March 1, 2019
- Graduations**
Pacheco High School - June 7 - 8:00 PM
Los Banos High - June 7 - 8:00 PM

Board Adopted:
vertex42 calendar

★ Oct. 31, Mar. 6, and May 29 - Elementary Report Card Prep Days

San Luis High School / Crossroads

2018-2019 School Calendar

July 2018						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2018						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 2018						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 2018						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 2018						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 2018						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January 2019						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	








February 2019						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

March 2019						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

April 2019						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2019						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2019						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

-  Holiday
-  Minimum Day
-  PLC (Professional Learning Communities) - SLHS (student minimum day)
-  PLC (Professional Learning Communities) - Crossroads (student minimum day)
-  First and Last Day of School
-  Secondary Teacher Prep
-  Staff Development Day (non-student contact day)

Holidays/Staff Development Days

- August 6 and 8 School Holiday
- August 7 Staff Development
- September 3 - 7 Term 1 Break
- October 22 - 26 Term 2 Break
- October 29 Staff Development
- November 12 Veteran's Day
- November 19 - 23 Thanksgiving
- December 24 - January 11 Winter Break
- January 21 Martin Luther King Jr Day
- February 1 Staff Development
- February 11 Lincoln's Birthday
- February 18 Washington Day
- February 25 - March 1 Term 4 Break
- April 15 - 22 Term 5 (Spring) Break
- May 3 May Day Holiday
- May 27 Memorial Day

Report Card Periods

- Term 1 Ends - August 31, 2018
- Term 2 Ends - October 19, 2018
- Term 3 Ends - December 21, 2018
- Term 4 Ends - February 22, 2019
- Term 5 Ends - April 12, 2019
- Term 6 Ends - June 5, 2019

Graduation

- San Luis High School**
- June 6, 2019
- Crossroads**
- June 6, 2019

180 school days
185 teacher days

Board Reference Material

SUBJECT TITLE: **Governance Handbook Update (Second Reading)**

REQUESTED ACTION: Declare Intent to Adopt

 Action X

 Discussion/Information

RECOMMENDATION:

It is recommended the Board adopt the updated Los Banos Unified School District Governance Handbook.

BACKGROUND INFORMATION:

The Governance Handbook was developed in March 2006 by Board members with assistance from California School Boards Association. At the October 14, 2017 Special Board Meeting the handbook was reviewed and updated.

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

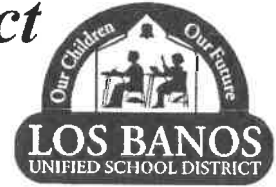
SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

N/A

ORIGINATOR: Mark Marshall, Ed.D., Superintendent
Date: December 14, 2017

Los Banos Unified School District Governance Handbook

Revised October 14, 2017



Board of Trustees

Anthony Parreira, *President*
Dennis Areias, *Vice President*
Margaret Benton, *Clerk*
Megan Goin, *Member*
Ray Martinez, *Member*
Gary Munoz, *Member*
Marlene Smith, *Member*

Superintendent

Mark E. Marshall, Ed.D.

Unity of Purpose, Roles and Responsibilities, Norms and Agreements

These workshop notes reflect the governance team's work on the creation of a framework for effective governance. This involves ongoing discussions and agreements about unity of purpose, roles, norms and protocols that enable the governance team to continue to perform its responsibilities in a way that best benefits all children.

Los Banos Unified School District

Governance Team Handbook

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COMMUNITY VALUES

Los Banos Unified School District

Stewardship –We will behave as stewards of our school district and community, sharing responsibility for our community assets. We will work together to achieve the greatest long-term benefit for the community as a whole.

Collaboration – We are willing to partner with others to achieve community outcomes. We will strive to create an inclusive, cohesive community through partnership and collaboration.

Commitment to Outcomes – We are willing to take responsibility for developing tasks, achieving specified outcomes, and staying committed until the tasks are completed.

Positive Thinking – We believe that anything is possible in the Los Banos Region. We will envision success and then develop an attainable strategy for achieving that vision.

Fact-Based Decision Making – We will base decisions and action plans on objective data, thereby avoiding distortion of issues by personal feelings or agendas.

Truth Telling – We will act and respond truthfully in all matters of the District.

Diversity – We respect all persons and recognize that there are diverse viewpoints. Viewpoints from diverse constituencies will be welcomed to ensure the best possible outcomes for the community.

Commitment to Resolving Conflict – Healthy conflict involves valuing every individual, regardless of his or her stance on a specific issue and a commitment to working through the conflict in a positive manner.

Conflict of Interest – We agree to disclose any personal or professional conflict of interest that may affect our objectivity before engaging in work that will impact the community. We seek to avoid even the appearance of conflict of interest.

Mission of the Los Banos Unified School District

Our Mission as a learning organization is to prepare and deliver curriculum focused on State and District adopted Common Core Standards, and provide access to the best teaching and content available for all students.

Vision Statement

All students of the Los Banos Unified School District are provided a learning environment in which they will be able to perform at their highest potential. Upon graduation, all students will be prepared for entry into the world of work or entry into a college or university.

Fidelity to standards, rigorous curriculum and assessments will be an expectation of all staff. Regular assessment is a key part of the delivery of excellent instruction. Assessment practice in the District will reflect adopted standards and utilize similar test design as the annual state testing program. The implementation of District created curriculum units and regular assessment will be the basis for judging fidelity to standards.

Facilities and infrastructure of the District must support the ongoing growth of the District. Ongoing student population growth as well as ongoing technological growth of the District must be addressed in our long term plans while addressing the central mission of the District, providing the best teaching and content to our students.

UNITY OF PURPOSE

Unity of Purpose is a common focus, super-ordinate goals, the values and beliefs governance team members share in common about children, the district and public education that help them transcend their individual differences to fulfill a greater purpose.

–CSBA

Unity of Purpose

Governance team members identified the following concepts as important principles for the team.

Shared Values:

- Ensuring a safe physical and emotional environment for all children that is conducive to learning
- Preparing our children for career and college
- Serving all students
- Advocacy for all students and staff
- Collaboration
- Truthfulness - open and honest communication in all matters
- Basing decisions on objective data
- Positive Outlook - we believe that Los Banos Unified is destined to become a destination for many and that our schools and our students' performance should be equal to the best in the state
- Long-term planning
- Accountability to the community
- The board working closely with the superintendent
- Commitment to resolving conflict
- Linking all parents to the schools through parent education programs and encouraging parents and community members to be involved in school co-curricular and extra-curricular activities

Unity of Purpose

What We Are Most Proud of about Los Banos USD:

- Our passion and focus to do everything we can to give our kids the opportunity to succeed.
- That we provide a quality education for all students; every child deserves a quality education.
- The rate of returning students as employees; students love the district enough to return as staff.
- That we all come together when things get tough and do what is right.
- Our connection to the community
- Our dedicated, caring and professional staff
- Our focus on health and safety; this is a very safe district.

Unity of Purpose

As a Governance Team, we want to come together to accomplish the following, to:

- Improve our district – the academics
- Produce well-rounded children who are educated by teaching knowledge and wisdom.
- Present a Board to the public that respects each other and works toward a common goal – what is best for our students.
- Have the facilities that we need to accomplish our goals for students.
- Carefully monitor our budget; to show fiscal responsibility
- Leave a positive legacy
- Build solid leadership for our students, constituents and district.
- Continue to recruit and retain highly qualified teachers.
- Create a district of excellence to serve as a model for others to follow.

GOVERNANCE ROLES AND RESPONSIBILITIES

Effective teams value and respect their essential roles, reach mutual agreement on the roles of the board and superintendent, and strive to operate within them.

–CSBA

Governance Roles

There are important distinctions to be made between the board’s role and responsibilities and those of the superintendent and staff. Boards and superintendents must work together to ensure a district has effective leadership. Just as board members should govern and not manage a school district, superintendents should not administer a district in isolation from the representatives whom the public has entrusted with the schools. School board trustees are the representatives of the people, elected to ensure the district schools educate the children in consideration of the interests of local community.

Board members have collective, not individual authority. Authority to make decisions is only granted to the board as a whole. The full board gives direction to the superintendent, through decisions reached at board meetings. Individual board members do not have the authority to direct the superintendent, unless otherwise agreed to by the board and superintendent.

The responsibility of the school board is not to run the schools, but to see that the schools are run well. When a board member inadvertently takes over the staff role, he/she is in essence vacating his/her board seat and effectively undercutting his/her ability to govern. He/she is forfeiting his/her ability to hold the superintendent responsible for the way the board’s policy direction is translated into action by the professional staff.

Working as the governance team, the superintendent, the executive cabinet and board guide the efforts of the professional staff by setting a direction for the district reflective of the community’s wish for its children.

The Role of the Board and Superintendent:

The role of the School Board is a representative, governance role:

School board trustees are the representatives of the people, elected to ensure the district schools educate the children in consideration of the interests of local community.

The role of the Superintendent is:

1. To facilitate the effective governance of the Governance Team.
2. To facilitate an effective administrative structure for the District.
3. Be the chief administrative officer for the school district.

Governance Team Responsibilities:

Set the Direction for the Community's Schools:

- Focus on student achievement
- Assess district needs / utilize data
- Create and revise direction-setting documents
(Beliefs, vision, priorities, strategic goals, success indicators)
- Ensure an appropriate inclusive process is used

Establish an effective and efficient governance structure for the school district

- Employ the superintendent and set policy for hiring of other personnel
- Oversee the development of and adopt policies
- Set a direction for and adopt the curriculum
- Establish budget priorities, adopt the budget, and oversee facilities issues
- Provide direction for the negotiation of collective bargaining agreements

Provide Support through our behavior and actions

- Act with professional demeanor that reflects the district's beliefs and vision
- Make decisions and provide resources that support mutually agreed upon priorities & goals
- Enforce board-approved district policies
- Establish and maintain a positive professional climate
- Be knowledgeable about district efforts and be able to explain them to the public

Ensure Accountability to the public:

- Evaluate the superintendent
- Monitor, review, and revise policies
- Serve as a judicial and appellate body
- Monitor student achievement, program effectiveness, and require program changes as necessary
- Monitor district finances and provide direction for budget development
- Provide direction for the collective bargaining process and ratify all agreements

Act as Community Leaders:

- Speak with a common voice about district priorities, goals, and issues
- Involve the community in district schools and activities
- Communicate clear information about policies, programs, and fiscal conditions of the district
- Educate the community about issues facing the district and public education
- Advocate for children, district programs, and public education to the community, local, state and national leaders.

GAINING CLARITY ON ROLES AND RESPONSIBILITIES

What the Board needs from the Superintendent:

The superintendent will support trustees in fulfilling their responsibilities by:

- Ensuring transparency
- Having open, honest communication
- Ensuring that there are no surprises
- Continuing the Friday Memos and other updates
- Treating all Board Members equally.
- Maintaining confidentiality.

What the Superintendent needs from the Board:

The trustees can support the superintendent in fulfilling his responsibilities by:

- Ensuring transparency
- Having open, honest communication
- Ensuring that there are no surprises
- Maintaining confidentiality
- Supporting majority decisions

What the Board Members need from each other:

The trustees can support each other in fulfilling their responsibilities by:

- Treating each other with respect
- Acting with integrity
- Ensuring transparency
- Having open, honest communication
- Ensuring that there are no surprises
- Being prepared – reading the agenda and asking the Superintendent questions in advance
- Building relationships – providing Board Mentors/Buddies
- Maintaining confidentiality
- Supporting majority decisions

GOVERNANCE NORMS AND PROTOCOLS

The Board of Education for the Los Banos Unified School District is entrusted by the community to uphold the Constitutions of California and the United States, protect the public interest in schools, and ensure that a high quality education is provided to each student.

To effectively meet district challenges, the Board and Superintendent must function together as a governance leadership team. Agreed upon behavior (norms) and operating procedures, (protocols), support unity among team members. The purpose of the Los Banos USD governance team protocols is to ensure a positive and productive working relationship among board members, the superintendent, district staff, students, and the community. The protocols were developed for and by the members of the governance team, and may be modified over time as needed

Norms:

- Norms for Building and Sustaining Trust Among Members of Our Team
- Governance Team Meeting Guidelines

Protocols:

- Making sure that all board members are informed and have the same information
- Bringing up new information or issues for the board agenda
- Sub-committees of the Board (currently the 2x3 Committee, Facilities Committee, Finance Committee, and the LBUUSD Scholarship Committee)
- Board Officer Elections
- Staff Reports to the Board of Education
- Responding to Constituents' Concerns or Complaints
- Site Visits

POSITIVE GOVERNANCE TEAM CULTURE

Norms for Building and Sustaining Trust among Team Members:

We Agree to:

- Always demonstrate respect for each other.
- Be honest in our interactions with other members of the team.
- Be willing to give and take respectful, constructive feedback.
- Base decisions on principles and not self-interest.
- Develop and maintain positive professional relationships with each other.
- Make sure our words and actions are the same.
- Be active listeners.
- Make sure that everyone has the opportunity to speak.
- Seek information prior to meetings rather than surprising other members or staff in public.
- Be open to new ideas.
- Choose our words carefully – making sure the words we use are helpful and not hurtful.
- Be honest with each other – say what we mean and mean what we say.

CREATING AND SUSTAINING A POSITIVE CULTURE

Meeting Guidelines

We will:

1. Communicate with the superintendent and the board president prior to board meetings so that there are no surprises and no one is unprepared.
2. State our positions on issues. If we plan to vote no on an agenda item, explain our reasoning prior to the vote so that other board members have the benefit of our thinking.
3. Listen actively to each other – without preparing responses.
4. Paraphrase or ask questions to make sure we truly understand what the other person is saying.
5. Make sure that our words and actions are one and the same.
6. Make sure that everyone has a chance to speak once before anyone speaks a second time.
7. Disagree courteously
8. Keep our focus on the best interest of our students.
9. Debate the facts and avoid personalities.
10. Each take responsibility for the success of the meeting and the work of the team by preparing ahead of time, participating in the meeting and addressing concerns.
11. Wait to speak until others are finished speaking and be to the point in our comments.
12. Avoid abstaining from voting unless a true conflict exists.
13. Respect differences, show respect and honor each other – never dismiss or devalue others.
14. Stay focused on our goals and avoid getting sidetracked.
15. Work to make sure that there are no hidden agendas and all issues and concerns can be dealt with openly by all members.
16. Work toward the future – learning from the past.

SUPPORTIVE STRUCTURES AND PROCESSES

Agreements To Facilitate Governance Leadership - (protocols):

TOPIC & RATIONALE:

Making sure that everyone is involved and has the same information.

We believe:

The group is most effective when everyone has the same information. The time of board members and staff is important. All of our opinions count. We can't be effective or make good decisions if we don't know what is going on. Individuals have a responsibility to indicate when they are feeling left out. Individual members have different amounts of time to dedicate to district issues.

PROTOCOL:

We Agree:

- We will receive updates on district issues in the Friday Memo (as appropriate)
- We can call other board members to obtain additional information
- Regular, scheduled reports on major district issues will be scheduled for board meetings – either during open or closed session (as appropriate under the law)

TOPIC & RATIONALE:

Bringing up new information or issues for the board agenda.

We believe:

Board members should have the opportunity to present new ideas or bring up topics or issues that they would like to have addressed by the board. Individual board member interests should not divert the time or energy of staff away from the accomplishment of board adopted goals and objectives.

PROTOCOL:

We Agree:

- New ideas will be brought up during the Future Agenda Items section at the end of the board meeting
- Board members will inform the Superintendent before the meetings about any new issues that may be raised.
- The following questions may be considered before a new item is added to the agenda:
 - How does this affect our district priorities/goals?
 - How much staff time is involved?
 - Does the situation rise to the level of a crisis and require immediate attention?
 - Is the timing appropriate? What is the preferred timing?

TOPIC & RATIONALE:

Subcommittees of the Board

(Currently – 2x3, Facilities Committee, Finance Committee and the LBUSD Scholarship Committee)

We believe:

The stability, continuity, and history of board subcommittee work are important to the effective functioning of the district. There must be a commitment to serving on the committee by board members and willingness to put in the necessary time and attend the meetings. Changes on the board are inevitable and might result in the need to have other board members prepared to take part in subcommittee meetings.

All board members need to have enough information about the subcommittee work to be comfortable making an informed decision and taking action at board meetings. The timelines for non-committee members to ask questions or gain information to fully understand the complexity of the information or the recommendation are often short. .

PROTOCOL:

We Agree:

- If a board member who is not currently appointed to a subcommittee is interested in serving, s/he should inform the Superintendent and Board President at least two weeks prior to the Annual Organizational meeting of the Board.
- Only one board member will rotate off of a subcommittee at a time. The change in appointment will occur at the Annual Organizational Meeting of the Board.
- In order to serve on a subcommittee, board members must agree to take personal responsibility to:
 - become informed about subcommittee topics and issues
 - commit the necessary time and effort
 - attend the meetings
- The first alternate to the subcommittee will be a board member who has recently rotated off of the committee whenever possible.
- In order to provide more general information to the rest of the board about subcommittee meetings, the superintendent will include bullet points of the topics covered during a subcommittee meeting in the Friday Memo from the Superintendent.
- Board members need to assume personal responsibility for seeking additional information as necessary.

TOPIC & RATIONALE:

Board Officer Elections

We believe:

The board should vote on board officers based on the qualities of the person seeking each position.

Board officer elections must be in compliance with the law.

PROTOCOL:

We Agree:

- The school board officers for Los Banos USD are:
 - Board President
 - Vice President
 - Clerk
- School board officers are elected every year in December during the School Board Organizational Meeting
- During the Organizational Meeting:
 - Individual board members have the opportunity to express interest in serving as a board officer
 - More than one board member may be nominated for any office
 - Board members may accept or decline the nomination
 - The vote for board officer positions will occur in accordance with Brown Act and/or other legal requirements, and Robert’s Rules of Order guidelines.

TOPIC & RATIONALE:

Staff Reports to the Board of Education

We believe:

Board members need sufficient information to make informed decisions on behalf of the community. The board has a responsibility to understand and be able to explain district progress toward the achievement of district goals. The board must feel competent to address significant issues or topics that are facing the district to the staff and out in the community.

PROTOCOL:

We agree:

Major staff reports to the board of education, (for example reports on progress toward district goals or on issues of significance to the district and/or community), should include:

- Background and history of the topic
- Relevant facts, data and information
- What was the process that was used and who was involved in the development of the recommended action
- Important aspects of the staff action plan:
 - Necessary resources (people, cost, facilities, materials, etc.)
 - Who will be involved in the implementation
 - Timelines - with the end point
 - Intended results / outcomes
- Recommendation from superintendent or designated staff member
- Other options that were considered
- Rationale for this recommendation

Topic and Rational

Honoring the Brown Act and Closed Session

We believe:

The Brown Act regulates many aspects of local agency meetings in both open and closed sessions. Regularly scheduled meeting agendas will be published at least 72 hours prior to the meeting, and special or emergency meeting agendas will be posted at least 24 hours prior to the meeting. Closed Session protocols will be strictly observed.

PROTOCOL:

We Agree:

- Board members will honor the definition of a meeting as described in the Brown Act.
- Board members recognize that information acquired during a closed session is confidential and may not be disclosed to a third party.
- Board members recognize that intentional violations of the Brown Act are misdemeanors.

