



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

BOARD OF EDUCATION AGENDA

For the Regular Board Meeting of Tuesday, July 9, 2019, at 6:00 p.m., in the **Multi-Purpose Room**, at Sunnyside Elementary School, 21644 Avenue 196, Strathmore, California.

I. CALL TO ORDER

A. Attendees

BOARD OF EDUCATION

	Present	Absent	Late
Schuyler Glover	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Andy Manning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Humberto Quezada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Kimberly Braziel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____
Humberto Cárdenas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> : _____

II. ADA ACCOMMODATION REQUIREMENT

- A. Persons who are in need of a disability-related modification or accommodation to participate in the board meeting must request in writing to the District Office of the Superintendent-Principal, 21644 Avenue 196, Strathmore, California, 559-568-1741 x. 203. A request or accommodation should specify the nature of the modification or accommodation requested, including any necessary auxiliary aids or services required and the name and telephone number of the person making the request. The written request should be done as soon as possible and no later than two days before the meeting. The agenda, agenda packet and any written documents distributed to the board during a public meeting will be made available in appropriate alternative formats upon request by a person with a disability as required by the Americans with Disabilities Act.
- B. Written documents concerning agenda items are available for public inspection during normal business hours within 72 hours of a regular board meeting at the Sunnyside Union School District Office, 21644 Avenue 196 in Strathmore, California.

III. ADJOURN TO CLOSED SESSION (Read Items Below)

- A. Conference with Labor Negotiators (Government Code 54957.6) with the following:
- | | |
|----------------------------------------------|--------------------|
| 1. CTA/Sunnyside Teachers Association | No Action Required |
| 2. CSEA Chapter 675 | No Action Required |
| 3. Unrepresented Group | No Action Required |
| 4. Superintendent-Principal & Vice Principal | No Action Required |

Board of Trustee: Kimberly Braziel | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada

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Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary





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IV. ADJOURN TO CLOSED SESSION at: _____ PM

V. RECONVENE TO OPEN SESSION _____ PM

A. Report of Action Taken in Closed Session (if any)

VI. GENERAL BUSINESS

- A. Pledge of Allegiance & Sunnyside Pledge
- B. Welcome (visitors please sign-in on visitor's sheet)
- C. Approve the Agenda of the July 9, 2019 Regular Board Meeting

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

VII. PUBLIC COMMENTS

Members of the public may address the board on any items within the board's jurisdiction, but which are not on the agenda (Public input for agenda items are accepted, at the time the matter is considered. Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The total time limit for input on each item is 15 minutes).

VIII. ACKNOWLEDGEMENTS AND REPORTS

A. Staff Reports

- a. Employee Groups (Certificated, Classified, Confidential)
- b. Student Report
- c. Superintendent-Principal Report

IX. ROUTINE MATTERS – ACTION REQUIRED

A. Consent Calendar

- a. Approve payroll for June 2019
- b. Approve Pay Vouchers/Purchase Orders for June 13th of 2019
- c. Approve June 11, 2019, Governing Board Meeting Minutes
- d. Approve June 25, 2019, Governing Board Meeting Minutes

B. Personnel

- a. Approve the resignation of Phoebe Schmidt, Cafeteria and Yard Duty Supervisor

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

X. NEW BUSINESS

ACTION ITEMS

- A. Approve the Notice of Public Hearing for Sufficient Text Books or Instructional Material for the 2019-2020 School Year to be posted for August 13, 2019.

MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

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- B. Approve the 2nd Quarter Williams Valenzuela Complaint Survey Report.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- C. Approve Student Cell Phone Policy update for the 2019-2020 school year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- D. Approve the Behavior Matrix to be implemented for the 2019-2020 school year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- E. Approve the 8th Grade Graduation Requirements for the 2019-2020 school year to be added as Administrative Regulation 5127 supporting Board Policy 5127.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- F. Approve the Parent-Student Handbook for the 2019-2020 school year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- G. Approve the 2019-2020 SCICON Trips for the Fifth Grade (one-day trip) and the Sixth Grade (five-day trip).
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- H. Approve the Declaration of Need for Fully Qualified Educators Form for 2019-2020 School Year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- I. Approve the Annual Statement of Need 30-Day Substitute and Designated Subjects Career Technical Education 30-Day Substitute Teaching Permits for the 2019-2020 School Year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____
- J. Discuss and approve the Attendance Incentive Trip Guidelines for 2019-2020 School Year.
MOTION BY: _____ **SECOND BY:** _____ **VOTES:** _____

XI. INFORMATION AND DISCUSSION

A. Local Control and Accountability Plan & Budget

- Review of the updated 2019-2020 Local Control Accountability Plan (suggestions from TCOE)
- Discussion on filling the ELA/ELD position for 2019-2020 and/or possible changes to the LCAP funded position.

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B. Maintenance & Operations

- a. Final update on the First 5 Kindergarten Shade Structure Project
- b. Update on Restroom Renovation Project

C. Instructional

- a. Update on Incoming and Outgoing Interdistrict Agreements for 2019-2020.
- b. Update on the Instructional Trainings/Professional Development for Summer 2019
- c. Overview of the Instructional Kickoff for 2019-2020

D. Board

- a. Discuss the possibility of changing Board Policies and Regulations from CSBA to SSDA.
- b. First Trimester Board Goals
- c. Discuss and review board policies (Second Reading)
 - i. Board Policy 0410 Nondiscrimination in County Office Programs and Activities
 - ii. Board Bylaws 9230 Orientation
 - iii. Board Bylaws 9240 Board Training
 - iv. Board Bylaws 9322 Agenda/Meeting Materials
 - v. Board Bylaws 9324 Minutes and Recordings
 - vi. Board Bylaws 9400 Board Self-Evaluation

E. Board Policies for Review

- a. The following policies will be presented to the board (First Reading)
 - i. Board Policy 0420 School Plans Site Councils
 - ii. Administrative Regulation 0420 School Plans Site Councils
 - iii. Board Policy 0450 Philosophy Goals Objectives and Comprehensive Plans
 - iv. Administrative Regulation 0450 Philosophy Goals Objectives and Comprehensive Plans
 - v. Board Bylaws 9323.2 Actions By The Board
 - vi. Exhibit 9323.2 Actions By The Board

XII. NEXT SCHEDULED BOARD MEETING

- A. Regular Board Meeting August 13, 2019 (6:00 PM)

XIII. ADJOURNMENT _____ PM

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AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☒ Routine Matters – Consent Calendar
- ☐ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: IX. A. a. Payroll Approval for June 2019

Date: July 9, 2019

Presented By: Candy Alari

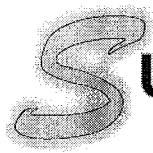
Attachments: Yes ☐ No ☒

Summary

The total payroll paid for the month of June, 2019, is \$240,496.87.

Board of Trustee: Kimberly Braziel | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
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 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: IX. A. b. Approve Pay Vouchers/Purchase Orders for June 13th and 27th of 2019.

Date: July 9, 2019

Presented By: Dena Tallerico or Candy Alari

Attachments: Yes ☒ No ☐

Summary

The following pay vouchers cover invoices processed and paid on June 13th of 2019, numbering from 191165 - 191211, totaling \$17,680.18.

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Accounts Payable Final Prelist - 6/13/2019 7:14:29AM

*** FINAL ***

Batch No 293

Audit

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
013371	A.C.S.A.	PV-191165	6/1/2019		86527		010-00000-0-00000-71500-53000-0-0000	\$105.04		
	A.C.S.A.		6/1/2019		86527		DUES 010-00000-0-00000-72000-53000-0-0000	\$70.50		
							Total Check Amount:	\$175.54		
012407	AMERICAN FIDELITY ASSURANCE CO	PV-191166	6/1/2019		22635 4537428		010-00000-0-00000-00000-95024-0-0000	\$284.96		G
							CLASSIFIED EMPLOYEES DISABILITY INSURANCE			
							Total Check Amount:	\$284.96		
013605	AMERICAN INCORPORATED	PV-191167	6/6/2019		7098866		130-53100-0-00000-37000-56000-0-0000 QUARTERLY KITCHEN EQUIP. SERVICE	\$346.70		
							Total Check Amount:	\$346.70		
013956	ANGELA LAMBARENA	PV-191176	6/3/2019		AL-JUN19		120-61050-0-00010-10000-43000-0-0000 PRESCHOOL SUPPLIES	\$39.97		
							Total Check Amount:	\$39.97		
013875	BRIAN ROBERTS	PV-191185	4/26/2019		BR-APR19		010-81500-0-00000-81100-43000-0-0000 MAINTENANCE SUPPLIES	\$13.05		
							Total Check Amount:	\$13.05		
012088	CULLIGAN	PV-191168	5/31/2019		66977		010-00000-0-00000-81000-43000-0-0000 BW PURIFIED - 5 GAL	\$105.00		
							Total Check Amount:	\$105.00		
013825	Dieterle, Lori	PV-191169	5/7/2019		LD-MAY19		010-00000-0-11100-10000-43000-0-0000 STUDENT OF THE MONTH SUPPLIES	\$20.97		
							Total Check Amount:	\$20.97		
013795	FRONTIER COMMUNICATIONS	PV-191170	6/1/2019		55956817410615765		010-00000-0-00000-81000-59000-0-0000 PHONE CHARGES	\$275.62		
							Total Check Amount:	\$275.62		
013823	HENDRICK, JEFF	PV-191171	6/6/2019		995697/995703		130-53100-0-00000-37000-47000-0-0000 DAIRY PRODUCTS	\$590.76		
							Total Check Amount:	\$275.62		

Accounts Payable Final Prelist - 6/13/2019 7:14:29AM

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Total Check Amount: \$590.76

013588 HENDRICKSON, SNIDER PV-191172 6/4/2019 SH-JUN19

010-07200-0-11100-10000-43000-0-0406
REIMBURSEMENT FOR PURCHASED INSTRUMENTS

Total Check Amount: \$650.00

013376 HOME DEPOT CREDIT SERVICES PV-191173 6/7/2019 5361

010-81500-0-00000-81100-43000-0-0000
MAINTENANCE SUPPLIES

Total Check Amount: \$488.32

013493 ITC PV-191174 6/10/2019 15995

010-00000-0-00000-81000-56000-0-0000
CONFIGURED CALL SWITCH IN CAFETERIA

Total Check Amount: \$196.42

013409 KNIGHT GUARD ALARM PV-191175 6/5/2019 47513

010-00000-0-00000-81000-56000-0-0000
INSTALLED GSM

Total Check Amount: \$649.45

013597 LAWRENCE TRACTOR CO., INC. PV-191177 5/31/2019 7601

010-00000-0-00000-81000-56000-0-0000
SERVICE CALL

Total Check Amount: \$456.65

013522 LOWE'S PV-191178 6/2/2019 98005439769

010-07200-0-11100-10000-43000-0-0102
MAINTENANCE SUPPLIES

\$57.60

LOWE'S 98005439769 \$194.75
LOWE'S 98005439769 \$467.38
010-81500-0-00000-81100-43000-0-0000

Total Check Amount: \$719.73

013377 MEDICAL BILLING TECHNOLOGIES PV-191179 6/3/2019 AR-29628

010-00008-0-00000-27000-58000-0-0000
MEDICAL BILLING SERVICES

\$45.10

013711 MISSION LINEN SUPPLY PV-191180 6/5/2019 280032

120-61050-0-00010-10000-58000-0-0000
PRESCHOOL LINEN SERVICE

Total Check Amount: \$45.10

\$65.42

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Batch No 293

Audit

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
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Total Check Amount: \$65.42

