

WILLITS UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
Regular Meeting
Willits High School Media Center
299 North Main Street, Willits, California
Wednesday, August 1, 2018
Open Session - 5:30 p.m.

Public Comments- Individuals may address the Board on regular session agenda items at the time they are under consideration.

Agenda

1. Call Meeting to Order
2. Flag Salute
3. Agenda Approval
4. Informational
 - A. Fieldman, Rolapp and Associates: Facilities/Bond presentation
 - B. San Hedrin WASC presentation
 - C. 2018/19 Budget Update
5. WTA Comments
6. CSEA Comments
7. Superintendent Comments
8. Board Comments
9. Action Discussion
 - A. Public Comment on Consent Agenda Items
 - B. Consent Agenda
 - 1) *Approval of Minutes of the Special Meeting held on July 11, 2018
 - 2) *Approval of Warrant Registers From June 29, 2018- July 12, 2018
 - 3) *Approval of Employee Status Changes (8)
 - 4) *Second Read/Final Approval: BP 1325, Advertising and Promotion
 - 5) *Second Read/Final Approval: BP 3100, Budget
 - 6) *Second Read/Final Approval: BP/E 3515.7, Firearms on School Grounds
 - 7) *Second Read/Final Approval: BP/AR 3517, Facilities Inspection
 - 8) *Second Read/Final Approval: BP 4119.21/4219.21/4319.21, Professional Standards
 - 9) *Second Read/Final Approval: AR 4144/4244/4344, Complaints
 - 10) *Second Read/Final Approval: BP/AR 4200, Classified Personnel
 - 11) *Second Read/Final Approval: BP 5144, Discipline
 - 12) *Second Read/Final Approval: AR 5148.2, Before/After School Programs
 - 13) *Second Read/Final Approval: BP 6146.1, High School Graduation Requirements
 - 14) *Second Read/Final Approval: BP/AR/E 6162.52, High School Exit Examination
 - 15) *Second Read/Final Approval: BB 9150, Student Board Members
 - C. * Second Read/Final Approval: BP/AR 5144.1, Suspension and Expulsion/Due Process- OPTION 1 OR 2
 - D. *Approval of Provisional Internship Permit, Heather Milburn-Education Specialist, Moderate/Severe, Elementary Grades
 - E. *Approval of Resolution 2018/19- 1: Interest Bearing Fund, WUSD Payroll Liabilities
 - F. *Board Policy Revision: First Read E 0420.4.1, Charter School Oversight
 - G. *Board Policy Revision: First Read BP/AR 3514, Environmental Safety
 - H. *Board Policy Revision: First Read BP 3514.1, Hazardous Substances
 - I. *Board Policy Revision: First Read BB/E 9270, Conflict of Interest
10. Public Comments for Items Not on the Agenda
11. Items for next board meeting agenda
12. Adjournment

Willits Unified School District staff and students, in partnership with parents and community members, provide a challenging, caring and safe educational environment, which prepares students to be positive members of the community, effective communicators, problem solvers, and lifelong learners.

Notice: Willits Unified School District adheres to the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact the Superintendent, (707) 459-5314. All efforts will be made for reasonable accommodations.

WEB STREAMING OF BOARD MEETINGS: www.willitsunified.com. For technical assistance, please contact Jennifer Maples (707) 459-5314 ext. 1105

WILLITS UNIFIED SCHOOL DISTRICT
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Public Comments- Individuals may address the Board on regular session agenda items at the time they are under consideration.

Agenda ANALYSIS

1. Call Meeting to Order
2. Flag Salute
3. Agenda Approval

The Board reserves the right to change the Agenda order unless a specified time is listed for an item.

4. Informational
 - A. Fieldman, Rolapp and Associates: Facilities/Bond presentation
 - B. Sanhedrin WASC presentation
 - C. 2018/19 Budget Update
5. WTA Comments
6. CSEA Comments
7. Superintendent Comments
8. Board Comments
9. Action Discussion
 - A. Public Comment on Consent Agenda Items
 - B. Consent Agenda

These items are routine in nature and do not typically require Board discussion.

- 1) *Approval of Minutes of the Special Meeting held on July 11, 2018

Recommendation: Administration recommends the approval of the Minutes of the Special Meeting held on July 11, 2018.
Attachment: Yes

- 2) *Approval of Warrant Registers From June 29, 2018- July 12, 2018

Recommendation: Administration recommends the approval of the warrant registers from June 29, 2018 to July 11, 2018
Attachment: Yes

- 3) *Approval of Employee Status Changes (8)

Background:

Certificated New Hire:

Gregory Reese, 1.0 FTE, Teacher, Willits High School, 06/13/2018

Christopher Carr Jr., 1.0 FTE, Teacher, Willits High School, 06/13/2018

Shaine Rasmussen, 1.0 FTE, Teacher, Baechtel Grove Middle School, 06/13/2018

Certificated Resignation:

Jordan West, 1.0 F.T.E. Teacher, Blosser Lane Elementary School, 06/09/2018

Classified New Hire:

William Cresswell, .38 FTE, Food Service Assistant, Brookside Elementary School, 09/01/2018

Megan Freudenberg, .75 FTE, Health Assistant, District Wide, 08/20/2018

James Ewing, .75 FTE, Substitute Bus Driver, Transportation, 08/20/2018

Stephanie Fisher, .75 FTE, Special Education Instructional Assistant, Willits High School, 08/20/2018

Recommendation: Administration recommends the approval of the employee status changes as presented.

Attachments: Yes

- 4) *Second Read/Final Approval: BP 1325, Advertising and Promotion

Background: Policy updated to reflect **NEW LAW (AB 841)** which prohibits advertising of foods or beverages during the school day, including participation in a corporate incentive program that rewards students with free or discounted foods or beverages, unless the food or beverage complies with nutritional standards. Policy also clarifies court decisions regarding advertisements containing religious viewpoints.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

- 5) *Second Read/Final Approval: BP 3100, Budget

Background: Policy updated to reflect **NEW LAW (SB 751)** which provides that, if the amount of monies in the state Public School System Stabilization Account is three percent or more of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district's combined assigned or unassigned ending general fund balance must not exceed 10 percent of those funds in the immediately following fiscal year, unless the district is a basic aid district, is a district

with average daily attendance of 2,500 or less, or is exempted by the county superintendent of schools under extraordinary fiscal circumstances.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

6) *Second Read/Final Approval: BP/E 3515.7, Firearms on School Grounds

Background:

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

7) *Second Read/Final Approval: BP/AR 3517, Facilities Inspection

Background:

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

8) *Second Read/Final Approval: BP 4119.21/4219.21/4319.21, Professional Standards

Background: Policy updated to reflect **NEW LAW (AB 500)** which requires any district that has an employee code of conduct addressing employee interactions with students to post that section of its code of conduct on each school's web site (or on the district web site if a school does not maintain one) and to provide it to parents/guardians at the beginning of the school year.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

9) *Second Read/Final Approval: AR 4144/4244/4344, Complaints

Background: Regulation updated to delete outdated reference to the use of Williams uniform complaint procedures for complaints alleging the failure to provide intensive instruction to students who did not pass the high school exit exam by the end of grade 12. Regulation reorganized to clarify circumstances that require the use of an alternate complaint procedure.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

10) *Second Read/Final Approval: BP/AR 4200, Classified Personnel

Background: Policy updated to add material formerly in AR regarding the employment of substitute or short-term employees and to clarify that the length of service of a short-term employee must be no longer than 195 days per year. Regulation updated to reflect **NEW LAW (AB 670)** which makes playground aide positions part of the classified service in non-merit system districts

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

11) *Second Read/Final Approval: BP 5144, Discipline

Background: Policy updated to reflect **NEW LAW (SB 250)** which requires districts to ensure that any discipline imposed on a student does not result in the denial or delay of a nutritionally adequate meal to the student.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

12) *Second Read/Final Approval: AR 5148.2, Before/After School Programs

Background: Regulation updated to reflect **NEW LAW (AB 830)** which deletes the requirement that a program operating under the 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) include preparation for the high school exit exam, as that exam has been eliminated.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

13) *Second Read/Final Approval: BP 6146.1, High School Graduation Requirements

Background: Policy updated to reflect **NEW LAW (AB 830)** which repeals the requirement to pass the high school exit exam as a condition of graduation and **NEW LAW (AB 365)** which exempts children of military families from locally established graduation requirements under certain conditions.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

14) *Second Read/Final Approval: BP/AR/E 6162.52, High School Exit Examination

Background: Policy, regulation, and exhibits deleted since **NEW LAW (AB 830)** repeals the requirement to pass the high school exit exam as a condition of graduation.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

15) *Second Read/Final Approval: BB 9150, Student Board Members

Background: Bylaw updated to reflect **NEW LAW (AB 261 and SB 468)** which eliminates the requirement that students petition in order to receive preferential voting rights for student board members. Bylaw also reflects requirement of SB 468 that the district provide student board members with materials and briefings, except those related to closed session, at the same time as other board members.

Recommendation: Administration recommends the final approval of the revised policy as presented.

Attachment: Yes

C. *Second Read/Final Approval: BP/ZR 5144.1, Suspension and Expulsion Due Process- OPTION 1 OR 2

Background: Policy updated to add homeless students as one of the numerically significant student subgroups for whom the district must monitor suspension/expulsion data, and to add board review of disaggregated suspension/expulsion data for the purpose of identifying any disparities in the imposition of discipline. Updated regulation revises the grounds for suspension and expulsion to more directly reflect law which separates out aiding or abetting a crime of physical violence from causing, attempting to cause, or threatening physical violence. Regulation also adds definition of cyber sexual bullying as a ground for suspension/expulsion and reflects **NEW LAW (AB 667)** which requires a student to be informed, during the informal conference required prior to suspension, of the other means of correction that were attempted before suspension.

Recommendation: Administration recommends the final approval of the revised policy upon direction of **OPTION 1** or **OPTION 2**

Attachments: Yes

D. * Approval of Provisional Internship Permit, Heather Milburn- Education Specialist, Moderate/Severe, Elementary Grades

Background: The Provisional Internship Permit (PIP) can be issued by the California commission on Teacher Credentialing (CCTC) at the request of a school employer. It allows the District to fill an immediate staffing need by hiring an individual who has not yet met the subject matter competence requirement needed to enter an internship program. The District's intent to employ an individual with a Provision Internship Permit must be approved by the Board before the CCTC will issue the PIP.

Recommendation: The Administration recommends approval of the District's intent to employ Heather Milburn as an Education Specialist, Moderate/Severe, Elementary Grades, as a certificated staff member with a Provisional Internship Permit.

Attachments: Yes

E. * Approval of Resolution 2018/19-1: Interest Bearing Fund, WUSD Payroll Liabilities

Background: With the implementation of the Escape financial system WUSD needs to establish an interest bearing fund for the use of recording of financial activity of district payroll liabilities.

Recommendation: Administration recommends the board approve Resolution 2018/19-1 as presented.

Attachments: Yes

F. * Board Policy Revision: First Read E 0420.41, Charter School Oversight

Background: Exhibit updated to reflect **NEW LAWS** affecting requirements for charter schools, including **AB 1360** which clarifies that the charter school's admission preferences must be approved by the district board, **AB 830** which repeals the high school exit examination requirement, **AB 1360** which requires parental notification that parent/guardian involvement is not a requirement for enrollment at the charter school, **AB 699** which requires charter schools to adopt policy consistent with the model policy on immigration enforcement developed by the California Attorney General, **AB 2097** (2016) which prohibits the collection of social security numbers, **AB 841** which prohibits advertising or promotion of non-nutritious foods or beverages, **SB 250** which requires parental notification within 10 days of a negative meal account balance and prohibits different treatment of students with unpaid meal fees, and **SB 138** which requires "very high poverty schools" to apply to provide lunch and/or breakfast free of charge to all students under a federal universal service provision.

Recommendation: Administration recommends the board conduct a first read of the revised policy

Attachments: Yes

G. * Board Policy Revision: First Read BP/AR 3514, Environmental Safety

Background: Policy and regulation updated to reflect **NEW LAW (AB 746)** which provides that, if a community water system finds lead above specified levels in a school's potable water system, the district must notify parents/guardians, shut down fountains and faucets, and provide a source of drinking water to students. Policy also deletes details regarding district strategies that are duplicated in the AR. Regulation also updates material related to particulate filters in school buses and carbon monoxide detectors to reflect current law.

Recommendation: Administration recommends the board conduct a first read of the revised policy

Attachments: Yes

H. * Board Policy Revision: First Read BP 3514.1, Hazardous Substances

Background: Policy updated to reflect legal requirements regarding toxic art and craft supplies, formerly in BP 6161.3 - Toxic Art Supplies.

Recommendation: Administration recommends the board conduct a first read of the revised policy

Attachments: Yes

I. * Board Policy Revision: First Read BB/E 9270, Conflict of Interest

Background: The Board is required to review, revise, and submit in even numbered years the Board Bylaw, Conflict of Interest, 9270, and 9270 Exhibit. The Board Bylaw clarifies who is required to file a Form 700 annually.