Topic and Rational

Responding to Constituents' Concerns or Complaints

We believe:

That we need a standard that we will all follow consistently.

PROTOCOL:

We Agree to:

- **Receive** – Listen without interruption and without preparing a response to the person's issues or concerns, unless it is an issue that may come before us in our judicial role - that information will be shared with the entire Board at the appropriate place and time - during the hearing.
- **Repeat** – If it is appropriate for us to listen to the concern, we will paraphrase or ask a clarifying question to ensure understanding of what has been said.
- **Request** – Ask what the person sees as the solution to the problem or concern. Ask what they would have us do with the information they have given us.
- **Review** – The conversation (and next steps, if any).
- **Redirect** – Put the person back into the system at the appropriate place.
- **Report** - Notify the Superintendent of the conversation so that he has the full picture and can follow through as appropriate and/or necessary.

Topic and Rational

Site Visits

We believe:

That site visits are important, as they build relationships and enable us to see what is happening in the schools – become familiar with sites and programs. They build morale and enable schools to share their accomplishments. Visiting schools enables us to show our support and better understand issues.

During site visits, we do not want to be a disruption, a distraction or disrespectful. We believe in the concept of “no surprises.”

PROTOCOL:

We Agree:

- When possible, to visit schools when we are invited.
- That when the Superintendent plans a site visit, he will send out a notice to all. The first three Board Members to respond to his invitation, will accompany him on his visit.
- That Board Members wishing to schedule their own visits, will work with the principals to arrange a time that is convenient for that administrator and school.
- The Board Member and the Principal will notify the Superintendent about the scheduled visit.
- At all visits, Board members will sign-in at the office and wear their badges.

We have reviewed and agree to follow the aforementioned governance team norms and protocols in order to support a positive and productive working relationship among the Los Banos Unified School District Board of Education, staff, students and the community. We shall renew this agreement at each annually.

Affirmed on this 14th day of December, 2017

Anthony Parreira, Board President

Dennis Areias, Vice President

Margaret Benton, Clerk

Megan Goin, Trustee

Ray Martinez, Trustee

Gary Munoz, Trustee

Marlene Smith, Trustee

Mark E. Marshall, Ed.D., Superintendent

Board Reference Material

SUBJECT TITLE: **Program Director of Preschool Programs (REVISED)**

REQUESTED ACTION: Approve

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended the Board approve the revised job description for Program Director of Preschool Programs. The California State Preschool Program differs from K-12 education in operations including program curriculum, enrollment, attendance, budget, fiscal reports, facility, licensing, evaluation and accountability to the State of California. The position has been under the supervision of the Director of Special Services and will remain in the Special Services Department with the Director of Special Services having oversight of the program and the position.

BACKGROUND INFORMATION:

The Board previously approved a job description for the Program Director of Preschool Programs which indicated that the Program Director of Preschool Programs would report to the Assistant Superintendent of Elementary Education. After a discussion with the Superintendent, Assistant Superintendent of Elementary Education and Director of Special Services it was decided that it would be best for supervision of the preschool program and the Program Director of Preschool Programs to remain with the Special Services Division. The essential functions of the job description were not altered as a result of the change in supervision.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

ALTERNATIVES/IDENTIFIED OPPOSITION:

None at this time.

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

The Child Development State grant provides the funding for the position.

ORIGINATOR: Tammie Calzadillas, Ed.D., Assistant Superintendent
Date: December 14, 2017

Program Director of Preschool Program

Purpose Statement

The job of Program Director of Preschool Program is done for the purpose/s of directing preschool programs and services; providing information and serving as a resource to others; achieving defined objectives by planning, evaluating, developing, implementing and maintaining services in compliance with established guidelines; and serving as a member of the leadership team.

This job reports to Director of Special Services

Essential Functions

- Collaborates with internal and external personnel (e.g. other administrators, auditors, public agencies, community members, etc.) for the purpose of implementing and/or maintaining services and programs.
- Compiles data from a wide variety of sources (e.g. staff, public agencies, etc.) for the purpose of implementing policies and procedures and/or monitoring program components.
- Directs department operations; the maintenance of services and the implementation of new programs and/or processes for the purpose of providing services within established timeframes and in compliance with related requirements.
- Facilitates meetings, workshops, seminars, etc. (e.g. professional development for preschool staff; monthly QRIS meeting; regulatory requirements, etc.) for the purpose of identifying issues, developing recommendations, supporting other staff, and serving as a District representative.
- Oversees funding for preschool program from the state (e.g. budget allocations, expenditures, fund balances and related financial activities, etc.) for the purpose of ensuring that allocations are accurate, revenues are recorded, expenses are within budget limits and/or fiscal practices are followed.
- Participates in a variety of meetings (e.g. workshops, inter and intra district committees, community and public agencies, seminars, conferences, as well as Board meetings to seek approval for how budget is appropriated, etc.) for the purpose of conveying and gathering information regarding a wide variety of subjects required to carry out their administrative responsibilities.
- Performs personnel administrative functions (e.g. hiring, counseling, training, supervising, evaluating, providing professional development opportunities, etc.) for the purpose of maintaining necessary staffing, enhancing productivity of staff, and ensuring necessary department/program outcomes are achieved.
- Prepares a wide variety of often complex materials (e.g. state action plans developed as result of ECERS, Early Childhood Environmental Rating Scale, budgets, funding requests, reports, analyses, recommendations, procedures, etc.) for the purpose of documenting activities and issues, meeting compliance requirements, providing audit references, making presentations, and/or providing supporting materials for requested actions.
- Presents information on a variety of topics related to administrative responsibilities (e.g. financial information, overviews of programs/services, policies and procedures, etc.) for the purpose of providing general information, training others, implementing actions, etc.
- Researches a variety of topics (e.g. grants, community service organizations, etc.) for the purpose of being knowledgeable on trends and changes and/or making recommendations.
- Responds to inquiries of staff, district personnel, other professional organizations, etc. for the purpose of providing information and/or direction as may be required.

- Serves as a resource to district personnel and as a liaison to community agencies (e.g. district committees, interagency boards, state superintendent, etc.) for the purpose of explaining procedures conveying and/or receiving information as needed for the planning, developing and evaluating of services related to child care.

Other Functions

- Performs other related duties as assigned for the purpose of ensuring the efficient and effective functioning of the work unit.

Job Requirements: Minimum Qualifications

Skills, Knowledge and Abilities

SKILLS are required to perform multiple, highly complex, technical tasks with a need to occasionally upgrade skills in order to meet changing job conditions. Specific skill based competencies required to satisfactorily perform the functions of the job include: operating standard office equipment including utilizing pertinent software applications; planning and managing projects and programs; overseeing program financial activities; developing effective working relationships; preparing and maintaining accurate records; and administering personnel policies and procedures; and coordinating with other agencies.

KNOWLEDGE is required to perform algebra and/or geometry; review and interpret highly technical information, write technical materials, and/or speak persuasively to implement desired actions; and analyze situations to define issues and draw conclusions. Specific knowledge based competencies required to satisfactorily perform the functions of the job include: pertinent laws, codes, policies, and/or regulations; personnel processes; standard business practices; teaching strategies; working with families; and stages of child development.

ABILITY is required to schedule a number of activities, meetings, and/or events; often gather, collate, and/or classify data; and use job-related equipment. Flexibility is required to independently work with others in a wide variety of circumstances; work with data utilizing defined but different processes; and operate equipment using a variety of standardized methods. Ability is also required to work with a significant diversity of individuals and/or groups; work with data of varied types and/or purposes; and utilize a variety of types of job-related equipment. Independent problem solving is required to analyze issues and create action plans. Problem solving with data frequently requires independent interpretation of guidelines; and problem solving with equipment is limited to moderate. Specific ability based competencies required to satisfactorily perform the functions of the job include: establishing and maintaining effective working relationships; meeting deadlines and schedules; setting priorities; working with multiple projects, frequent interruptions, and changing work priorities; working with detailed information/data and maintaining accurate records; maintaining confidentiality; and facilitating communication between persons with frequently divergent positions.

Responsibility

Responsibilities include: working under limited supervision using standardized practices and/or methods; directing other persons within a department, large work unit, and/or across several small work units; supervising the use of funds. Utilization of resources from other work units is often required to perform the job's functions. There is a continual opportunity to impact the organization's services.

Work Environment

The usual and customary methods of performing the job's functions require the following physical demands: some lifting, carrying, pushing, and/or pulling, and significant fine finger dexterity. Generally the job requires 0% sitting, 0% walking, and 0% standing. This job is performed in a generally clean and healthy environment.

Experience: Job related experience within a specialized field is required.

Education: Masters degree in job-related area.

Equivalency:

Required Testing:

TB Clearance

Certificates and Licenses

Early Childhood Education Certificate

Continuing Educ. / Training:

Clearances

Criminal Justice Fingerprint/Background Clearance
TB Screen

FLSA Status

Approval Date

Salary Grade

Board Reference Material

SUBJECT TITLE: Policy Changes/Updates (Second Reading)

REQUESTED ACTION: Adopt

Action X

Discussion/Information _____

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 October 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 3513.4 Drugs and Alcohol Free Schools, AR 5113.11 Attendance Supervision, BP/AR 5113.12 District School Attendance Review Board-SARB and BP/AR 1113(a) District and School Web Sites are **NEW** policies to the district.

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

BP 0400 - Comprehensive Plans

(BP revised)

Policy updated to include the local control and accountability plan (LCAP) as a comprehensive plan of the district and to emphasize the need for consistency among the documents that set direction for the district.

BP/AR 0460 - Local Control and Accountability Plan

(BP/AR revised)

Policy and regulation updated to delete references to 5 CCR 15497.5 (repealed) which formerly contained the LCAP template. The LCAP template continues to be approved by the State Board of Education and is available on the California Department of Education (CDE) web site. Policy also adds a definition of "numerically significant student subgroups" whose needs must be addressed in the LCAP. Regulation also deletes requirement to use the state's Academic Performance Index (API) as a measure of student achievement, as the API has been replaced by a new state accountability system.

BP 3513.4 - Drug and Alcohol Free Schools

(BP added)

New policy prohibits the possession, use, or sale of drugs or alcohol by any person on district property and addresses enforcement and discipline for violations of this policy. Policy also reflects **NEW LAW (Proposition 64, 2016)** which prohibits any person from possessing, smoking, or ingesting cannabis on school grounds while children are present.

BP/AR 5113.1 - Chronic Absence and Truancy

(BP/AR revised)

Policy updated to reflect the inclusion of a chronic absence indicator in the California School Dashboard effective in the fall of 2018, add examples of interventions for attendance problems, and delete section on "School Attendance Review Board" since that material is now covered in BP/AR 5113.12 - District School Attendance Review Board. Regulation updated to delete references to 5 CCR 15497.5 (repealed), which formerly contained the LCAP template that is now available on the CDE web site, and to delete section on the appointment and general duties of attendance supervisors, now covered in AR 5113.11 - Attendance Supervision.

BP/AR 1113(a) - District and School Web Sites

(BP/AR revised)

Policy updated to (1) clarify the district's responsibility to make district and school web sites accessible to individuals with disabilities; (2) reflect laws prohibiting web site operators from using web site information to amass a profile about a student, engage in targeted advertising to students, or sell or disclose a student's information, including **NEW LAW (AB 2799, 2016)** which prohibits such activities for web sites used primarily for preschool and prekindergarten purposes; and (3) clarify options related to posting student photographs on district and school web sites together with their names. Regulation updated to (1) add section on "Design Standards," including standards for web site accessibility to individuals with disabilities; (2) reflect **NEW LAW (AB 2257, 2016)** which requires posting a prominent, direct link to the current board meeting agenda or to an integrated agenda management platform, effective January 1, 2019; and (3) clarify requirements related to posting copyrighted material.

AR 5113.11 - Attendance Supervision

(AR added)

New regulation addresses the appointment of a district attendance supervisor and reflects **NEW LAW (AB 2815, 2016)** which expresses the Legislature's intent that the attendance supervisor fulfills specified duties.

BP/AR 5113.12 - District School Attendance Review Board

(BP/AR added)

New policy and regulation are for use by districts that have established their own local school attendance review board (SARB), and reflect the basic purposes, functions, and operations of the SARB.

BP 5131.6 - Alcohol and Other Drugs

(BP revised)

Policy updated to reflect the goals and purposes of the federal Student Support and Academic Enrichment Grants program, as established by the Every Student Succeeds Act. Policy also deletes material on drug and alcohol master plans and county primary prevention programs, since the related laws repealed on their own terms.

AR 6173.1 - Education for Foster Youth

(AR revised)

Regulation updated to reflect the Every Student Succeeds Act, which amends the definition of a foster youth's "best interest" and requires districts and child welfare agencies to come to an agreement as to how transportation will be provided to enable foster youth to attend their school of origin.

BB 9150 Student Board Members
(BB revised)

Assembly Bill (AB) 261 amends Education Code section 35012, subdivision (d) to provide all student board members preferential voting rights, along with Senate Bill (SB) 468 amends Education Code section 35012 to require that school districts provide open meeting materials to student board members at the same time as other school board members.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This activity is operational in nature.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

SPECIFIC FINANCIAL IMPACT:

None

ORIGINATOR: Dr. Mark Marshall, Superintendent
DATE: December 14, 2017

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0400(a)

COMPREHENSIVE PLANS

The Governing Board believes that careful planning is essential to effective implementation of district programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement, and provide stability in district operations, **and be aligned to ensure consistency among district approaches for student academic growth and achievement.**

~~The Superintendent or designee shall develop comprehensive plans for the implementation of the district's vision and goals, on specific policy topics and on other areas as required by law. As appropriate, comprehensive~~ **Comprehensive plans adopted by the district shall include the local control and accountability plan (LCAP) and other plans required by law or determined by the Board to be in the best interest of the district.** ~~Such plans may describe, but not be limited to, anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan.~~

~~(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 0500 - Accountability)
(cf. 1112 - Media Relations)
(cf. 2140 - Evaluation of the Superintendent)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)
(cf. 6171 - Title I Programs)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 7110 - Facilities Master Plan)~~

~~Comprehensive plans may be subject to review and approval by the Board.~~

The process for developing comprehensive plans shall ~~invite~~ **include** broad participation of school and community representatives. Committees may, **and when required by law shall**, be appointed to assist in the development of **such** plans. **District comprehensive plans are subject to review and approval by the Board.** ~~Comprehensive plans shall be available to the public and shall be reviewed at regular intervals as specified within the plan.~~

~~(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)~~

(cf. 6020 - Parent Involvement)
(cf. 9130 - Board Committees)

BP 0400(b)

COMPREHENSIVE PLANS (continued)

Note: In certain situations, school-level plans are required. For example, each school that participates in specified state and/or federal categorical programs must establish a school site council for the purpose of developing and approving a single plan for student achievement pursuant to Education Code 64001; see BP/AR 0420 - School Plans/Site Councils. In districts with over 2,500 average daily attendance, each school must develop a school safety plan pursuant to Education Code 32281 and 32286; see BP/AR 0450 - Comprehensive Safety Plan. Other school-level plans may be required by law or Board policy or developed at the discretion of the school site.

In addition, school-level plans may be developed to meet the unique circumstances of individual school sites provided that they are consistent with law, ~~district vision~~, Board policies, **district** administrative regulations, **the district vision, the LCAP**, and **other** districtwide plans. School plans ~~may~~ **shall** be subject to review and approval of the Superintendent or designee and/or the Board, **except when law or Board policy requires Board approval of the plan.**

(cf. 0420 - School Plans/Site Councils)

Comprehensive plans shall be available to the public, and shall be reviewed and updated at regular intervals as specified within the plan or required by law.

Legal Reference:

EDUCATION CODE

32280-32289 School safety plans

35035 Powers and duties of the superintendent

35291 Rules (power of governing board)

39831.3 Transportation safety plan

52060-52077 Local control and accountability plan

56195-56195.10 Comprehensive local plans for special education

56205-56208 Requirements for special education plan

64001 Single school plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

560 Civil defense and disaster preparedness plans

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

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CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: The following policy is optional. Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

~~The LCAP is a key component of the state accountability system. Pursuant to Education Code 52064.5, the State Board of Education (SBE) has adopted evaluation rubrics (called the "California School Dashboard") which will assist districts in evaluating their progress toward the goals in their LCAP. Under the flexibility provided by the federal Every Student Succeeds Act (ESSA) (P.L. 114-95), California has begun to streamline local, state, and federal requirements into a single, coherent system for planning, accountability, and school improvement and support.~~

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A ~~community-based~~, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

~~Note: A template for the LCAP and related requirements are contained in 5 CCR 15494-15497.5. According to California Department of Education (CDE) correspondence dated January 18, 2017, for the 2017-18 school year, districts scheduled for Federal Program Monitoring and/or applying for Title III funds must also complete an LCAP Addendum that was developed by the CDE to ensure alignment of local, state, and federal planning efforts. Districts may use an electronic template, accessible on the CDE's web site, to create their LCAP. Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP. An electronic version of the template is available on the California Department of Education's (CDE) web site.~~

The Board shall adopt a districtwide local control and accountability plan (LCAP), following ~~based on the template provided in 5 CCR 15497.5~~ adopted by the State Board of Education,

that addresses the state priorities in Education Code 52060 and any local

BP 0460(b)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060, 52064; 5 CCR 15497.5-15494-15497)

(cf. 3100 - Budget)

Note: Education Code 52060 requires that the LCAP include annual goals to be achieved for all students and for each numerically significant student subgroup as defined in Education Code 52052. For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the SBE. In addition, several state priorities address programs and services for "unduplicated students," as defined in Education Code 42238.01-42238.02.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other or are part of any numerically significant student subgroup that is at risk of or is underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, and are counted only once as defined in Education Code 42238.01 for purposes of the local control funding formula. (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students, or as otherwise defined by the Superintendent of Public Instruction (SPI). (Education Code 52052)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6173 - Education for Homeless Children)

Note: Education Code 52062 requires the district to ensure that the specific actions included in the LCAP are consistent with strategies in the single plan for student achievement (SPSA) submitted by each school pursuant to Education Code 64001; see BP/AR 0420 - School Plans/Site Councils for SPSA requirements. In addition, the LCAP template in 5 CCR 15497.5 allows for the LCAP to be supplemented with information contained in other plans, including the Title I local educational agency plan required by 20 USC 6312 (see BP/AR 6171 - Title I Programs).

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

BP 0460(c)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

(cf. 0420 - School Plans/Site Councils)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, students with disabilities, socioeconomically disadvantaged students, English learners, foster youth, and homeless students, when there are at least 30 students in the subgroup (or 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval of the SBE. State regulations do not provide examples of consultation with groups other than students, but consultations might include surveys, the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the

groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations.

The district may expand the following paragraph to reflect district practice.

BP 0460(d)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495 ~~as amended~~, must include a majority of parents/guardians of English learners. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15495. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

BP 0460(e)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 305, ~~as amended by Proposition 58 (November 2016) and effective July 1, 2017,~~ the LCAP parent and community engagement process must include solicitation of input as described in the following paragraph. Also see BP/AR 6174 - Education for English Language Learners for further information regarding the types of language acquisition programs that may be offered to students.