013711 MISSION LINEN SUPPLY PV-191181 6/5/2019 261597 * 010-00000-0-00000-81000-58000-0-0000 \$25.91

MISSION LINEN SUPPLY 6/5/2019 261597 CAFETERIA AND OPERATIONS LINEN SERVICE * 130-53100-0-00000-37000-58000-0-0000 \$64.26

Total Check Amount: \$90.17

013490 MONTOLYA, CHRISTINA PV-191182 6/7/2019 CM-JUN19 130-53100-0-00000-37000-43000-0-0000 CAFETERIA SUPPLIES \$44.54

Total Check Amount: \$44.54

013603 RHYME UNIVERSITY PV-191184 5/29/2019 7798042 120-61050-0-00010-10000-43000-0-0000 PRESCHOOL GRADUATION GOWNS \$171.66

Total Check Amount: \$171.66

012867 SMART & FINAL STORES CORP. PV-191186 6/2/2019 387572 130-53100-0-00000-37000-47000-0-0000 CAFETERIA FOOD \$100.61

Total Check Amount: \$100.61

013392 SOUTHWEST SCHOOL & OFFICE PV-191192 5/31/2019 PINV0583849 010-00000-0-00000-81000-43000-0-0000 OPERATIONS SUPPLIES \$230.80

SOUTHWEST SCHOOL & OFFICE PV-191193 6/4/2019 190002 PINV0584802 010-11000-0-11100-10000-43000-0-0000 CLASSROOM SUPPLIES \$32.16

Total Check Amount: \$262.96

013911 Taylor Brothers, Inc DBA Res C PV-191183 6/10/2019 1735284 010-00000-0-00000-81000-58000-0-0000 SPRAY SERVICE \$71.18

Taylor Brothers, Inc DBA Res C 6/10/2019 1735284 130-53100-0-00000-37000-58000-0-0000 \$3.82

Total Check Amount: \$75.00

013241 TULARE CO CHARTER A.C.S.A PV-191190 2/25/2019 104 010-00000-0-00000-27000-52000-0-0000 ACSA ANNUAL CONFERENCE \$160.00

TULARE CO CHARTER A.C.S.A 2/25/2019 104 010-00000-0-00000-71500-52000-0-0000 \$35.00

Total Check Amount: \$195.00

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Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
013111	TULARE CO. OFFICE OF EDUCATION	PV-191187	10/30/2018		190719		010-00000-0-11100-10000-52000-0-0000	\$150.00		
							UNITS OF STUDY - LETICIA SIERRA			
	TULARE CO. OFFICE OF EDUCATION	PV-191188	6/6/2019		192816		010-00000-0-00000-92000-71420-0-0000	\$2,901.00	G	
							MAR-MAY 2019 SPECIAL DAY CLASS			
	TULARE CO. OFFICE OF EDUCATION	PV-191189	1/16/2019		190046 191339		010-00000-0-00000-27000-52000-0-0000	\$110.00		
							SAFE HEALTH PRACTICES WORKSHOP			
							Total Check Amount:	\$3,161.00		
013652	ZOOM IMAGING SOLUTIONS, INC	PV-191191	6/3/2019		2105153		010-11000-0-11100-10000-58000-0-0000	\$316.03		
							MAINTENANCE CONTRACT			
							Total Check Amount:	\$316.03		

Accounts Payable Final Prelist - 6/13/2019 7:14:29AM

*** FINAL ***

Batch No 293

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Audit Flag	EFT
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Total District Payment Amount: \$9,540.63

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*** FINAL ***

Batch No 293

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
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Batch No 293 Total Accounts Payable: \$9,540.63

The School District hereby orders that payment be made to each of the above vendors in the amounts indicated on the preceding Accounts Payable Final totaling 9,540.63 and the County Office of Education transfer the amounts from the indicated funds of the district to the Check Clearing Fund in order that checks may be drawn from a single revolving fund (Education Code 42631 & 42634).

Authorizing Signature *Carly Allen* Date 6/13/19

Fund Summary	Total
010	\$7,918.14
120	\$277.05
130	\$1,345.44
Total	\$9,540.63

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Tulare County Office of Education
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11:22:06AM

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Batch No 294

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
013322	AAA SECURITY, INC.	PV-191196	6/10/2019		000207247		010-00000-0-00000-71500-58000-0-0000	\$216.83		
							SECURITY FOR GRADUATION			
							Total Check Amount:	\$216.83		
013822	Alari, Candy	PV-191210	6/26/2019		CA-JUN19		010-00000-0-00000-73000-52000-0-0000	\$60.90		
							MILEAGE			
							Total Check Amount:	\$60.90		
013605	AMERICAN INCORPORATED	PV-191197	6/6/2019		7098867		130-53100-0-00000-37000-56000-0-0000	\$507.37		
							CAFETERIA REPAIRS			
							Total Check Amount:	\$507.37		
013821	BANK OF THE SIERRA	PV-191209	6/13/2019		4798510056812924		010-00000-0-00000-81000-52000-0-0000	\$100.00		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		SCHOOL SUPPLIES			
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-00000-0-00000-72000-53000-0-0000	\$199.99		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-00000-0-00000-72000-43000-0-0000	\$140.06		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-00000-0-11100-10000-43000-0-0000	\$367.86		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-00000-0-00000-81000-43000-0-0000	\$130.27		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-07200-0-00000-24950-43000-0-0502	\$65.10		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-00000-0-00000-72000-58000-0-0000	\$62.98		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-81500-0-00000-81100-44000-0-0000	\$369.57		
	BANK OF THE SIERRA		6/13/2019		4798510056812924		010-07200-0-11100-10000-58000-0-0405	\$744.71		
							Total Check Amount:	\$2,180.54		
013701	BARNES WELDING SUPPLY	PV-191198	6/24/2019		84584		130-53100-0-00000-37000-43000-0-0000	\$34.05		
							WELDING SUPPLIES FOR CAFETERIA			
							Total Check Amount:	\$34.05		
013775	CROUZET IRRIGATION SUPPLY, INC	PV-191199	6/25/2019		INV0153681		010-00000-0-00000-81000-43000-0-0000	\$299.26		
							MAINTENANCE SUPPLIES			
							Total Check Amount:	\$299.26		
011762	E.M. THARP INC.	PV-191194	6/11/2019		P881913		010-07230-0-00000-36000-43000-0-0000	\$9.40		
							BUS PARTS			
							Total Check Amount:	\$299.26		

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Tulare County Office of Education
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11:22:06AM

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Batch No 294

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
013574	FLYERS ENERGY, LLC	PV-191195	6/15/2019		CFS1961670		010-07230-0-00000-36000-43000-0-0000	\$232.59		
	FLYERS ENERGY, LLC		6/15/2019		CFS1961670		BUS AND COMPANY CAR FUEL 010-00000-0-00000-81000-43000-0-0000	\$124.83		
							Total Check Amount:	\$9.40		
013795	FRONTIER COMMUNICATIONS	PV-191200	6/19/2019		55956822770602925		010-00000-0-00000-81000-59000-0-0000	\$55.31		
							PHONE CHARGES			
							Total Check Amount:	\$55.31		
012895	FRUIT GROWERS SUPPLY CO.	PV-191201	6/10/2019		92062535		010-00000-0-00000-81000-43000-0-0000	\$54.17		
							MAINTENANCE SUPPLIES			
							Total Check Amount:	\$54.17		
011557	JORGENSEN & COMPANY	PV-191202	6/21/2019		5814783/58914573		010-81500-0-00000-81100-58000-0-0000	\$768.24		
	JORGENSEN & COMPANY		6/21/2019		5814783/58914573		FIRE EXTINGUISHER/KITCHEN INSPECTION 130-53100-0-00000-37000-58000-0-0000	\$166.72		
							Total Check Amount:	\$934.96		
013921	Juan Carlos Martin	PV-191203	6/15/2019		3069		010-07230-0-00000-36000-56000-0-0000	\$361.58		
							BUS REPAIRS			
							Total Check Amount:	\$361.58		
013685	MATA, DIANA	PV-191204	6/16/2019		DM-JUN19		010-90271-0-81000-59000-43000-0-1822	\$611.60		
							VROOM SUPPLIES			
							Total Check Amount:	\$611.60		
012047	PITNEY BOWES	PV-191205	6/4/2019		8000900001096811		010-00000-0-00000-72000-43000-0-0000	\$52.57		
							POSTAGE SUPPLIES			
							Total Check Amount:	\$52.57		
013197	TSUBOI, STEVE	PV-191206	6/13/2019		ST-JUN19		010-30100-0-11100-10000-44000-0-0000	\$1,048.38		
							2 LED TV'S			
							Total Check Amount:	\$1,048.38		

Accounts Payable Final Prelist - 6/27/2019 11:22:06AM

*** FINAL ***
Batch No 294

						Audit				
Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
Total Check Amount:								\$1,048.38		
013111	TULARE CO. OFFICE OF EDUCATION	PV-191207	4/22/2019		192301		010-00000-0-00000-71500-58000-0-0000	\$1,200.00		
							INTERNET FEES			
	TULARE CO. OFFICE OF EDUCATION	PV-191208	6/14/2019		192982		010-00000-0-00000-71500-52000-0-0000	\$35.00		
							SUMMER INSTITUTE-STEVE TSUBOI			
Total Check Amount:								\$1,235.00		
013652	ZOOM IMAGING SOLUTIONS, INC	PV-191211	6/24/2019		2112739		010-11000-0-11100-10000-58000-0-0000	\$120.21		
							MAINTENANCE CONTRACT			
Total Check Amount:								\$120.21		
Total Check Amount:								\$120.21		

Accounts Payable Final Prelist - 6/27/2019 11:22:06AM

*** FINAL ***

Batch No 294

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
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Total District Payment Amount: \$8,139.55

Accounts Payable Final Prelist - 6/27/2019 11:22:06AM

*** FINAL ***
Batch No 294

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
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Batch No 294

Total Accounts Payable:

\$8,139.55

The School District hereby orders that payment be made to each of the above vendors in the amounts indicated on the preceding Accounts Payable Final totaling 8,139.55 and the County Office of Education transfer the amounts from the indicated funds of the district to the Check Clearing Fund in order that checks may be drawn from a single revolving fund (Education Code 42631 & 42634).

Authorizing Signature:  Date: 6/27/19

Fund Summary	Total
010	\$7,431.41
130	\$708.14
Total	\$8,139.55



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☒ Routine Matters – Consent Calendar
- ☐ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: IX. A. c. Approve Minutes from June 11, 2019, Regular Governing Board Meeting

Date: July 9, 2019

Presented By: Jeannette Torres-Marquez

Attachments: Yes ☒ No ☐

Summary

The attached board meeting minutes are from the board meeting held on June 11, 2019. The notes on the minutes are from the information gathered during the board meeting.