Recommendation: Administration recommends the board conduct a first read of the board bylaw and exhibit

Attachments: Yes

10. Public Comments for Items Not on the Agenda

This is an opportunity for citizens to address the School Board on any item that is not on the agenda and other school related matters, or suggest topics for future agendas. Because concerns expressed are not agendized for tonight, the Board cannot take action on items introduced under the Public Comments Sections, per state law. The Board President may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

The Board shall not prohibit public criticism of its policies, procedures, programs, service, acts, or omissions (Government Code §54954.3). In addition, the Board may not prohibit public criticism of district employees. Please note: it is requested that

statements critical of personnel or students, or specific actions of personnel or students, be made in accordance with Board Policy 1312.1.

Members of the public are asked to check with the Superintendent, Board President, or Clerk of the board regarding the District Complaint Procedure prior to making statements referring to personnel or students. Employees of the district who wish to make statements related to contractual issues need to file the appropriate grievance procedure statements. Speakers are cautioned that under California law, no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because those comments are made at a public meeting.

11. Items for next board meeting agenda

12. Adjournment

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BOARD OF TRUSTEES
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Wednesday, July 11, 2018
Open Session - 5:00 p.m.

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MINUTES

1. Call Meeting to Order

Board President Bowlds called the meeting to order at 5:04 p.m.

2. Agenda Approval

MSP (Chavez/Colvig) to approve the agendas as presented.

Ayes: Bowlds, Carni, Chavez, Colvig

Noes: None

Absent: Neary

Abstain: None

3. Flag Salute

Board Member Chavez led the flag salute.

Board Member Neary arrived at 5:09 p.m.

4. Information

A. School Resource Officer

Board directed Superintendent Westerburg to proceed with the SRO hiring process.

B. Facilities Update- ATTACHMENT A

Superintendent Westerburg advised on the repair needs for facilities in the district and what the bond process would look like.

5. Superintendent Comments

Superintendent Westerburg reported the summer projects are going well: sealing cracks at the tennis court, purchase of a new heater for the swimming pool (splitting cost with Howard Hospital and City of Willits). Operations at the pool are going very well under the direction of Mattie Pinon-Owen. Blosser Lane walkway project is proceeding with the help of a grant.

6. Board Comments

Board President Bowlds commented that CTE is one of the ways that we can compete with charter schools. Woodshop has just purchased a new CNC machine. The district is making progress in growing these programs

Board Member Neary was happy to announce the graduation of his daughter through Willits Adult School and he held a barbeque reception at his house.

7. Action/Discussion

C. *Board Policy Revision, First Read: BP 1325, Advertising and Promotion

D. *Board Policy Revision, First Read: BP 3100, Budget

E. *Board Policy Revision, First Read: BP/E 3515.7, Firearms on School Grounds

F. *Board Policy Revision, First Read: BP/AR 3517, Facilities Inspection

G. *Board Policy Revision, First Read: BP 4119.21/4219.21/4319.21, Professional Standards

H. *Board Policy Revision, First Read: AR 4144/4244/4344, Complaints

- I. *Board Policy Revision, First Read: BP/AR 4200, Classified Personnel
- J. *Board Policy Revision, First Read: BP 5144, Discipline
- K. *Board Policy Revision, First Read: BP/AR 5144.1, Suspension and Expulsion/Due Process
- L. *Board Policy Revision, First Read: AR 5148.2, Before/After School Programs
- M. *Board Policy Revision, First Read: BP 6146.1, High School Graduation Requirements
- N. *Board Policy Revision, First Read: BP/AR/E 6162.52, High School Exit Examination
- O. *Board Policy Revision, First Read: BB 9150, Student Board Members

The board acknowledges the receipt for first read on agenda items C-O as listed above.

8. Public Comments for Items Not on the Agenda
No comments were received.

9. Items for future agenda
- School Resource Officer update
 - Bus Grant

10. Adjournment

MPS (Chavez/Carni) to adjourn at 7:00 p.m.

Ayes: Bowlds, Carni, Chavez, Colvig, Neary

Noes: None

Absent: None

Abstain: None

Mark Westerburg, Superintendent

Robert Colvig, Board Clerk

WILLITS UNIFIED SCHOOL DISTRICT
Potential 2020 General Obligation Bond Election

SCHEDULED TASKS AND BUDGETED ITEMS*

Revised on:
Wednesday, May 23, 2018

SD = School District - Willits Unified School District
C = County - Mendocino County Registrar of Voters
BC = Bond Counsel - TBD
FA = Financial Advisor - Fieldman, Rolapp & Associates
SC = Survey Consultant - TBD
CC = Communication Consultant - TBD

Date	Description
July - November 2018	Update to Facilities Plan or priority of facilities list
Wednesday, September 05, 2018	Board of Trustees Meeting: - Discuss Process for seeking new General Obligation Bond Measure
Thursday, November 15, 2018	Interview Communication Consultants
January - February 2019	Independent Voter Survey Completed
January - November 2019	Communication Consultant Efforts
Wednesday, March 13, 2019	Board of Trustees Meeting: - Present Initial Survey Results - Present Project List and Bond Financing Plans to Board for feedback
Wednesday, October 02, 2019	Board of Trustees Meeting: - First Reading of Election Resolution - Review Tax Rate Statement, Proposed Bond Project List
Wednesday, November 06, 2019	Board of Trustees Meeting: - Consider Resolution Ordering Election - Resolution requesting consolidation with other elections, authorizing a Tax Rate Statement, and authorizing Board Members to sponsor ballot arguments
Friday, December 06, 2019	Deadline for Board to Withdraw or Amend Bond Measure (88 days prior to Election Date)
December 6, 2019 through Tuesday, March 3, 2020	Advocacy Campaign (Independently-Funded)
Tuesday, March 03, 2020	Election Day

WILLITS UNIFIED SCHOOL DISTRICT
 Potential 2020 General Obligation Bond Election

SCHEDULED TASKS AND BUDGETED ITEMS*

Date	Description
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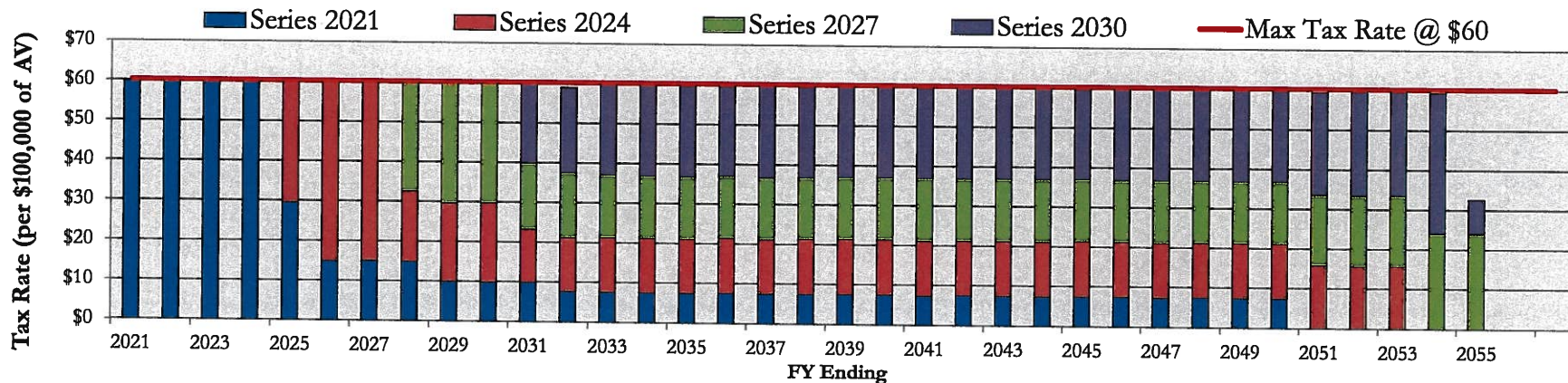
GENERAL OBLIGATION BOARD PLANNING		
SERVICE	MINIMUM	MAXIMUM
Survey Consultant	\$15,000	\$20,000
Communication Consultant	\$49,500	\$71,500
Financial Advisor	\$10,000	\$15,000
TOTAL	\$74,500	\$106,500

* Preliminary, subject to change.
 Assumes monthly charge of \$4,500 to \$6,500

2020 Election Scenario (\$60 Tax Rate)

- ❖ The District can issue approximately \$25 million in general obligation bonds as soon as 2021 assuming a successful bond measure in June or November 2020
- ❖ Maximum tax rate of \$60 per \$100,000 of Assessed Value

Projected Tax Rates - Election of 2020 ⁽¹⁾⁽²⁾



	Series 2021	Series 2024	Series 2027	Series 2030	Total
Dated Date	2/1/2021	8/1/2024	8/1/2027	8/1/2030	
Par	\$6,000,000	\$6,000,000	\$6,000,000	\$7,250,000	\$25,250,000
Project	5,820,000	5,820,000	5,820,000	7,063,750	24,523,750
Final Maturity	8/1/2050	8/1/2053	8/1/2055	8/1/2055	8/1/2055
Repayment	1.44	1.89	2.14	2.13	1.91

^[1] Assumes 3.00% growth in Assessed Value for FY 2018-19 and every year thereafter.

^[2] Series 2021 assumes 15-year average "A" scale per maturity. Each future bond series assumes an additional 50 basis points.

APY250 L.00.05

MENDOCINO COUNTY SCHOOLS
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 06/29/2018

06/29/18 PAGE 1

DISTRICT: 050 WILLITS UNIFIED
BATCH: 0054 BATCH 54 JUN 29 2018

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
	REQ#	REFERENCE LN	FU RESO P OBJE SCH GOAL FUNC DIST		DESCRIPTION	
18735775	011562/	ACCESS				
		PO-180756	1. 01-0010-0-5800-051-0000-2700-0000	02654390		67.88
			WARRANT TOTAL			\$67.88
18735776	011447/	AMAZON CAPITAL SERVICES				
		PO-181015	1. 01-9604-0-4300-051-1110-4200-4377	1CFK-KCV9-1WDX		149.85
			WARRANT TOTAL			\$149.85
18735777	011608/	AMERICAN RED CROSS				
		PO-181053	1. 01-5640-0-5800-001-5001-1110-0000	4 CPR CERTS		112.00
			WARRANT TOTAL			\$112.00
18735778	006615/	APPLE COMPUTER INC				
		PO-180931	1. 11-6391-0-4400-075-4110-1000-0000	6733798428	8543255081	3,694.58
			1. 11-6391-0-4400-075-4110-1000-0000	6733146393	8542534812	53.10
			1. 11-6391-0-4400-075-4110-1000-0000	6733461541	8542910881	1,575.35
			WARRANT TOTAL			\$5,323.03
18735779	010941/	APPLE INC				
		PO-180991	1. 11-6391-0-4300-075-4110-1000-0000	6736078491	8546097608	1,838.80
			WARRANT TOTAL			\$1,838.80
18735780	011232/	ARROW BENEFITS GROUP				
		FV-180476	69-0000-0-5800-001-0000-6000-0047	VISION CLAIMS JUN 18-	JUN 22	147.50
			WARRANT TOTAL			\$147.50
18735781	000265/	AT&T				
		FV-180477	01-0000-0-5903-001-0000-7200-0000	23584133651105		26.50
			WARRANT TOTAL			\$26.50
18735782	006143/	BECKY BOWLDS				
		FV-180478	01-0000-0-8699-000-0000-0000-0000	REPLACES WARRANT 17-	797016	69.63
			WARRANT TOTAL			\$69.63
18735783	007900/	CALIFORNIA SCHOOLS DENTAL				
		PO-180009	1. 68-0000-0-5800-001-0000-6000-0000	70942 MAY DEFICIT		14,471.61

APY250 L.00.05
 DISTRICT: 050 WILLITS UNIFIED
 BATCH: 0054 BATCH 54 JUN 29 2018

MENDOCINO COUNTY SCHOOLS
 COMMERCIAL WARRANT REGISTER
 FOR WARRANTS DATED 06/29/2018

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FU RESO P OBJE SCH GOAL FUNC DIST	DESCRIPTION			

WARRANT TOTAL						\$14,471.61
18735784	011581/	JESSICA CLARK				
		PV-180479	01-0740-0-5200-003-0000-3600-6500		MILAGE REIMBURSEMENT 5/22-6/6	155.87
			WARRANT TOTAL			\$155.87
18735785	009669/	DRIPWORKS				
		PO-180933	1. 01-6387-0-4300-051-3800-1000-4320		QUOTE 583651	1,227.77
			WARRANT TOTAL			\$1,227.77
18735786	009630/	JENNA DUARTE				
		PV-180480	01-0740-0-5200-003-0000-3600-0000		MILAGE REIMBURSEMENT	23.98
			01-0740-0-5800-003-0000-3600-0000		DMV FEE REIMBURSEMENT	5.00
			WARRANT TOTAL			\$28.98
18735787	011540/	KRYSTAL DUNCAN				
		PV-180481	01-0740-0-5200-003-0000-3600-0000		MILAGE REIMBURSEMENT	28.98
			WARRANT TOTAL			\$28.98
18735788	011334/	GLYNLYON INC				
		PO-181061	1. 01-3010-0-5800-051-1110-1000-0000		SUMMER SCHOOL LICENSES	2,500.00
			WARRANT TOTAL			\$2,500.00
18735789	011347/	AMY GROOMS				
		PV-180482	68-0000-0-5800-001-0000-6000-0000		WTA ORTHODONTIST REIMBURSEMENT	500.00
			WARRANT TOTAL			\$500.00
18735790	008248/	ANNE HAMMOND				
		PV-180483	01-3010-0-5200-042-1110-1000-0095		MAKING LITERACY VISIBLE REIMBU	250.00
			WARRANT TOTAL			\$250.00
18735791	011614/	HUDGINS LAURA				
		PV-180484	01-0000-0-5200-001-0000-3140-0000		JAN -JUN MONTHLY MILAGE	198.70
			WARRANT TOTAL			\$198.70
18735792	011580/	JENDI COURSER INC				
		PO-180850	1. 01-0000-0-5800-001-0000-7150-0000		INVOICE 1571	481.25