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

Note: Pursuant to Education Code 42127, the Board ~~cannot~~ **must not** adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

BP 0460(f)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent. The County Superintendent may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. He/she is required to approve the LCAP on or before October 8 if he/she determines that (1) the LCAP adheres to the template in ~~5 CCR 15497.5~~ adopted by the SBE; (2) the district budget includes expenditures sufficient to implement the specific actions in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

Monitoring Progress

Note: The following **optional** paragraph may be revised to reflect the district's timeline for reviewing ~~evaluations~~ of the progress and effectiveness of strategies included in the LCAP. ~~Such r~~Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance ~~based on evaluation rubrics adopted by the~~

~~State Board of Education pursuant to Education Code 52064.5~~ reported on the **California School Dashboard**. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

BP 0460(g)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Technical Assistance/Intervention

Note: Pursuant to Education Code 52071, the Board may, at its discretion and at the district's expense, request technical assistance as described in items #1-3 below. In addition, the County Superintendent is required to provide such technical assistance whenever he/she does not approve the district's LCAP and/or the district fails to improve student achievement across more than one state priority described in Education Code 52060, as determined using the ~~SBE evaluation rubric~~ **Dashboard**.

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities, and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's

recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP

BP 0460(h)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference:

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; Numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

15494-15497.5 **15497** Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

California School Dashboard

LCFF Frequently Asked Questions

Local Control and Accountability Plan and Annual Update (LCAP) Template

Every Student Succeeds Act – Update #6, January 18, 2017

Family Engagement Framework: A Tool for California School Districts, 2014

California Career Technical Education Model Curriculum Standards, 2013

Management Resources continued: (see next page)

BP 0460(i)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEB SITES

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

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

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

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CSBA Sample

Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about plan development and monitoring.

Goals and Actions Addressing State and Local Priorities

Note: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, as amended by AB 104 (Ch. 13, Statutes of 2015), a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the State Board of Education (SBE).

In addition, several state priorities address programs and services for "unduplicated students." For purposes of supplemental and concentration grants allocated through the local control funding formula (LCFF), "unduplicated students" are defined by Education Code 42238.02 as students eligible for free or reduced-price meals, English learners, and foster youth; see the accompanying Board policy.

The district's local control and accountability plan (LCAP) shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:
 - a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

- b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

- c. Parent/guardian involvement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, **and students with disabilities**

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6020 - Parent Involvement)

(cf. 6173.1 - Education for Foster Youth)

Note: Pursuant to Education Code 52060, the LCAP must address student achievement as measured by specified indicators, including the Academic Performance Index (API), as applicable. However, the API has been replaced by the California School Dashboard, which examines the performance of schools, districts, and defined student groups on measures of academic performance, high school graduation rate, English learner progress, college/career preparation, suspension rate, and chronic absenteeism. Thus, item #1d below does not include the API. Districts may use data from the Dashboard, along with the other specified indicators, to develop goals related to student achievement.

- d. Student achievement, as measured by all of the following as applicable:
- (1) Statewide assessments of student achievement
 - (2) ~~Academic Performance Index~~
 - (3) **(2)** The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that satisfy specified requirements and align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692

- (4)-(3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

AR 0460(c)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

- (5) (4) The English learner reclassification rate
- (6) (5) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher
- (7) (6) The percentage of students who participate in and demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

(cf. 0500 - Accountability)
(cf. 6141.5 - Advanced Placement)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6178 - Career Technical Education)

- e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable

(cf. 6146.1 - High School Graduation Requirements)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6146.1 - High School Graduation Requirements)

- f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

(cf. 5137 - Positive School Climate)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

- g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and

concentration **grant** funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

AR 0460(d)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

- h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

Note: In addition to goals aligned with the state priorities described in item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. **Optional** item #2 below may be revised to reflect local priorities.

2. Any goals identified for any local priorities established by the Board.

(cf. 0200 - Goals for the School District)

3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

Note: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the SPI, with approval of the SBE and conditional upon an appropriation in the state budget, to develop and implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on a school accountability report card. (Education Code

52060)

(cf. 0510 - School Accountability Report Card)

Increase or Improvement in Services for Unduplicated Students

Note: The following section is for use by districts that receive LCFF supplemental and/or concentration **grant** funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated

AR 0460(e)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

students; see BP 3100 - Budget. 5 CCR 15494-15496, as amended by Register 2015, No. 2, specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

~~Note: Whenever a district chooses to expend supplemental or concentration funds on a districtwide or schoolwide basis, it is required pursuant to 5 CCR 15496, as amended by Register 2015, No. 2, to include the following components in its LCAP.~~

When the district expends supplemental and/or concentration **grant** funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
2. Describe how services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas
3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory. (~~5 CCR 15496~~)

Annual Updates

On or before July 1 of each year, the LCAP shall be updated using the template in ~~5 CCR 45497.5~~ **adopted by the SBE** and shall include all of the following: (Education Code 52061)

1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Goals and Actions Addressing State and Local Priorities" above
2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP

AR 0460(f)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

toward achieving the goals, and a description of changes to the specific actions the district will make as a result of the review and assessment

Note: Pursuant to Education Code 52061, the annual update to the LCAP must include expenditures for specific actions included in the LCAP and expenditures serving unduplicated students. Education Code 52061 requires that the expenditures specified in items #3-4 below be classified in accordance with the California School Accounting Manual.

3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above
4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

Availability of the Plan

Note: Education Code 52065 requires the district to post its LCAP and annual update or revisions to the LCAP on the district web site. In addition, the County Superintendent of Schools is required to post all district LCAPs, or links to those plans, on the county office of education web site and to transmit all such plans to the SPI, who will then post links to all plans on the California Department of Education web site.

The Superintendent or designee shall post the LCAP and any updates or revisions to the LCAP on the district's web site. (Education Code 52065)

(cf. 1113 - District and School Web Sites)

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Policy Reference UPDATE Service

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CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3513.4(a)

DRUG AND ALCOHOL FREE SCHOOLS

Note: The following policy prohibits the possession, use, or sale of drugs or alcohol by any person on district property. For policy addressing the prevention and intervention of alcohol and drug use among students, see BP 5131.6 - Alcohol and Other Drugs. For policy prohibiting employees from possessing, using, or being under the influence of a controlled substance in the workplace, see BP 4020 - Drug and Alcohol Free Workplace.

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

(cf. 1325 - Advertising and Promotion)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4020 - Drug and Alcohol-Free Workplace)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 6142.8 - Comprehensive Health Education)

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California

Note: Although Health and Safety Code 11362.1, as amended by Proposition 64 (2016), authorizes persons age 21 years and older to possess and use specified amounts of cannabis, Health and Safety Code 11362.3 prohibits possession or use of cannabis by persons under age 21 and prohibits all persons from possessing, smoking, or ingesting cannabis or cannabis products on the grounds of a school, day care center, or youth center while children are present.

2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)

Note: Pursuant to Business and Professions Code 25608, it is a misdemeanor to possess, consume, sell, give, or deliver any alcoholic beverage to any person in a school building or on school grounds unless a specified exception applies. Such exceptions include, but are not limited to, alcohol served during a special event, pursuant to a license or permit obtained under the Alcohol Beverage Control Act, at district-owned facilities at a time when students are not present. Districts that do not allow any of the specified exceptions should revise item #3 accordingly. See AR 1330 - Use of School Facilities.

3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

BP 3513.4(b)

DRUG AND ALCOHOL FREE SCHOOLS (continued)

(cf. 1330 - Use of School Facilities)

(cf. 1330.1 - Joint Use Agreements)

Note: Pursuant to various state laws, prescribed medication may be administered at school with written statements from the student's parent/guardian and authorized health care provider; see BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions. However, Health and Safety Code 11362.79 prohibits a person who has been authorized for medical use of cannabis from smoking cannabis on the grounds of or within 1,000 feet of a school, recreation center, or youth center or on a school bus, and Health and Safety Code 11362.3 prohibits cannabis on district property while children are present as noted in item #2 above. In addition, federal law (21 USC 812, 844) continues to prohibit the possession of cannabis, even by medical users.

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

(cf. 5141.21 - Administering Medications and Monitoring Health Conditions)

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

(cf. 5145.12 - Search and Seizure)

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

(cf. 4117.7/4217.7/4317.7 - Employment Status Reports)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

BP 3513.4(c)

DRUG AND ALCOHOL FREE SCHOOLS (continued)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

44940 Compulsory leave of absence for certificated persons
44940.5 Procedures when employees are placed on compulsory leave of absence
45123 Employment after conviction of controlled substance offense
45304 Compulsory leave of absence for classified persons
48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
48901.5 Prohibition of electronic signaling devices
48902 Notification of law enforcement authorities; civil or criminal immunity
48909 Narcotics or other hallucinogenic drugs
48915 Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

11053-11058 Standards and schedules
11353.6 Juvenile Drug Trafficking and Schoolyard Act
11362.1 Possession and use of cannabis, persons age 21 and over
11362.3 Limitations on possession and use of cannabis
11362.79 Limitations on medical use of cannabis
104559 Tobacco use prohibition

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances
844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

COURT DECISIONS

Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

Policy Reference UPDATE Service
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CSBA Sample Board Policy

Students

BP 5113.1(a)

CHRONIC ABSENCE AND TRUANCY

Note: The following **optional** policy addresses both chronic absence, which refers to students missing an excessive number of school days for any reason, whether excused or unexcused, and truancy, which refers to students missing school and/or being tardy without a valid excuse. Education Code 48260 defines a "valid excuse" for purposes of classifying students as truants; see the accompanying administrative regulation. Also see BP/AR 5113 - Absences and Excuses for information about methods of verification of student absences.

The Governing Board believes that ~~excessive absenteeism, whether caused by excused or unexcused absences~~ **whatever the cause**, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

(cf. 5113 - Absences and Excuses)

(cf. 5113.11 - Attendance Supervision)

Note: The following paragraph may be revised to reflect district practice. Districts must monitor unexcused absences for the purpose of identifying students who are classified as truants pursuant to Education Code 48260-48273. In addition, Education Code 52060 requires districts to include the rates of school attendance, chronic absence, dropout, and graduation, as applicable, in their local control and accountability plan (LCAP); (see BP/AR 0460 - Local Control and Accountability Plan), **and chronic absence will be one of the state accountability indicators in the California School Dashboard beginning in the fall of 2018 (see BP 0500 - Accountability).** Pursuant to 5 CCR 15497.5, as added by Register 2015, No. 2, the chronic absence rate reported in the LCAP is **Pursuant to the LCAP template adopted by the State Board of Education, "chronic absence" is the number of students who are absent on 10 percent or more of the school days in the academic year (July 1 through June 30) divided by the total enrollment during the academic year.**

Other tools to calculate chronic absence are available, such as the District Attendance Tracking Tool and School Attendance Tracking Tool from Attendance Works.

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district. He/she shall provide the Board with data on school attendance, chronic absence, and truancy rates ~~for all district students~~ **districtwide**, for each school, and **disaggregated** for each numerically significant student subgroup as defined in Education Code 52052. Such data shall be ~~disaggregated and used in the development of annual goals and specific actions for student attendance and engagement and for inclusion to be included~~ **included** in the district's local control and accountability plan and other applicable school and district plans.

(cf. 0400 - Comprehensive Plans)

(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

BP 5113.1(b)

CHRONIC ABSENCE AND TRUANCY (continued)

(cf. 0500 - Accountability)

The Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5126 - Awards for Achievement)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.6 - School Health Services)
(cf. 5145.3 - Nondiscrimination/Harassment)

Note: In developing strategies for addressing chronic absence and truancy, districts may consider reasons for absences given by individual students as well as survey data using tools such as the [California Healthy Kids Survey](#) and/or the [California School Climate, Health, and Learning Survey System](#) available from WestEd.

The Superintendent or designee shall ~~work~~ **consult** with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy.

Interventions for students with serious attendance problems shall be designed to meet the specific needs of the student and may include, but are not limited to, health care referrals, transportation assistance, counseling for mental or emotional difficulties, academic supports, efforts to address school or community safety concerns, discussions with the student and parent/guardian about their attitudes regarding schooling, or other strategies to remove identified barriers to school attendance. ~~He/she also~~ **The Superintendent or designee** may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to ensure that **make** alternative educational programs and nutrition, health care, and other support services are available for students and families and to intervene as necessary when students have serious attendance problems.

(cf. 1020 - Youth Services)
(cf. 5030 - Student Wellness)
(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5147 - Dropout Prevention)
(cf. 6158 - Independent Study)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)

BP 5113.1(c)

CHRONIC ABSENCE AND TRUANCY (continued)

(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Note: State law establishes a series of interventions that the district is required or authorized to impose depending on the number of truanancies committed by a student; see the accompanying administrative regulation. Habitually truant students, as defined in Education Code 48262, may be referred to a school attendance review board (SARB) if established by the county office of education or to a SARB established by the district Governing Board pursuant to Education Code 48321; **see BP/AR 5113.12 - District School Attendance Review Board**. Instead of the SARB process, students may be referred to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6. Education Code 48264.5 authorizes, but does not require, students who continue to be truant after receiving these interventions to be referred to a juvenile court. Parents/guardians of students who are identified as truants may be subject to penalties pursuant to Education Code 48293, Penal Code 270.1, and/or Penal Code 272.

Students who are identified as truants shall be subject to the interventions specified in law and administrative regulation.

(cf. 5113.12 - District School Attendance Review Board)

Note: Education Code 48900 expresses legislative intent that alternatives to suspension or expulsion be used with students who are truant, tardy, or otherwise absent from assigned school activities; see BP 5144 - Discipline and BP 5144.1 - Suspension and Expulsion/Due Process.

A student's truancy, tardiness, or other absence from school shall not be the basis for his/her ~~out-of-school~~ suspension or expulsion. Alternative ~~disciplinary~~ strategies and positive reinforcement for attendance shall be used whenever possible.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee shall periodically report to the Board regarding the district's progress in improving student attendance rates for all students and for each numerically significant student population. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to make changes as needed.

As appropriate, the Superintendent or designee shall engage school staff in program evaluation and improvement and in ~~identification~~ the determination of how to best allocate available community resources.

SECTION ON "SCHOOL ATTENDANCE REVIEW BOARD" DELETED

BP 5113.1(d)

CHRONIC ABSENCE AND TRUANCY (continued)

Legal Reference:

EDUCATION CODE

1740-~~1742~~ *Employment of personnel to supervise attendance (county superintendent)*

37223 *Weekend classes*

~~41601~~ *Reports of average daily attendance*

46000 *Records (attendance)*

46010-46014 *Absences*

46110-46119 *Attendance in kindergarten and elementary schools*

46140-46147 *Attendance in junior high and high schools*

48200-48208 *Children ages 6-18 (compulsory full-time attendance)*

48225.5 *Work permits, entertainment and allied industries*

48240-48246 *Supervisors of attendance*

48260-48273 *Truants*

48290-48297 *Failure to comply; complaints against parents*

48320-48325 *School attendance review boards*

48340-48341 *Improvement of student attendance*

48400-48403 *Compulsory continuation education*

48900 *Suspension and expulsion*

49067 *Unexcused absences as cause of failing grade*

52052 *Academic Performance Index; numerically significant student subgroups*

60901 *Chronic absence*

GOVERNMENT CODE

54950-54963 *The Ralph M. Brown Act*

PENAL CODE

270.1 *Chronic truancy; parent/guardian misdemeanor*

272 *Parent/guardian duty to supervise and control minor child; criminal liability for truancy*

830.1 *Peace officers*

VEHICLE CODE

13202.7 *Driving privileges; minors; suspension or delay for habitual truancy*

WELFARE AND INSTITUTIONS CODE

256-258 *Juvenile hearing officer*

601-601.4 *Habitually truant minors*

11253.5 *Compulsory school attendance*

CODE OF REGULATIONS, TITLE 5

306 *Explanation of absence*

420-421 *Record of verification of absence due to illness and other causes*

~~15497.5~~ *Local control and accountability plan template*

COURT DECISIONS

L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

Management Resources:

CSBA PUBLICATIONS

Attendance Awareness Month, Fact Sheet, September 2014

ATTENDANCE WORKS PUBLICATIONS

Count Us In! Working Together to Show that Every School Day Matters, 2014

The Power of Positive Connections: Reducing Chronic Absence Through PEOPLE: Priority Early Outreach for Positive Linkages and Engagement, 2014

Management Resources continued: (see next page)

BP 5113.1(e)

CHRONIC ABSENCE AND TRUANCY (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook: A Road Map for Improved School Attendance and Behavior, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

California Healthy Kids Survey: <http://chks.wested.org>

California School Climate, Health, and Learning Survey System: <http://www.cal-schls.wested.org>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Students

AR 5113.11(a)

ATTENDANCE SUPERVISION

Note: The following optional administrative regulation is for use by districts that appoint their own attendance supervisor and may be revised to reflect district practice. Pursuant to Education Code 48242 and 48243, the district may appoint an attendance supervisor or may jointly employ an attendance supervisor with one or more other districts. Alternatively, pursuant to Education Code 48244, the district may contract with the County Superintendent of Schools for the supervision of attendance of district students. AB 2815 (Ch. 829, Statutes of 2016) amended Education Code 48244 to delete the requirement that the County Board of Education approve the district's contract with the County Superintendent.

The Superintendent or designee shall appoint an attendance supervisor and any assistant attendance supervisor(s) as may be necessary to supervise the attendance of district students. (Education Code 48240)

Note: Pursuant to Education Code 48245, the following paragraph is applicable to any district with an average daily attendance of 1,000 or more, according to the annual school report of the last preceding school year.

The Superintendent or designee shall ensure that any person appointed as an attendance supervisor has been certificated for the work by the County Board of Education. (Education Code 48241, 48245)

Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent or designee. (Education Code 48240)

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.2 - Work Permits)

(cf. 6184 - Continuation Education)

Note: Items #1-5 below may be revised to reflect district practice. Education Code 48240, as amended by AB 2815 (Ch. 829, Statutes of 2016), states the Legislature's intent that attendance supervisors fulfill the following duties.

The attendance supervisor shall promote a culture of attendance and establish a system to accurately track student attendance in order to achieve all of the following: (Education Code 48240)

1. Raise the awareness of school personnel, parents/guardians, caregivers, community partners, and local businesses of the effects of chronic absenteeism and truancy and other challenges associated with poor attendance

AR 5113.11(b)

ATTENDANCE SUPERVISION (continued)

2. Identify and respond to grade level or student subgroup patterns of chronic absenteeism or truancy

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6175 - Migrant Education Program)

3. Identify and address factors contributing to chronic absenteeism and habitual truancy, including suspension and expulsion

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

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

4. Ensure that students with attendance problems are identified as early as possible to provide applicable support services and interventions

5. Evaluate the effectiveness of strategies implemented to reduce chronic absenteeism rates and truancy rates

(cf. 0500 - Accountability)

The attendance supervisor may provide support services and interventions, including, but not limited to, the following: (Education Code 48240)

1. A conference between school personnel, the student's parent/guardian, and the student
2. Promotion of cocurricular and extracurricular activities that increase student connectedness to school, such as tutoring, mentoring, the arts, service learning, or athletics

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

3. Recognition of students who achieve excellent attendance or demonstrate significant improvement in attendance

(cf. 5126 - Awards for Achievement)

4. Referral of the student to a school nurse, school counselor, school psychologist,

AR 5113.11(c)

ATTENDANCE SUPERVISION (continued)

school social worker, and other student support personnel for case management and counseling

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

5. Collaboration with child welfare services, law enforcement, courts, public health care agencies, government agencies, or medical, mental health, and oral health care providers to receive necessary services

(cf. 1020 - Youth Services)

6. Collaboration with school study teams, guidance teams, school attendance review teams, or other intervention-related teams to assess the attendance or behavior problem in partnership with the student and his/her parents/guardians or caregivers

(cf. 6164.5 - Student Success Teams)

7. In schools with significantly higher rates of chronic absenteeism, identification of barriers to attendance that may require schoolwide strategies rather than case management

8. Referral of the student for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program for a student with disabilities or creating a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

9. Referral of the student to a school attendance review board established pursuant to Education Code 48321 or to the probation department pursuant to Education Code 48263

(cf. 5113.12 - District School Attendance Review Board)

10. Referral of the student to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6

Note: The following optional paragraph may be revised to reflect district practice. Among the primary roles of the attendance supervisor are the accurate tracking of student attendance and monitoring of chronic absence in order to identify students at risk. Pursuant to Education Code 52060, districts are required to include rates of school attendance, chronic absence, dropout, and graduation, as applicable,

AR 5113.11(d)

ATTENDANCE SUPERVISION (continued)

in their local control and accountability plan (see BP/AR 0460 - Local Control and Accountability Plan), and chronic absence is one of the state accountability indicators in the California School Dashboard (see BP 0500 - Accountability).