Board of Trustee: Kimberly Braziel | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
Administration: Steve Tsuboi, Superintendent-Principal | Jody Gunderman, Vice Principal-Categorical Manager
Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary



Sunnyside Union Elementary School
Governing Board Minutes
June 11, 2019
6:00 pm – Multi-Purpose Room

- I. CALL TO ORDER AT 6:03 PM
 - A. Attendees
 - Board of Education Present: Schuyler Glover, Andy Manning, Humberto Quezada, Kimberly Braziel
 - II. ADA ACCOMMODATIONS REQUIREMENT
 - A. All Accommodation Meet
 - B. All Accommodation Meet
 - III. ADJOURN TO CLOSED SESSION AT 6:06 PM
 - A. It is the intention of the Board to meet in closed session to consider student Expulsion, suspension or disciplinary action/or other action involving pupil records (Education Code §35146, 48912(b), 48918(c)).
 - 1. #1001012
 - B. Conference with Labor Negotiators
 - 1. Labor Negotiator CTA No Action Required
Conference with Labor Negotiator (Government Code 54957.6) with Sunnyside CTA
 - 2. Labor Negotiator CSEA No Action Required
Conference with Negotiator (Government Code 54957.6) with Sunnyside CSEA
 - 3. Labor Negotiator Unrepresented No Action Required
Conference with Negotiator (Government Code 54957.6) with Sunnyside Unrepresented
 - IV. RECONVENE TO OPEN SESSION AT 6:23 PM
 - A. Report of Action Taken in Closed Session
 - 1. #1001012 – Suspended expulsion with student to report back at second trimester for review; Vote 4-0
- ADJOURN TO CLOSED SESSION FOR ITEM B AT 6:28 PM
- RECONVENE TO OPEN SESSION AT 6:42 PM
- B. Conference with Labor Negotiators
 - 1. Labor Negotiator CTA No Action Required
Conference with Labor Negotiator (Government Code 54957.6) with Sunnyside CTA
 - 2. Labor Negotiator CSEA No Action Required
Conference with Negotiator (Government Code 54957.6) with Sunnyside CSEA
 - 3. Labor Negotiator Unrepresented No Action Required
Conference with Negotiator (Government Code 54957.6) with Sunnyside Unrepresented
- V. GERNERALL BUISNESS
 - A. Pledge of Allegiance - Presented by Schuyler Glover
 - B. Welcome – None
 - C. Approve the Agenda of the June 11, 2019 Regular Board Meeting.
Motion By: Humberto Quezada

Second By: Andy Manning

Votes: 4-0

VI. PUBLIC COMMENTS – None

VII. ACKNOWLEDGMENTS AND REPORTS

A. Staff Reports

1. Employee Groups (Certificated, Classified, Confidential) – None
2. Student Report – None
3. Vice Principal – Mrs. Gunderman commented that Friday is her last day of work until July 22, 2019.
4. Superintendent/Principal Report – Mr. Tsuboi briefly went over his report that was provided in the board packet.

VIII. ROUTINE MATTERS – ACTION REQUIRED

A. Consent Calendar

1. Approve payroll for May 2019, in the amount of \$235,133.67.
2. Approve May 14, 2019, Governing Board Meeting Minutes.
3. Approve May 28, 2019, Governing Board Meeting Minutes.
4. Approve Pay Vouchers/Purchase Orders for May 16th and 30th of 2019, numbering from 191056 – 191125, totaling \$33,972.52.

B. Personnel

1. Approve Salary Settlement Disclosure – **TABLED THIS ITEM ONLY**
Motion By: Kimberly Braziel
Second By: Humberto Quezada
Votes: 4-0

IX. PUBLIC NOTICE & HEARINGS

- A. Declare a Public Hearing for review of the 2019-2020 Local Control Accountability Plan (3 Year Plan).
- B. Declare a Public Hearing for review of the 2019-2020 Budget.

X. INFORMATION AND DISCUSSION

A. Local Control and Accountability Plan & Budget

- a. Federal Addendum - Excess Reserves worksheet on how money was used for Title Funds.

B. Maintenance & Operations

- a. Site Lead Testing Report - Report found that our water was good.
- b. First 5 Shade Structure Project
- c. Establish District Priority List (Master Plan for Facility Improvements) – The Board established a list of projects they deem necessary for repairs and/or improvements.

C. Instructional

- a. Discussion on 2019-2020 Graduation & 8th Grade Activities Requirements
 - i. Board Policy 5127
- b. Discussion on 2019-2020 Updates to Dress and Grooming Policy
 - i. Board Policy 5132
- c. Discussion on Student Cell Phone Policy
 - i. Education Code 51512
- d. Summer Institute (School) 2019
- e. Discussion on staffing for 2019-2020 School Year
 - i. Substitute & Short Term Contracts
 - ii. Current Open Positions for 2019-2020 – Office clerk, ELD teacher, yard duty

D. Board

- a. Discuss and review board policies (Second Reading)

- i. Board Policy 5145.7 Sexual Harassment
 - ii. Administrative Regulation 5145.7 Sexual Harassment
 - iii. Board Bylaws 9000 Role of the Board
 - iv. Board Bylaws 9100 Organization
 - v. Board Bylaws 9121 President
 - vi. Board Bylaws 9222 Resignation
 - b. Information regarding Tulare County Schools Legal Consortium
 - E. Board Policies for Initial Review
 - a. The following policies will be presented to the board (First Reading)
 - i. Board Policy 0410 Nondiscrimination in County Office Programs and Activities
 - ii. Board Bylaws 9230 Orientation
 - iii. Board Bylaws 9240 Board Training
 - iv. Board Bylaws 9322 Agenda/Meeting Materials
 - v. Board Bylaws 9324 Minutes and Recordings
 - vi. Board Bylaws 9400 Board Self-Evaluation
- XI. NEW BUSINESS – ACTION ITEMS
- A. Approve the Budget Revision for the 2018-2019 SY.
Motion By: Kimberly Braziel
Second By: Andy Manning
Votes: 4-0
 - B. Approve the Strathmore Public Utility District – Water Line Connection and Transfer of Property Contract Agreement
TABLED
 - C. Discuss and approve age qualifications for enrollment of Preschool, Transitional Kindergarten, and Dual enrollment in TK and Preschool. **Revise age to the state standard; students can enroll in TK with evaluation.**
Motion By: Kimberly Braziel
Second By: Andy Manning
Votes: 4-0
 - D. Ratify the Agreement with Sunnyside Teachers Association/CTA concluding negotiations for the 2019-2020 school year.
TABLED
- XII. NEXT SCHEDULED BOARD MEETING
- A. Regular Board Meeting: June 25, 2019 (6:00 PM)
- XIII. ADJOURNMENT AT 8:41 PM

Respectfully Submitted,

Humberto Quezada, Clerk



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☒ Routine Matters – Consent Calendar
- ☐ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: IX. A. d. Approve Minutes from June 25, 2019, Regular Governing Board Meeting

Date: July 9, 2019

Presented By: Jeannette Torres-Marquez

Attachments: Yes ☒ No ☐

Summary

The attached board meeting minutes are from the board meeting held on June 25, 2019. The notes on the minutes are from the information gathered during the board meeting.

Board of Trustee: Kimberly Braziel | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
Administration: Steve Tsuboi, Superintendent-Principal | Jody Gunderman, Vice Principal-Categorical Manager
Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary

Sunnyside Union Elementary School
Governing Board Minutes
June 25, 2019
6:00 pm – Multi-Purpose Room

- I. CALL TO ORDER AT 6:00 PM
 - A. Attendees
 - Board of Education Present: Schuyler Glover, Andy Manning, Kimberly Braziel, Humberto Cárdenas
- II. ADA ACCOMMODATIONS REQUIREMENT
 - A. All Accommodation Meet
 - B. All Accommodation Meet
- III. ADJOURN TO CLOSED SESSION
 - A. Conference with Labor Negotiators (Government Code 54957.6) with the following:
 - 1. CTA/Sunnyside Teachers Association No Action Required
 - 2. CSEA Chapter 675 No Action Required
 - 3. Unrepresented Group No Action Required
 - 4. Superintendent-Principal & Vice Principal No Action Required
- IV. ADJOURN TO CLOSED SESSION AT 6:01 PM
- V. RECONVENE TO OPEN SESSION AT 6:20 PM
 - A. Report of Action Taken in Closed Session – None
- VI. GERNERALL BUISNESS
 - A. Pledge of Allegiance - Presented by Schuyler Glover
 - B. Welcome – None
 - C. Approve the Agenda of the June 25, 2019 Regular Board Meeting.
 - Motion By: Andy Manning
 - Second By: Humberto Cárdenas
 - Votes: 4-0
- VII. PUBLIC COMMENTS – None
- VIII. ACKNOWLEDGMENTS AND REPORTS
 - A. Acknowledges
 - a. Acknowledge the Prairie Center 4-H Donation of \$200.00. Mr. Tsuboi acknowledged and thanked the Prairie Center 4-H for the donation. The donation will help with the campus project of plants and trees; the board was glad. He also commented to the board that he did not know who was in charge because this year, we did not see them or receive any emails about the use of the cafeteria. Mrs. Braziel let Mr. Tsuboi know that he might want to contact Adel Shelton.
 - B. Staff Reports
 - a. Employee Groups (Certificated, Classified, Confidential) – None
 - b. Student Report – None
 - c. Superintendent/Principal Report – Mr. Tsuboi briefly updated the board on his report that was included in the board packet. He went over instructional services, meeting that he has attended (JPA Liability Meeting, Tulare County Office of Education Summer Institute, Tulare County Small Schools – Summer Retreat, and State Small

School Districts Central Coast). He commented that the meetings were very informative with the many new changes coming our way. He also let the board know that the new school website and new school App is up and running.

IX. ROUTINE MATTERS – ACTION REQUIRED

A. Consent Calendar

- a. Approve Pay Vouchers/Purchase Orders for June 5th of 2019, numbering from 191128 – 191164, totaling \$189,795.40.
 - b. Approve the Application for Use of School Facility for El Quinto Sol de America
 - c. Approve the Application for Use of Roman Catholic Bishop of Fresno, A Corporation Sole
 - d. Approve Bus Stops for 2019-2020
- Motion By: Kimberly Braziel
Second By: Humberto Cárdenas
Votes: 4-0

X. PUBLIC NOTICE AND HEARINGS – None

XI. NEW BUSINESS – ACTION ITEMS

- A. Approve the Budget Revision for the 2018-2019 SY.
Motion By: Humberto Cárdenas
Second By: Andy Manning
Votes: 4-0
- B. Approve Strathmore Public Utility District – Water Line Connection and Transfer of Property Contract Agreement.
Motion By: Kimberly Braziel
Second By: Humberto Cárdenas
Votes: 4-0
- C. Approve Local Control Accountability Plan (Year 3/3 for 2019-2020 school year).
Motion By: Kimberly Braziel
Second By: Humberto Cárdenas
Votes: 4-0
- D. Approve the Budget In the Matter of the Adoption of School District Budget, for the 2019-2020 School Year, of the Single-Budget Adoption Procedure.
Motion By: Kimberly Braziel
Second By: Andy Manning
Votes: 4-0
- E. Adopt the Federal Addendum in accordance with the 2019-2020 LCAP.
Motion By: Kimberly Braziel
Second By: Humberto Cárdenas
Votes: 4-0
- F. Approve the 2019-2020 Consolidated Application
Motion By: Humberto Cárdenas
Second By: Andy Manning
Votes: 4-0
- G. Approve the balance transfer of Student Body Student Awards Account of \$1,145.02 from 2018-2019 school year to 2019-2020 school year.
Motion By: Humberto Cárdenas
Second By: Andy Manning
Votes: 4-0
- H. Approve Resolution No. 353 In the Matter of the 2019-2020 Local Agreement for Child Development Services
Motion By: Humberto Cárdenas

Second By: Kimberly Braziel

Votes: 4-0

- I. Approve the renewal of Superintendent-Principal's Contract (positive evaluation) for three years (July 1, 2019 through June 30, 2022).