APY250 L.00.05

MENDOCINO COUNTY SCHOOLS
 COMMERCIAL WARRANT REGISTER
 FOR WARRANTS DATED 06/29/2018

06/29/18 PAGE 3

DISTRICT: 050 WILLITS UNIFIED
 BATCH: 0054 BATCH 54 JUN 29 2018

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FU RESO P OBJE SCH GOAL FUNC DIST	DESCRIPTION			

WARRANT TOTAL						\$481.25
18735793	010465/	JUANITA ROSE MANN				
		FV-180485	01-0000-0-5200-001-0000-7200-0000		MILAE REIMBURSEMENT	27.79
WARRANT TOTAL						\$27.79
18735794	010801/	NEWEGG BUSINESS INC				
		PO-181033	1. 01-9008-0-4300-041-0000-8300-0000		INV 1301364678	2,523.55
WARRANT TOTAL						\$2,523.55
18735795	005760/	SHARON NUNNEMAKER				
		PO-180077	1. 01-0000-0-3701-001-1110-1000-0000		JUNE MEDICARE SUPP & RX	336.50
WARRANT TOTAL						\$336.50
18735796	005245/	OLGA O'NEILL				
		PO-180078	1. 01-0000-0-3701-001-1110-1000-0000		MAY-JUN MEDICARE SUPP RX	744.81
WARRANT TOTAL						\$744.81
18735797	000788/	PURCHASE POWER				
		PO-180102	1. 01-0000-0-5904-001-0000-7300-0000		POSTAGE REFILL	1,408.41
			3. 01-0000-0-5904-041-0000-2700-0000		POSTAGE REFILL	352.83
			11. 01-0000-0-5904-042-0000-2700-0000		POSTAGE REFILL	23.90
			5. 01-0000-0-5904-045-0000-2700-0000		POSTAGE REFILL	0.94
			6. 01-0000-0-5904-047-0000-2700-0000		POSTAGE REFILL	27.99
			10. 01-0000-0-5904-050-3100-2700-0000		POSTAGE REFILL	72.38
			8. 01-0000-0-5904-051-0000-2700-0000		POSTAGE REFILL	1,074.12
			9. 13-5310-0-5904-001-0000-3700-0000		POSTAGE REFILL	99.64
WARRANT TOTAL						\$3,060.21
18735798	010911/	JEFF RITCHLEY				
		FV-180486	01-0010-0-4300-050-3100-8200-0000		MENDO MILL REIMBURSEMENT	38.71
WARRANT TOTAL						\$38.71
18735799	010826/	ROGUE FITNESS				
		FV-180487	01-0000-0-8699-000-0000-0000-0000		REAPLCS WARRANT 18-732896	771.18

APY250 L.00.05

MENDOCINO COUNTY SCHOOLS
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 06/29/2018

DISTRICT: 050 WILLITS UNIFIED
BATCH: 0054 BATCH 54 JUN 29 2018

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
	REQ#	REFERENCE LN	FU RESO P OBJE SCH GOAL FUNC DIST		DESCRIPTION	

WARRANT TOTAL						\$771.18
18735800	009797/	MARIA ROSAS				
		PV-180488	01-0000-0-5812-001-0000-7200-0000		TB TEST REIMBURSEMENT	18.00
WARRANT TOTAL						\$18.00
18735801	000419/	SOLID WASTE OF WILLITS				
		PO-180130	1. 01-0000-0-5540-001-0000-8200-0000		MAY CHGS	88.93
WARRANT TOTAL						\$88.93
18735802	005527/	SONOMA CO OFFICE OF ED				
		PO-181070	1. 01-0000-0-5800-001-1110-1000-7280		BTSA PROGRAM SERVICE FEES	54,800.00
WARRANT TOTAL						\$54,800.00
18735803	009867/	SPEARS TRANSPORTATION				
		PO-180295	1. 01-0740-0-5800-003-0000-3600-6500		INV877	2,116.40
		PO-180680	1. 01-0740-0-5800-003-0000-3600-6500		INV877	46.00
		PO-180903	1. 01-0740-0-5800-003-0000-3600-6500		INV877	699.60
WARRANT TOTAL						\$2,862.00
18735804	010737/	STREAKWAVE				
		PO-180975	1. 01-9008-0-4300-041-0000-7700-0000		723973	389.74
WARRANT TOTAL						\$389.74
18735805	008093/	TAG/AMS INC				
		PO-180027	1. 01-0740-0-5815-003-0000-3600-0000		2733855	214.00
WARRANT TOTAL						\$214.00
18735806	009040/	U.S. CELLULAR				
		PO-170053	1. 01-6500-0-5902-001-5001-2100-0000		0252558568	82.60
WARRANT TOTAL						\$82.60
18735807	011475/	WEST COAST INSTITUTE				
		PO-180785	1. 01-3010-0-5200-052-1110-1000-0095		WALDORF EARLY CHILDHOOD TRAINI	500.00
		PO-181017	1. 01-3010-0-5200-052-1110-1000-0095		ACCOMPANYING THE INCARNATING C	460.00
WARRANT TOTAL						\$960.00

APY250 L.00.05

MENDOCINO COUNTY SCHOOLS
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 06/29/2018

DISTRICT: 050 WILLITS UNIFIED
BATCH: 0054 BATCH 54 JUN 29 2018

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FU RESO P OBJE SCH GOAL FUNC DIST	DESCRIPTION			
18735808	010439/	CHRISTY WHITE ASSOCIATES				
		PO-180085 1. 01-0000-0-5801-001-0000-7190-0000	16-17 AUDIT RETENTION			1,980.00
		WARRANT TOTAL				\$1,980.00
18735809	003613/	HELEN WILLIAMS				
		PO-180015 1. 01-0000-0-3701-001-1110-1000-0000	JUNE MEDICARE SUPP RX			309.63
		WARRANT TOTAL				\$309.63
18735810	009252/	WILLITS KIDS CLUB INC				
		PV-180489 01-6012-0-5800-041-1110-1000-0000	MAY CHARGES			16,065.42
		01-6012-0-5800-042-1110-1000-0000	MAY CHARGES			5,692.11
		01-6012-0-5800-047-1110-1000-0000	MAY CHARGES			10,654.50
		WARRANT TOTAL				\$32,412.03
18735811	009068/	WOODWIND & BRASSWIND				
		PO-180872 1. 01-0010-0-4300-041-1110-1000-4325	ARINV 40913605			179.36
		WARRANT TOTAL				\$179.36
18735812	007769/	WYATT IRRIGATION SUPPLY				
		PO-180934 1. 01-6387-0-4300-051-3800-1000-4320	242067-00			780.70
		WARRANT TOTAL				\$780.70
18735813	011460/	ZONAR SYSTEMS				
		PO-180215 1. 01-0740-0-5800-003-0000-3600-0000	si355324			396.00
		WARRANT TOTAL				\$396.00
***	BATCH TOTALS ***	TOTAL NUMBER OF CHECKS:	39	TOTAL AMOUNT OF CHECKS:		\$130,554.09*
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:		\$.00*
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:		\$.00*
		TOTAL PAYMENTS:	39	TOTAL AMOUNT:		\$130,554.09*
***	DISTRICT TOTALS ***	TOTAL NUMBER OF CHECKS:	39	TOTAL AMOUNT OF CHECKS:		\$130,554.09*
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:		\$.00*
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:		\$.00*
		TOTAL PAYMENTS:	39	TOTAL AMOUNT:		\$130,554.09*

Checks Dated 06/28/2018 through 07/12/2018

Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
736345	07/12/2018	NORTH COAST RAILROAD AUTHORITY	01-5600		2,395.66
736346	07/12/2018	AT&T	01-9500		101.05
736347	07/12/2018	BELNICK RETAIL LLC	01-9500	2,964.40	
			Unpaid Tax	229.08-	2,735.32
736348	07/12/2018	C L Marshall	01-9500		2,125.79
736349	07/12/2018	CALIFORNIA SCHOOL HEALTH LAURA BAYNHAM	01-9500		225.00
736350	07/12/2018	DEFATTE EQUIPMENT INC	01-9500		347.66
736351	07/12/2018	JENNA R. DUARTE	01-5200	1,007.94	
			01-9500	95.92	1,103.86
736352	07/12/2018	EFOOTBRIDGE LLC	01-9500		4,364.56
736353	07/12/2018	EKDAHL, STEVEN	01-9500		488.01
736354	07/12/2018	HOME DEPOT CREDIT SERVICES//DE PT 32-2540616731	01-9500		652.63
736355	07/12/2018	HOUSE DOCTOR PAINT STORE	01-9500		253.11
736356	07/12/2018	J W PEPPER & SON INC	01-9500		132.56
736357	07/12/2018	KEMPTON-MILLIKEN, NANCY	01-9500		327.97
736358	07/12/2018	KELLEY LABUS	01-9500		807.98
736359	07/12/2018	LESLIE'S POOL SUPPLIES INC	01-9500		818.10
736360	07/12/2018	PG&E	01-9500		30,516.77
736361	07/12/2018	ROUND TREE GLASS INC	01-9500		3,760.04
736362	07/12/2018	SEQUEIRA, GEORGE	01-5600		600.00
736363	07/12/2018	Short, Susan	01-9500		930.35
736364	07/12/2018	WILLITS TIRE AUTO	01-9500		2,406.66
736365	07/12/2018	WILLITS, CITY OF	01-9500		13,791.77
736366	07/12/2018	XEROX CORPORATION	01-9500		2,688.00
Total Number of Checks			22		71,572.85

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	GENERAL FUND	22	71,801.93
	Total Number of Checks	22	71,801.93
	Less Unpaid Tax Liability		229.08-
	Net (Check Amount)		71,572.85

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

**WILLITS UNIFIED SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT**

1277 Blosser Lane
Willits, CA 95490
(707) 459-5314

Date: 08/01/2018
To: Trina Cardillo
From: Lynda Walker
Re: Info for August 1, 2018 Board Meeting

Certificated New Hire:

Gregory Reese, 1.0 FTE, Teacher, Willits High School, 06/13/2018

Christopher Carr Jr., 1.0 FTE, Teacher, Willits High School, 06/13/2018

Shaine Rasmussen, 1.0 FTE, Teacher, Baechtel Grove Middle School,
06/13/2018

Certificated Resignation:

Jordan West, 1.0 FTE, Teacher, Blosser Lane Elementary School, 06/09/2018

Classified New Hire:

William Cresswell, .38 FTE, Food Service Assistant, Brookside Elementary
School, 09/01/2018

Megan Freudenberg, .75 FTE, Health Assistant, District Wide, 08/20/2018

James Ewing, .75 FTE, Student Intervention Tech, Baechtel Grove Middle
School, 08/20/2018

Stephanie Fisher, .75 FTE, Special Education Instructional Assistant, Willits
High School, 08/20/2018

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP 1325 - Advertising and Promotion

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BP revised)

Policy updated to reflect **NEW LAW (AB 841)** which prohibits advertising of foods or beverages during the school day, including participation in a corporate incentive program that rewards students with free or discounted foods or beverages, unless the food or beverage complies with nutritional standards. Policy also clarifies court decisions regarding advertisements containing religious viewpoints.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Advertising And Promotion

~~Limited Open Forum~~

~~The Governing Board of Trustees desires to promote positive relationships between schools and the community in order to enhance community support and involvement in district schools establishes this policy to ensure effective and consistent standards for advertisements and promotions by non-school groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 – Freedom of Speech/Expression~~

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

~~(cf. 1114 – District- Sponsored Social Media~~

~~(cf. 1330 - Use of School Facilities)~~

~~(cf. 5145.2 - Freedom of Speech/Expression)~~

~~(cf. 6145.5 - Student Organizations and Equal Access)~~

~~The board desires to promote positive relationships between district schools and the community in order to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy approve:~~

~~1. Distribution of noncommercial materials that publicize services, special events, public meetings or other gatherings of interest to students or parents/guardians~~

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

~~(cf. 5145.2 – Freedom of Speech/Expression)~~

~~(cf. 6145.5 – Student Organizations and Equal Access)~~

~~(cf. 6162.8 - Research)~~

~~2. Distribution of promotional materials of a commercial nature to students or parents/guardians~~