The attendance supervisor shall annually report student attendance data to the Superintendent or designee and the Governing Board. Such data shall include, by school, grade level, and each numerically significant student subgroup as defined in Education Code 52052, rates of school attendance, chronic absence in which students are absent on 10 percent of more of the school days in the school year, and dropout.

(cf. 5147 - Dropout Prevention)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

46000 Records (attendance)

46010-46014 Absences

46110-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

52060-52077 Local control and accountability plan

60901 Chronic absence

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

Management Resources: (see next page)

AR 5113.11(e)

ATTENDANCE SUPERVISION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

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CSBA Sample Board Policy

Community Relations

BP 1113(a)

DISTRICT AND SCHOOL WEB SITES

Note: The following optional policy is for use by districts that maintain their own web site(s) and may be revised to reflect district practice. District strategies for effective use of web sites may be incorporated into the district's comprehensive communications plan; see BP 1100 - Communication with the Public.

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the Superintendent or designee to develop and maintain district and school web sites. The use of district and school web sites shall support the district's vision and goals and shall be coordinated with other district communications strategies.

(cf. 0000 - Vision)

(cf. 0440 - District Technology Plan)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

Design Standards

The Superintendent or designee shall establish design standards for district and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

Note: Pursuant to Title II of the Americans with Disabilities Act (42 USC 12131-12134), the district must ensure that individuals with disabilities are not discriminated against or excluded from participation in public services, programs, or activities. A U.S. Department of Justice (USDOJ) technical assistance publication, Accessibility of State and Local Government Websites to People with Disabilities, affirms that this statute applies to district-sponsored web sites. Pursuant to Title II of the Americans with Disabilities Act (42 USC 12131-12134) and Section 504 of the Rehabilitation Act of 1973 (29 USC 705, 794; 34 CFR 104.1-104.39), districts have an obligation to provide an equal opportunity to individuals with disabilities to participate in and receive the benefits of the educational program, and must provide accommodations or modifications when necessary to ensure equal treatment. Such obligations have been interpreted by the U.S. Department of Education's Office for Civil Rights (OCR) to include the requirement that district web sites be accessible to individuals with disabilities. See the OCR's June 2010 and May 2011 Dear Colleague Letters. Thus, the districts should **must consider the needs of individuals with disabilities and identify features that would enable such persons to access all the information on district and school web sites.** site's information. For example, hearing-impaired individuals may not be able to access information in Internet videos or other multimedia presentations that do not have captions, and visually-impaired individuals who use screen readers or other assistive technology may not be able to "read" images or photographs without corresponding text. Examples of technical standards for web site accessibility are available from the World Wide Web Consortium, the California Department of Education's standards for state web sites, and other sources.

DISTRICT AND SCHOOL WEB SITES (continued)

The ~~USDOJ's~~ **A U.S. Department of Justice** technical assistance publication, **Accessibility of State and Local Government Websites to People with Disabilities**, states that an agency with ~~an inaccessible web site~~ **a web site that is otherwise inaccessible to individuals with disabilities** may also meet its legal obligations by providing an alternative accessible way for ~~individuals with disabilities~~ **them** to use the programs or services (e.g., a staffed telephone information line), but points out that these alternatives are unlikely to provide an equal degree of access in terms of hours of operation or range of options and programs available. **See the accompanying administrative regulation for accessibility guidelines.**

The district's design standards shall address the accessibility of district-sponsored **and school** web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

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

Guidelines for Web Site Content

The Superintendent or designee shall develop content guidelines for district and school web sites and shall assign staff to review and approve content prior to posting.

Note: ~~The district may determine whether or not to post advertising of a commercial nature on district and school web sites. The following optional paragraph provides that the district will apply the same policy it has established for advertising in school-sponsored publications (see BP 1325 - Advertising and Promotion) and may be revised to reflect district practice.~~ **The following optional paragraph ensures consistency of district policies regarding advertising and may be revised to reflect district practice.**

Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school web sites.

(cf. 1325 - Advertising and Promotion)

Privacy Rights

Note: Business and Professions Code 22580-22582 prohibit an operator of a web site from knowingly using, disclosing, compiling, or allowing a third party to use, disclose, or compile the personal information of a minor for the purpose of marketing or advertising specified types of products or services. Business and Professions Code 22584-22585 prohibit the operator of a web site that provides services to K-12 students from selling or disclosing specified student information or knowingly using that student information to engage in targeted advertising to students or parents/guardians or to amass a profile about a student. Business and Professions Code 22586, as added by AB 2799 (Ch. 620, Statutes of 2016), provides a similar prohibition for the operator of a web site used, designed, and marketed primarily for preschool or prekindergarten purposes from knowingly engaging in specified activities, including targeted advertising, selling or disclosing a student's information, and using specified information to amass a profile about a

student except in furtherance of preschool or prekindergarten purposes. See BP 5125 - Student Records for further information regarding protection of student information.

BP 1113(c)

DISTRICT AND SCHOOL WEB SITES (continued)

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on district and school web sites.

(cf. 1340 - Access to District Records)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

Note: The following **optional** paragraph may be revised to reflect district practice. The district should carefully consider whether to place personally identifiable information on district or school web sites since release of such information may put individuals, including students, at risk and also may violate Education Code 49073 which prohibits disclosure of student directory information to any private profit-making entity; see BP/AR/E 5125.1 - Release of Directory Information.

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school web sites.

(cf. 5125.1 - Release of Directory Information)

Note: The following options address the use of students' photographs on district or school web sites. Option 1 is for use by districts that, pursuant to Education Code 49061 and 34 CFR 99.3, have included photographs in the definition of directory information, as specified in AR 5125.1 - Release of Directory Information, and ~~thus allow parents/guardians the opportunity to request that their child's photograph not be released~~ **publish student photographs along with their names unless a parent/guardian requested in writing that no photographs of their child be released** without their prior written consent. Option 2 is for use by districts that do not wish to allow students' photographs to be published along with their names without **unless** specific consent **for such publication is received from the parent/guardian.**

OPTION 1: ~~Photographs of individual students may be published, together with their names, except when their~~ **The district regards photographs as a category of directory information that would not generally be considered harmful or an invasion of privacy if disclosed. Therefore, a student's photograph, together with his/her name, may be published on district or school web sites unless the student's** parent/guardian has notified the district in writing to not release the student's photograph without prior written consent, in accordance with BP/AR 5125.1 - Release of Directory Information.

OPTION 2: ~~Because of the wide accessibility of the Internet and potential risk to students,~~ Photographs of individual students shall not be published **on district or school web sites with**

their names accompanied by the student's name or other personally identifiable information without the prior written consent of the student's parent/guardian.

Note: The remainder of this policy is for use by all districts.

BP 1113(d)

DISTRICT AND SCHOOL WEB SITES (continued)

If students' names are not included, pPhotographs of individual students or groups of students, such as at a school event, may be published on school or district web sites provided that students' names are not included.

Note: The following optional paragraph may be revised to reflect district practice. It is recommended that districts not post employees' home addresses, personal telephone numbers, or personal email addresses on district or school web sites, in order to maintain employee privacy and safety. If such information is posted, employees should be informed that using a personal account or device to receive communications regarding district business does not categorically exclude these records from disclosure upon request under the California Public Records Act (Government Code 6250-6270), pursuant to the California Supreme Court's decision in *City of San Jose v. Superior Court*. See BP 1340 - Access to District Records, AR 3580 - District Records, and BB 9012 - Board Member Electronic Communications.

Staff members' Employees' home addresses, or personal telephone numbers, and personal email addresses shall not be posted on district or school web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

No public safety official shall be required to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

(cf. 3515.3 - District Police/Security Department)

Legal Reference:

EDUCATION CODE

- 35182.5 Contracts for advertising
- 35258 Internet access to school accountability report cards
- 48907 Exercise of free expression; rules and regulations
- 48950 Speech and other communication
- 49061 Definitions, directory information
- 49073 Release of directory information

60048 *Commercial brand names, contracts or logos*
BUSINESS AND PROFESSIONS CODE
22580-22582 *Digital privacy*
22584-22585 *Student Online Personal Information Protection Act*
22586 *Preschool and prekindergarten privacy*

Legal Reference continued: (see next page)

BP 1113(e)

DISTRICT AND SCHOOL WEB SITES (continued)

Legal Reference: (continued)

GOVERNMENT CODE

3307.5 *Publishing identity of public safety officers*
6254.21 *Publishing addresses and telephone numbers of officials*
6254.24 *Definition of public safety official*
11135 *Nondiscrimination; accessibility to state web sites*

PENAL CODE

14029.5 *Prohibition against publishing personal information of person in witness protection program*

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

101-122 Subject matter and scope of copyright

504 Penalties for copyright infringement

UNITED STATES CODE, TITLE 20

1232g *Federal Family Educational Rights and Privacy Act*

UNITED STATES CODE, TITLE 29

705 Definitions; Vocational Rehabilitation Act

794 *Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 *Children's Online Privacy*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 *Family Educational Rights and Privacy*

104.1-104.61 *Nondiscrimination on the basis of disability*

COURT DECISIONS

City of San Jose v. Superior Court, (2017) 2 Cal.5th 608

Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112

Management Resources:

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter, May 26, 2011

Joint Dear Colleague Letter: Electronic Book Readers, June 2010

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

California Department of Education, Web Accessibility Standards:
<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>
California School Public Relations Association: <http://www.calspra.org>
U.S. Department of Education, Office for Civil Rights: <https://www2.ed.gov/about/offices/list/ocr>
U.S. Department of Justice, Americans with Disabilities Act: <http://www.ada.gov>
World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Community Relations

AR 1113(a)

DISTRICT AND SCHOOL WEB SITES

Note: The following **optional** administrative regulation is for use by districts that maintain their own web site(s) and ~~may should~~ be revised to reflect district practice.

Design Standards

The Superintendent or designee shall develop design standards for district and school web sites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the web site. Such standards shall take into consideration the ease of use on a wide range of devices.

Note: Pursuant to Title II of the Americans with Disabilities Act (42 USC 12131-12134) and Section 504 of the Rehabilitation Act of 1973 (29 USC 705, 794; 34 CFR 104.1-104.39), districts have an obligation to provide an equal opportunity to individuals with disabilities to participate in and receive the benefits of the educational program. Such obligations have been interpreted by the U.S. Department of Education's Office for Civil Rights (OCR) to include the requirement that district web sites be accessible to individuals with disabilities. See the OCR's June 2010 and May 2011 Dear Colleague Letters.

While there are no explicit standards detailed in law or regulations addressing accessible features, the World Wide Web Consortium's Web Content Accessibility Guidelines 2.0 and Web Accessibility Initiative Accessible Rich Internet Applications Suite are widely used tools that may serve as guidelines for district and school web sites. Additionally, examples of technical standards for accessibility are available on the California Department of Education's web site.

In accordance with the requirements of the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973, district and school web sites shall contain features that ensure accessibility for individuals with disabilities, which may include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for web site accessibility. The Superintendent or designee shall regularly review district and school web sites and modify them as needed to ensure legal compliance with accessibility standards.

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

Guidelines for Web Site Content

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

DISTRICT AND SCHOOL WEB SITES (continued)

For all Governing Board meetings occurring on and after January 1, 2019, Government Code 54954.2, as amended by AB 2257 (Ch. 265, Statutes of 2016), requires the district to post a "prominent, direct link" to the current Board meeting agenda on the primary homepage of the district's web site. However, districts that use an integrated agenda management platform (i.e., a web site dedicated to providing the entirety of the agenda information for the Board) are exempt from this requirement if a direct link to the platform is posted on the homepage and the current agenda is the first agenda available at the top of the platform. Government Code 54954.2 specifies that agendas posted either through a direct link or through use of an integrated agenda management platform must be (1) retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications; (2) platform independent and machine readable; and (3) available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

As applicable, ~~d~~District and school web sites shall provide current information regarding district/school programs, activities, and operations. Such information ~~shall be appropriate for both internal and external audiences and may include~~ the district's mission and goals, **district/school programs and operations**, district/~~or~~ school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, and links to educational resources.

(cf. 0440 - District Technology Plan)
(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
~~*(cf. 1112 - Media Relations)*~~
~~*(cf. 6020 - Parent Involvement)*~~
(cf. 9322 - Agenda/Meeting Materials)

With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.

Note: In determining ~~who will be allowed~~ **whether to limit or allow the ability of certain groups or individuals** to provide content for district or school web sites, districts should consult with legal counsel on matters pertaining to protected speech and equal access; ~~In the event of litigation on this issue, one approach a court might use would be to draw analogies with protections that currently exist for the print medium (see BP/AR 5145.2 - Freedom of Speech/Expression and) and regulations regarding equal access (see BP/AR 6145.5 - Student Organizations and Equal Access).~~

Student work may be published on district or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

Note: Federal copyright law (17 USC 107-106) grants a copyright owner the exclusive rights to reproduce, distribute, make derivative works of, publicly perform, or publicly display the copyrighted work or to authorize others to do so. However, pursuant to 17 USC 107, "fair use" (i.e., the

AR 1113(c)

DISTRICT AND SCHOOL WEB SITES (continued)

reproduction of limited portions of copyrighted materials without the copyright owner's permission) is allowed for such purposes as criticism, comment, news reporting, teaching, scholarship, or research; and the courts have generally provided that teachers, students, and schools are allowed to make "fair use" of published materials for instructional purposes in situations which are not likely to deprive a publisher or an author of income; see BP/AR 6162.6 - Use of Copyrighted Materials. Even if use of certain copyrighted materials in the district meets the criteria for a fair use exception, Unless there is a clear statement that text, art, or photos that are not clearly stated to be in the "public domain" and available for free use such material should not be replicated on a district or school web site without prior permission of the copyright owner of the copyright.

~~The Superintendent or designee shall ensure that copyright laws are not violated in the use of materials on district and school web sites. If any copyrighted material is posted a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted.~~ Any copyrighted material to be posted on a district or school web site shall be submitted to the Superintendent or Designee to gether with the permission of the copyright owner to reprint the material. Any copyrighted material submitted with the copyright owner's permission shall only be posted on a district or school web sit if the superintendent or designee determines that the material is in the public domain or the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When any copyright owner and, as necessary, shall note that permission to reprint the material was granted.

(cf. 4132/4232/4332 - Publication or Creation of Materials)

(cf. 6162.6 - Use of Copyrighted Materials)

Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

Roles and Responsibilities

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall **review district and school web sites** to ensure consistency of ~~the material~~ with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct ~~an~~ editorial reviews of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

AR 1113(d)

DISTRICT AND SCHOOL WEB SITES (continued)

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

Security

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Students

AR 5113.11(a)

ATTENDANCE SUPERVISION

Note: The following optional administrative regulation is for use by districts that appoint their own attendance supervisor and may be revised to reflect district practice. Pursuant to Education Code 48242 and 48243, the district may appoint an attendance supervisor or may jointly employ an attendance supervisor with one or more other districts. Alternatively, pursuant to Education Code 48244, the district may contract with the County Superintendent of Schools for the supervision of attendance of district students. AB 2815 (Ch. 829, Statutes of 2016) amended Education Code 48244 to delete the requirement that the County Board of Education approve the district's contract with the County Superintendent.

The Superintendent or designee shall appoint an attendance supervisor and any assistant attendance supervisor(s) as may be necessary to supervise the attendance of district students. (Education Code 48240)

Note: Pursuant to Education Code 48245, the following paragraph is applicable to any district with an average daily attendance of 1,000 or more, according to the annual school report of the last preceding school year.

The Superintendent or designee shall ensure that any person appointed as an attendance supervisor has been certificated for the work by the County Board of Education. (Education Code 48241, 48245)

Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent or designee. (Education Code 48240)

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.2 - Work Permits)
(cf. 6184 - Continuation Education)

Note: Items #1-5 below may be revised to reflect district practice. Education Code 48240, as amended by AB 2815 (Ch. 829, Statutes of 2016), states the Legislature's intent that attendance supervisors fulfill the following duties.

The attendance supervisor shall promote a culture of attendance and establish a system to accurately track student attendance in order to achieve all of the following: (Education Code 48240)

1. Raise the awareness of school personnel, parents/guardians, caregivers, community partners, and local businesses of the effects of chronic absenteeism and truancy and other challenges associated with poor attendance

AR 5113.11(b)

ATTENDANCE SUPERVISION (continued)

2. Identify and respond to grade level or student subgroup patterns of chronic absenteeism or truancy

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)

3. Identify and address factors contributing to chronic absenteeism and habitual truancy, including suspension and expulsion

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

4. Ensure that students with attendance problems are identified as early as possible to provide applicable support services and interventions

5. Evaluate the effectiveness of strategies implemented to reduce chronic absenteeism rates and truancy rates

(cf. 0500 - Accountability)

The attendance supervisor may provide support services and interventions, including, but not limited to, the following: (Education Code 48240)

1. A conference between school personnel, the student's parent/guardian, and the student
2. Promotion of cocurricular and extracurricular activities that increase student connectedness to school, such as tutoring, mentoring, the arts, service learning, or athletics

(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.6 - Visual and Performing Arts)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

3. Recognition of students who achieve excellent attendance or demonstrate significant improvement in attendance

(cf. 5126 - Awards for Achievement)

4. Referral of the student to a school nurse, school counselor, school psychologist,

AR 5113.11(c)

ATTENDANCE SUPERVISION (continued)

school social worker, and other student support personnel for case management and counseling

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

5. Collaboration with child welfare services, law enforcement, courts, public health care agencies, government agencies, or medical, mental health, and oral health care providers to receive necessary services

(cf. 1020 - Youth Services)

6. Collaboration with school study teams, guidance teams, school attendance review teams, or other intervention-related teams to assess the attendance or behavior problem in partnership with the student and his/her parents/guardians or caregivers

(cf. 6164.5 - Student Success Teams)

7. In schools with significantly higher rates of chronic absenteeism, identification of barriers to attendance that may require schoolwide strategies rather than case management

8. Referral of the student for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program for a student with disabilities or creating a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

9. Referral of the student to a school attendance review board established pursuant to Education Code 48321 or to the probation department pursuant to Education Code 48263

(cf. 5113.12 - District School Attendance Review Board)

10. Referral of the student to a truancy mediation program operated by the county's district attorney or probation officer pursuant to Education Code 48260.6

Note: The following optional paragraph may be revised to reflect district practice. Among the primary roles of the attendance supervisor are the accurate tracking of student attendance and monitoring of chronic absence in order to identify students at risk. Pursuant to Education Code 52060, districts are required to include rates of school attendance, chronic absence, dropout, and graduation, as applicable,

AR 5113.11(d)

ATTENDANCE SUPERVISION (continued)

in their local control and accountability plan (see BP/AR 0460 - Local Control and Accountability Plan), and chronic absence is one of the state accountability indicators in the California School Dashboard (see BP 0500 - Accountability).