Motion By: Humberto Cárdenas

Second By: Kimberly Braziel

Votes: 4-0

- J. Approve updates to Administrative Regulation 5132, with new dress code and grooming guidelines.

Motion By: Kimberly Braziel

Second By: Humberto Cárdenas

Votes: 4-0

- K. Approve Board Policy 5147.7 Sexual Harassment.

Motion By: Humberto Cárdenas

Second By: Andy Manning

Votes: 4-0

- L. Approve Administrative Regulation 5145.7 Sexual Harassment

Motion By: Kimberly Braziel

Second By: Humberto Cárdenas

Votes: 4-0

- M. Approve Board Bylaws 9000 Role of the Board

Motion By: Kimberly Braziel

Second By: Humberto Cárdenas

Votes: 4-0

- N. Approve Board Bylaws 9100 Organization

Motion By: Kimberly Braziel

Second By: Humberto Cárdenas

Votes: 4-0

- O. Approve Board Bylaws 9121 President

Motion By: Humberto Cárdenas

Second By: Kimberly Braziel

Votes: 4-0

- P. Approve Board Bylaws 9222 Resignation.

Motion By: Kimberly Braziel

Second By: Humberto Cárdenas

Votes: 4-0

XII. INFORMATION AND DISCUSSION

- A. Local Control and Accountability Plan & Budget

- a. Update on LCAP Budget for 2018-2019 - Mr. Tsuboi briefly updated the board on the clean-up of the excess \$80,000 and the \$500 that was put aside for the birdhouses. Overall the 2018-2019 LCAP Budget is wrapped up for the year.

- B. Maintenance & Operations

- a. Annual Highway Patrol Update (Bus Inspections) - Mr. Tsuboi briefly updated the board on the Highway Patrol visit on Friday, June 21, to complete the annual bus inspection, which went well. When they return in July to complete the paper review and signed off on all the paperwork, I will bring a short summary of the review.
- b. Update on Summer Schedule - Mr. Tsuboi briefly updated the board on the summer projects that the maintenance crew will be working on during the summer. They will be shampooing carpets, restroom upgrades, campus landscaping, and a few other odds and ends.
- c. First 5 Project Update - Mr. Tsuboi briefly updated the board on the First 5 playground installation. The welds had to be inspected in the factory, soil compaction tests, cement consistency testing, site inspector, USA inspection, etc. Our contribution will be more than expected but well worth it. The project will be completed by June 28, 2019.

- C. Instructional

- a. Title IX Report – Mr. Tsuboi briefly updated on the attached annual Title IX report that is required. Letting them know that it is currently posted to the new website.
- b. Review of the Parent-Student Handbook - Mr. Tsuboi briefly explained to the board that there are new requirements that need to be added to the Parent-Student Handbook. A drafted handbook will be available at the July meeting so it can be approved. This allows you to see what is in it and to make suggestions before approving.
- c. Continued discussion on the 8th Grade Graduation and Events requirements – Mr. Tsuboi briefly updated the board on the changes to the 8th-grade graduation requirements. He explained that he will need to check the board policy and administrative regulation to be more official and so that the guidelines will carry more weight. It will be ready for the July meeting.
- d. Update on Certificated and Classified Staffing for 2019-2020 – Mr. Tsuboi briefly updated the board on how he is having trouble filling someone for the ELA-ELD position and has also had very few applicants. It is tough, one because it requires a single subject credential and the pool of candidates is very small. If we are unable to get someone, we will need to come up with a plan B, which will become complex because it affects the Junior High Schedule.
- e. Review Student Behavior Matrix – Mr. Tsuboi briefly updated the board on the Student Behavior Matrix. The matrix will help with the consequences so that they can apply to all grade levels. Once I make the recommended changes, I will bring it to the July meeting for final approval.

D. Board Policies for Review

- a. The following policies will be presented to the board (First Reading)
 - i. Board Policy 4030 Nondiscrimination In Employment
 - ii. Administrative Regulation 4030 Nondiscrimination In Employment
 - iii. Board Policy 5117 Interdistrict Attendance
 - iv. Administrative Regulation 5117 Interdistrict Attendance
 - v. Board Policy 5145.6 Parental Notification
 - vi. Exhibit 5145.6 Parental Notification
 - vii. Board Policy 5148 Child Care and Development
 - viii. Administrative Regulation 5148 Child Care and Development

XIII. NEXT SCHEDULED BOARD MEETING

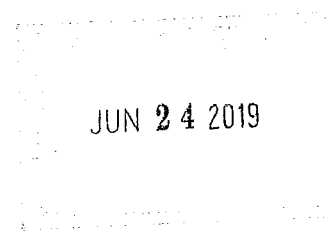
- A. Regular Board Meeting: July 9, 2019 (6:00 PM)

XIV. ADJOURNMENT AT 7:39 PM

Respectfully Submitted,

Humberto Quezada, Clerk

Phoebe Schmidt
pschmidt@sunnysideunion.com



Dear Mr. Tsuboi,

I am writing to inform you that I will be leaving my position here at Sunnyside Union School District at the end of the 2018-2019 school year on account of my pregnancy.

I am very excited about this opportunity, but am also sad to leave my position at Sunnyside. I have been treated very well and have really enjoyed my time here.

Although I will be resigning as of now, I look forward to the possibility of applying for open positions at Sunnyside in the future.

Thank you so much for giving me the opportunity to show what I could do and supporting me with everything I have needed throughout my time at Sunnyside. Sunnyside has become a family to me and I will be staying in touch.

Thank you,

Phoebe Schmidt

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Sunnyside Union School District will hold a public hearing, pursuant to Education Code Section 60119, on the subject of funds received for instructional materials from any state source.

The public hearing will be held at a regular meeting of the Sunnyside Union School District governing board on August 13, 2019. The board meeting starts at 6:00 p.m., at the following location:

**Sunnyside Union Elementary School District
Multi-Purpose Room
21644 Avenue 196
Strathmore California 93267
(559) 568-1741**

The Sunnyside Union School District governing board is required to make a determination as to whether each pupil in each school in the school district has sufficient textbooks or instructional materials, or both, in each subject that is consistent with the content and cycles of the curriculum framework adopted by the State Board.

NOTICE IS FURTHER GIVEN that copies of documentation are available to interested members of the public during normal business hours at the following location:

**Sunnyside Union Elementary School District
District Office
21644 Avenue 196
Strathmore California 93267**

Date: August 13, 2019

Sunnyside Union Elementary School District

Humberto Quezada, Board Clerk

Date Posted: July 10, 2019
Locations of Posting:
Sunnyside Union Elementary School District
21644 Avenue 196
Strathmore, CA 93267
Suhovy's Market
19575 Avenue 192
Strathmore, CA 93267
Plainview Market
19590 Avenue 196
Strathmore, CA 93267



SUNNYSIDE UNION SCHOOL DISTRICT

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AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☒ Routine Matters – Consent Calendar
- ☐ Information and Discussion
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 - ☐ Instruction
 - ☐ Board
- ☐ Local Control Accountability Plan
- ☒ Action Items

Agenda Item: X. B. Quarterly Williams Valenzuela Complaint Survey Report

Date: April 9, 2019

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

The Quarterly Uniform Complaint Report is a quarterly report that requires approval so that we can submit the data to the Tulare County Office of Education Board to update them on any complaints on the campus with Textbooks and Instructional Material, Facilities, Teacher Vacancy and Misassignment, and Valenzuela/CAHSEE Intensive Instruction and Services Program Settlements. The approval of the report is also a part of the school audit procedure.

Board of Trustee: Kimberly Braziel | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
Administration: Steve Tsuboi, Superintendent-Principal | Jody Gunderman, Vice Principal-Categorical Manager
Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary



Quarterly Uniform Complaint Report Summary for Submission to Tulare County Office of Education Board

Quarter Covered by this Report		January/March		X April/June		July/September		October/December		Year 2019	
Textbooks & Instructional Materials: Enter zero in any cell that does not apply.		Facilities:		Teacher Vacancy & Misassignment		Valenzuela/CAHSEE Intensive Instruction and Services Program Settlement		Totals			
# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved	# of complaints received in quarter	# of complaints resolved	# of complaints unresolved
0	0	0	0	0	0	0	0	0	0	0	0
Submitted by:		Steve Tsuihoi									
Title:		Superintendent-Principal									
School District:		Sunnyside Union Elementary School District									
Telephone:		559-568-1741 x.207									
Ramon R. Garcia, Administrative/Executive Secretary, Human Resources											

8th GRADE STUDENT GUIDELINES & REQUIREMENTS

(DIPLOMA/CERTIFICATE OF COMPLETION, AWARDS DINNER, END OF YEAR TRIP)

CUMULATIVE GRADE POINT AVERAGE: 2.00 in the following classes

Classes Used in Calculation	Grade Values
<ul style="list-style-type: none">• Language Arts• Mathematics• Social Studies• Science• Physical Education• English Language Development/ELA	A = 4 Points B = 3 Points C = 2 Points D = 1 Point F = 0 Points

DIPLOMA VERSUS CERTIFICATE OF COMPLETION

To receive a **Diploma** a student must meet all of the following conditions:

- (a) Have a cumulative 2.0 Grade Point Average as outlined above.
 - a. As of May 15, 2020
- (b) Pass the United States Constitution Examination with a 70% or higher score

STUDENTS WHO DO NOT MEET THE ABOVE CRITERIA WILL RECEIVE A **CERTIFICATE OF COMPLETION**

EVENT PARTICIPATION - GRADUATION CEREMONY

8th Grade Graduation Ceremony (Must meet all items below to participate in ceremony)

- (a) Must be eligible to receive Diploma as outlined above
- (b) Must meet behavior requirements as outlined below
 - a. Up to and including the day of Graduation
- (c) Must have 90% attendance rate up to and including the day of Graduation
- (d) No "F" in Third Trimester Core Classes
 - a. As of Friday, May 29, 2020

NON GRADUATION CEREMONY PARTICIPANTS ARE:

- (a) Students who meet the diploma requirements, but not the Graduation Ceremony requirements, **will receive** their diploma but not participate in the Ceremony.
- (b) Students who receive a Certificate of Completion may not participate in the Graduation Ceremony.