~~(cf. 1700 – Relations Between Private Industry and the Schools~~

~~3. Paid advertisements on school property, including but not limited to, billboard advertisements on school buildings, athletic fields, scoreboards, and billboards~~

~~4. Paid advertisements in school-sponsored publications, yearbooks, announcements and other school communications including web sites and social media~~

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

~~54. Products and materials donated by commercial enterprises for educational use, including those that in the classroom, as long as they serve an educational purpose and do not unduly promote any commercial activity or products. Such materials may bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product.~~

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6161.11 - Supplementary Instructional Materials)

~~Prior to the distribution, posting, or publishing of any non-school group' promotional or advertisement, publication, the Superintendent, principal or designee shall review the materials or advertisement based on the criteria listed below. and approve all advertising copy and promotional materials to ensure compliance with Board policy.~~

~~The Superintendent, principal or designee may selectively approve or disapprove distribution of materials or publishing of copy based on the criteria listed below, but He/she may not disapprove materials or advertisement copy in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is that would otherwise be allowed by Board policy.~~

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

~~As necessary, the Superintendent, principal, or designee shall require a disclaimer on any non-school group's The use of promotional materials to be distributed, posted, or publishes, stating that the distribution, posting, or publishing of the materials or advertisements does not imply district endorsement of the group's activities, ny identified products or services. District- and school-sponsored publications shall Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the district or school does not endorse any advertised products or services.~~

Criteria for Approval

The Superintendent, principal or designee shall not accept for distribution, or allow on school property any materials or advertisements that:

1. Are lewd, obscene, libelous or slanderous
2. Incite students to commit unlawful acts, violate school rules or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party or ballot measure, unless ~~such materials are being distributed at a forum in which the~~ candidates or advocates from all sides are provided the opportunity to presenting their views to the students during school hours or during events scheduled pursuant to the Civic Center Act

(cf. 1160 - Political Processes)

~~(cf. 1230 - Use of School Facilities)~~

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

4. Contain prayer or proselytizing language

5. Position the district on any side of a controversial issue

(cf. 6144 - Controversial Issues)

64. Discriminate against, attack or denigrate any group on account of any unlawful consideration

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

75. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including but not limited to materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

96. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

(cf. [1321](#) - Solicitation of Funds from and by Students)

107. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students or are of intrinsic value to the students or their parents/guardians.

(cf. [0000](#) - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks. ~~Such criteria may limit advertisements to those that contain or commemorative messages, curriculum related content, advertisements for products or services of interest~~

~~to students, noncontroversial content, and/or other content as~~ deemed appropriate by the Superintendent or designee school publication staff and adviser in accordance with law and Board policy.

Legal Reference:

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38138 Civic Center Act

49430-49434 *The Pupil Nutrition, Health, and Achievement Act of 2001, especially:*

49431.9 *Advertisement of non-nutritious foods*

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

CALIFORNIA CONSTITUTION

Article 1, Section 2 *Free speech rights*

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

UNITED STATES CODE, TITLE 42

1751-1769j *School Lunch Program*

1773 *School Breakfast Program*

COURT CASES

Hills v. Scottsdale Unified School District, (2003) 329 F.3d 1044

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

Management Resources:

WEB SITES

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

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

Advertising And Promotion

The Governing Board establishes this policy to ensure effective and consistent standards for advertisements and promotions by non-school groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 – Freedom of Speech/Expression

(cf. 1113 - District and School Web Sites)

(cf. 1114 – District- Sponsored Social Media

(cf. 1330 - Use of School Facilities)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6145.5 - Student Organizations and Equal Access)

The board desires to promote positive relationships between district schools and the community in order to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings or other gatherings of interest to students or parents/guardians

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

(cf. 6162.8 - Research)

2. Distribution of promotional materials of a commercial nature to students or parents/guardians

(cf. 1700 – Relations Between Private Industry and the Schools

3. Paid advertisements on school property, including but not limited to, advertisements on school buildings, athletic fields, scoreboards, and billboards

4. Paid advertisements in school-sponsored publications, yearbooks, announcements and other school communications including web sites and social media

5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product.

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6161.11 - Supplementary Instructional Materials)

Prior to the distribution, posting, or publishing of any non-school group's promotional or advertisement, the Superintendent, principal or designee shall review the materials or advertisement based on the criteria listed below.

He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any non-school group's promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products or services. District- and school-sponsored publications shall include a disclaimer stating that the district or school does not endorse any advertised products or services.

Criteria for Approval

The Superintendent, principal or designee shall not accept for distribution, or allow on school property any materials or advertisements that:

1. Are lewd, obscene, libelous or slanderous
2. Incite students to commit unlawful acts, violate school rules or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act

(cf. [1160](#) - Political Processes)

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

4. Contain prayer or proselytizing language
5. Position the district on any side of a controversial issue

(cf. [6144](#) - *Controversial Issues*)

6. Discriminate against, attack or denigrate any group on account of any unlawful consideration

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

7. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including but not limited to materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children

(cf. [5131.6](#) - *Alcohol and Other Drugs*)

(cf. [5131.62](#) - *Tobacco*)

8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)

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

9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

(cf. [1321](#) - Solicitation of Funds from and by Students)

10. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students or are of intrinsic value to the students or their parents/guardians.

(cf. [0000](#) - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

Legal Reference:

EDUCATION CODE

[7050-7058](#) Political activities of school officers and employees

[35160](#) Authority of governing boards

[35160.1](#) Broad authority of school districts

[35172](#) Promotional activities

[38130-38138](#) Civic Center Act

49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:

49431.9 Advertisement of non-nutritious foods

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

CALIFORNIA CONSTITUTION

Article 1, Section 2 Free speech rights

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

COURT CASES

Hills v. Scottsdale Unified School District, (2003) 329 F.3d 1044

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

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Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

Management Resources:

WEB SITES

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

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP 3100 - Budget

Priority:
Communication

Objective:
To conduct a second/final read of the revised policy

Background:
(BP revised)
Policy updated to reflect NEW LAW (SB 751) which provides that, if the amount of monies in the state Public School System Stabilization Account is three percent or more of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district's combined assigned or unassigned ending general fund balance must not exceed 10 percent of those funds in the immediately following fiscal year, unless the district is a basic aid district, is a district with average daily attendance of 2,500 or less, or is exempted by the county superintendent of schools under extraordinary fiscal circumstances.

Funding/Source:
None

Recommendation:
Administration recommends the board conduct a final read of the revised policy

Budget

The Governing Board of Trustees recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, ~~and priorities~~ and local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide ~~administrative~~ decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0460 - Local Control and Accountability Plan)

~~(cf. 3000 - Concepts and Roles)~~

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

~~The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127(i). He/she shall annually notify the County Superintendent of Schools of the district's decision to use the single budget adoption process in the subsequent year.~~

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board encourages ~~public input in the budget development process~~ and shall hold a public hearings on the proposed budget and meetings in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)

(cf. [9322](#) - Agenda/Meeting Materials)

(cf. [9323](#) - Meeting Conduct)

The Board shall adopt the district budget on or before July 1 of each year. (Education Code 42127)

At a public meeting scheduled on a date after the public hearing on the budget, the Board shall, following its adoption of the LCAP or an annual update to the LCAP, adopt the budget. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

The budget that is formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as ~~be in the format~~ prescribed by the Superintendent of Public Instruction. (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file with the County Superintendent of Schools the adopted district budget and supporting data. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

(cf. [1340](#) - Access to District Records)

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to his/her recommendations at a public meeting on or before October 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Advisory Committee

The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

The committee shall submit ~~develop~~ recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board or the Superintendent or designee.

(cf. [1220](#) - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. [3350](#) - Travel Expenses)

(cf. [9130](#) - Board Committees)

(cf. [9140](#) - Board Representatives)

Budget Criteria and Standards

~~The In developing the district budget, the Superintendent or designee shall analyze criteria and standards specified in a 5 CCR 15440-15450 adopted by the State Board of Education which address estimation of funded as they related to projections of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, local control funding formula revenue, projected revenue limit, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, unrestricted general fund balance, and reserves. In addition he/she shall provide the The budget review shall also identify supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, regarding contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. and the status of labor agreements.~~
(Education Code [33127](#), [33128](#), [33128.3](#), [33129](#), [42127.01](#); 5 CCR [15440-15451](#))

~~The Board shall establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of law. (Education Code [33128.3](#); 5 CCR [15450](#))~~

The district budget shall provide for increasing or improving services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. Unduplicated students are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code [42238.07](#); 5 CCR [15496](#))

(cf. [3553](#) - Free and Reduced Price Meals)

(cf. [6173.1](#) - Education for Foster Youth)

(cf. [6174](#) - Education for English Learners)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, ~~categorical~~ program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

(cf. [2210](#) - Administrative Discretion Regarding Board Policy)

(cf. [3110](#) - Transfer of Funds)

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.
2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.
3. Committed fund balance includes amounts constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period of June 30, although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which the Board or its designee intends to use for a specific purpose but do not meet the criteria to be classified as restricted or committed.

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent or designee and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements.

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

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

~~To protect the district against unforeseen circumstances such as revenue shortfalls and unanticipated expenditures, the~~ The Board intends to maintain a minimum unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances. which includes a reserve for economic uncertainties of five percent of general fund expenditures and other financing uses.

If the assigned and unassigned fund balance falls below this level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

In any year that the district is notified by the Superintendent of Public Instruction that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds. (Education Code 41202, 42127.01)

Long-Term Financial Obligations

The district's current-year budget and multi-year projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. [4141/4241](#) - Collective Bargaining Agreement)

~~(cf. [4143/4243](#) - Negotiations/Consultation)~~

(cf. [4154/4254/4354](#) - Health and Welfare Benefits)

(cf. [7210](#) - Facilities Financing)

(cf. [9250](#) - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code [42140](#))

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code [42141](#))

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code [42127](#))

Budget Amendments

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon

as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval when the state budget is adopted, collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools

33127-33131 Standards and criteria for local budgets and expenditures

~~35035 Powers and duties of superintendent~~

~~35161 Powers and duties, generally, of governing boards~~

41202 Determination of minimum level of education funding

42103 Public hearing on proposed budget; requirements for content of proposed budget

42122-42129 Budget requirements

42130-42134 Financial certifications

42140-42141 Disclosure of fiscal obligations

~~42238-42251 *Apportionments to districts, especially:*~~

~~42238.01-42238.07 *Local control funding formula*~~

42602 Use of unbudgeted funds

~~42605 *Tier 3 categorical flexibility*~~

42610 Appropriation of excess funds and limitation thereon

~~44518-44519.2 *Chief business officer training program*~~

45253 Annual budget of personnel commission

45254 First year budget of personnel commission

52060-52077 Local control and accountability plan

GOVERNMENT CODE

7900-7914 Appropriations limit

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure

15440-15451 Criteria and standards for school district budgets

15494-15496 Local control funding formula, expenditures

Management Resources:

~~CSBA PUBLICATIONS~~

~~Maximizing School Board Governance: Budget Planning and Adoption, 2006~~

~~Maximizing School Board Governance: Understanding District Budgets, 2006~~

~~School Finance CD-ROM, 2005~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 75, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2015

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

~~Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004~~

~~Statement 34, Basic Financial Statements and Management's Discussion and Analysis—For State and Local Governments, June 1999~~

WEB SITES

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

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

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

California Department of Finance: <http://www.dof.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Government Finance Officers Association: <http://www.gfoa.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

~~Legislative Analyst's Office: <http://www.lao.ca.gov>~~

School Services of California, Inc.: <http://www.sscal.com>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

Budget

The Governing Board recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, priorities and local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board encourages shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

The Board shall adopt the district budget on or before July 1 of each year. (Education Code 42127)

At a public meeting scheduled on a date after the public hearing on the budget, the Board shall,

following its adoption of the LCAP or an annual update to the LCAP, adopt the budget. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

The budget that is formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction. (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file with the County Superintendent of Schools the adopted district budget and supporting data. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

(cf. 1340 - Access to District Records)

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to his/her recommendations at a public meeting on or before October 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Advisory Committee

The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

The committee shall submit recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board.

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 3350 - Travel Expenses)

(cf. 9130 - Board Committees)

(cf. 9140 - Board Representatives)

Budget Criteria and Standards

The Superintendent or designee shall develop a district budget in accordance with state criteria and standards specified in 5 CCR 15440-15450 as they related to projections of average daily attendance (ADA), enrollment, ratio of ADA to enrollment, local control funding formula revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, unrestricted general

fund balance, and reserves. In addition he/she shall provide the supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code [33128](#), [33128.3](#), [33129](#), [42127.01](#); 5 CCR [15440-15451](#))

The district budget shall provide for increasing or improving services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. *Unduplicated students* are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code [42238.07](#); 5 CCR 15496)

(*cf. 3553 - Free and Reduced Price Meals*)
(*cf. 6173.1 - Education for Foster Youth*)
(*cf. 6174 - Education for English Learners*)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

(*cf. [2210](#) - Administrative Discretion Regarding Board Policy*)

(*cf. [3110](#) - Transfer of Funds*)

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.
2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.
3. Committed fund balance includes amounts constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period of June 30, although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which the Board or its designee intends to use for a specific purpose but do not meet the criteria to be classified as restricted or committed..