The attendance supervisor shall annually report student attendance data to the Superintendent or designee and the Governing Board. Such data shall include, by school, grade level, and each numerically significant student subgroup as defined in Education Code 52052, rates of school attendance, chronic absence in which students are absent on 10 percent of more of the school days in the school year, and dropout.

(cf. 5147 - Dropout Prevention)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

46000 Records (attendance)

46010-46014 Absences

46110-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

52060-52077 Local control and accountability plan

60901 Chronic absence

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

Management Resources: (see next page)

AR 5113.11(e)

ATTENDANCE SUPERVISION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

CSBA Sample Board Policy

Students

BP 5113.12(a)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD

Note: The following Board policy is for use by districts that have established their own school attendance review board (SARB), in addition to or instead of a county office of education SARB, as authorized pursuant to Education Code 48321. If a district desires to establish a local SARB but a county SARB exists, the district must contact the county SARB chairperson to request permission to form a local SARB. If no county SARB exists, the Governing Board may establish a local SARB which operates in the same manner and under the same authority as a county SARB. For further information about procedures for addressing truancy, including, but not limited to, circumstances that require referral to a SARB, see BP/AR 5113.1 - Chronic Absence and Truancy.

Pursuant to Education Code 48240-48244, the district may appoint a district employee to serve as an attendance supervisor, jointly employ an attendance supervisor with one or more other districts, or contract with the County Superintendent of Schools for the supervision of attendance of district students. The duties of the attendance supervisor, as specified in Education Code 48240, include duties related to compulsory full-time education and truancy. See AR 5113.11 - Attendance Supervision.

The Governing Board recognizes that poor school attendance and behavior problems negatively impact student achievement and put students at greater risk of dropping out of school. The Superintendent or designee shall establish a comprehensive and integrated system for the early identification of attendance problems and shall implement strategies to encourage students' attendance. After other interventions have been exhausted, students with a pattern of unexcused absences may be referred to a school attendance review board (SARB), in accordance with applicable law, in order to receive intensive guidance and assistance.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.11 - Attendance Supervision)
(cf. 5147 - Dropout Prevention)

Note: The following optional paragraph is based on a goal stated in Education Code 48322.

The SARB shall maintain a continuing inventory of community resources, including alternative educational programs.

The Superintendent or designee shall collaborate with the SARB and appropriate community agencies, including, but not limited to, law enforcement agencies, child welfare agencies, and health services, to provide school-based and/or community-based interventions tailored to the specific needs of the student.

(cf. 1020 - Youth Services)

(cf. 5030 - Student Wellness)
(cf. 5126 - Awards for Achievement)
(cf. 5131 - Conduct)

BP 5113.12(b)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.6 - School Health Services)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6158 - Independent Study)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The Board shall appoint members to the district's SARB, who may include a parent/guardian as well as representatives of various agencies including, but not limited to, school districts; the county probation department; the county welfare department; the County Superintendent of Schools; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office. (Education Code 48321)

The district's SARB shall provide support to improve student attendance and behavior through proactive efforts focused on building positive school environments and improved school connectedness, early identification and immediate intervention to re-engage students with poor attendance or behavior, and intensive intervention with students and families to address severe or persistent attendance or behavior issues.

Note: Pursuant to Education Code 48324, if a county SARB exists, the district's SARB must be governed by rules and regulations consistent with the rules and regulations established by the county SARB or by other legal requirements. In the absence of a county SARB, the local SARB has the authority to set rules and regulations consistent with law. The following paragraph may be revised to reflect district practice.

SARBs are also subject to the open meeting requirements of the Brown Act (Government Code 54950-54963), including notice requirements, except that meetings may be held in closed session when considering matters related to individual students: see the accompanying administrative regulation.

The district's SARB shall operate in accordance with Education Code 48320-48325, the Brown Act (Government Code 54950-54963), and the bylaws of the SARB.

BP 5113.12(c)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

Note: The California Department of Education's School Attendance Review Board Handbook includes a sample report form for meeting the following requirements of Education Code 48273. The report includes the composition of the SARB; the numbers and types of referrals (i.e., attendance and/or behavior); total number of students referred to the SARB and number of students by grade level, gender, and race/ethnicity; and the disposition of the referrals, including the number of cases referred to courts or other agencies. According to the handbook, the annual report should also be provided to member organizations of the SARB.

The SARB shall collect data and annually report outcomes on SARB referrals to the Governing Board, Superintendent or designee, and County Superintendent of Schools. (Education Code 48273)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

1980-1986 County community school

46010-46014 Absences

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

48660-48666 Community day school

49067 Unexcused absences as cause of failing grade

CODE OF CIVIL PROCEDURE

1985-1997 Production of evidence; means of production

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy

830.1 Peace officers

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

256-258 Juvenile hearing officer

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

COURT DECISIONS

L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

Management Resources: (see next page)

BP 5113.12(d)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Attendance Review Board Handbook: A Road Map for Improved School Attendance and Behavior, 2015

School Attendance Improvement Handbook, 2000

WEB SITES

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

Attendance Works: <http://www.attendanceworks.org>

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

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

10/17

CSBA Sample Administrative Regulation

Students

AR 5113.12(a)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD

Note: The following administrative regulation is for use by districts that have established their own school attendance review board (SARB), in addition to or instead of a county SARB, as authorized pursuant to Education Code 48321. Requirements for the composition and basic duties of the SARB are contained in Education Code 48320-48325. In addition, the following administrative regulation reflects information and best practices in the California Department of Education's (CDE) School Attendance Review Board Handbook, available on CDE's web site. The district should revise the following regulation to reflect district practice and, if applicable, procedures established by the county SARB.

Upon receiving a referral of a student with attendance and/or behavior problems, a designated member of the school attendance review board (SARB) shall review the case and may meet with school personnel to determine whether the school has provided sufficient information about the student's attendance record or behavior. If the referral is complete and is an appropriate matter for the SARB to consider, the SARB chairperson shall provide written notification to the student's parents/guardians stating the reasons a referral has been made, explaining the SARB process, advising whether additional information is needed, and describing school-level interventions that have previously been attempted.

The SARB shall meet with the student and his/her parents/guardians, give them an opportunity to present their understanding of the problem, and discuss the school and/or community resources appropriate for the student's circumstances.

Note: The CDE's School Attendance Review Board Handbook clarifies that SARBs are subject to the open meeting requirements of the Brown Act (Government Code 54950-54963), including notice requirements, but that meetings may be held in closed session when considering matters related to individual students.

Any SARB meeting to consider matters related to an individual student shall be held in closed session unless the parent/guardian requests, in writing, that the meeting be held in open session.

(cf. 9321 - Closed Session Purposes and Agendas)

The SARB shall have access to relevant student records, but shall not provide access to others without written consent of the student's parent/guardian. (Education Code 49076)

(cf. 5125 - Student Records)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

For the limited purpose of making a proper disposition of the referral of a student, the SARB may issue subpoenas pursuant to Code of Civil Procedure 1985-1997 or may request the juvenile court to issue subpoenas to require the attendance of the student, parents/guardians or other person having control of the student, the school authority referring the student, or any other person who has pertinent or material information concerning the matter. The SARB shall not issue any subpoena that includes a request for production of written materials, but may request a juvenile court to issue such subpoena for the production of written materials. (Education Code 48263, 48321.5)

Note: The CDE's School Attendance Review Board Handbook provides a sample School Site, Student and Parent Agreement that may be used to formalize the directives of the SARB.

The SARB shall issue written directives stating the responsibilities of all persons involved, detailed resource referrals, and follow-up dates for the school's reports on the student's progress. The written directives shall include an agreement that the student will attend school or improve classroom behavior as applicable, and shall be signed by the student, his/her parents/guardians, the SARB chairperson, and the Superintendent or designee.

When referred by the SARB, a student may be assigned to a community day school or a county community school. (Education Code 1981, 48662)

(cf. 6185 - Community Day School)

At any time it deems proper, the SARB may require the student or his/her parents/guardians to furnish satisfactory evidence of participation in any available community services that the student or parents/guardians have been directed to use. (Education Code 48263)

Based on progress reports submitted by the school, the SARB may terminate the agreement upon the successful completion of the terms of the agreement, extend the time for completion of the agreement, or schedule another meeting with the student and his/her parents/guardians.

Note: Pursuant to Education Code 48263, if the SARB determines that available community services cannot resolve the student's problem or if the student and/or the student's parents/guardians have failed to respond to the SARB's directives, the SARB may notify the district attorney and/or the probation officer, if the district attorney or the probation office has elected to participate in the truancy mediation program. If the district attorney or the probation office has not elected to participate in the truancy mediation program, the SARB may direct the County Superintendent of Schools to request a petition to the juvenile court, upon which the juvenile court will hear all evidence related to the petition and will bring about a proper disposition of the case. The following paragraph may be revised to reflect the appropriate authority to be notified.

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

If the student's attendance or behavior problems cannot be resolved by the SARB, or if the student and/or the student's parents/guardians continually and willfully fail to respond to SARB directives or the services provided, the student or parents/guardians shall be referred to the appropriate agency, including law enforcement agencies when necessary. (Education Code 48263, 48290-48291)

CSBA Sample Administrative Regulation

Students

AR 5113.12(a)

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD

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DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

For the limited purpose of making a proper disposition of the referral of a student, the SARB may issue subpoenas pursuant to Code of Civil Procedure 1985-1997 or may request the juvenile court to issue subpoenas to require the attendance of the student, parents/guardians or other person having control of the student, the school authority referring the student, or any other person who has pertinent or material information concerning the matter. The SARB shall not issue any subpoena that includes a request for production of written materials, but may request a juvenile court to issue such subpoena for the production of written materials. (Education Code 48263, 48321.5)

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When referred by the SARB, a student may be assigned to a community day school or a county community school. (Education Code 1981, 48662)

(cf. 6185 - Community Day School)

At any time it deems proper, the SARB may require the student or his/her parents/guardians to furnish satisfactory evidence of participation in any available community services that the student or parents/guardians have been directed to use. (Education Code 48263)

Based on progress reports submitted by the school, the SARB may terminate the agreement upon the successful completion of the terms of the agreement, extend the time for completion of the agreement, or schedule another meeting with the student and his/her parents/guardians.

Note: Pursuant to Education Code 48263, if the SARB determines that available community services cannot resolve the student's problem or if the student and/or the student's parents/guardians have failed to respond to the SARB's directives, the SARB may notify the district attorney and/or the probation officer, if the district attorney or the probation office has elected to participate in the truancy mediation program. If the district attorney or the probation office has not elected to participate in the truancy mediation program, the SARB may direct the County Superintendent of Schools to request a petition to the juvenile court, upon which the juvenile court will hear all evidence related to the petition and will bring about a proper disposition of the case. The following paragraph may be revised to reflect the appropriate authority to be notified.

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD (continued)

If the student's attendance or behavior problems cannot be resolved by the SARB, or if the student and/or the student's parents/guardians continually and willfully fail to respond to SARB directives or the services provided, the student or parents/guardians shall be referred to the appropriate agency, including law enforcement agencies when necessary. (Education Code 48263, 48290-48291)

CSBA Sample Board Policy

Students

BP 5131.6(a)

ALCOHOL AND OTHER DRUGS

~~Note: The following policy and accompanying administrative regulation reflect the purpose and goals of the Safe and Drug-Free Schools and Communities Act, 20 USC 7101-7184, as reauthorized by the No Child Left Behind Act. In addition, Health and Safety Code 11998.1 states the legislative intent that every school district have updated drug and alcohol abuse policies and procedures, including disciplinary procedures, to be given to all students, employees and parents/guardians.~~

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. ~~The Board desires to keep district schools free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.~~ **The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.**

(cf. 0450 - Comprehensive Safety Plan)

(cf. 4020 - Drug and Alcohol-Free Workplace)

(cf. 5137 - Positive School Climate)

Note: The Every Student Succeeds Act (P.L. 114-95) amended 20 USC 7101-7122 to establish the Student Support and Academic Enrichment Grants program, which may be used for several specified purposes including activities to improve school conditions for student learning. For participating districts, 20 USC 7118 requires parent/guardian involvement in program activities and encourages partnerships with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity. 20 USC 7116 specifies stakeholder groups that must be consulted in the development of the grant application, including parents/guardians, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (e.g., law enforcement, juvenile court, child welfare agency, public housing agency), Indian tribes or tribal organization, charter school leaders and staff, and others with relevant and demonstrated expertise in alcohol and drug prevention and intervention.

In addition, Education Code 51268 encourages districts to collaborate with county offices of education in the provision of education programs for alcohol and drug prevention and to coordinate program planning and implementation with health, social services, criminal justice, education, and other entities.

The following paragraph may be revised to reflect district practice.

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law

enforcement agencies, local child welfare agencies, postsecondary

BP 5131.6(b)

ALCOHOL AND OTHER DRUGS (continued)

institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

Note: Items #1-4 below reflect some of the types of programs that may be funded through the Student Support and Academic Enrichment Grants program pursuant to 20 USC 7118, as amended by P.L. 114-95, and may be revised to reflect district practice.

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes

(cf. 5131.62 - Tobacco)

2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals

(cf. 5141.6 - School Health Services)

BP 5131.6(c)

ALCOHOL AND OTHER DRUGS (continued)

4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

Note: Districts applying for funds under the Safe and Drug-Free Schools and Communities Act are required to develop a program to meet the "principles of effectiveness" as set forth in 20 USC 7105. The following paragraph is based on these principles and should be modified to reflect district practice.

~~The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's programs in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.~~

~~The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.~~

~~*(cf. 5131.61 - Drug Testing)*~~

~~*(cf. 5131.62 - Tobacco)*~~

~~*(cf. 5131.63 - Steroids)*~~

~~Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.~~

~~*(cf. 5137 - Positive School Climate)*~~

Note: Health and Safety Code 11998.1 recommends that each school site have a citizen advisory committee on alcohol and other drug use. The following paragraph is optional.

~~The Board encourages the establishment of site-level advisory groups to assist in promoting alcohol and drug-free schools.~~

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

Note: ~~Education Code 51268 encourages collaborative programs between districts and county offices of education. In addition, county primary prevention programs authorized by Health and Safety Code 11965-11965.5 emphasize a partnership between schools and the community. The following paragraph should be revised to reflect district practice.~~

~~The district's drug education program shall augment county drug education services, if any. District staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.~~

BP 5131.6(d)

ALCOHOL AND OTHER DRUGS (continued)

~~(cf. 1020 - Youth Services)~~

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

~~The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's programs in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.~~

Instruction

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

~~(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)~~

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

~~(cf. 6143 - Courses of Study)~~

Note: Pursuant to 20 USC 7114 and 7162, drug prevention programs supported by the federal Safe and Drug-Free Schools and Communities Act must convey a clear and consistent message that the illegal use of alcohol and other drugs is wrong and harmful. In addition, Health and Safety Code 11999.2 and 11999.3 specify that a state agency may not allocate funds for a drug or alcohol related program without written assurance that all aspects of the program reinforce the "no unlawful use" message. No aspect of the program may include a message on "responsible use" of drugs or alcohol if such use is unlawful.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is ~~wrong and harmful~~ **prohibited**. Instruction shall not include ~~the concept of any message on~~ responsible use of drugs or alcohol when such use is illegal. (20 USC 7114, 7162; Health and Safety Code 11999.2)

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

(cf. 4131 - Staff Development)

Intervention, Referral, and Student Assistance Programs

Note: Pursuant to 20 USC 7115 **7118**, as amended by P.L. 114-95, programs which may be funded under the ~~Safe and Drug-Free Schools and Communities Act~~ **Student Support and Academic Enrichment Grants program** include programs of counseling, mentoring, referral services, and other student assistance programs. The following section may be revised to reflect district practice.

In addition, Education Code 215 mandates that any district serving grades 7-12 adopt a suicide prevention policy which contains measures and strategies for addressing the needs of high-risk groups, including, but not limited to, youth with substance use disorders. See BP/AR 5141.52 - Suicide Prevention.

BP 5131.6(e)

ALCOHOL AND OTHER DRUGS (continued)

The Superintendent or designee shall inform sSchool staff, students, and parents/guardians shall be informed about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

(cf. 5141.52 - Suicide Prevention)

Enforcement/Discipline

~~The Superintendent or designee shall take appropriate action to eliminate~~ **Students shall not** possession, use, or sale of **sell** alcohol and **or** other drugs and related paraphernalia on school grounds or at school-sponsored activities.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131 - Conduct)

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs.

Note: Pursuant to Education Code 48900, a student's unlawful possession, use, sale, or furnishing of alcohol or a controlled substance is a ground for suspension or expulsion; see AR 5144.1 - Suspension and Expulsion/Due Process. Education Code 48915 requires immediate suspension and mandates expulsion for any student who sells or provides alcohol or other drugs at school or while under school jurisdiction. In addition, Education Code 48902 requires districts to notify law enforcement of any acts which may involve the possession or sale of narcotics or a controlled substance. ~~See AR 5144.1 - Suspension and Expulsion/Due Process language reflecting these requirements.~~ However, when suspension and expulsion are not mandated, districts should consider whether it is appropriate to use an alternative discipline that maintains safety and order on campus and corrects student misbehavior without unnecessarily excluding students from school or discouraging them from seeking assistance for substance abuse.

~~Students possessing, using or selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. In addition,~~

BP 5131.6(f)

ALCOHOL AND OTHER DRUGS (continued)

~~such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or be restricted from extracurricular activities, including athletics~~

Any student found selling a controlled substance listed in Health and Safety Code 11053-11058 shall be expelled in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

(cf. 5144 - Discipline)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

Program Evaluation

Note: Pursuant to 20 USC 7116, as amended by P.L. 114-95, an application for Student Support and Academic Enrichment Grants must include a description of how the district will periodically evaluate program effectiveness based on identified program objectives and outcomes. The following paragraph may be revised to reflect district practice.