AWARDS DINNER/END OF YEAR TRIP

To participate in the 8th Grade Awards Dinner/End of Year Trip students must:

- (a) Have a 2.0 Cumulative Grade Point Average as of Friday, May 15, 2020. If either of these celebrations occurs prior to May 15, 2020, the eligibility requirement will be one week (7 days prior) to the event.
- (b) Must currently be in good behavior standing as outlined in the behavior section below.
 - a. Up to and including the day of the event(s)
- (c) Must have 90% attendance at the time of the Awards Dinner/End of Year Tri

BEHAVIOR

1. No more than **THREE (3)** behavior referrals for the school year.
2. A student may not be involved in more than (1) one fight during the school year.
3. A student may not receive more than one (1) off campus suspension during the school year.
4. A student receiving a referral that results in a (5) day suspension may not participate in graduation ceremony/tea.
5. A student may not participate in any of the following activities during their 8th grade year:
 - a. Use or possession of tobacco
 - b. Stealing as delineated in Education Code 48900 (value of \$50 or more)
 - c. Possession or consumption of alcohol at school or a school activity or traveling to and from school or a school activity.
 - d. Possession, or under the influence, of illegal drugs at school or a school activity or traveling to and from school or a school activity
 - e. Vandalism that meets or exceeds \$100 worth of school or personal property
 - f. Any activity that would necessitate a mandatory recommendation for expulsion including possession of a firearm, brandishing a knife, selling a controlled substance, committing or attempting to commit sexual assault or battery, and/or possession of an explosive.
 - g. Possession of any illegal weapons, including facsimile weapons, or dangerous objects of no reasonable use to the student.

PARENTS WILL BE CONSULTED ON UP-TO-DATE STATUS DURING THE FOLLOWING MEETINGS:

- First Trimester Parent Conferences
- End of First Trimester
- Second Trimester Parent Conferences
- End of Second Trimester
- Third Trimester Parent Conferences
- End of School Year (Before Events)

APPEALS: A parent/guardian may appeal to the Governing Board if they feel extenuating, unforeseen circumstances were involved in the event(s)/activities that resulted in their child being removed from any of the above activities. The parent/guardian must make a written request addressed to the Governing Board or designee in writing that outlines their reason for appeal. All appeals must be signed and dated. **Appeals to the Governing Board, for the 2019-2020 school year, will be held on Tuesday, May 26, 2020.**

PARENT MEETING: An annual parent meeting will be held within the first 30 days of the school year to review the above policy. A copy will be given to all 8th grade students at the beginning of each school year.

BOARD APPROVED: **SEPTEMBER 2015**

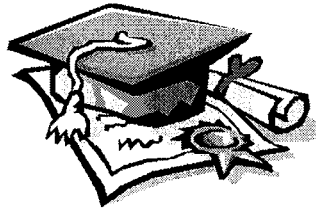
REVISED: **AUGUST 8, 2017**

REVISED: **JULY 16, 2018**

REVISED: **AUGUST 8, 2016**

REVISED: **JULY 9, 2019**

ACKNOWLEDGEMENT OF RECEIPT



By signing below we are acknowledging the criteria and guidelines for 8th grade students to receive a Diploma, and to participate in Graduation Ceremony, Awards Dinner, and 8th Grade End of Year Trip.

Name of Student: _____

Parent/Guardian: _____

Signature of Student: _____

Signature of Parent/Guardian: _____

Date: _____

RETURN THIS PORTION (ACKNOWLEDGEMENT OF RECEIPT) TO THE SCHOOL

SCICON DAY TRIP AGREEMENT

THIS AGREEMENT is entered into as of July 1, 2019 between the **Tulare County Superintendent of Schools**, referred to as COUNTY SUPERINTENDENT, and **Sunnyside Union Elementary** referred to as DISTRICT, with reference to the following:

A. Education Code § 8765 authorizes the COUNTY SUPERINTENDENT to enter into an agreement with the governing board of any school district to provide programs and classes in outdoor science education and conservation education; and

B. The DISTRICT desires to have the COUNTY SUPERINTENDENT provide a program in outdoor science education and conservation education for the DISTRICT at SCICON (The Clemmie Gill School of Outdoor Science and Conservation), referred to as the Program.

ACCORDINGLY, IT IS AGREED:

1. **COST OF PROGRAM:** SCICON Day Trip Rate Schedule for the 2019-2020 school year.

Approximately 2 classes consisting of approximately 36 students

DISTRICT shall pay COUNTY SUPERINTENDENT the sum of One Hundred dollars (\$100.00) per class for each day of participation in the instructional Program to be conducted at SCICON as the DISTRICT. No cost will accrue if reserved dates are cancelled or changed at least four (4) weeks in advance, or bad weather forces cancellation or postponement.

DISTRICT shall make full payment on or before June 30, 2020.

2. **DISTRICT RESPONSIBILITIES:** DISTRICT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

a. Require that its students are equipped with suitable and necessary clothing and supplies while attending the Program as set forth in the materials provided to the teachers.

b. Provide meals for its students, or require them to provide their own meals, while attending the Program.

3. **COUNTY SUPERINTENDENT RESPONSIBILITIES:** COUNTY SUPERINTENDENT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

a. Provide basic first aid supplies for students and other personnel of the DISTRICT during the periods they are attending the Program.

Sunnyside Union SCHOOL DISTRICT

Date: July 9, 2019

By: _____

Title: Superintendent-Principal

COUNTY SUPERINTENDENT

Date: July 1, 2019

By: 

Tim A. Hire, Tulare County Superintendent
of Schools or Designee

A. DISTRICT RESPONSIBILITIES: DISTRICT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

1. Provide transportation for its students and personnel to and from the Program.
2. Provide one teacher per class during the period that its students are in attendance at the Program.

B. COUNTY SUPERINTENDENT RESPONSIBILITIES: COUNTY SUPERINTENDENT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

1. Provide the Program and classes in outdoor science, conservation, and environmental education pursuant to the requirements in Education Code § 8760 et seq., including coordination services.

C. INSURANCE: COUNTY SUPERINTENDENT and DISTRICT shall each provide adequate insurance coverage for its officers, employees, agents and students at and while traveling to and from said Program.

D. INDEMNIFICATION: COUNTY SUPERINTENDENT and DISTRICT shall hold each other harmless, defend and indemnify their respective agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, arising out of the activities of COUNTY SUPERINTENDENT or DISTRICT or their agents, officers and employees under this Agreement. This indemnification shall be provided by each party to the other party regarding its own activities undertaken pursuant to this Agreement, or as a result of the relationship thereby created, including any claims that may be made against either party by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, or any claims made against either party alleging civil rights violations by such party under Government Code section 12920 et seq. (California Fair Employment and Housing Act). This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

F. ENTIRE AGREEMENT REPRESENTED: This Agreement represents the entire agreement between COUNTY SUPERINTENDENT and DISTRICT as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.

SCICON WEEK TRIP AGREEMENT

THIS AGREEMENT is entered into as of July 1, 2019 between the **Tulare County Superintendent of Schools**, referred to as **COUNTY SUPERINTENDENT**, and **Sunnyside Union Elementary School District**, referred to as **DISTRICT**, with reference to the following:

A. Education Code § 8765 authorizes the **COUNTY SUPERINTENDENT** to enter into an agreement with the governing board of any school district to provide programs and classes in outdoor science education and conservation education; and

B. The **DISTRICT** desires to have the **COUNTY SUPERINTENDENT** provide a program in outdoor science education and conservation education for the **DISTRICT** at **SCICON** (The Clemmie Gill School of Outdoor Science and Conservation), referred to as the Program.

ACCORDINGLY, IT IS AGREED:

1. COST OF PROGRAM:

SCICON Week Trip Rate Schedule for the 2019-2020 school year:

\$ 50.00	Per Teacher/Aide Rate	DISTRICT shall make full payment on or before June 30, 2020.
\$ 25.00	Per High School Student Counselor Rate	
Per Student Rate:		
Five (5)-day week	\$ 239.13	Approximately <u>41</u> students (projected count)
Four (4)-day week	\$ 203.18	Approximately <u>0</u> students (projected count)
DISTRICT shall pay the per-student rates based on the greater of:		
a. 97% of the estimated number of students projected in May of the prior school year, or		
b. the actual number of students in attendance.		

2. DISTRICT RESPONSIBILITIES: DISTRICT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

a. Require its teaching and counseling staff to cooperate with the **COUNTY SUPERINTENDENT'S** staff in necessary preplanning and post SCICON trip follow-up to ensure carrying out of the objectives of the Program.

b. Require that its students are equipped with suitable and necessary bedding, clothing, and supplies while attending the Program as set forth in the materials provided in the teacher's packet.

c. Furnish high school student counselors at the Program at a minimum ratio of one (1) counselor to every eight (8) students (1:8), in addition to the classroom teacher. (*Counselor shortage will result in teacher responsibility for cabins.*)

d. Notify the **COUNTY SUPERINTENDENT** of the number of students to attend SCICON three (3) weeks before the scheduled date of attendance.

3. COUNTY SUPERINTENDENT RESPONSIBILITIES: COUNTY SUPERINTENDENT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

a. Provide basic first aid supplies for students and other personnel of the **DISTRICT** during the periods they are attending the Program.

b. Provide complete food services for students and staff during the periods they are attending the Program (Monday through Friday).

c. Provide a teacher's packet for each teacher prior to visitation. The packet will include instructions, maps, schedules, registration forms, clothing and equipment lists, etc.

Sunnyside Union SCHOOL DISTRICT

Date: July 9, 2019

By: _____

Title: Superintendent-Principal

COUNTY SUPERINTENDENT

Date: July 1, 2019

By: 

Tim A. Hire, Tulare County Superintendent of Schools or Designee

A. DISTRICT RESPONSIBILITIES: DISTRICT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

1. Provide transportation for its students and personnel to and from the Program.
2. Provide one teacher per class during the period that its students are in attendance at the Program.
3. On occasion, a school district may request that an adult volunteer accompany their students to SCICON. If those volunteers will have unsupervised contact with students, then the requesting school district shall have the volunteer successfully pass a fingerprint criminal background check as well as obtain a tuberculosis clearance.

B. COUNTY SUPERINTENDENT RESPONSIBILITIES: COUNTY SUPERINTENDENT shall be responsible for all items listed on the reverse side of this Agreement as well as the following:

1. Provide the Program and classes in outdoor science, conservation, and environmental education pursuant to the requirements in Education Code § 8760 et seq., including coordination services.

C. INSURANCE: COUNTY SUPERINTENDENT and DISTRICT shall each provide adequate insurance coverage for its officers, employees, agents and students at and while traveling to and from said Program.

D. INDEMNIFICATION: COUNTY SUPERINTENDENT and DISTRICT shall hold each other harmless, defend and indemnify their respective agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, arising out of the activities of COUNTY SUPERINTENDENT or DISTRICT or their agents, officers and employees under this Agreement. This indemnification shall be provided by each party to the other party regarding its own activities undertaken pursuant to this Agreement, or as a result of the relationship thereby created, including any claims that may be made against either party by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, or any claims made against either party alleging civil rights violations by such party under Government Code section 12920 et seq. (California Fair Employment and Housing Act). This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

F. ENTIRE AGREEMENT REPRESENTED: This Agreement represents the entire agreement between COUNTY SUPERINTENDENT and DISTRICT as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.



State of California
Commission on Teacher Credentialing
Certification Division
1900 Capitol Avenue
Sacramento, CA 95811-4213

Email: credentials@ctc.ca.gov
Website: www.ctc.ca.gov

DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Original Declaration of Need for year: 2019-2020

Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: Sunnyside Union School District CDS Code: 54-72181

Name of County: Tulare County CDS Code: 54

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on 07 / 09 / 2019 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2020.