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent or designee and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements.

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

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

The Board intends to maintain a minimum unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

If the assigned and unassigned fund balance falls below this level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

In any year that the district is notified by the Superintendent of Public Instruction that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds. (Education Code 41202, 42127.01)

Long-Term Financial Obligations

The district's current-year budget and multi-year projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. [4141/4241](#) - Collective Bargaining Agreement)

(cf. [4154/4254/4354](#) - Health and Welfare Benefits)

(cf. [7210](#) - Facilities Financing)

(cf. [9250](#) - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that

will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code [42140](#))

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code [42141](#))

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code 42127)

Budget Amendments

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval when the state budget is adopted, collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:

EDUCATION CODE

[1240](#) Duties of county superintendent of schools

[33127-33131](#) Standards and criteria for local budgets and expenditures

41202 Determination of minimum level of education funding

42103 Public hearing on proposed budget; requirements for content of proposed budget

42122-42129 Budget requirements

42130-42134 Financial certifications

42140-42141 Disclosure of fiscal obligations

42238-42251 Apportionments to districts, especially:

42238.01-42238.07 Local control funding formula

42602 Use of unbudgeted funds

42610 Appropriation of excess funds and limitation thereon

45253 Annual budget of personnel commission

45254 First year budget of personnel commission

52060-52077 Local control and accountability plan

GOVERNMENT CODE

7900-7914 Appropriations limit

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure

15440-15451 Criteria and standards for school district budgets

15494-15496 Local control funding formula, expenditures

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 75, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2015

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

WEB SITES

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

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

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

California Department of Finance: <http://www.dof.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Government Finance Officers Association: <http://www.gfoa.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

School Services of California, Inc.: <http://www.sscal.com>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP/E 3515.7 - Firearms on School Grounds

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BP revised; E(1)/E(2) deleted)

Policy updated to reflect NEW LAW (AB 424) which eliminates the authority of the superintendent or designee to permit a person with a concealed weapons permit to possess a firearm on school grounds. Exhibits deleted as they applied to the possession of firearms on school grounds and are now unnecessary.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Firearms On School Grounds

~~Cautionary Notice: SB 707 (Ch. 766, Statutes of 2015) amended Penal Code 626.9 and 30310 to provide that a person with a concealed weapons license must obtain written permission of the Superintendent or designee in order to possess a firearm and/or ammunition on school grounds. In view of the public interest and safety issues involved, CSBA strongly recommends that the Governing Board adopt a policy either prohibiting or permitting such possession and, if such possession is allowed, establishing conditions and criteria for granting permission to individuals. Because the law now requires an affirmative action on the part of the district to allow or disallow concealed weapons permit holders to possess a firearm and/or ammunition on school grounds, it is possible that district liability could be increased. Thus, in adopting a policy, CSBA recommends that the Board consult with the district's legal counsel and insurance provider and with local law enforcement in order to carefully tailor the following sample policy to reflect the district's local circumstances.~~

The Governing Board of Trustees is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, ~~insurance carriers,~~ and other appropriate individuals and agencies to address the security of school campuses.

(cf. [3515](#) - Campus Security)

(cf. [3515.2](#) - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. [4158/4258/4358](#) - Employee Security)

(cf. [5131.4](#) - Student Disturbances)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9)

If a district employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the principal or designee and law enforcement.

~~The prohibition against District policy regarding the possession of firearms and/or ammunition on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.~~

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [1112](#) - Media Relations)

(cf. [1113](#) - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

~~Any person specified in Penal Code 626.9(1) (e) and 30310 is authorized to possess a firearm and/or ammunition on school grounds. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots.~~

~~The Superintendent or designee shall not grant permission to any other individual to carry a firearm or ammunition on school grounds.~~

~~Any employee granted permission shall be an employee with no disciplinary record in the previous four years.~~

(cf. 4116 - Probationary/Permanent Status)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

~~No staff member shall be required to carry a firearm and/or ammunition while on school grounds.~~

~~Any person requesting to carry a firearm on school grounds shall annually submit an application to the Superintendent or designee. He/she shall also provide a copy of a valid CCW license and meet any other requirement of the insurance provider, such as additional training or insurance coverage.~~

(cf. 3580 - District Records)

~~Any person who is granted permission shall be required to sign the district's firearm and ammunition possession agreement. The signed agreement shall be maintained in the district's records. The principal and other appropriate staff shall be notified regarding persons who have been granted permission.~~

~~Permission shall be granted only if the Superintendent or designee is satisfied that the possession on school grounds shall be for a peaceful and lawful purpose or activity and that the possessor will at all times comply with all terms included in the district's firearm and ammunition possession agreement.~~

~~Permission to carry a firearm and/or ammunition on school grounds may be revoked by the Board or the Superintendent or designee at any time. In addition, when any person granted permission to possess a firearm on campus is directed to leave school grounds for reasons of disruption or other violation of law or district policy, the permission is automatically revoked.~~

Legal Reference:

EDUCATION CODE

32281 Comprehensive safety plan

~~35160 Powers and duties of the board~~

~~35161 Powers and duties of the board; authority to delegate~~

38001.5 District security officers; requirements if carry firearm

PENAL CODE

626.9 Gun Free School Zone Act

830.32 District police department; district decision to authorize carrying of firearm

16150 Definition of ammunition

16520 Definition of firearm

26150-26225 Concealed weapons permit

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

921 Definitions, firearms and ammunition

922 Firearms, unlawful acts

923 Firearm licensing

UNITED STATES CODE, TITLE 20

~~79617151~~ Gun-Free Schools Act; student expulsions for possession of firearm

Management Resources:

WEB SITES

Office of the Attorney General: <https://oag.ca.gov/firearms>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: October 5, 2016 Willits, California

revised:

Firearms On School Grounds

The Governing Board is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, and other appropriate individuals and agencies to address the security of school campuses.

(cf. [3515](#) - Campus Security)

(cf. [3515.2](#) - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. [4158/4258/4358](#) - Employee Security)

(cf. [5131.4](#) - Student Disturbances)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. *School grounds* include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9)

If a district employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the principal or designee and law enforcement.

The prohibition against the possession of firearms on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [1112](#) - Media Relations)

(cf. [1113](#) - District and School Web Sites)

(cf. [1114](#) - District-Sponsored Social Media)

Legal Reference:

EDUCATION CODE

32281 Comprehensive safety plan

38001.5 District security officers; requirements if carry firearm

PENAL CODE

626.9 Gun Free School Zone Act

830.32 District police department; district decision to authorize carrying of firearm

16150 Definition of ammunition

16520 Definition of firearm

26150-26225 Concealed weapons permit

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

921 Definitions, firearms and ammunition

922 Firearms, unlawful acts

923 Firearm licensing

UNITED STATES CODE, TITLE 20

7961 Gun-Free Schools Act; student expulsions for possession of firearm

Management Resources:

WEB SITES

Office of the Attorney General: <https://oag.ca.gov/firearms>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: October 5, 2016 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP/AR 3517 - Facilities Inspection

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BP deleted; AR added)

Policy deleted and contents moved to AR. Regulation expanded to more directly reflect law regarding the conditions that must be inspected pursuant to the Office of Public School Construction's facilities inspection tool. Regulation reflects **NEW LAW (AB 10)** which requires a school that serves any of grades 6-12 and is a high-poverty school, as defined, to stock 50 percent of its restrooms with feminine hygiene products and to make such products available free of charge to students. Regulation also adds recommendation for lead testing and describes the circumstances under which drinking water is required to be tested for lead, including a requirement of **NEW LAW (AB 746)** for testing of school buildings constructed before January 1, 2010.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

~~Facilities Inspection~~

~~The Board of Trustees recognizes that the condition of school facilities may have an impact on safety, student achievement, and employee morale and desires to provide school facilities that are safe, clean, and functional, as defined in Education Code 17002.~~

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

~~(cf. 1312.4—Williams Uniform Complaint Procedures)~~

~~(cf. 3111—Deferred Maintenance Funds)~~

~~(cf. 3514—Environmental Safety)~~

~~The Superintendent or designee shall develop a facilities inspection and maintenance program to ensure that school facilities are maintained in good repair in accordance with law. At a minimum, the program shall analyze those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including the following:~~

- ~~1. Gas Leaks: Gas systems and pipes appear safe, functional, and free of leaks.~~
- ~~2. Mechanical Systems: Heating, ventilation, and air conditioning systems as applicable are functional and unobstructed.~~
- ~~3. Windows/Doors/Gates/Fences (interior and exterior): Conditions that pose a safety and/or security risk are not evident.~~
- ~~4. Interior Surfaces (floors, ceilings, walls, and window casings): Interior surfaces appear to be clean, safe, and functional.~~
- ~~5. Hazardous Materials (interior and exterior): There does not appear to be evidence of hazardous materials that may pose a threat to students or staff.~~
- ~~6. Structural Damage: There does not appear to be structural damage that could create hazardous or uninhabitable conditions.~~
- ~~7. Fire Safety: The fire equipment and emergency systems appear to be functioning properly.~~
- ~~8. Electrical (interior and exterior): There is no evidence that any portion of the school has a power failure and electrical systems, components, and equipment appear to be working properly.~~
- ~~9. Pest/Vermin Infestation: Pest or vermin infestation is not evident.~~
- ~~10. Drinking Fountains (inside and outside): Drinking fountains appear to be accessible and functioning as intended.~~

~~11. Restrooms: Restrooms appear to be accessible during school hours, are clean, functional, and in compliance with Education Code 35292.5 (operational and supplied).~~

~~12. Sewers: Sewer line stoppage is not evident.~~

~~13. Roofs (observed from the ground, inside/outside the building): Roof system appears to be functioning properly.~~

~~14. Playground/School Grounds: The playground equipment and school grounds appear to be clean, safe, and functional.~~

~~15. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to be cleaned regularly.~~

~~The Superintendent or designee shall ensure that any necessary repairs identified during the inspection are made in a timely and expeditious manner. The Superintendent or designee shall provide the Board with regular reports regarding the district's facility inspection program and updates of any visits to district schools by the County Superintendent of Schools.~~

~~Legal Reference:~~

~~EDUCATION CODE~~

~~1240 County superintendent of schools, duties~~

~~17002 Definitions~~

~~17070.10 17077.10 Leroy F. Greene School Facilities Act of 1998~~

~~17565 17591 Property maintenance and control, especially:~~

~~17584 Deferred maintenance~~

~~17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account~~

~~33126 School accountability report card~~

~~35186 Williams uniform complaint procedure~~

~~CODE OF REGULATIONS, TITLE 2~~

~~1859.300 1859.330 Emergency Repair Program~~

~~Management Resources:~~

~~CSBA PUBLICATIONS~~

~~Williams Settlement and the Emergency Repair Program, Policy Brief, January 2008~~

~~COALITION OF ADEQUATE SCHOOL HOUSING PUBLICATIONS~~

~~Facility Inspection Tool Guidebook, February 2008~~

~~WEB SITES~~

~~CSBA: <http://www.esba.org>~~

~~California County Superintendents Educational Services Association: <http://www.ccsesa.org>~~

~~California Department of Education, Williams Case: <http://www.cde.ca.gov/ee/ee/wc/index.asp>~~

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

~~State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>~~

~~Policy WILLITS UNIFIED SCHOOL DISTRICT~~

~~adopted: August 7, 2013 Willits, California~~

FACILITIES INSPECTION

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, he/she shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. Gas Leaks: Gas systems and pipes appear and smell safe, functional, and free of leaks.
2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges.
3. Windows and Doors: Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed.
4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others. Locks and other security hardware function as designed.
5. Interior Surfaces (walls, floors, ceilings): Interior surfaces are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause. Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.
6. Hazardous Materials: Hazardous and flammable materials are stored properly. No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.

(cf. 3514 - Environmental Safety)

7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed. Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.
8. Fire Safety and Emergency Equipment: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly. Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.

9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly.
10. Lighting: Interior and exterior lighting appears to be adequate and working properly. Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.
11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident.
12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks. Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident.
13. Restrooms: Restrooms are fully operational, maintained and cleaned regularly, and stocked at all times with supplies (including toilet paper, soap, and paper towels or functional hand dryers) in accordance with Education Code 35292.5. The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom for student safety or to repair the facility.

In addition, in a school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, at least 50 percent of the school's restrooms are stocked with feminine hygiene products, for which students are not charged. (Education Code 35292.6; 20 USC 6314)

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly.
15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building.
16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets.
17. Playground/School Grounds: Playground equipment (exterior fixtures, seating, tables, and equipment), school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards.
18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated

graffiti, Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

In addition, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

(cf. 0510 - School Accountability Report Card)

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, or kept open, shall be addressed in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The Superintendent or designee shall provide the Board with regular reports regarding the district's facility inspection program and updates of any visits to district schools by the County Superintendent of Schools.