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's programs in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors. periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

(cf. 0500 - Accountability)

Legal Reference: (see next page)

BP 5131.6(g)

ALCOHOL AND OTHER DRUGS (continued)

Legal Reference:

EDUCATION CODE

44049 *Known or suspected alcohol or drug abuse by student*
44645 *In-service training anabolic steroids*
48900 *Suspension or expulsion (grounds)*
48900.5 *Suspension, limitation on imposition; exception*
48901 *Smoking or use of tobacco prohibited*
48901.5 *Prohibition of electronic signaling devices*
48902 *Notification of law enforcement authorities; civil or criminal immunity*
48909 *Narcotics or other hallucinogenic drugs*
48915 *Expulsion; particular circumstances*
49602 *Confidentiality of pupil information*
51202 *Instruction in personal and public health and safety*
51203 *Instruction on alcohol, narcotics and restricted dangerous drugs*
51210 *Areas of study*
51220 *Areas of study, grades 7 to 12*
51260-51269 *Drug education*
60041 *Instructional materials*
60110-60115 *Instructional materials on alcohol and drug education*

BUSINESS AND PROFESSIONS CODE

25608 *Alcohol on school property; use in connection with instruction*

HEALTH AND SAFETY CODE

11032 *Narcotics, restricted dangerous drugs and marijuana*
11053-11058 *Standards and schedules*
11353.6 *Juvenile Drug Trafficking and Schoolyard Act*
11357 *Unauthorized possession of marijuana; possession in school or on school grounds*
11361.5 *Destruction of arrest or conviction records*
11372.7 *Drug program fund; uses*
11802 *Joint school-community alcohol abuse primary education and prevention program*
~~11965-11969 *The School-Community Primary Prevention Program*~~

~~11998-11998.3 Drug and Alcohol Abuse Master Plans~~
~~11999-11999.3 Alcohol and drug program funding; no unlawful use~~
~~124175-124200 Adolescent family life program~~
PENAL CODE
~~13860-13864 Suppression of drug abuse in schools~~
VEHICLE CODE
~~13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;~~
WELFARE AND INSTITUTIONS CODE
~~828 Disclosure of information re minors~~
~~828.1 Disclosure of criminal records; protection of vulnerable staff & students~~
UNITED STATES CODE, TITLE 20
~~5812 National education goals~~
~~7101-7184 Safe and Drug Free Schools and Communities Act~~
7101-7122 Student Support and Academic Enrichment Grants

Management Resources: (see next page)

BP 5131.6(h)

ALCOHOL AND OTHER DRUGS (continued)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:
<http://www.cde.ca.gov/ls/he/at>

California Healthy Kids: <http://www.californiahealthykids.org>

~~U.S. Department of Education, Office of Safe and Drug Free Schools:~~
~~<http://www.ed.gov/about/offices/list/osdfs/index.html>~~

~~Office of Safe and Healthy Students: <https://www2.ed.gov/about/offices/list/ose/osh>~~

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CSBA Sample Administrative Regulation

Instruction

AR 6173.1(a)

EDUCATION FOR FOSTER YOUTH

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602 or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01. (Education Code 42238.01, 48853.5)

Note: In instances where the rights of the parent/guardian have been limited, the court may appoint an educational representative on a temporary or long-term basis to make educational decisions for the student.

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is ~~some other~~ **another** school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison for foster youth shall determine **which school is the school of origin. This determination shall be made** in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, and **in shall be based on** the best interests of the foster youth, ~~which school is the school of origin.~~ (Education Code 48853.5)

Note: Education Code 48850 expresses the legislative intent that the "best interests" of a foster youth include educational stability as well as placement in the least restrictive educational program, as provided below.

In addition, pursuant to 20 USC 6311, determination of a student's "best interest" requires consideration of all factors relating to the student's best interest, including the appropriateness of the current educational setting and the proximity to the school in which the student is enrolled at the time of placement.

Best interest means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, **the proximity to the school at the time of placement, appropriateness of the educational setting,** educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education

EDUCATION FOR FOSTER YOUTH (continued)

District Liaison

Note: Pursuant to Education Code 48853.5, districts are required to designate a staff person as the educational liaison for foster youth. This person may be the same individual designated as the liaison for homeless students as required by 42 USC 11432; see AR 6173 - Education for Homeless Children. In addition, Education Code 48853.5 requires that, for districts operating a foster youth services program, the liaison be affiliated with that program. The duties of the liaison are as specified below.

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

Assistant Superintendent Secondary

(position or title)

1717 S. Eleventh Street

(address)

208-826-3801

(phone number)

Penos@losbanosusd.k12.ca.us

(email)

(cf. 6173 - Education for Homeless Children)

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5)

Note: Education Code 48645.5 requires districts to accept for credit full or partial coursework completed in a public school or nonpublic nonsectarian school or agency in addition to a juvenile court school; see the section below entitled "Transfer of Coursework and Credits."

2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

(cf. 5125 - Student Records)
(cf. 6146.3 - Reciprocity of Academic Credit)

AR 6173.1(c)

EDUCATION FOR FOSTER YOUTH (continued)

Note: Pursuant to Education Code 48853.5, 48911, 48915.5, and 48918.1, the district liaison is required to invite or notify a foster youth's attorney and the appropriate official of the county child welfare agency in certain circumstances when expulsion-related proceedings are pending against the foster youth. For specific situations requiring such invitation or notice, see AR 5144.1 - Suspension and Expulsion/Due Process.

3. When required by law, notify the foster youth's attorney and the representative of the appropriate county child welfare agency when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination prior to a change in the foster youth's placement; when he/she is a student with a disability. (Education Code 48853.5, 48911, 48915.5, 48918.1)

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Note: Items #4-8 below are **optional** and should be modified to reflect district practice.

4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services

(cf. 5141.6 - School Health Services)
(cf. 5148.2 - Before/After School Programs)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth

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

Note: **Optional** item #7 establishes the responsibility of the district liaison to collaborate with other local agencies to coordinate services for foster youth.

AR 6173.1(d)

EDUCATION FOR FOSTER YOUTH (continued)

Education Code 42920.5-42921, ~~as amended by AB 854 (Ch. 781, Statutes of 2015)~~, establish the Foster Youth Services Coordinating Program and provide funding for a county office of education or consortium of county offices of education to coordinate educational support for foster youth among the districts within their jurisdiction. As part of the program, such county offices must develop and implement a coordinating plan for purposes of establishing guiding principles and protocols to provide supports for foster care students. To the extent possible, such a plan must include, but ~~shall~~ is not be limited to, a description of how the program will establish ongoing collaboration among local educational agencies, county child welfare agencies, and county probation departments to determine the proper educational placement of foster youth. In addition, pursuant to Education Code 42921, if a district annually certifies in writing that it is unable, using any other state, federal, local, or private funds, to provide tutoring, mentoring, and counseling for foster youth, it may enter into a temporary agreement with the foster youth services coordinating program to provide those services, if the program has established such services.

7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate services for the district's foster youth

(cf. 1020 - Youth Services)
(cf. 5113.1 - Chronic Absence and Truancy)

Note: The following **optional** item facilitates the annual update of the local control and accountability plan required pursuant to Education Code 52060; see BP/AR 0460 - Local Control and Accountability Plan.

8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

(cf. 0460 - Local Control and Accountability Plan)

Note: ~~The following paragraph is optional. Because the district's liaison for foster youth often has additional duties pertaining to other programs, CSBA's policy brief Educating Foster Youth: Best Practices and Board Considerations recommends periodic evaluation of the liaison's caseload to determine whether he/she is able to adequately fulfill his/her duties with respect to foster youth.~~

The Superintendent or designee shall regularly monitor the caseload of the liaison, as well as his/her additional duties outside of the foster youth program, to determine whether adequate time and resources are available to meet the needs of foster youth in the district.

Enrollment

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.

AR 6173.1(e)

EDUCATION FOR FOSTER YOUTH (continued)

(cf. 6159 - Individualized Education Program)

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

Note: Pursuant to Education Code 48853, a district is required to educate foster youth in the least restrictive environment necessary for their educational achievement. However, a district may be discharged from this obligation when the parent/guardian or other person with holding the right to make educational decisions for the foster youth unilaterally decides to place the foster youth in another educational program and provides the district a written statement as specified in item #2 below.

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the district indicating that determination and that he/she is aware of the following:
 - a. The student has a right to attend a regular public school in the least restrictive environment.
 - b. The alternate educational program is a special education program, if applicable.
 - c. The decision to unilaterally remove the student from the district school and to place him/her in an alternate education program may not be financed by the district.
 - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 6159.3 - Appointment of Surrogate Parent for Spécial Education Students)

Note: Pursuant to Education Code 48853.5, a foster youth may continue his/her education in the school of origin under the circumstances stated below. Elementary and high school districts should delete any item (#3b or c) that is not applicable to the grade levels served by the district.

3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.
 - a. The student may continue in the school of origin for the duration of the court's jurisdiction.
 - b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the school year.

AR 6173.1(f)

EDUCATION FOR FOSTER YOUTH (continued)

- c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in his/her school of origin until he/she graduates.
- d. If the student is transitioning between school grade levels, he/she shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests. (Education Code 48853.5)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

Note: Pursuant to Education Code 48853.5, a district is required to immediately enroll any foster youth transferring into the district even when the foster youth has outstanding fees or fines due to the last school attended or the district has not received the foster youth's academic and medical records, as listed in items #1-3 below. However, pursuant to Health and Safety Code 120341, if a district does not receive a foster youth's

immunization records prior to enrolling him/her, the district must take steps, after the foster youth is enrolled, to obtain his/her immunization records or ensure that he/she is properly immunized. See BP/AR 5141.31 - Immunizations.

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

AR 6173.1(g)

EDUCATION FOR FOSTER YOUTH (continued)

2. Does not have clothing normally required by the school, such as school uniforms

(cf. 5132 - Dress and Grooming)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

(cf. 5111.1 - District Residency)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

Note: Education Code 48853 and 48853.5 specify that, if a dispute arises regarding school placement, the district shall use an existing dispute resolution process available to any district student. The following paragraph should be modified to reflect district practice.

If the foster youth or a person **with holding** the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, he/she may appeal to the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

(cf. 9320 - Meetings and Notices)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the

youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Transportation

Note: Pursuant to Education Code 48853.5, a district may, but is not required to, provide transportation to enable a foster youth to attend a school or school district of origin, except when it is otherwise required by federal law or pursuant to the individualized education program of a student with a disability. In accordance with 20 USC 6312, as amended by the Every Student Succeeds Act (P.L. 114-95), districts are mandated to collaborate with the local child welfare agency to develop clear written procedures governing how transportation will be provided, arranged, and funded to enable foster youth to attend their school of origin, when it is in their best interest to do so. The local child welfare agency may reimburse the district for any additional costs of such transportation, or the district may agree to pay for or share the costs with the child welfare agency. The following section may be revised to reflect the procedures established in collaboration with the child welfare agency, or such procedures may be incorporated into a memorandum of understanding or other document. An example of when transportation might be required under federal law is when a foster youth is homeless, pursuant to the McKinney-Vento Homeless Assistance Act (42 USC 11431-11435).

AR 6173.1(h)

EDUCATION FOR FOSTER YOUTH (continued)

~~Option 1 is for use by districts that do not provide transportation. Option 2 is for use by districts that choose to provide transportation to foster youth to and from their school of origin and may be revised to reflect district practice.~~

~~**OPTION 1:** The district shall not be responsible for providing transportation to and from the school of origin.~~

~~**OPTION 2:** Upon request, the district may provide transportation for a foster youth to and from his/her school of origin when the student is residing within the district and the school of origin is within district boundaries.~~

The Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable foster youth to remain in their school of origin, for the duration of their time in foster care, when it is in their best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both. (20 USC 6312)

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school
2. A verified court appearance or related court-ordered activity

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

Transfer of Coursework and Credits

Note: The following section is for use by districts maintaining high schools. Education Code 51225.2 addresses the transferability of coursework and credits completed by foster youth, as provided below.

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

AR 6173.1(i)

EDUCATION FOR FOSTER YOUTH (continued)

If the foster youth did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Note: Although Education Code 51225.2 requires districts to award partial credits to foster youth who transfer from school to school, there is no uniform system for calculating and awarding partial credits. To ensure consistency in the treatment of foster youth, the California Child Welfare Council (CCWC), in its [Partial Credit Model Policy and Practice Recommendations](#) available on its web site, recommends the approach specified in the following **optional** paragraph, which may be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a foster youth 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)

Applicability of Graduation Requirements

Note: The following section is for use by districts maintaining high schools. Also see BP 6146.1 - High School Graduation Requirements.

~~Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), provides that the administration of the California High School Exit Examination and the requirement that each student completing grade 12 successfully pass the exam as a condition of receiving a diploma or a condition from graduation from high school are suspended for the 2015-16, 2016-17, and 2017-18 school years.~~

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

AR 6173.1(j)

EDUCATION FOR FOSTER YOUTH (continued)

~~Note: Education Code 51225.1 exempts any foster youth who transfers into the district or between district schools any time after completion of the student's second year of high school from locally established high school graduation requirements. The district is required to notify the student, the person holding rights to make educational decisions for the student, and the district liaison of the availability of this exemption and whether the student qualifies for it. As amended by AB 1166 (Ch. 171, Statutes of 2015), Education Code 51225.1 provides that, if the district fails to provide this notification, the student will be eligible for the exemption once he/she is notified, even if that notification is received after the student is no longer under the court's jurisdiction, if the student otherwise qualifies for the exemption.~~

However, when a foster youth 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 foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth. (Education Code 51225.1, 60851)

To determine whether a foster youth is in his/her third or fourth year of high school, the district

shall use either the number of credits the foster youth 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 foster youth who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the foster youth'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 foster youth to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a foster youth or any person acting on behalf of a foster youth. (Education Code 51225.1)

If a foster youth is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while he/she is still enrolled in school or if he/she transfers to another school or school district. (Education Code 51225.1)

AR 6173.1(k)

EDUCATION FOR FOSTER YOUTH (continued)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within his/her fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for him/her of the foster youth's option 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 foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if he/she is under 18 years of age, the person holding the right to make educational decisions for him/her, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

Note: Education Code 48850 provides that, when a foster youth's residence changes pursuant to a court order or decision of a child welfare worker, the student shall be immediately deemed to meet all residency requirements for participation in extracurricular activities and interscholastic sports. For additional information about eligibility requirements, see BP 6145 - Extracurricular and Cocurricular Activities.

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Note: ~~As amended by AB 379 (Ch. 772, Statutes of 2015)~~; Education Code 48853, 49069.5, 51225.1, and 51225.2 require that the district's annual uniform complaint procedures notification include specified information regarding the educational rights of foster youth. See AR 1312.3 - Uniform Complaint Procedures for further information regarding this notification. Education Code 48853.5, ~~as amended by AB 379~~, requires the California Department of Education (CDE), in consultation with the California Foster Youth Education Task Force, to develop a standardized notice of the educational rights of foster youth and to post that notice on its web site.

Information regarding the educational rights of foster youth 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 48853, 48853.5, 49069.5, 51225.1, 51225.2)

AR 6173.1(l)

EDUCATION FOR FOSTER YOUTH (continued)

(cf. 5145.6 - Parental Notifications)

Note: ~~AB 379 (Ch. 772, Statutes of 2015) amended~~ Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2 ~~to provide~~ that complaints of noncompliance with specified requirements related to the education of foster youth may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint **alleging** that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 1312.3 - Uniform Complaint Procedures)

(12/13 12/15) 10/17

Policy Reference UPDATE Service

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CSBA Sample

Board Bylaw

Student Board Members

BB 9150

Board Bylaws

***Note: The following optional board bylaw is for use by any district maintaining one or more high schools. When petitioned by the district's high school students pursuant to Education Code 35012, the Governing Board is required to order the inclusion of at least one student on the Board and, at its discretion, may include more than one student Board member. In the absence of any such petition, the Board may, on its own authority, order the inclusion of a student member on the Board. ***

The Governing Board believes that engaging the student body and seeking its input and feedback regarding the district's educational programs and activities are vital to achieving the district's mission of educating district students. In order to enhance communication between the Governing Board and the student body and to engage students in the district's educational programs and operations, the Board encourages the involvement of high school students in district governance. The inclusion of one or more student representatives on the Board shall be ordered upon receipt of a student petition in accordance with Education Code 35012 or may be ordered at any time at the discretion of the Board.

The term of a student Board member shall be one year, commencing on July 1 of each year. A student Board member shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

Petition

High school students may submit a petition to the Board requesting the appointment of at least one student Board member. This petition, or a separate petition submitted after students have been appointed to the Board, also may include a request to allow preferential voting for student Board members. (Education Code 35012)

Preferential voting means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board. (Education Code 35012)

To be eligible for consideration by the Board, the petition for student representation or the petition for preferential voting shall contain the signatures of no less than 500 regularly enrolled high school students, or no less than 10 percent of the number of regularly enrolled high school students, whichever is less. (Education Code 35012)

Within 60 days of receiving a student petition, or at the next regularly scheduled Board meeting if no meeting is held within those 60 days, the Board shall order the inclusion of a student member on the Board or shall act to allow preferential voting for the student Board member, as applicable. (Education Code 35012)

***Note: Education Code 35012, as amended by SB 532 (Ch. 317, Statutes of 2015), requires a majority vote of all voting members of the Board in order to eliminate a student Board member position. The motion must be listed as a public agenda item for a Board meeting prior to the motion being voted upon. ***

Once established, the student Board member position shall remain in effect until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. (Education Code 35012)

Selection of Student Board Member

Student Board members shall be elected by the students enrolled in the high school or high schools in accordance with procedures prescribed by the Board. (Education Code 35012)

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

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

(cf. 6145 - Extracurricular and Co curricular Activities)

Role and Responsibilities of Student Board Members

The term of a student Board member shall be one year, commencing on July 1. (Education Code 35012)

A student Board member shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 - Closed Session Purposes and Agendas)

A student Board member shall be recognized at Board meetings as a full member and shall be seated with other members of the Board. In addition, a student Board member shall receive all materials presented to other Board members except those related to closed sessions, and he/she may participate in questioning witnesses and discussing issues. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

When a student petition has requested preferential voting rights for student Board members or when the Board has granted preferential voting rights, a student Board member may cast preferential votes on all matters except those subject to closed session discussion. Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

(cf. 9324 - Minutes and Recordings)

A student Board member may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3. (Education Code 35012)

A student Board member shall not be liable for any acts of the Board. (Education Code 35012)

(cf. 9323.2 - Actions by the Board)

A student Board member shall be entitled to be reimbursed for mileage to the same extent as other members of the Board but shall not receive compensation for attendance at Board meetings. (Education Code 35012)

(cf. 3350 - Travel Expenses)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

Student Board Member Development

As necessary, the Superintendent or designee shall, at district expense, provide learning opportunities to student Board members, through trainings, workshops, and conferences, to enhance their knowledge, understanding, and performance of their Board responsibilities.

The Superintendent or designee may periodically provide an orientation for student Board member candidates to give them an understanding of the responsibilities and expectations of Board service.

Legal Reference:

EDUCATION CODE

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; student members

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

Management Resources:

WEB SITES

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

California Association of Student Councils: <http://www.casc.net>

California Association of Student Leaders: <http://www.caslboard.com>

National School Boards Association: <http://www.nsba.org>

(3/93 7/11) 12/15

Board Reference Material

SUBJECT TITLE: Contract with Blackboard

REQUESTED ACTION: Approve

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended the Board approve the updated Blackboard contract.

BACKGROUND INFORMATION:

Keeping parents informed and increasing parent involvement is an ongoing goal for the Los Banos Unified School District. Blackboard Connect is an autodialing system that can send parents information on a wide variety of topics and happenings at the school and within the district. The system can send parents emails as well. One of the major benefits of the system is that it will automatically translate the message into the language spoken at home. Teachers can also send individual messages to parents from their classroom.