Submitted by (Superintendent, Board Secretary, or Designee):

Steve Tsuboi

Superintendent-Principal

Name

Signature

Title

559-568-2277

559-568-1741 ext. 208

July 9, 2019

Fax Number

Telephone Number

Date

21644 Avenue 196, Strathmore California 93267

Mailing Address

stsuboi@sunnysideunion.com

E-Mail Address

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► ***Enclose a copy of the public announcement***

Submitted by Superintendent, Director, or Designee:

_____ <i>Name</i>	_____ <i>Signature</i>	_____ <i>Title</i>
_____ <i>Fax Number</i>	_____ <i>Telephone Number</i>	_____ <i>Date</i>
_____ <i>Mailing Address</i>		
_____ <i>E-Mail Address</i>		

- *This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency*

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
CLAD/English Learner Authorization (applicant already holds teaching credential)	_____
Bilingual Authorization (applicant already holds teaching credential)	_____
List target language(s) for bilingual authorization: _____	
Resource Specialist	_____
Teacher Librarian Services	_____

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	
Special Education	
TOTAL	

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? Yes ☒ No ☐

If no, explain. _____

Does your agency participate in a Commission-approved college or university internship program? Yes ☒ No ☐

If yes, how many interns do you expect to have this year? _____

If yes, list each college or university with which you participate in an internship program.

University _____

Brandman _____

If no, explain why you do not participate in an internship program.



State of California
Commission on Teacher Credentialing
Certification Division
1900 Capitol Avenue
Sacramento, CA 95811-4213

Email: credentials@ctc.ca.gov
Website: www.ctc.ca.gov

ANNUAL STATEMENT OF NEED 30-DAY SUBSTITUTE and DESIGNATED SUBJECTS CAREER TECHNICAL EDUCATION 30-DAY SUBSTITUTE TEACHING PERMITS

INSTRUCTIONS TO THE EMPLOYER

This statement of need must be filed at the school district office each school year when employing holders of Emergency 30-Day Substitute Permits. The employing agency will complete a single statement of need form (below) and retain the form at the school district office.

The form must be completed annually, indicating that either no credentialed person is available or that those available are not deemed qualified for substitute teaching and details of the circumstances that necessitate the use of emergency permit holders rather than fully credentialed teachers.

This statement of need form does not require listing specific employees or their positions. The form must be signed by the superintendent of the employing school district. It does not need to be co-signed by the county superintendent of schools.

A copy of the form does not need to be submitted to the county or the Commission with each Emergency 30-Day Substitute Teaching Permit application; however, the county superintendent of schools, whose responsibilities include areas such as district payroll or district substitute placement, may request a copy of the district's statement of need form to accurately fulfill these duties.

County superintendent of schools offices employing holders of the Emergency 30-Day Substitute Teaching Permit are also required to annually file, at their office, this completed statement of need form. The county superintendent of schools will sign the form.

The Commission does not require that the school board approve the statement of need. The individual school district may establish its own policy regarding this matter.

References: California Education Code, Sections 44225 and 44300 and California Code of Regulations, Title 5, Sections 80023, 80025 and 80026

This form must be signed by either:

☐ The district superintendent of schools and filed at the school district office if the holder of any Emergency 30-Day Substitute Teaching Permit will be employed as a substitute in a public school operated by a school district.

OR

☒ The county superintendent of schools and filed at the county superintendent of schools' office if the holder of any Emergency 30-Day Substitute Teaching Permit will be employed as a substitute in a county-operated school.

Certification and Authorized Signature

The district superintendent of schools or the county superintendent of schools has reviewed the information contained in this statement of need and certifies one the following:

☒ Either a credentialed person is not available or one or more credentialed persons are available, but are not deemed qualified by the district or county, as applicable, to serve as a day-to-day substitute teacher.

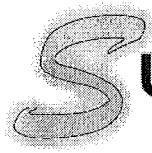
OR

☐ The situation or circumstances that necessitate the use of an emergency permit holder are as follows: (Attach additional sheets, if necessary.)

I hereby certify that all of the information contained in this statement of need is true and correct.

	Sunnyside Union School	July 9, 2019
<i>Signature of the District Superintendent</i>	<i>District</i>	<i>Date</i>
	Tulare	
<i>Signature of the County Superintendent of Schools</i>	<i>County</i>	<i>Date</i>

It is not necessary to submit this form to the Commission on Teacher Credentialing.



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

AGENDA ITEM SUMMARY SHEET

Agenda Heading

- ☐ Closed Session
- ☐ Acknowledgement and Reports
- ☐ Routine Matters – Consent Calendar
- ☒ Information and Discussion
 - ☐ Business
 - ☐ Maintenance, Operations, and Transportation
 - ☐ Instruction
 - ☒ Board
- ☐ Local Control Accountability Plan
- ☐ Action Items

Agenda Item: XI. D. c. i. through vi. Board Policies for Review (Second Reading)

Date: July 9, 2019

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

Please bring the policy listed below so that we can discuss and review the changes before approving at the next board meeting on August 13, 2018.

Board Policy 0410 Nondiscrimination in County Office Programs and Activities

Board Bylaws 9230 Orientation

Board Bylaws 9240 Board Training

Board Bylaws 9322 Agenda/Meeting Materials

Board Bylaws 9324 Minutes and Recordings

Board Bylaws 9400 Board Self-Evaluation

Board of Trustee: Kimberly Brazier | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
Administration: Steve Tsuboi, Superintendent-Principal | Jody Gunderman, Vice Principal-Categorical Manager
Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary



SUNNYSIDE UNION SCHOOL DISTRICT

21644 Avenue 196 - Strathmore, California 93267 - (P) 559-568-1741 - www.sunnysideunion.com

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- ☐ Action Items

Agenda Item: XI. E. a. i. through vi. Board Policies for Review (First Reading)

Date: July 9, 2019

Presented By: Steve Tsuboi

Attachments: Yes ☒ No ☐

Summary

The policies and bylaws listed below need to be reviewed before the second reading on September 10, 2019, so that they can be approved at the October 8, 2019, board meeting.

Board Policy 0420 School Plans Site Councils

Administrative Regulation 0420 School Plans Site Councils

Board Policy 0450 Philosophy Goals Objectives and Comprehensive Plans

Administrative Regulation 0450 Philosophy Goals Objectives and Comprehensive Plans

Board Bylaws 9323.2 Actions By The Board

Exhibit 9323.2 Actions By The Board

Board of Trustee: Kimberly Brazier | Humberto Cardenas | Schuyler Glover | Andy Manning | Humberto Quezada
Administration: Steve Tsuboi, Superintendent-Principal | Jody Gunderman, Vice Principal-Categorical Manager
Candy Alari, Business Manager | Jeannette Torres-Marquez, Administrative Secretary

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420

School Plans/Site Councils

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

The Governing Board believes that comprehensive planning is necessary at each school in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0415 - Equity)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Note: Pursuant to Education Code 64000, the district may submit a consolidated application to the California Department of Education (CDE) to apply for federal categorical funds and/or state categorical programs that are not funded through the local control funding formula. As a condition of receiving such funds, Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), requires each school to consolidate all of the plans that are required by these programs into a school plan for student achievement (SPSA), unless otherwise prohibited by law. If these programs do not require a plan, the Governing Board may require a school that participates in any program included on the consolidated application to develop an SPSA.

Note: Pursuant to Education Code 64001, each school preparing an SPSA must have the SPSA developed and approved by a school site council. Education Code 65000-65001, as added by AB 716, contain requirements for the establishment and membership of school site councils; see the accompanying administrative regulation.

Note: For additional information regarding the development and content of the SPSA, see the accompanying administrative regulation and CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, available on its web site. Education Code 64001 provides that, although SPSAs are not required to be submitted as part of the consolidated application, they will be reviewed by CDE during the Federal Program Monitoring process.

Note: Pursuant to Education Code 64001, districts with a single school may instead utilize the local control and accountability plan (LCAP) to serve as the SPSA if the LCAP meets certain federal planning and stakeholder requirements.

Each district school that participates in one or more federal and/or state categorical programs

funded through the state's consolidated application process pursuant to Education Code 64000 shall establish a school site council in accordance with Education Code 65000-65001. The school site council shall develop, approve, and annually review and update a school plan for student achievement (SPSA) which consolidates the plans required for those categorical programs into a single plan, unless otherwise prohibited by law. (Education Code 64001)

(cf. 1220 - Citizen Advisory Committees)
(cf. 1431 - Waivers)
(cf. 6020 - Parent Involvement)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6190 - Evaluation of the Instructional Program)

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 52062, there must be consistency between a school's SPSA and specific actions included in the district's LCAP. For more detailed requirements of the LCAP, see BP/AR 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all applicable programs, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and its students. The Superintendent or designee shall also ensure consistency between the specific actions included in the district's local control and accountability plan and the strategies identified in each school's SPSA.

Note: Education Code 64001, as amended by AB 716, requires the Board to review and approve a school's SPSA whenever there are material revisions affecting the academic programs for students participating in the categorical programs. Although not explicitly required by law, it is recommended that the Board also review the initial plan.

The Board shall, at a regularly scheduled Board meeting, review and approve each school's SPSA whenever there are any material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. (Education Code 64001)

If the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council. The school site council shall then revise and resubmit the SPSA to the Board for its approval. (Education Code 64001)

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

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the school site council.

Note: Education Code 64001, as amended by AB 716, authorizes a school identified for targeted or comprehensive support pursuant to 20 USC 6303 to use its SPSA to satisfy the requirement for a school improvement plan.

The SPSA may serve as the school improvement plan required when a school is identified for targeted or comprehensive support pursuant to 20 USC 6303. (Education Code 64001)

(cf. 0500 - Accountability)

Note: Education Code 64001, as amended by AB 716, provides that complaints alleging noncompliance with requirements pertaining to school site councils or the SPSA may be addressed through the district's uniform complaint procedures pursuant to 5 CCR 4600-4670.

Any complaint alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA may be filed with the district in accordance with the district's uniform complaint procedures pursuant to 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 64001)

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

52-53 Designation of schools

33133 Information guide for school site councils

35147 Open meeting laws exceptions

52060-52077 Local control and accountability plan

52176 English learner advisory committees

56000-56867 Special education

64000 Categorical programs included in consolidated application

64001 School plan for student achievement, consolidated application programs

65000-65001 School site councils

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

4600-4670 Uniform complaint procedures

11308 English learner advisory committees

UNITED STATES CODE, TITLE 20

6303 School improvement

6311 State plan

6314 Schoolwide programs; schoolwide program plan

6421-6472 Programs for neglected, delinquent, and at-risk children and youth

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7122 Student Support and Academic Enrichment Grants

7341-7355c Rural Education Initiative

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide for Developing the Single Plan for Student Achievement: A Resource for the School
Site Council, February 2014

WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

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

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

WestEd: <http://www.wested.org>

(8/13 7/15) 12/18

Philosophy, Goals, Objectives and Comprehensive Plans

AR 0420

School Plans/Site Councils

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

School Site Councils

Note: Pursuant to Education Code 64001, each school participating in a federal or state categorical program which is funded through the state's consolidated application and requires a school plan for student achievement (SPSA) must establish a school site council that meets the requirements of Education Code 65000-65001, as added by AB 716 (Ch. 471, Statutes of 2018). The school site council is responsible for developing and reviewing the SPSA; see section "School Plan for Student Achievement" below. AB 716 eliminated the authority for another school advisory committee or school group to serve as the school site council for a school that operates a program requiring an SPSA.