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties

17002 Definitions

17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998

17565-17591 Property maintenance and control

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedure

35292.5-35292.6 School maintenance

HEALTH AND SAFETY CODE

116277 Lead testing in drinking water

CODE OF REGULATIONS, TITLE 2

1859.300-1859.330 Emergency Repair Program

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide program

UNITED STATES CODE, TITLE 42

300f-300j-27 Safe Drinking Water Act

Management Resources:

COALITION OF ADEQUATE SCHOOL HOUSING PUBLICATIONS

Facility Inspection Tool Guidebook, February 2008
STATE ALLOCATION BOARD, OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS
Facility Inspection Tool: School Facility Conditions Evaluation

WEB SITES

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

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Williams Case: <http://www.cde.ca.gov/eo/ce/wc/index.asp>

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

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

U.S. Environmental Protection Agency: <http://www.epa.gov>

Regulation
approved:

Willits Unified School District
August 2, 2018

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP 4119.21/4219.21/4319.21 - Professional Standards

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BP revised)

Policy updated to reflect **NEW LAW (AB 500)** which requires any district that has an employee code of conduct addressing employee interactions with students to post that section of its code of conduct on each school's web site (or on the district web site if a school does not maintain one) and to provide it to parents/guardians at the beginning of the school year.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Professional Standards

The Governing Board of Trustees expects district employees to maintain the highest ethical standards, ~~behave exhibit~~ professionally ~~behavior~~, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct ~~that should~~ enhances the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

(cf. 0200 - Goals for the School District)

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

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

Each employee is expected ~~should make a commitment~~ to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to ~~should focus on his/her~~ contribution to the learning and achievement of district students.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.7 –Firearms on School Grounds)

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

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

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

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

(cf. [5131.2](#) - Bullying)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [5145.7](#) - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

(cf. [3515.2](#) – Disruptions)

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

(cf. [3513.3](#) - Tobacco-Free Schools)

(cf. [3513.4](#) – Drug and Alcohol Free Schools)

(cf. [4020](#) - Drug and Alcohol Free Workplace)

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

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

9. ~~Being dishonest~~ Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying ~~information~~ information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information

(cf. [3580](#) - District Records)

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

(cf. [5125](#) - Student Records)

(cf. [5125.1](#) - Release of Directory Information)

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. [4040](#) - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

(cf. [4119.22/4219.22/4319.22](#) - Dress and Grooming)

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

~~(cf. [4117.4](#) - Dismissal)~~

(cf. [4117.7/4317.7](#) - Employment Status Reports)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

(cf. [1113](#) - District and School Web Sites)

(cf. [5145.6](#) - Parental Notifications)

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination

[44050](#) Employee code of conduct; interaction with students

[44242.5](#) Reports and review of alleged misconduct

[48980](#) Parental Notifications

PENAL CODE

[11164-11174.4](#) Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

[80303](#) Reports of dismissal, resignation and other terminations for alleged misconduct

[80331-80338](#) Rules of conduct for professional educators

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Professional Standards for Educational Leaders, February 2014

California Standards for the Teaching Profession, 2009

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Professional Standards for Educational Leaders, 2015

~~Educational Leadership Policy Standards: ISLLC 2008, 2008~~

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WESTED PUBLICATIONS

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

~~WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS~~

~~California Professional Standards for Educational Leaders, 2001~~

WEB SITES

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

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

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

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

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

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

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

Council of Chief State School Officers: <http://www.ccsso.org>

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

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

Professional Standards

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

(cf. 0200 - Goals for the School District)

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

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.7 –Firearms on School Grounds)

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

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

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

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

(cf. [5131.2](#) - Bullying)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [5145.7](#) - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

(cf. [3515.2](#) – Disruptions)

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

(cf. [3513.3](#) - Tobacco-Free Schools)

(cf. [3513.4](#) – Drug and Alcohol Free Schools)

(cf. [4020](#) - Drug and Alcohol Free Workplace)

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

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

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information

(cf. [3580](#) - District Records)

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

(cf. [5125](#) - Student Records)

(cf. [5125.1](#) - Release of Directory Information)

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. [4040](#) - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

(cf. [4119.22/4219.22/4319.22](#) - Dress and Grooming)

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. [4117.7/4317.7](#) - Employment Status Reports)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

(cf. 1113 - District and School Web Sites)
(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44050 Employee code of conduct; interaction with students

44242.5 Reports and review of alleged misconduct

48980 Parental Notifications

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of dismissal, resignation and other terminations for alleged misconduct

80331-80338 Rules of conduct for professional educators

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Professional Standards for Educational Leaders, February 2014

California Standards for the Teaching Profession, 2009

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Professional Standards for Educational Leaders, 2015

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WESTED PUBLICATIONS

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

WEB SITES

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

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

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

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

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

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

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

Council of Chief State School Officers: <http://www.ccsso.org>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

WIELITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- AR 4144/4244/4344 - Complaints

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(AR revised)

Regulation updated to delete outdated reference to the use of Williams uniform complaint procedures for complaints alleging the failure to provide intensive instruction to students who did not pass the high school exit exam by the end of grade 12. Regulation reorganized to clarify circumstances that require the use of an alternate complaint procedure.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Complaints

The procedure ~~Except as specified in this administrative regulation below, the following procedure~~ shall be used to investigate and resolve for any complaint by an employee alleging misapplication of the district's policies, regulations, rules, or procedures or for "whistleblower" complaints by an employee or job applicant regarding an improper district activity including, but not limited to, an allegation of gross mismanagement, a significant waste of funds, an abuse of authority, or a specific danger to public health or safety.

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

~~Complaints alleging unlawful discrimination on any basis specified in the district's nondiscrimination policies, including complaints of sexual harassment, shall be resolved in accordance with the district's procedure for complaints regarding discrimination in employment.~~

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

(cf. ~~4031~~ - Complaints Concerning Discrimination in Employment)

(cf. ~~4119.11/4219.11/4319.11~~ - Sexual Harassment)

~~Complaints regarding unlawful discrimination in district programs or the district's failure to comply with state or federal laws regarding educational programs shall be resolved in accordance with the district's Uniform Complaint Procedures. Complaints regarding sufficiency of textbook materials, teacher vacancy or misassignment, an urgent or emergency facility condition, or the failure to provide intensive instruction to students who did not pass the high school exit examination by the end of grade 12 shall be resolved in accordance with the district's Williams Uniform Complaint Procedures. (Education Code 35186; 5 CCR 4621)~~

(cf. ~~1312.3~~ - Uniform Complaint Procedures)

(cf. ~~1312.4~~ - Williams Uniform Complaint Procedures)

~~For complaints regarding working conditions or other subjects of negotiation, the employee shall use the grievance procedure specified in the applicable collective bargaining agreement.~~

Any of the time limits specified in this procedure may be extended by written agreement between the district and complainant.

Step 1: Informal Complaint Process

Prior to instituting a formal, written complaint, the employee shall first discuss the issue with his/her supervisor or the principal of the school where the alleged act took place. Formal complaint procedures shall not be initiated until the employee has first attempted to resolve the complaint informally.

Step 2: Site Level Formal Complaint Process

If a complaint has not been satisfactorily resolved through the informal process in Step 1, the complainant may file a written complaint with his/her immediate supervisor or principal within 60 days of the act or event which is the subject of the complaint. If an employee fails to file a written complaint within 60 days, the complaint shall be considered settled on the basis of the answer given at the preceding step.

In the written complaint, the employee shall specify the nature of the problem, including names, dates, locations, witnesses, the remedy sought by the employee, and a description of informal efforts to resolve the issue.

Within 10 working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

Step 3: District Level Appeal

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file the written complaint with the Superintendent or designee within five working days of receiving the written response from the immediate supervisor or the principal. The complainant shall include all information presented to the immediate supervisor or principal at Step 2.

Within 10 working days of receiving the complaint, the Superintendent or designee shall conduct any necessary investigation, including reviewing the investigation and written response by the immediate supervisor or principal at Step 2, and shall meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

Step 4: Appeal to the Board of Trustees

If a complaint has not been satisfactorily resolved at Step 3, the complainant may file a written appeal to the Board within five working days of receiving the Superintendent or designee's response. All information presented at Steps 1, 2, and 3 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a written report describing attempts to resolve the complaint and the district's response.

The Board may uphold the findings by the Superintendent or designee without hearing the complaint or the Board may hear the complaint at a regular or special Board meeting. The hearing shall be held in closed session if the complaint relates to matters that may be addressed in closed session in accordance with law.

(cf. [9321](#) - Closed Session Purposes and Agendas)

The Board shall make its decision within 30 days of the hearing and shall send its decision to all concerned parties. The Board's decision shall be final.

Alternate Procedures

Complaints alleging unlawful discrimination on any basis specified in the district's nondiscrimination policies, including complaints of sexual harassment, shall be resolved in accordance with the district's procedure in BP/AR 4030 - Nondiscrimination in Employment.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Complaints regarding unlawful discrimination in district programs or the district's failure to comply with state or federal laws regarding educational programs shall be resolved in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. Complaints regarding sufficiency of textbook materials, teacher vacancy or misassignment, or an urgent or emergency facility condition shall be resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186; 5 CCR 4621)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

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Regulation WILLITS UNIFIED SCHOOL DISTRICT

approved: August 7, 2013 Willits, California

revised:

Complaints

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

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The Board may uphold the findings by the Superintendent or designee without hearing the complaint or the Board may hear the complaint at a regular or special Board meeting. The hearing shall be held in closed session if the complaint relates to matters that may be addressed in closed session in accordance with law.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall make its decision within 30 days of the hearing and shall send its decision to all concerned parties. The Board's decision shall be final.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

For complaints regarding working conditions or other subjects of negotiation, the employee shall use the grievance procedure specified in the applicable collective bargaining agreement.

Regulation WILLITS UNIFIED SCHOOL DISTRICT

approved: August 7, 2013 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP/AR 4200 - Classified Personnel

Priority:
Communication

Objective:
To conduct a second/final read of the revised policy

Background:
(BP/AR revised)
Policy updated to add material formerly in AR regarding the employment of substitute or short-term employees and to clarify that the length of service of a short-term employee must be no longer than 195 days per year. Regulation updated to reflect **NEW LAW (AB 670)** which makes playground aide positions part of the classified service in non-merit system districts.

Funding/Source:
None

Recommendation:
Administration recommends the board conduct a final read of the revised policy

Classified Personnel

The Governing Board recognized that classified personnel provide essential services that support and enhance the district's educational program. The Board of Trustees shall fill each of its classified positions with qualified persons, consistent with position requirements. The primary role of classified personnel is to provide services that support and enhance the district's educational program.

(cf. 0200 - Goals for the School District)

(cf. 4211 - Recruitment and Selection)

The Board shall classify all employees and positions not requiring certification qualifications as the classified service, except for those employees and positions specifically exempt from classified service. (Education Code 45103)

Individuals who possess certification qualifications shall not be prohibited from being employed in a classified position. (Education Code 45104)

(cf. 4211 - Recruitment and Selection)

(cf. 4212 - Appointment and Conditions of Employment)

Each classified position shall have a designated title and regular minimum number of assigned hours per day, days per week, and months per year.

Classified employees shall be assigned by their immediate supervisors with the approval of the Superintendent or designee. They shall be required to perform those duties prescribed by the Board for the position the employee holds, in accordance with applicable job descriptions and collective bargaining agreements.

(cf. 4141/4241 - Collective Bargaining Agreement)

Each classified ~~employee~~ ~~staff member~~ shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations in accordance with collective bargaining agreements.