Blackboard is an industry leading suite of integrated products that make communication streamlined and efficient and this upgrade is needed in keeping up with that efficiency to better serve our parents and staff.

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 the best practices to attain proficiency or better by all students in reading and mathematics.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

SPECIFIC FINANCIAL IMPACT:

\$32,500.00 Annually

ORIGINATORS: Paul J. Enos Assistant Superintendent - Secondary Education
Paula Mastrangelo Assistant Superintendent - Elementary Education

DATE: December 14, 2017

Blackboard® Order Form

Quote #: 00021205 SW

1111 19th Street NW, Washington, DC 20036
Phone: 1-800-424-9299 Fax: 866-891-8612

District/Entity ("CLIENT") Name: Los Banos Unified School District 1717 S 11TH ST LOS BANOS, CA 93635-4800 Student Enrollment: B (2,001 - 20,000) Bb Customer Account No: 326306	Client Accounts Payable Information Is a PO Number Required> (Y/N) _____ PO Number: _____ Contact Name: _____ Contact Telephone Number: _____
--	--

* Blackboard will provide Client with the licensed software, support and/or services ("Licenses and Services") to the extent identified in Exhibit A of this Master Agreement Order Form ("Order Form" or "Agreement") for the fees set forth in Exhibit A. The Licenses and Services are subject to the specifications and limitations set forth in Exhibit B, if applicable as well as the Incorporated Contract Documents (listed below and incorporated by reference). If any term of this Order Form conflicts with any Incorporated Contract Document, then this Order Form shall control.

Term

1. **Initial Term:** Unless otherwise specified in the Licenses and Services set forth in Exhibit A, the Initial Term shall be 17 months following the Effective Date.
2. Unless otherwise specified in the Licenses and Services set forth in Exhibit A, this Order Form shall be renewed automatically for successive periods of one (1) year (each a "Renewal Term") after the expiration of the Initial Term and any subsequent Renewal Term, unless Client provides Blackboard, or Blackboard provides Client, with a written notice to the contrary thirty (30) days prior to the end of the Initial Term or Renewal Term, as applicable.
3. **Effective Date:** 02/01/2017

Fees and Payment Terms

1. All initial and subsequent payments shall be due Net 30. Unless otherwise specified, all dollars (\$) are United States currency.
2. **Sales Tax:** If applicable, a copy of your Sales Tax Direct Pay Certificate or your Sales Tax Exemption Certificate must be returned with this Order Form.

Incorporated Contract Documents

<http://agreements.blackboard.com/bbinc/blackboard-new-master-agreement-all-products.aspx>
Client acknowledges that it has reviewed and accepts each of the above contract documents.

The following Exhibits are attached to this Agreement:

Exhibit A – Fees

EXHIBIT A

Fees

Product Code	Product Name	QTY	Product or Service Description	Prorated 02/01/2017- 06/30/2017	Year 1 07/01/2017- 06/30/2018
PL-NOTIF	Blackboard Mass Notifications	10000 Students	Annual Fees	\$ 7,291.67	\$ 17,500.00
BC-MN-TAPP	Blackboard Teacher Communication	10000 Students	Annual Fees	\$ 6,250.00	\$ 15,000.00
	Allowance for Connect already contracted (5 months)	1	One-Time Fees	\$ -10,552.08	
PL-NOTIF-IMP	Implementation: Mass Notifications	1	One-Time Fees	\$ 1,500.00	
BC-MN-IMPL-TAPP	Implementation: Teacher Communication	1	One-Time Fees	\$ 500.00	
PL-TRAINING-OL	Mass Notifications: Online Training (Basic/Intermediate)	1 Session	One-Time Fees	\$ 400.00	
PL-TRAINING-OL	Mass Notifications: Online Training (Advanced/Custom)	1 Session	One-Time Fees	\$ 500.00	
			Total	\$ 5,889.59	\$ 32,500.00

* While the Subscription Fees for each of the annual or other periods reflected in the table above are stated as fixed Subscription Fees, the fees due for each annual period following the initial period (which is either Year 1 or a partial year period) may be increased by a percentage amount no greater than the applicable increase in the U.S. Department of Labor's Consumer Price Index for all Urban Consumers, U.S. City Average ("CPI-U"). In each instance, the CPI-U will be measured over a twelve (12) month period which ends on the month which is six (6) months immediately prior to the first month of the contract year for which the increase would apply. Blackboard would notify Client of any such increase in the invoice submitted prior to the contract year at issue. For increases that may apply to renewal or other periods following the term of years reflected in the table above, please refer to the applicable provisions of the Agreement.

By signing below, each of Blackboard and Client represent that a) this Agreement has received all necessary approvals and that each party is authorized to enter into this contract and b) Client has reviewed and accepted all of the contract documents incorporated into or attached to this Agreement.

THE PARTIES have executed this Agreement through the signatures of their respective authorized representatives.

Blackboard

Bill Jones
Name of Authorized Blackboard Officer

Associate General Counsel
Title

Signature

Date

Los Banos Unified School District

Paul J. Ehos
Name of Authorized Los Banos Unified School District Representative

Assistant Superintendent
Title

Paul J. Ehos
Signature

11/28/17
Date

Blackboard Internal Use Only:

Service Agency:	Merced COE
Account Manager:	Chris Prince

Board Reference Material

SUBJECT TITLE: Agreement, Alpha Vista Services

REQUESTED ACTION: Approve

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended the Board approve the contract between Alpha Vista and LBUSD for provision of bilingual psychologist to students for the remaining 2017-2018 school year and authorize designated personnel to sign contract documents.

BACKGROUND INFORMATION:

One of our current school psychologists is on paid administrative leave. It leaves the entire Pacheco High School and preschool program without a school psychologist. That is population of 1800 students.

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:

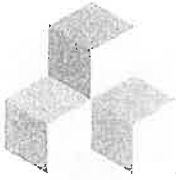
None at this time.

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

Maximum contract amount is \$ 100.00 hour. Special Education funds will pay the cost of the service.

ORIGINATOR: Min Yuan, Director of Special Services

Date: December 14, 2017



The Stepping Stones
GROUP

Cumberland • MyTherapyCompany
AlphaVista • Staffing Options & Solutions

Corporate Office
1290 Kifer Rd, Suite 301
Sunnyvale, CA 94086
Phone: 408-331-2181 Fax: 408-519-3457
www.alphavistausa.com

SERVICES AGREEMENT

This Services Agreement ("Agreement") made as of **December 5, 2017**, by and between **AlphaVista Services, Inc.**, a subsidiary of Pediatric Therapy Services, LLC, d/b/a The Stepping Stones Group ("Contractor") and **Los Banos Unified School District, 1777 S. 11th St., Los Banos, CA 93635** ("Client"). It is hereby agreed as follows:

FEES: Unless more particularly described in Exhibit B to this Agreement, Contractor agrees to provide the following services to Client and Client agrees to pay the following hourly rates below for those Services:

(Bilingual) School Psychologist \$100.00 per hour

Client agrees to be billed (except during holidays) by Contractor for an aggregate weekly minimum of **40** hours per week; provided, however, that if any employee of Contractor is absent during any week due to illness or other personal time off and Contractor does not replace such employee during such week, the foregoing minimum amount will be reduced by the number of hours of such absence. No employee of Contractor will work above 40 hours per week, or above eight hours per day, without advanced authorization from both Contractor and the designated supervisor assigned by Client. Any hours worked that are subject to state or federal statutory overtime requirements will be billed at 150% of bill rate. Client will not be billed during school closures and school holidays.

When Statutory Costs and other employee costs of living increase, Contractor will pass those increases along to Client with no mark-up. Client agrees to pay such increases at the same time as any billed fees pursuant to this Agreement. Statutory Costs include any costs and expenses of Contractor that are associated with Workers Comp, FICA, FUTA, SUTA, and incremental costs associated with the Affordable Care Act (ACA), among others.

MILEAGE: To the extent applicable, travel between schools will be considered billable time and will be billed at the current IRS mileage rate. No travel will be billed when work is completed at one site.

PAYMENT TERMS: Client will be billed monthly, as more particularly described in Exhibit A to this Agreement, and agrees to pay all outstanding invoices within 30 days of receipt. Client agrees and understands that Client is billed on actual hours of service provided by the Contractor's employee, based on the total hours listed on a biweekly timesheet.

A finance charge of 1.5% per month on the unpaid amount of an invoice, or the maximum amount allowed by law, will be charged on past due accounts. Payments by Client will thereafter be applied first to accrued interest and then to the principal unpaid balance. Any attorneys' fees, court costs, or other costs incurred in collection of delinquent accounts shall be paid by Client. If payment of invoices is not current, Contractor may suspend performing further work.

EMPLOYEE BENEFITS AND INSURANCE: Contractor will be responsible for providing all employee benefits and insurance including Workers' Compensation coverage.

NO SOLICITATION: During the term of this Agreement and for a period of two years after the termination of this Agreement, Client agrees not to directly or indirectly contract with, offer employment to or hire any employee of the Contractor assigned to Client or any candidate submitted by Contractor to Client. Client agrees that if they directly hire any contracted employee provided by the Contractor or candidate submitted by the Contractor there is a one-time fee equal to 20% of the employee's salary.

CONFIDENTIALITY: Client agrees not to provide the content information of this Agreement to any individual or an entity that may be considered a competitor of the Contractor. Client further agrees not to discuss or disclose any information pertaining to the contents of this Agreement



including but not limited to fees/costs, duration and terms, etc. to the Contractor's employee assigned to provide services to the Client. Disclosure of such information to the Contractor's employee will be considered a breach of this Agreement.

Both parties may receive information that is proprietary to or confidential to the other party or its affiliated companies and their clients. Both parties agree to hold such information in strict confidence and not to disclose such information to third parties or to use such information for any purpose whatsoever other than performing under this Agreement or as required by law. No knowledge, possession, or use of Client's confidential information will be imputed to Contractor as a result of any of Contractor's employees having access to such information. The provisions set forth in the foregoing paragraph and this paragraph shall survive expiration or other termination of this Agreement, regardless of the cause of such termination.

COOPERATION: Client agrees to cooperate fully, and to provide assistance to, Contractor in the investigation and resolution of any complaints, claims, actions, or proceedings that may be brought by or that may involve any employees of Contractor.

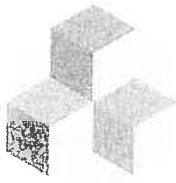
TERMINATION: The Term of this Agreement will be for a period of twelve months and may continue beyond this period by mutual consent. Client agrees not to terminate the Agreement until the end of the term unless (a) Contractor's employee assigned to Client as a whole is deficient in its performance of the services hereunder or (b) any member of Contractor's employee assigned to Client commits an act of professional or ethical misconduct. Client agrees to notify Contractor of any deficiencies in services or possible ethical or professional conduct as soon as Client becomes aware of such deficiencies or misconduct and further agrees to permit Contractor the opportunity to cure any deficiency or misconduct within thirty (30) days of such notice in lieu of termination of this Agreement. Contractor may terminate this Agreement (i) if Client discontinues operations or (ii) if Client fails to make any payments as required by this Agreement.

INDEMNIFICATION AND LIMITATION OF LIABILITY: To the extent permitted by law, Contractor will defend, indemnify, and hold Client and its parents, subsidiaries, directors, officers, agents, representatives, and employees harmless from all claims, losses, and liabilities (including reasonable attorneys' fees) to the extent caused by or arising from Contractor's breach of this Agreement; its failure to discharge its duties and responsibilities; or the gross negligence or willful misconduct of Contractor or Contractor's officers, employees, or authorized agents in the discharge of those duties and responsibilities.

To the extent permitted by law, Client will defend, indemnify, and hold Contractor and its parents, subsidiaries, directors, officers, agents, representatives, and employees harmless from all claims, losses, and liabilities (including reasonable attorneys' fees) to the extent caused by or arising from Client's breach of this Agreement; its failure to discharge its duties and responsibilities; or the gross negligence or willful misconduct of Client or Client's officers, employees, or authorized agents in the discharge of those duties and responsibilities.

Neither party shall be liable for or be required to indemnify the other party for any incidental, consequential, exemplary, special, punitive, or lost profit damages that arise in connection with this Agreement, regardless of the form of action (whether in contract, tort, negligence, strict liability, or otherwise) and regardless of how characterized, even if such party has been advised of the possibility of such damages.

As a condition precedent to indemnification, the party seeking indemnification will inform the other party within ten (10) business days after it receives notice of any claim, loss, liability, or demand for which it seeks indemnification from the other party; and the party seeking indemnification will cooperate in the investigation and defense of any such matter.



The Stepping Stones GROUP

Cumberland • MyTherapyCompany
AlphaVista • Staffing Options & Solutions

Corporate Office
1290 Kifer Rd, Suite 301
Sunnyvale, CA 94086
Phone: 408-331-2181 Fax: 408-519-3457
www.alphavistausa.com

The provisions in this section of the Agreement constitute the complete agreement between the parties with respect to indemnification, and each party waives its right to assert any common-law indemnification or contribution claim against the other party.

JURISDICTION: This agreement shall be governed by, construed, and is enforceable in accordance with the laws of the State of California. Any action or proceeding relating to or arising out of this Agreement shall be commenced and heard in the State or Federal Court sitting in California. Both parties hereby consent to the jurisdiction and venue of such courts.

GENERAL: No provision of this Agreement may be amended or waived unless agreed to in a writing signed by the parties.

The provisions of this Agreement will inure to the benefit of and be binding on the parties and their respective representatives, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and date first above written.

CONTRACTOR:

CLIENT:

Joseph J. Totter
Signature

Signature

Joseph "Jay" Totter
Name

Min Yuan
Name

Vice President School Services
Title

Director, Special Education
Title

12/5/17
Date

Date

Notices:

AlphaVista Services, Inc
1290 Kifer Rd, Ste 301
Sunnyvale, CA 94086
Phone: 408-331-2181

Notices:

Los Banos Unified School District
1777 S. 11th Street
Los Banos, CA 93635
Phone: 209-826-3801

Board Reference Material

SUBJECT TITLE: Traffic Study Proposal

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the proposal from K.D. Anderson & Associates, Inc. to provide a traffic engineering study on the new elementary school location.

BACKGROUND INFORMATION:

In 2014 K.D. Anderson & Associates, Inc. completed an updated traffic study in this area for the school. The work will now involve updating the 2014 study to address potential off-site impacts associated with this project, and the work will again include assessment of site access and identification of recommendations for project design. Background traffic information will be updated to account for the effects of recent residential development, the opening of new LBUSD schools, and cumulative traffic impacts will be evaluated based on forecasts from the City of Los Banos' new city-wide traffic model.

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):

The contract amount not to exceed \$9,000 and will be paid from developers fees.

ORIGINATOR: Mark Marshall, Ed.D., Superintendent
Date: December 14, 2017

November 28, 2017

Dr. Mark Marshall Superintendent.
Los Banos Unified School District
1717 S. 11th Street
Los Banos, CA 93635

**RE: PROPOSAL TO PROVIDE TRAFFIC ENGINEERING CONSULTANT SERVICES RELATING TO
LBUSD ELEMENTARY SCHOOL (MISSION VILLAGE SITE) IN LOS BANOS**

Dear Dr. Marshall:

Thank you for considering our firm for services relating to the new elementary school in Los Banos. As we are aware the school site is located north of B Street and west of Place Road in the area south of Willmott Road.

In 2014 we completed an updated traffic study in this area for the school. Our work will now involve updating the 2014 study to address potential off-site impacts associated with this project, and our work will again include assessment of site access and identification of recommendations for project design. Background traffic information will be updated to account for the effects of recent residential development and the opening of LBUSD's new schools, and cumulative traffic impacts will be evaluated based on forecasts from the City of Los Banos' new city-wide traffic model.

Our Scope of Work is attached. We understand that time is critical, and we expect to provide you with our report within three (3) weeks of receiving authorization to proceed. Our fee will be based on our current fee schedule and would not exceed \$9,000.

Thank you again for considering our firm for this work. Please feel free to contact us at (916) 660-1555 if you have any questions or need more information.

Sincerely yours,

KD Anderson & Associates, Inc.



Kenneth D. Anderson, P.E.
President

Enc: Scope of Work

Los Banos Elementary School on Place Road.ppt

**UPDATED TRAFFIC STUDY FOR
NEW ELEMENTARY SCHOOL (MISSION VILLAGE)
Los Banos, CA**

**SCOPE OF WORK
11/28/17**

A traffic study will be prepared addressing the project specific and cumulative impacts of the **New Elementary School (Mission Village)**. The study will address "Existing", "Short Term Future with other Development Plus Project" and "Twenty Year Future with Project" conditions. Mitigation measures that should be implemented concurrent with the project will be identified, and the extent to which this project should contribute to improvements required for future conditions will be suggested. The text that follows outlines our Scope of Work.

PHASE 1 – EXISTING SETTING / DATA COLLECTION

Under this study phase, current roadway and intersection traffic volumes, capacities and operating Levels of Service (LOS) will be described. New traffic counts will be made when area schools are in session, and any existing traffic safety deficiencies will be noted. The following tasks will be completed:

Task 1.1 Collect Traffic Count Data. We will conduct a field review to acquaint ourselves with the site and to collect the physical data required to complete this analysis. An **a.m. peak hour (7:00 to 9:00 a.m.)** and daily traffic volume base will be established for the study area intersections and roadways. Any available information will be reused, but new counts will be made where required.

The intersections to be considered are dependent on the probable school boundary. For budget purposes, the following existing intersections will be evaluated:

1. Place Road / B Street
2. Place Road / Palermo Drive
3. Las Palmas Street / B Street
4. Mercey Springs Road (SR 165) / B Street
5. Mercey Springs Road (SR 165) / Willmott Avenue
6. Overland Avenue / Summerset Drive
7. Overland Avenue / Place Road

The following future intersections will be addressed under "plus Project" conditions:

1. Willmott Avenue / Las Palmas Street
2. Mission Avenue / Las Palmas Street
3. Mission Avenue / Place Road

Task 1.2 Describe Existing Traffic Operations and Safety Deficiencies. A field review will be conducted to identify any capacity or safety deficiencies that may already exist. Current parking restrictions will be noted. Operating Levels of Service will be calculated using methodologies that are acceptable to the City and Caltrans, and the extent to which new traffic controls are already needed (i.e., signalization, turn lanes, signing, striping, etc.) will be determined. Available sight distance at study area intersections and at the proposed project access will be investigated. Current transit operations and planned roadway improvements will also be described.

PHASE 2 – PROJECT CHARACTERISTICS

The extent to which the development of the project may, by itself, impact the area street system will be determined, as indicated in the tasks that follow.

Task 2.1 Identify Project Trip Characteristics and Site Trip Generation. The number of automobile trips that may be generated by the project will be estimated through application of approved ITE trip generation rates and using rates calculated from our observation of other Central Valley elementary schools.

The distribution of project trips will then be identified based on the relative distribution of residences within the school's service area (inbound trips) and the location of Los Banos employment centers (outbound trips). Information regarding the limits of the area to be served by this school will need to be provided by the District.

Project trips will then be assigned to the area street system based on the least travel time path between origin and destination. The trip assignment will reflect implementation of any traffic controls proposed at site access (i.e., stops signs, left turn prohibition thru medians, etc.). The relative schedules of operation for the new school and existing Jr. High and High Schools will be noted in the analysis.