Note: Pursuant to Education Code 65000, a school site council must generally include members from all of the categories listed in items #1-5 below, as applicable. However, pursuant to Education Code 65001, a school with a student population of less than 300 may operate a school site council which includes at least one representative from items #1-3 and at least one from items #4-5, provided there is parity between staff and non-staff members and the Governing Board has obtained approval from its local bargaining unit. Education Code 65001 also provides that schools with a common site administration may operate a shared school site council if the school has a student population of less than 300, and up to three schools with a combined student population of less than 1,000 may operate a shared school site council if the schools either share a campus or have geographic proximity to one another with similar student populations. Any shared school site council must meet the requirements of Education Code 65000 with regard to the composition of the council. Districts with any schools meeting these criteria may revise the following section accordingly.

Note: For information about the organization of the school site council, including sample school site council bylaws that address duties, membership, officers, subcommittees, and meetings, see the California Department of Education's (CDE) publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, available on CDE's web site.

Each school that operates a program requiring the development of a school plan for student achievement (SPSA) pursuant to Education Code 64001 shall have a school site council composed of the following: (Education Code 65000)

1. The principal or designee

2. Classroom teachers at the school, selected by the classroom teachers at the school
3. Other school personnel who are not teachers, selected by the other personnel at the school who are not teachers
4. Parents/guardians of students attending the school and/or other members of the community, selected by the parents/guardians of students attending the school

Note: Education Code 65000 requires that secondary schools include students on their school site council. Pursuant to Education Code 52 and 53, secondary schools include high schools and junior high schools. CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council advises that middle schools may include student representation on the school site council at the district's discretion. If the district decides to include middle school or K-8 students on the school site council, then such councils must meet the composition required of secondary schools.

5. If the school is a secondary school, students attending the school selected by other secondary students

(cf. 0450 - Comprehensive Safety Plan)

Half of the school site council membership shall consist of school staff in the categories listed in items #1-3 above, the majority of whom shall be classroom teachers. For an elementary school site council, the remaining half shall be parents/guardians and/or community members. For a secondary school site council, the remaining half shall be parents/guardians, community members, and/or students. (Education Code 65000)

A district employee may serve as a parent/guardian representative on the school site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 65000)

Note: The method of selecting members of school site councils is not specified in law, except that members must be chosen by peers as noted above. No additional membership qualifications may be required. CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council suggests that the selection process may be addressed in Board policy or in bylaws of the school site council. The following optional paragraph may be revised to reflect district practice.

The bylaws of each school site council shall include the method of selecting members and officers, terms of office, responsibilities of council members, time commitment, and a policy of nondiscrimination and equity.

(cf. 0415 - Equity)

***Note: Pursuant to Education Code 35147, school site councils are exempt from open

meeting law requirements (the Brown Act), but must comply with other, less complex procedural requirements as specified; see AR 1220 - Citizen Advisory Committees. Education Code 35147 has not yet been amended for consistency with AB 716, which repealed Education Code 52852 and moved the requirements related to school site councils to Education Code 65000-65001.***

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

(cf. 1220 - Citizen Advisory Committees)

School Plan for Student Achievement

Note: The following section reflects requirements pertaining to the development of the SPSA required for the state and federal categorical programs included in the consolidated application. CDE has developed a template for the SPSA, available on its web site, to help schools meet plan requirements.

The school site council shall develop and annually review and update an SPSA that addresses all federal and/or state categorical programs in which the school participates pursuant to Education Code 64000. (Education Code 64001)

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

Note: Pursuant to Education Code 64001, as amended by AB 716, the SPSA must be developed with the review and advice of the school English learner advisory committee, if required. Education Code 52176 and 5 CCR 11308 require each school with more than 20 English learners to establish a school-level advisory committee on which parents/guardians of such students constitute membership in at least the same percentage as their children represent of the total number of students in the school. See AR 6174 - Education for English Learners.

The SPSA shall be developed with the review, certification, and advice of the school English learner advisory committee, if required. (Education Code 64001)

(cf. 6174 - Education for English Learners)

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

Other school and district committees, including, but not limited to, a parent advisory committee established to review and comment on the district's local control and accountability plan (LCAP), advisory committee established for special education programs, and Western Association of Schools and Colleges leadership teams, may also be consulted on the content of the plan.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6190 - Evaluation of the Instructional Program)

Note: As amended by AB 716, Education Code 64001 requires the school site council to administer a comprehensive needs assessment that forms the basis of the goals in the SPSA. If any district schools are not participating in any state or federal categorical program that requires a plan but the Board requires them to develop an SPSA, the Board may determine the extent to which the needs assessment is applicable and the following paragraph may be revised accordingly.

Before developing the content of the SPSA, the school site council shall conduct a comprehensive needs assessment pursuant to 20 USC 6314, including an analysis of verifiable state data consistent with the state priorities specified in Education Code 52060 and the indicators in the state accountability system. The school may consider any other data developed by the district to measure student outcomes. (Education Code 64001)

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

The SPSA shall include all of the following: (Education Code 64001)

1. Goals to improve student outcomes, including goals that address the needs of student groups as identified through the needs assessment
2. Evidence-based strategies, actions, or services
3. Proposed expenditures based on the projected resource allocation from the district to address the findings of the needs assessment, including identifying resource inequities, which may include a review of the district's budgeting, the LCAP, and school-level budgeting, if applicable

Note: CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council clarifies that the SPSA must address all plan components required for individual categorical programs covered by the SPSA.

In addition to meeting the requirements common to all applicable school plans, the SPSA shall address any content required by law for each individual categorical program in which the school participates.

The school site council shall approve the proposed SPSA at a meeting for which public notice has been posted. Whenever there are material revisions to the SPSA which affect the academic programs for students participating in applicable programs, the SPSA shall be submitted to the Governing Board for review and approval at a regularly scheduled Board meeting. (Education Code 35147, 64001)

***Note: Pursuant to Education Code 64001, as amended by AB 716, the SPSA must include a

process for evaluating and monitoring the implementation of the SPSA and progress toward accomplishing the goals set forth in the SPSA. CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council contains an annual evaluation tool to assist school site councils in assessing the effectiveness of the plan.***

The school site council shall regularly monitor the implementation and effectiveness of the SPSA and modify any activities that prove ineffective. At least once per year, the principal or designee shall evaluate results of improvement efforts and report to the Board, school site council, and other interested parties regarding progress toward school goals.

The school site council may amend the SPSA at any time through the same process required for the annual update of the plan.

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Comprehensive Safety Plan

Note: Pursuant to Education Code 32280-32289, districts are responsible for ensuring that a comprehensive safety plan with specified components is in place for each district school. As amended by AB 1747 (Ch. 806, Statutes of 2018), Education Code 32282 requires the California Department of Education (CDE) to post on its web site a compliance checklist for developing comprehensive safety plans, and Education Code 32288 requires CDE to post best practices for reviewing and approving the plans. Beginning in the 2018-19 school year, comprehensive safety plans will be audited through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515 - Campus Security)
(cf. 3515.2 - Disruptions)
(cf. 3515.3 - District Police/Security Department)
(cf. 3515.7 - Firearms on School Grounds)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5131.4 - Student Disturbances)
(cf. 5131.41 - Use of Seclusion and Restraint)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

***Note: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to

reflect district practice. Any district may choose to develop both district and school plans.***

OPTION 1: (Districts with more than 2,500 ADA, and districts with 2,500 or less ADA that choose to develop school site plans)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

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

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

OPTION 2: (Districts with 2,500 or less ADA that choose to develop a districtwide plan)

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

Note: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the comprehensive safety plan by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Note: Pursuant to Education Code 32288, the updated plan(s) must be submitted to the district for approval. The Governing Board may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

(cf. 0500 - Accountability)
(cf. 9320 - Meetings and Notices)

Note: Education Code 32288 requires that districts notify CDE if a school has not complied with the safety plan requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to \$2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Tactical Response Plan

Note: The following section is optional. Pursuant to Education Code 32281, the Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

Note: The following paragraph is optional. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

Note: Education Code 32281, as amended by AB 1747, adds a requirement to share the comprehensive safety plans with the following entities.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

41020 Annual audits

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

GOVERNMENT CODE

54957 Closed session meetings for threats to security

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

Uniform Crime Reporting Handbook, 2004

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004

WEB SITES

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

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

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

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

Centers for Disease Control and Prevention: <http://www.cdc.gov/ViolencePrevention>

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

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

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

U.S. Secret Service, National Threat Assessment Center:

<http://www.secretservice.gov/protection/ntac>

Comprehensive Safety Plan

Note: The following optional administrative regulation should be revised to reflect district practice.

Note: Pursuant to Education Code 234.5, the California Department of Education (CDE) has posted on its web site a list of statewide resources for youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying, and youth affected by gangs, gun violence, and psychological trauma caused by violence at home, at school, and in the community.

Development and Review of Comprehensive School Safety Plan

Note: The following section reflects requirements for the development of site-level comprehensive safety plans pursuant to Education Code 32280-32289 and is for use by districts that selected Option 1 in the accompanying Board policy. Districts with an average daily attendance (ADA) of 2,500 or less that selected Option 2 in the accompanying Board policy (i.e., that have developed a districtwide comprehensive safety plan applicable to all school sites in lieu of individual site plans, as authorized by Education Code 32281) should omit this section.

Note: As amended by AB 1747 (Ch. 806, Statutes of 2018), Education Code 32281 requires school site councils to consult with the fire department and other first responders, in addition to local law enforcement, in the writing and development of comprehensive safety plans.

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety committees. (Education Code 32281, 32282)

(cf. 0420 - School Plans/Site Councils)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee

organization

Note: Item #5 below may be modified to specify other groups or individuals who will be represented on the committee. For example, the committee might include representatives of social service agencies, other city or county agencies, health care and emergency service providers, community-based organizations, and/or students.

5. Other members, if desired

(cf. 1220 - Citizen Advisory Committees)

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

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor

2. A representative of the local school employee organization

3. A representative of each parent organization at the school, including the parent teacher association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

4. A representative of each teacher organization at the school

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

5. A representative of the school's student body government

6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations

2. Local civic leaders

3. Local business organizations

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

Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

Note: The following optional paragraph may be revised to reflect district practice. In assessing the current status of school crime as required by Education Code 32282, districts may contract with a consultant, work with local law enforcement, develop their own local assessment, and/or use available instruments such as the California Healthy Kids Survey or the Centers for Disease Control and Prevention's Youth Risk Behavior Survey.

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

Note: Education Code 32282 requires that the following components be included in the districtwide and/or school site safety plan. The district may expand this list to require other components at its discretion.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Routine and emergency disaster procedures including, but not limited to:

- a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

(cf. 6159 - Individualized Education Program)

Note: Education Code 32282 requires districts to incorporate earthquake emergency procedures into the comprehensive safety plan, as specified in items #2b and #2c below. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan and AR 3516.3 - Earthquake Emergency Procedure System for further details about required components of these procedures. As amended by AB 1747, Education Code 32282 requires CDE to provide guidance to districts in regard to the contents of school building disaster plans.