(cf. 4215 - Evaluation/Supervision)

Classification of Employees

~~The Board shall classify all employees and positions not requiring certification qualifications as the classified service, except for those employees and positions specifically exempt from classified service. (Education Code 45103)~~

~~Individuals who possess certification qualifications shall not be prohibited from being employed in a classified position. (Education Code 45104)~~

(cf. 4211—Recruitment and Selection)

(cf. 4212—Appointment and Conditions of Employment)

~~Before employing a short term classified employee, the Board, at a regularly scheduled meeting, shall specify the service required to be performed by the employee and shall certify the ending date of the service. The Board may shorten or extend the ending date, but the date shall not be extended beyond 75 percent of the school year, as defined. (Education Code 45103)~~

~~Each position shall have a designated title and regular minimum number of assigned hours per day, days per week and months per year. A job description shall be established for each position.~~

~~Assignment~~

~~Classified employees shall be assigned by their immediate supervisors with the approval of the Superintendent or designee. They shall be required to perform those duties prescribed by the Board for the position the employee holds, in accordance with applicable job descriptions and collective bargaining agreements.~~

(cf. 4141/4241—Collective Bargaining Agreement)Substitute and Short-Term Employees

The district may employ a substitute employee to replace a classified employee who is temporarily absent from duty. (Education Code 45103)

If the district is in the process of hiring a permanent employee to fill a classified position, the Board may fill the vacancy with one or more substitute employees for no more than 60 calendar days, unless the applicable collective bargaining agreement provides for a different period of time. (Education Code 45103)

The district may employ a short-term employee to perform a service for the district when that service or similar services will not be extended or needed on a continuing basis. Before employing a short-term employee, the Board, at a regularly scheduled meeting, shall specify the service required to be performed by the employee and shall certify the ending date of the service. The Board may shorten or extend the ending date, but the date shall not be extended beyond 195 work days per year, including holidays, sick leave, vacation, and other leaves of absence, irrespective of the number of hours worked per day. (Education Code 45103)

Legal Reference:

EDUCATION CODE

45100-45139 Employment of classified staff

45160-45169 Salaries and differential compensation

45190-45210 Resignation and leaves of absence

45220-45320 Merit system

49406 Examination for tuberculosis

51760-51769.5 Work experience education

Management Resources:

WEB SITES

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

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

Classified Personnel

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(cf. 0200 - Goals for the School District)

(cf. 4211 - Recruitment and Selection)

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(cf. 4211 - Recruitment and Selection)

(cf. 4212 - Appointment and Conditions of Employment)

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(cf. 4141/4241 - Collective Bargaining Agreement)

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(cf. 4215 - Evaluation/Supervision)

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unless the applicable collective bargaining agreement provides for a different period of time.
(Education Code 45103)

The district may employ a short-term employee to perform a service for the district when that service or similar services will not be extended or needed on a continuing basis. Before employing a short-term employee, the Board, at a regularly scheduled meeting, shall specify the service required to be performed by the employee and shall certify the ending date of the service. The Board may shorten or extend the ending date, but the date shall not be extended beyond 195 work days per year, including holidays, sick leave, vacation, and other leaves of absence, irrespective of the number of hours worked per day. (Education Code 45103)

Legal Reference:

EDUCATION CODE

45100-45139 Employment of classified staff

45160-45169 Salaries and differential compensation

45190-45210 Resignation and leaves of absence

45220-45320 Merit system

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Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

Classified Personnel

Exemption from Classified Service

Districts Not Incorporating the Merit System

Individuals hired solely for the following purposes are exempt from the classified service: (Education Code 45103)

1. ~~Substitute or short-term employees, as defined, who are employed and paid for less than 75 percent of the school year fewer than 195 work days per year, including holidays, sick leave, vacation, and other leaves of absences, irrespective of the number of hours worked per day~~

~~Substitute employee means any person employed to replace any classified employee who is temporarily absent from duty. In addition, if the district is then engaged in a procedure to hire a permanent employee to fill a vacancy in any classified position, the Board of Trustees may fill the vacancy through the employment, for not more than 60 calendar days, of one or more substitute employees, except to the extent that a collective bargaining agreement then in effect provides for a different period of time.~~

~~Short term employee means any person who is employed to perform a service for the district, upon the completion of which the service required or similar services will not be extended or needed on a continuing basis.~~

~~Seventy five percent of the school year means 195 working days, including holidays, sick leave, vacation and other leaves of absences, irrespective of the number of hours worked per day.~~

~~2. Part-time playground positions (noon duty aides), when the employees are not otherwise employed in classified positions in the district~~

~~23. Apprentices and professional experts employed on a temporary basis for a specific project regardless of length of employment~~

~~34. Full-time students employed part time~~

~~45. Part-time students employed part time in any college work study program, or in a work experience education program conducted by a community college district, and which is financed by state or federal funds~~

Restricted Positions

Persons employed in restricted positions shall be classified employees for all purposes except that they shall not be subject to the provisions of Education Code 45272 and 45273 related to promotional examinations and the filling of vacancies, and shall not acquire permanent status or seniority credit. They shall be eligible for promotion into the regular classified service only after completing six months of satisfactory service, and only upon the subsequent satisfactory completion of the qualifying examinations required of all other persons serving in the same class in the regular classified service. (Education Code 45105, 45108)

Regulation WILLITS UNIFIED SCHOOL DISTRICT

approved: August 7, 2013 Willits, California

revised:

Classified Personnel

Exemption from Classified Service

Districts Not Incorporating the Merit System

Individuals hired solely for the following purposes are exempt from the classified service: (Education Code 45103)

1. Substitute or short-term employees who are employed and paid for fewer than 195 work days per year, including holidays, sick leave, vacation, and other leaves of absences, irrespective of the number of hours worked per day
2. Apprentices and professional experts employed on a temporary basis for a specific project regardless of length of employment
3. Full-time students employed part time
4. Part-time students employed part time in any college work study program, or in a work experience education program conducted by a community college district, and which is financed by state or federal funds

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Regulation WILLITS UNIFIED SCHOOL DISTRICT

approved: August 7, 2013 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP 5144 - Discipline

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BP revised)

Policy updated to reflect **NEW LAW (SB 250)** which requires districts to ensure that any discipline imposed on a student does not result in the denial or delay of a nutritionally adequate meal to the student.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Discipline

The Governing Board is committed to providing a safe, supportive, and positive school environment conducive to student learning and to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 – Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop ~~approve, for each school, a complement of~~ effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. ~~The Such~~ strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 –Guidance/Counseling Services)

~~may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.~~

In addition, the Superintendent or designee’s strategies for correcting student misconduct shall reflect the Board’s preference for the use of positive interventions and alternative disciplinary measure over exclusionary discipline measures.

-Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension and expulsion, shall be imposed only when required or permitted by law and when other means of correction have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~

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

~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~

~~(cf. 5145.9 - Hate Motivated Behavior)~~

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

(cf. 6164.5 - Student Success Teams)

~~Board policies and administrative regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices.~~

~~(cf. 5131 - Conduct)~~

~~(cf. 5131.1 - Bus Conduct)~~

~~(cf. 5131.2 - Bullying)~~

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

~~(cf. 3550 - Food Service/Child Nutrition Program)~~

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

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

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs. ~~However, the rules shall be~~ consistent with law, Board policy, and district regulations. The Board ~~may review~~, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan (Education Code 32282, 35291.5)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn.

Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

(cf. ~~0450~~ - Comprehensive Safety Plan)

(cf. ~~3515~~ - Campus Security)

(cf. ~~3515.3~~ - District Police/Security Department)

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

(cf. ~~5136~~ - Gangs)

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

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

(cf. ~~6159.4~~ - Behavioral Interventions for Special Education Students)

(cf. ~~6184~~ - Continuation Education)

(cf. ~~6185~~ - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the consistent classroom management skills needed to effectively implement the disciplinary strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, implementing effective disciplinary techniques, and establishing cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parent/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 – Local Control and Accountability Plan)

(cf. 3100- Budget)

At the beginning of every school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district each-schools in the immediately preceding school year and their effect on student learning in the school.

Corporal Punishment

~~Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)~~

~~However, corporal punishment does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)~~

~~(cf. 4158/4258/4358 – Employee Security)~~

~~(cf. 5131.7 – Weapons and Dangerous Instruments)~~

~~(cf. 6145.2 – Athletic Competition)~~

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

~~49000-49001 Prohibition of corporal punishment~~

49330-49335 Injurious objects

49550-49562 Meals for needy students

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

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, October 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

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

Public Counsel: <http://www.fixschooldiscipline.org>

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

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

Discipline

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(cf. 5113.1 – Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 –Guidance/Counseling Services)

In addition, the Superintendent or designee’s strategies for correcting student misconduct shall reflect the Board’s preference for the use of positive interventions and alternative disciplinary measure over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension and expulsion, shall be imposed only when required or permitted by law and when other means of correction have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.5 - Student Success Teams)

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan (Education Code 32282, [35291.5](#))

(cf. 0450 – Comprehensive Safety Plan)

(cf. [9320](#) - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn.

Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [5145.7](#) - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the disciplinary strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.

(cf. [4131](#) - Staff Development)

(cf. 4231 - Staff Development)

(cf. [4331](#) - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parent/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 – Local Control and Accountability Plan)

(cf. 3100- Budget)

At the beginning of every school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning in the school.

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

49550-49562 Meals for needy students

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

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, October 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

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

Public Counsel: <http://www.fixschooldiscipline.org>

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

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- AR 5148.2 - Before/After School Programs

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(AR revised)

Regulation updated to reflect **NEW LAW (AB 830)** which deletes the requirement that a program operating under the 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) include preparation for the high school exit exam, as that exam has been eliminated.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Before/After School Programs

Grades K-9

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades K-9 as the district may determine based on local needs. (Education Code [8482.3](#), [8484.7](#), [8484.75](#), [8484.8](#))

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs ~~or serve a high percentage of students from low income families~~. (Education Code [8484.8](#); 20 USC [7173](#))

(cf. [6171](#) - Title I Programs)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code [8482.3](#))

(cf. [6142.91](#) - Reading/Language Arts Instruction)

(cf. [6142.92](#) - Mathematics Instruction)

(cf. [6142.93](#) - Science Instruction)

(cf. [6154](#) - Homework/Makeup Work)

(cf. [6163.4](#) - Student Use of Technology)

b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code [8482.3](#))

(cf. [5131.6](#) - Alcohol and Other Drugs)

(cf. [5131.62](#) - Tobacco)

(cf. [6142.6](#) - Visual and Performing Arts)

(cf. [6142.7](#) - Physical Education and Activity)

(cf. [6178](#) - Career Technical Education)

2. Nutrition

a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code [49430-49434](#) or 42 USC [1766](#) as applicable. (Education Code [8482.3](#); 42 USC [1766-1766a](#); 7 CFR 226.17)

b. The district's before-school program shall offer a breakfast meal as described in Education Code [49553](#) for all program participants. (Education Code [8483.1](#))

(cf. [3550](#) - Food Service/Child Nutrition Program)

(cf. [3554](#) - Other Food Sales)

(cf. [5030](#) - Student Wellness)

3. Location of Program

a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code [8482.3](#))

b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code [8482.8](#))

(1) Fewer than 20 students participating in the program component

(2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

(3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code [8482.8](#))

(cf. [3540](#) - Transportation)

4. Staffing

a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code [8483.4](#), [45330](#), [45344](#), [45344.5](#))

(cf. [4222](#) - Teacher Aides/Paraprofessionals)

b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code [8483.4](#))

(cf. [1240](#) - Volunteer Assistance)

(cf. [4112.4/4212.4/4312.4](#) - Health Examinations)

(cf. [4112.5/4212.5/4312.5](#) - Criminal Record Check)

c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code [8483.4](#))

5. Hours of Operation

a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code [8483.1](#))

b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code [8483](#))

6. Admissions

a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code [8482.6](#))

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

b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

(1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC [11434a](#)), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (Education Code [8483](#), [8483.1](#))

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code [8483](#), [8483.1](#))

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code [8483](#))

(cf. [5145.6](#) - Parental Notifications)

(cf. [6173](#) - Education for Homeless Children)

(cf. [6173.1](#) - Education for Foster Youth)

(2) Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code [8483](#), [8483.1](#))

(3) Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(cf. [6179](#) - Supplemental Instruction)

(4) Any remaining capacity shall be filled by students selected at random.

(5) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.

b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code [8483.76](#). When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code [8483](#), [8483.1](#), [8483.2](#), [8483.76](#))

b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code [8483.76](#))

c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code [8484.6](#). (Education Code [8483.76](#))

d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code [8483.76](#))

e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code [8483.76](#))

(cf. [6177](#) - Summer Learning Programs)

Grades 9-12

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code [8421](#))

The program shall be operated in accordance with the following guidelines:

1. Program Elements

a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code [8421](#))

~~(1) Preparation for the high school exit examination~~

~~(cf. [6162.52](#) - High School Exit Examination)~~

~~(12) Tutoring~~

~~(23) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content~~

~~(34) Homework assistance~~

~~(45) College preparation, including information about the Cal Grant program pursuant to Education Code [69430-69460](#)~~

b. The program shall include an enrichment element that may include, but is not limited to: (Education Code [8421](#))

(1) Community service

(2) Career and technical education

(3) Job readiness

(4) Opportunities for mentoring and tutoring younger students

(5) Service learning

(6) Arts

(7) Computer and technology training

(8) Physical fitness

(9) Recreation activities

(cf. [6142.4](#) - Service Learning/Community Service Classes)

c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code [8423](#))

d. The program shall provide for access to, and availability of, computers and technology. (Education Code [8423](#))

e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code [8423](#))

2. Location of Program

a. The district's program may operate on one or multiple school sites or at another location approved by the CDE. (Education Code [8421](#))

b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code [8421](#))

3. Hours of Operation

a. The district's program shall operate for a minimum of 15 hours per week. (Education Code [8421](#))

b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code [8422](#))

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code [35021.3](#))

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code [45125](#). He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code [35021.3](#))

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code [35021.3](#))

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code [8427](#), [8482.3](#), [8484](#))

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

Regulation WILLITS UNIFIED SCHOOL DISTRICT

approved: October 4, 2017 Willits, California

revised:

Before/After School Programs

Grades K-9

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades K-9 as the district may determine based on local needs. (Education Code [8482.3](#), [8484.7](#), [8484.75](#), [8484.8](#))

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code [8484.8](#); 20 USC [7173](#))

(cf. [6171](#) - Title I Programs)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code [8482.3](#))

(cf. [6142.91](#) - Reading/Language Arts Instruction)

(cf. [6142.92](#) - Mathematics Instruction)

(cf. [6142.93](#) - Science Instruction)

(cf. [6154](#) - Homework/Makeup Work)

(cf. [6163.4](#) - Student Use of Technology)

b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code [8482.3](#))

(cf. [5131.6](#) - Alcohol and Other Drugs)

(cf. [5131.62](#) - Tobacco)

(cf. [6142.6](#) - Visual and Performing Arts)

(cf. [6142.7](#) - Physical Education and Activity)

(cf. [6178](#) - Career Technical Education)

2. Nutrition

a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)

b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

3. Location of Program

a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)

b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8)

(1) Fewer than 20 students participating in the program component

(2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

(3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

4. Staffing

a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 45330, 45344, 45344.5)

(cf. 4222 - Teacher Aides/Paraprofessionals)

b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code [8483.4](#))

(cf. [1240](#) - Volunteer Assistance)

(cf. [4112.4/4212.4/4312.4](#) - Health Examinations)

(cf. [4112.5/4212.5/4312.5](#) - Criminal Record Check)

c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code [8483.4](#))

5. Hours of Operation

a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code [8483.1](#))

b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code [8483](#))

6. Admissions

a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code [8482.6](#))

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

b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

(1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC [11434a](#)), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (Education Code [8483](#), [8483.1](#))

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code [8483](#), [8483.1](#))

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code [8483](#))

(cf. [5145.6](#) - Parental Notifications)

(cf. [6173](#) - Education for Homeless Children)

(cf. [6173.1](#) - Education for Foster Youth)

(2) Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code [8483](#), [8483.1](#))

(3) Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.