PHASE 3 – SHORT TERM FUTURE IMPACTS

Task 3.1 Identify Opening Day conditions. Current background traffic volumes will be adjusted to reflect completion of development proposals that can be expected within the near term future. A list of approved / pending projects will be obtained from the City of Los Banos.

Task 3.2 Quantify Project Specific Impacts. Traffic operations and Levels of Service will be recalculated under "Opening Day" conditions with and without the proposed Elementary School project. The extent to which development of this project may contribute to the need for new traffic controls (i.e., traffic signals, medianization) will be evaluated. The effects of the project on Bicycle and Pedestrian activity and safety will be described.

Task 3.3 Evaluate Loading / Access Requirements. We will update our evaluation of the adequacy of access and internal circulation, including adequacy of loading areas and queuing

requirements at driveways under cumulative conditions. Of specific concern to the City is the adequacy of the design to insure that no back-ups occur on City streets during peak periods.

We will also consider the amount of space used by parents in the afternoon when waiting to pick up students. We will apply parking demand rates based on observation of afterschool loading conditions at other elementary schools to suggest demands at the new school. The extent to which demands can be accommodated on-site will be determined and the extent of on-street loading will be used at the new site will be discussed.

PHASE 4 – CUMULATIVE IMPACTS

The impacts of the project will also be evaluated within the context of future traffic conditions occurring over the foreseeable future. This evaluation will include addressing area circulation needs assuming that future traffic conditions under the City of Los Banos General Plan.

Task 4.1 Identify Cumulative Traffic Base. The updated cumulative analysis will utilize available traffic volume forecasts from the City's city-wide traffic model for major study area streets. Available p.m. peak hour forecasts will be used to suggest long term traffic volume growth rates that can be applied to a.m. peak hour volumes.

Task 4.2 Quantify Cumulative Impacts. Traffic operations, Levels of Service and safety issues that result from future traffic growth will be identified. Improvement projects that are already funded by city fees or are required of other development will be noted. Levels of Service and system deficiencies will be identified for the scenarios described above for "Without Project" and "With Project" Conditions. The need to control access to Place Road to maintain traffic flow and ensure safety is a specific City concern to be addressed.

PHASE 5 – MITIGATION MEASURES

The extent to which mitigation measures are needed to reduce project specific or cumulative impacts will be identified. City requirements for frontage improvements or intersection modifications will be noted. The extent to which needed improvements are already included in adopted fee programs will be determined.

Task 5.1 Identify Required Mitigation Measures. Under this task, mitigation measures required to eliminate current safety problems, reduce project impacts to a less than significant level (i.e., LOS "D"), or to meet other City standards will be identified.

Mitigation Measures will be separated into the four categories noted below:

1. Mitigation already required to correct existing deficiencies;
2. Mitigation specifically required as a direct result of the project, including design recommendations;
3. Mitigation measures needed for future traffic whether or not the project is built; and
4. Additional Mitigation needed in the future due to the project.

If applicable, the LBUSD's fair share contribution to the cost of short term or future mitigations will be determined.

PHASE 6 – REPORT PREPARATION

Task 6.1 Draft Report. A written report will be prepared. Appropriate narrative text, tabular materials and illustrative graphics will be included.

Task 6.2 Respond to Comments. We will be available to respond to comments received from the City, Caltrans and the general public on our traffic study.

Task 6.3 Public Meetings / Presentations. This proposal assumes that we will not attend any public meetings to present the report or respond to questions. Such attendance, if required, will be provided, but will be billed separately on a T&M basis. This proposal also excludes meetings with City staff or School District representatives, which will be attended if specifically requested by the client, but will also be billed separately.

Budget. Our costs to complete this traffic study are itemized by study phase in the table which follows.

LOS BANOS ELEMENTARY SCHOOL TRAFFIC STUDY BUDGET				
Phase	Description	Personnel Hours		
		Principal Engineer	Tech / Clerical	Total
1	Existing Setting / Data Collection	10	0	10
2	Project Characteristics	4	0	4
3	Short Term Future Impacts	12	0	12
4	Cumulative Impacts	12	0	12
5	Mitigation Measures	4	0	4
6	Report Preparation	8	12	20
	Labor Total	50	12	62
	Billing Rates per Hour	\$150	\$50	
	Labor Cost	\$7,500	\$600	\$8,100.00
	Direct Expenses (6 a.m. peak hour intersection counts @ \$150)			\$900.00
	Total Base Budget			\$9,000.00
	Extra Cost Per Meeting in Los Banos			\$750.00

Board Reference Material

SUBJECT TITLE: Agreement: LDA Partners for the Volta Modular Expansion Project

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the agreement with LDA Partners (Architects) for the Volta Elementary School modular expansion project. The agreement will include all project design for the buildings, pad, electrical hook-up, and civil engineering, as well as project oversight and construction contract management.

BACKGROUND INFORMATION:

The District intends to add six modular classrooms to Volta Elementary School to accommodate projected elementary growth district-wide for the upcoming school year. We are seeking an agreement with LDS Partners for the implementation of this project.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This activity supports Board goals Four and Five.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

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

\$63,000 to be paid from Developer Fee Fund 25.

ORIGINATOR: Mark Marshall, Ed.D., Superintendent

Date: December 14, 2017



4 December 2017

Dr. Mark Marshall
Los Banos Unified School District
1717 S. Eleventh Street
Los Banos, CA 93635

Re: Volta Elementary Modular Additions & Closeout Services– Exhibit A

Dear Dr. Marshall:

Thank you for the opportunity to meet with you and your team, and to submit the enclosed proposal for architectural design, engineering and construction support services for the Volta Elementary Modular addition and Closeout Services project.

Project Scope:

The proposed project includes design & construction administration services for the placement of 6 modular classroom to be relocated from stockpile. These classrooms are anticipated to be “dry” with no wet utility connection. The District will contract with a modular supplier to deliver and install the buildings. Improvements will include Fire Alarm and Access Improvements to include path of travel and parking stall improvements. The project will be processed through DSA.

As separate part of the Scope of Work, running concurrently, our office will assist with the closeout of past non-certified projects that currently exist on file for the Volta campus. We have completed preliminary research with DSA to establish the closeout needs. As part of this process, the District will need to pay a project re-opening fee to DSA.

Design/ Construction Documents

- Prepare and further develop Construction Document package to include:
 - Architectural Design & Specification Documents
 - Civil Engineering design and Documents.
 - Electrical engineering and Fire Alarm
- Preparation of final Construction Documents and Specifications for Bid.
- Provide clarification to Bid items, respond to bidding inquiries, prepare addenda as required.

Construction Administration

- Provide construction administration services as requested to observe construction, attend meetings, review submittals, etc., throughout construction. This proposal defines an allocation of up to 25 hours of construction administration services. All additional services will be provided on an hourly basis, in accordance with the enclosed schedules.

Exclusions

Scope of work for this proposal shall **not** include:

1. Soils Investigations, testing, or reports. To be provided by the Owner, if required.
2. Hazardous materials investigations, surveys or abatement.
3. All reproduction costs.
4. Any fees required by this work.
5. Revisions to plans beyond the initial revisions contemplated herein. Any revisions beyond those contemplated will be performed on an hourly basis, in accordance with the schedule listed herein.
6. Construction administration services beyond those listed herein. (Additional Construction Administration Services to be billed in accordance with the attached schedule.)
7. Additional services beyond those listed herein.

8. LDA Partners, LLP cannot assume responsibility for construction means, methods, techniques, sequences or procedures, safety precautions, programs connected with the work, or for acts and omissions by the Contractor, subcontractors, or others.
9. Additional services caused by project delays or interruption.
10. Additional services caused by Contractor errors or default in executing the construction project in a proper or timely manner.
11. Fire Sprinkler Design
12. Upgrades or rerouting to the existing storm drain system or other wet utilities.
13. DSA or other government agency fees
14. LDA Partners, LLP will not be providing inspections or testing before, during or after construction.

Basic Services

Design & approval (Pre – Design, Plans & Working Drawings)	\$ 31,000
Bidding & Construction Administration:	\$ 5,000
<u>Project Completion/ Construction Closeout:</u>	<u>\$ 3,500</u>
Sub Total	\$ 39,500
Geo-technical report and analysis (if required)	\$ 10,000
<u>Previous Project Closeout Services (T&M Allowance)</u>	<u>\$ 12,500</u>
Sub Total	\$ 22,500
Total	\$ 62,000

Should our services be required in addition to these allocations, all additional services will be provided on an hourly basis, in accordance with the following schedule:

Principal Architect:	\$200.00/hour
Project Architect/Manager:	\$175.00/hour
Designer:	\$165.00/hour
Draftsperson:	\$135.00/hour
Clerical/Staff:	\$ 95.00/hour

Should the project be terminated or extended beyond sixty days from the date of this proposal, the Architect shall be compensated for all services performed to date.

All work will be billed on a monthly basis for service performed to date.

Reimbursable expenses are in addition to the compensation for basic services and shall include the actual expenditures made by the Architect and his employees in the interest of the project, at cost plus 10%. Reimbursable expenses shall be billed and are itemized as follows:

- Reproduction Costs
- Shipping/Postage
- Travel outside of San Joaquin County

All monthly billings not paid within 60 days shall be considered past due, and shall accrue interest from the 61st day at a rate of 1-1/2% per month or 18% per annum.

The Architect, may at his discretion terminate services if payments are not made within 60 days. Changes to the scope of work shall be subject to renegotiation. This proposal is subject to renegotiation if not agreed upon within sixty (60) days. The Owner agrees to defend, indemnify, and hold the Architect, his employees, and consultants harmless from any claim or third party claim related to services for the investigation of or remedial work related to asbestos, toxic, hazardous, and/or dangerous materials resulting from the services provided by the Architect pursuant to this Agreement.

The Americans with Disabilities Act is Federal legislation, not building code. The law provides for the enforcement through either private lawsuits or Justice Department action. Therefore, the compliance with the ADA is a legal matter, not a design responsibility. The design professional will endeavor to assist the District in their responsibility to comply with the requirements of the ADA throughout the design of the facility through California Title 24. However, the design professional is not responsible for failure to comply with these regulations.

Should any litigation be commenced between the parties hereto concerning any provision of this Agreement or the rights and obligations of either in relation thereto, the party, the Owner, or the Architect, prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum as and for attorney's fees and court costs as incurred in such litigation, as determined by a court of competent jurisdiction.

If this proposal is acceptable, please initiate your Standard Form Contract for review and execution. Thank you for your interest in our firm for your project. If you have any questions, please let me know.

Cordially,

A handwritten signature in black ink, appearing to read 'Eric Wohle', written in a cursive style.

Eric W. Wohle, A.I.A., LEED ap
Partner

Board Reference Material

SUBJECT TITLE: Student Overnight Travel

REQUESTED ACTION: Approve

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended the Board approve the overnight fieldtrip for Los Banos High School's Senior Grad Nite at Disneyland on May 29-30, 2018.

BACKGROUND INFORMATION:

Going to Disney's Senior Grad Nite has been a long standing tradition at Los Banos High School. Seniors will leave for the trip on the morning of Monday, May 29th 2018 and return on the following morning of Tuesday, May 30th 2016. The trip will consist of three charter buses carrying approximately 200 students, 10 teacher chaperones, and 1 administrator. The students and chaperones will be transported in charter busses provided by Golden Eagle Charter out of Fresno, CA. A district SUV will be also brought to on the trip just in case.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Disney's Senior Grad Nite does not support a specific Board goal, but it does celebrate and promote graduating high school. Board approval is needed for all overnight travel involving students.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None.

SPECIFIC FINANCIAL IMPACT:

Each student will need to pay for Grad Nite. Cost is \$175 with an ASB card and \$185 without an ASB card. For every 20 students, Disneyland gives a free chaperone ticket. The money goes towards a one-day park hopper pass and charter busses for the trip.

ORIGINATOR: Veli Gurgen, Principal, Los Banos High School

DATE: December 14, 2017

Board Reference Material

SUBJECT TITLE: LBHS Boys' Golf Overnight Travel to AT&T Pro-Am at Pebble Beach

REQUESTED ACTION: Approve

Action X

Discussion/Information _____

RECOMMENDATION:

It is recommended that the Board approve overnight travel for the LBHS Boys' Varsity Golf Team to volunteer at the AT&T Pro-Am professional golf tournament in Pebble Beach, CA on February 7 – 11, 2018.

BACKGROUND INFORMATION:

The Boys' Varsity Golf Team may be called upon to volunteer at the AT&T Pro-Am professional golf tournament at Pebble Beach. They will be staying overnight at a hotel in the Monterey area if approved.

The golf teams at LBHS used to volunteer in this fashion in the early 1990's and resumed during the 2013-2014 school year. This opportunity came up again this school year and would be an outstanding opportunity for our team.

Boys' golf team athletes would receive a remarkable opportunity to learn about the business and logistics of running a major sporting event. Their volunteer capacity would be in the area of food/hospitality and/or golf-related duties.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not support a specific Board goal. All student overnight travel requires prior Board approval.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

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

Transportation (1 suburban) is paid by Athletics.
Overnight lodging is paid by the Golf team Student Body account.
Golf ASB will be reimbursed by AT&T Volunteer program.

ORIGINATOR: Veli Gurgun, Principal, Los Banos High School

Date: December 14, 2017

Board Reference Material

SUBJECT TITLE: Crossroads Alternative Education Center Building Exemption

REQUESTED ACTION:

Action X

Discussion/Information

RECOMMENDATION:

It is recommended that the board approve the Exemption request to the State Allocation Board.

BACKGROUND INFORMATION:

The State Allocation Boards allows districts to operate independent study in a leased facility that meets or exceeds local building, health, and safety standards. This is a renewal of the waiver previously approved by the board in December, 2016.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Exercising fiscal responsibility and providing adequate school facilities are consistent with the Los Banos Unified School District Board Goals.

ALTERNATIVES/IDENTIFIED OPPOSITION:

Build a new facility at the approximate cost of \$2,000,000.00 (est. 2015, based upon \$5,300,000 cost to expand Mercey Springs Elementary by 15 classrooms)

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

Crossroads is currently under lease, at 265 Mercey Springs Rd., Suites C and D, for \$3044.00 per month (\$36,528 per year) for both suites and Ste. G, for \$1300 per month (\$15,600 per year). This totals \$52,128 for the three suites.

ORIGINATOR: Barbara Severns, principal, Crossroads Alternative Education Center
Date: December 14, 2017

The district is applying for a new renewal request for an exemption from definition of “school building” within Education Code, Section 17283. Buildings with an approved Exemption Request remain subject to the provisions of the School Facilities Program; therefore, they are included in the school district’s Gross Classroom Inventory.

SCHOOL DISTRICT/SUPERINTENDENT OF SCHOOLS Los Banos Unified School District	DISTRICT REPRESENTATIVE Barbara Severns
COUNTY Merced	PHONE NUMBER (209) 826-4013
THE DISTRICT IS REQUESTING TO USE LEASED/OWNED BUILDINGS FROM: January 1, 2018 TO: December 31, 2019	E-MAIL ADDRESS bseverns@losbanosusd.k12.ca.us

The above referenced School District/Superintendent of Schools, hereinafter referred to as the “District” is requesting approval from the State Allocation Board to use the building(s) for Independent Study listed below:

DISTRICT IDENTIFICATION NUMBER	BUILDING LOCATION
24-65755-0119073	265 Mercey Springs Rd., Ste. C Los Banos, CA 93635
24-65755-0119073	265 Mercey Springs Rd., Ste. D Los Banos, CA 93635
24-65755-0119073	265 Mercey Springs Rd., Ste. G Los Banos, CA 93635

The District agrees to indemnify, defend, and hold the State of California, its officers and employees harmless from any legal claims that may arise from the use of said leased/owned buildings that do not comply with the definition of “school buildings” within Education Code, Section 17283; and,

Now Therefore Be It Resolved, that the District hereby elects to use the building(s) listed above upon approval of the State Allocation Board.

The District certifies that this request is in compliance with Education Code, Section 17289.

Passed and adopted this _____ day of _____ 19____, _____
 County, California.

 Clerk/Secretary to the Board

Board Reference Material

SUBJECT TITLE: **Disposal of Obsolete Electronic Equipment**

REQUESTED ACTION: Approve

Action X

Discussion/Information

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.

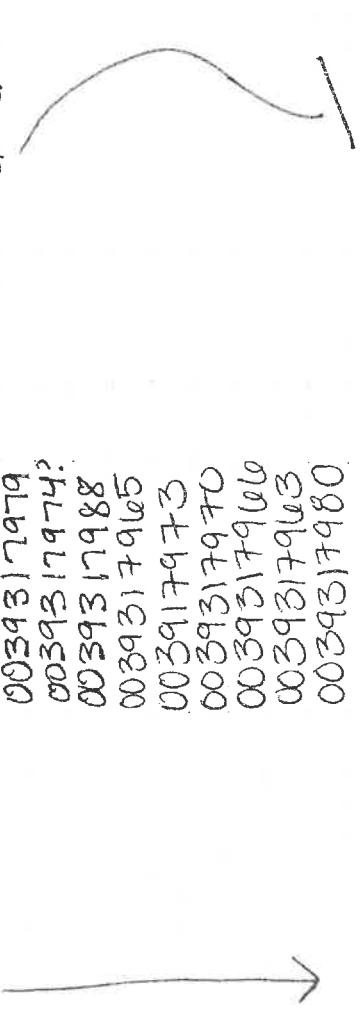
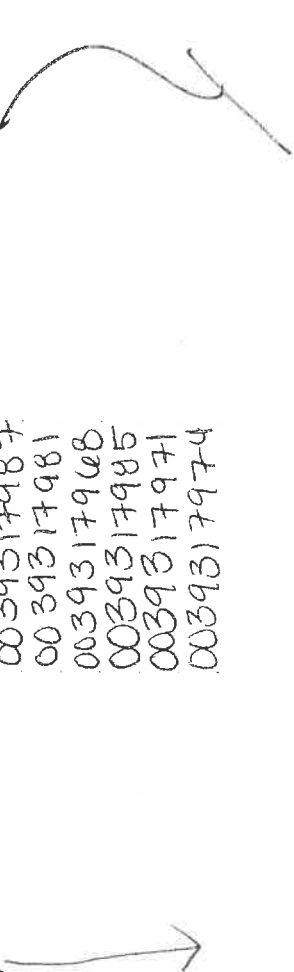
SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

Monies received from the disposal of surplus property shall be placed in the General Fund.

ORIGINATOR: Garth Gomes, Information Systems Manager
Date: December 14, 2017

Site:

Date:

EX.	TYPE	DESCRIPTION (MAKE & MODEL)	SERIAL #	QTY	DIST. #	STATUS*
1	Computer	Minolta EP 4320 Gateway E-2610 D	3113122	1	07302	Beyond Repair
2			0039317967			 <i>obsolete</i>
3			0039317979			
4			0039317974?			
5			0039317988			
6			0039317965			
7			003917973			
8			0039317970			
9			0039317966			
10			0039317963			
11			0039317980			
12	Computer	Gateway E-2610 D	0039317990			 <i>obsolete</i>
13			0039317987			
14			0039317981			
15			0039317968			
16			0039317985			
17			0039317971			
18			0039317974			
19						
20						
21						
22						
23						
24						
25						

*STATUS:
 OBSOLETE
 REPAIR NEEDED
 BEYOND REPAIR