- b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 1330 - Use of School Facilities)
(cf. 3516.1 - Fire Drills and Fires)
(cf. 3516.2 - Bomb Threats)
(cf. 3516.5 - Emergency Schedules)
(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

(cf. 4158/4258/4358 - Employee Security)

Note: Education Code 234.1 requires the Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment. In addition, the district's complaint process must include a timeline for investigating and resolving complaints and an appeals process; see BP/AR 1312.3 - Uniform Complaint Procedures.

Note: Education Code 234.4, as amended by AB 2291 (Ch. 491, Statutes of 2018), requires districts to adopt, by December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. See BP 5131.2 - Bullying.

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

(cf. 5132 - Dress and Grooming)

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning

(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

(cf. 5144 - Discipline)

Note: Pursuant to Education Code 32282, as amended by AB 1747, schools are required to include in their comprehensive safety plans procedures for conducting tactical responses to criminal incidents, as specified in item #10. Such procedures must be based on the specific needs and context of each school and community.

Note: Pursuant to Education Code 32281, the Governing Board may elect to have district administrators, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury; see the accompanying Board policy.

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions

Note: The following components are optional and should be revised to reflect district practice.

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Note: Education Code 32282 and 32261 encourage, but do not require, all comprehensive safety plans to include policies and procedures aimed at the prevention of bullying, as defined in Education Code 48900(r).

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5131 - Conduct)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.8 - Comprehensive Health Education)

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

7. District policy related to possession of firearms and ammunition on school grounds

(cf. 3515.7 - Firearms on School Grounds)

8. Measures to prevent or minimize the influence of gangs on campus

(cf. 5136 - Gangs)

Note: Education Code 32281 authorizes the principal, upon receiving verification from law enforcement, to notify parents/guardians and employees in writing that a violent crime has occurred on the school site. A "violent crime" is any act for which a student could be expelled and which meets the definition listed in Education Code 67381, including homicide, rape, robbery, and aggravated assault, as defined in the Federal Bureau of Investigation's Uniform Crime Reporting Handbook. Education Code 32281 encourages that the notice be sent no later than the second workday after receiving verification from law enforcement.

Note: 20 USC 7912 requires that all students attending a "persistently dangerous" school be provided notice of the designation and an option to transfer to a different school within the district. See BP/AR 5116.1 - Intradistrict Open Enrollment.

9. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

(cf. 5116.1 - Intradistrict Open Enrollment)

10. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 3530 - Risk Management/Insurance)

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.5 - Vandalism and Graffiti)

Note: Education Code 32282.1 does not require, but encourages, that comprehensive safety plans include the strategies described in item #11 below, to the extent the district uses the listed professionals.

11. Guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement

- b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
- c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

12. Strategies for suicide prevention and intervention

(cf. 5141.52 - Suicide Prevention)

Note: Penal Code 626.8 provides that a person may be guilty of a misdemeanor for infringing with or disrupting a school activity, remaining on campus after having been asked to leave, reentering within seven days of being asked to leave, establishing a continued pattern of unauthorized entry, or willfully or knowingly creating a disruption with the intent to threaten the immediate physical safety of a student in preschool or grades K-8 who is arriving at, attending, or leaving school; see BP/AR 3515.2 - Disruptions.

- 13. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

(cf. 3515.2 - Disruptions)

14. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

(cf. 3515.5 - Sex Offender Notification)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.41 - Use of Seclusion and Restraint)

- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

(cf. 1112 - Media Relations)
(cf. 9010 - Public Statements)

- f. Development of a method for the reporting of violent incidents
- g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

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

Note: Pursuant to Education Code 32284, the comprehensive safety plan may, at the discretion of the Board, include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No state funds may be used for this purpose.

16. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

(cf. 3510 - Green School Operations)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)

Board Bylaws

BB 9323.2

Actions By The Board

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

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

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

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9012 - Board Member Electronic Communications)

(cf. 9200 - Limits of Board Member Authority)

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

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

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

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

(cf. 9324 - Minutes and Recordings)

Action on Non-Agenda Items

***Note: The Brown Act (Government Code 54950-54963) generally prohibits any action or discussion of items not on the posted agenda. However, Government Code 54954.2 provides for

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

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

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

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

Challenging Board Actions

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

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

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

***Note: Pursuant to Government Code 54960.2, the Board may respond within 30 days of receiving the cease and desist letter. If the Board decides to respond to the letter with an

unconditional commitment to desist from repeating the past action, the unconditional commitment is required to be substantially in the same form provided in Government Code 54960.2 and to be approved in an open session of the Board's regular or special meeting. For a sample unconditional commitment letter, see E(2) 9323.2.***

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

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

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

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

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

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

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

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

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

Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.
2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.
3. Take no action. If the Board takes no action within the 30-day period, its inaction shall be considered a decision not to cure or correct the challenged action.

Legal Reference:

EDUCATION CODE

15266 School construction bonds
17466 Declaration of intent to sell or lease real property
17481 Lease of property with residence for nondistrict purposes
17510-17512 Leasing for production of gas, resolution requiring unanimous vote
17546 Private sale of personal property
17556-17561 Dedication of real property
35140-35149 Meetings
35160-35178.4 Powers and duties
48660-48661 Community day schools, establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue
1245.240 Eminent domain vote requirements
1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities
53724 Parcel tax resolution requirements
53790-53792 Exceeding the budget
53820-53833 Temporary borrowing
53850-53858 Temporary borrowing
54950-54963 The Ralph M. Brown Act, especially:
54952.6 Action taken, definition

54953 Meetings to be open and public; attendance; prohibition against secret ballots
54960-54960.5 Actions to prevent violations
65352.2 Coordination with planning agency
PUBLIC CONTRACT CODE
3400 Bid specifications
20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
20113 Emergencies, award of contracts without bids
20114 Repairs, maintenance, and improvements to district facilities by day labor or force account
22034 Uniform Public Construction Cost Accounting Act informal bidding ordinance
22035 Repair or replacement of facilities in case of emergency
22050 Emergency contracting procedures

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310
Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672
Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

Management Resources:

CSBA PUBLICATIONS

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

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010

WEB SITES

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

Institute for Local Government: <http://www.ca-ilg.org>

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

Board Bylaws

E 9323.2

Actions By The Board

Exhibit 1

ACTIONS REQUIRING A SUPER MAJORITY VOTE

Note: The following exhibit lists some of the Governing Board actions that require more than a simple majority vote. Other such actions may exist and may be identified in the future.

Actions Requiring a Two-Thirds Vote of the Board:

Note: For an action requiring a two-thirds vote to pass, a three-member board will need two board members to vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need five board members to vote in favor of the item.

1. Resolution declaring the Governing Board's intention to sell or lease real property (Education Code 17466)

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

2. Resolution declaring the Board's intent to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)

3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)

4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)

Note: Item #5 below is different from temporary borrowing pursuant to Government Code 53850-53858 which requires only a majority vote of the Board.

5. Request for temporary borrowing of funds needed for immediate requirements of the district to pay district obligations incurred before the receipt of district income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)

6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)

(cf. 7131 - Relations with Local Agencies)
(cf. 7150 - Site Selection and Development)
(cf. 7160 - Charter School Facilities)

7. When the district is organized to serve only grades K-8, action to establish a community day school for any of grades K-8 (Education Code 48660)

(cf. 6185 - Community Day School)

8. When the district is organized to serve only grades K-8, has an average daily attendance (ADA) of 2,500 or less, or desires to operate a community day school to serve any of grades K-6 (and no higher grades) and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

9. Resolution of intent to issue general obligation bonds with the approval of 55 percent of the voters of the district (Education Code 15266)

(cf. 7214 - General Obligation Bonds)

10. Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)

(cf. 7213 - School Facilities Improvement Districts)

11. Resolution to place a parcel tax on the ballot (Government Code 53724)

Note: Code of Civil Procedure 1245.240 requires that, prior to commencing an eminent domain action, the Board adopt a resolution of necessity approved by a two-thirds vote of the Board unless a greater vote is required by statute, charter, or ordinance. In addition, if the Board desires to use the property for a different purpose than stated in the resolution of necessity, then pursuant to Code of Civil Procedure 1245.245, the Board must adopt, by two-thirds vote, another resolution authorizing the different use unless a greater vote is required by statute, charter, or ordinance.

12. Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

Note: Item #13 is for use by three-member boards.

13. When the district has a three-member Board, action to respond to an emergency facilities condition without giving notice for bids to let contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)

2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

Actions Requiring a Four-Fifths Vote of the Board:

Note: For an action requiring a four-fifths vote to pass, a three-member board will need a unanimous vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need six board members to vote in favor of the item.

1. Expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

(cf. 3110 - Transfer of Funds)

2. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)

3. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823-53824)

4. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

(cf. 3311 - Bids)

Note: Item #5 is for use by districts governed by a five-member or seven-member board.

5. When the district has a five-member or seven-member Board, action to respond to an emergency facilities condition without giving notice for bids to let contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

Note: AB 2249 (Ch. 169, Statutes of 2018) amended Public Contract Code 22034 to change the thresholds for public works projects bid pursuant to the Uniform Public Construction Cost Accounting Act, thereby increasing the amount requiring board resolution, as provided in item #6.

6. Resolution to award a contract for a public works project at \$212,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the Uniform Public Construction Cost Accounting Act for projects of \$200,000 or less, all bids received are in excess of \$200,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

Actions Requiring a Unanimous Vote of the Board:

1. Resolution authorizing and prescribing the terms of a lease of district property for extraction and taking of gas not associated with oil (Education Code 17510-17511)
2. Authorization of the use of day labor or force account, or waiver of the competitive bid process pursuant to Public Contract Code 20111, when the Board determines that an emergency exists requiring the repair, alteration, work, or improvement to any facility to permit the continuance of existing classes or to avoid danger to life or property, and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

Action Requiring a Unanimous Vote of the Board Members Present at the Meeting:

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

Exhibit(2) 9323.2

ACTIONS BY THE BOARD

UNCONDITIONAL COMMITMENT LETTER

Note: Government Code 54960 authorizes the district attorney or other interested person to file an action in court to determine the applicability of the Ralph M. Brown Act to any past Governing Board action which is not specified in Government Code 54960.1; see the accompanying board bylaw. Pursuant to Government Code 54960.2, prior to commencing such an action the district attorney or other interested person must send a cease and desist letter to the Board within nine months of the alleged violation. Within 30 days of receiving the cease and desist letter, the Board may respond by sending an unconditional commitment, substantially in the same form provided in Government Code 54960.2, to desist from repeating the past action. If the Board so responds, the district attorney or other interested person may not file an action in court. The following exhibit presents a sample unconditional commitment letter.

To: (Name of district attorney or any interested person)

The Governing Board of (name of school district) has received your cease and desist letter dated (date) alleging that the following past action taken by the Board violates the Ralph M. Brown Act: (Describe alleged past action as set forth in the cease and desist letter.)

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above. The Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

(Name)

(Title of Board President or other designee)