(cf. [6179](#) - Supplemental Instruction)

(4) Any remaining capacity shall be filled by students selected at random.

(5) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.

b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code [8483.76](#). When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code [8483](#), [8483.1](#), [8483.2](#), [8483.76](#))

b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code [8483.76](#))

c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code [8484.6](#). (Education Code [8483.76](#))

d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code [8483.76](#))

e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code [8483.76](#))

(cf. [6177](#) - Summer Learning Programs)

Grades 9-12

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code [8421](#))

The program shall be operated in accordance with the following guidelines:

1. Program Elements

a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code [8421](#))

(1) Tutoring

(2) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content

(3) Homework assistance

(4) College preparation, including information about the Cal Grant program pursuant to Education Code [69430-69460](#)

b. The program shall include an enrichment element that may include, but is not limited to: (Education Code [8421](#))

(1) Community service

(2) Career and technical education

(3) Job readiness

(4) Opportunities for mentoring and tutoring younger students

(5) Service learning

(6) Arts

(7) Computer and technology training

(8) Physical fitness

(9) Recreation activities

(cf. [6142.4](#) - Service Learning/Community Service Classes)

c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code [8423](#))

d. The program shall provide for access to, and availability of, computers and technology. (Education Code [8423](#))

e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code [8423](#))

2. Location of Program

a. The district's program may operate on one or multiple school sites or at another location approved by the CDE. (Education Code [8421](#))

b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code [8421](#))

3. Hours of Operation

a. The district's program shall operate for a minimum of 15 hours per week. (Education Code [8421](#))

b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code [8422](#))

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code [35021.3](#))

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code [45125](#). He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code [35021.3](#))

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code [35021.3](#))

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code [8427](#), [8482.3](#), [8484](#))

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. [0500](#) - Accountability)

Regulation WILLITS UNIFIED SCHOOL DISTRICT

approved: October 4, 2017 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP 6146.1 - High School Graduation Requirements

Priority:
Communication

Objective:
To conduct a second/final read of the revised policy

Background:
(BP revised)
Policy updated to reflect **NEW LAW (AB 830)** which repeals the requirement to pass the high school exit exam as a condition of graduation and **NEW LAW (AB 365)** which exempts children of military families from locally established graduation requirements under certain conditions.

Funding/Source:
None

Recommendation:
Administration recommends the board conduct a final read of the revised policy

High School Graduation Requirements

The Governing Board of Trustees desires to prepare all students to obtain a high school diploma ~~to enable them to so that they can~~ take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

~~(cf. 5149 - At Risk Students)~~

(cf. 6011 – Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I or Mathematics 1. (Education Code 51224.5)

~~Completion of such coursework, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall satisfy the Algebra 1 or Mathematics 1 algebra coursework requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12.~~ (Education Code 51224.5)

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a “category c” course based on the “a-g” course requirements for college admission. (Education Code 51225.3, 51225.35)

~~(cf. 6011 – Academic Standards)~~

(cf. 6142.92 - Mathematics Instruction)

(cf. 6152.1 – Placement in Mathematics Course)

3. Two courses in science, including biological and physical sciences (Education Code [51225.3](#))

(cf. [6142.93](#) - Science Instruction)

4. Four courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code [51225.3](#))

(cf. [6142.3](#) - Civic Education)

(cf. [6142.93](#) - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (Education Code [51225.3](#))

To be counted towards meeting graduation requirements, a [CTE](#) course ~~in career technical education~~ shall be aligned to the ~~career-technical~~[CTE](#) model curriculum standards and framework adopted by the State Board of Education.

(cf. [6142.2](#) - World/Foreign Language Instruction)

(cf. [6142.6](#) - Visual and Performing Arts Education)

(cf. [6178](#) - Career Technical Education)

(cf. [6178.2](#) - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code [51225.3](#))

(cf. [6142.7](#) - Physical Education and Activity)

(cf. [6142.1](#) - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. [6142.4](#) - Service Learning/Community Service Classes)

(cf. [6142.8](#) - Comprehensive Health Education)

7. One semester course in computer literacy

8. One semester course in health

9. Successful completion of Senior Portfolio and exit interview

(cf. [6142.4](#) - Service Learning/Community Service Classes)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. [6146.11](#) - Alternative Credits Toward Graduation)

(cf. [6146.2](#) - Certificate of Proficiency/High School Equivalency)

(cf. [6146.4](#) - Differential Graduation and Competency Standards for Students with Disabilities)

~~The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code [51225.3](#) and [49701](#).~~

Exemptions and Waivers

~~A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code [51225.3](#) but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code [51225.1](#))~~

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [5145.6](#) - Parental Notifications)

(cf. [6173](#) - Education for Homeless Children)

(cf. [6173.1](#) - Education for Foster Youth)

(cf. [6173.2](#) - Education for Children of Military Families)

Algebra I Special Education Graduation Requirement

~~California Education Code [51225.3](#) and [51224.5](#) establish that the adopted course of study for grades 7-12 shall include algebra as part of the mathematics area of study. These sections of the California Education Code specify the minimum set of courses required for high school graduation, including completion of coursework that meets or exceeds the academic content standards for Algebra I.~~

~~Students may meet the Algebra I requirement while in grades 7-12, inclusive, or in any combination of those grades. Coursework shall apply towards satisfying the requirements of subparagraph (B) of paragraph (1) of subdivision (a) [51225.3](#) and [51224.5](#).~~

~~In accordance with district policy regarding the Algebra I graduation requirement, an alternative means for students to complete the prescribed course of study may include:~~

- ~~1. Practical demonstration of skills and competencies~~
- ~~2. Supervised work experience or other outside school experience~~
- ~~3. Career technical education classes offered in high schools~~
- ~~4. Courses offered by regional occupational centers or programs~~

5. ~~Interdisciplinary study~~

6. ~~Independent study, and~~

7. ~~Credit earned at a postsecondary institution~~

~~Requirements for graduation and specified alternative modes for completing the prescribed course of study shall be made available to students, parents/guardians, and the public.~~

~~Completion of Algebra I content standards for a student with an Individual Education Plan (IEP) or a 504 accommodation plan shall be verified by the IEP/504 team and approved by the Superintendent or his/her designee, in accordance with the student's specially designed instructional program. For all other students, completion of the Algebra I coursework requirements shall be verified and approved by the Superintendent or his/her designee as is the established district practice for approving other coursework requirements for graduation.~~

Retroactive Diplomas

~~Until July 31, 2018, any~~ Any student who completed grade 12 in the 2003-04 school year through 2014-15 or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413 60851.6)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

~~The district also may retroactively grant a diploma to a~~ A deceased former student who satisfies these ~~above~~ conditions may be granted a retroactive diploma to. ~~The diploma shall be received by his/her the deceased student's~~ next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

Legal Reference:

EDUCATION CODE

47612 Enrollment in charter school

48200 Compulsory attendance

48412 Certificate of proficiency

48430 Continuation education schools and classes

48645.5 Acceptance of coursework

48980 Required notification at beginning of term

49701 Interstate Compact on Educational Opportunity for Military Children

51224 Skills and knowledge required for adult life

51224.5 Algebra instruction

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 Requirements for graduation

51225.35 Mathematics course requirements; computer science

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51225.5 Honorary diplomas; foreign exchange students

51225.6 *Compression-only cardiopulmonary resuscitation*

51228 Graduation requirements

51240-51246 Exemptions from requirements

51250-51251 Assistance to military dependents

51410-51412 Diplomas

51420-51427 High school equivalency certificates

51430 *Retroactive high school diplomas*

51440 *Retroactive high school diplomas*

51450-51455 Golden State Seal Merit Diploma

51745 Independent study restrictions

~~52378 Supplemental school counseling program~~

56390-56392 Recognition for educational achievement, special education

~~60851.5 Suspension of high school exit examination~~

~~60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination~~

66204 Certification of high school courses as meeting university admissions criteria

67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses: <http://www.universityofcalifornia.edu/admissions/freshman/requirements>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised: March 2, 2016

revised:

High School Graduation Requirements

The Governing Board desires to prepare all students to obtain a high school diploma so that they can take advantage of opportunities for postsecondary education and employment.

(cf. [5127](#) - Graduation Ceremonies and Activities)

(cf. [5147](#) - Dropout Prevention)

(cf. 6011 – Academic Standards)

(cf. [6143](#) - Courses of Study)

(cf. [6146.3](#) - Reciprocity of Academic Credit)

Course Requirements

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(cf. [6142.92](#) - Mathematics Instruction)

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(cf. [6142.93](#) - Science Instruction)

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(cf. 6142.3 - Civic Education)

(cf. [6142.93](#) - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (Education Code [51225.3](#))

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. [6142.2](#) - World/Foreign Language Instruction)

(cf. [6142.6](#) - Visual and Performing Arts Education)

(cf. [6178](#) - Career Technical Education)

(cf. [6178.2](#) - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code [51225.3](#))

(cf. [6142.7](#) - Physical Education and Activity)

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(cf. 6142.8 - Comprehensive Health Education)

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9. Successful completion of Senior Portfolio and exit interview

(cf. [6142.4](#) - Service Learning/Community Service Classes)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. [6146.11](#) - Alternative Credits Toward Graduation)

(cf. [6146.2](#) - Certificate of Proficiency/High School Equivalency)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

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A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 school year through 2014-15 school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

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51224 Skills and knowledge required for adult life

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51228 Graduation requirements

51240-51246 Exemptions from requirements

51250-51251 Assistance to military dependents

51410-51412 Diplomas

51420-51427 High school equivalency certificates

51430 Retroactive high school diplomas

51440 Retroactive high school diplomas

51450-51455 Golden State Seal Merit Diploma

51745 Independent study restrictions

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67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation

COURT DECISIONS

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Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g

Courses: <http://www.universityofcalifornia.edu/admissions/freshman/requirements>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised: March 2, 2016

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP/AR/E 6162.52 - High School Exit Examination

Priority:
Communication

Objective:
To conduct a second/final read of the revised policy

Background:
(BP/AR/E(1)/E(2) deleted)
Policy, regulation, and exhibits deleted since NEW LAW (AB 830) repeals the requirement to pass the high school exit exam as a condition of graduation.

Funding/Source:
None

Recommendation:
Administration recommends the board conduct a final read of the revised policy

~~High School Exit Examination~~

~~Cautionary Notice: AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 42605, which provided temporary flexibility for specified "Tier 3" categorical programs, and instead redirects the funding for those categorical programs into the Local Control Funding Formula (LCFF) (Education Code 42238.01-42251). The supplemental and concentration grant portions of the LCFF may be used for any schoolwide or districtwide educational purpose in accordance with state regulations to be adopted by January 31, 2014, with a goal of increasing or improving services for English learners, foster youth, and students eligible for free and reduced-price meals. Certain requirements related to Tier 3 categorical program(s) in the following policy or regulation are no longer applicable.~~

~~The Board of Trustees desires to ensure that district students who graduate from high school can demonstrate grade-level competency in reading, writing, and mathematics and are given the opportunity to learn the subjects covered in the high school exit examination required for high school graduation.~~

~~(cf. 6146.1 High School Graduation Requirements)~~

~~(cf. 6162.5 Student Assessment)~~

~~(cf. 6162.54 Test Integrity/Test Preparation)~~

~~(cf. 6164.2 Guidance/Counseling Services)~~

~~(cf. 6177 Summer School)~~

~~(cf. 6179 Supplemental Instruction)~~

~~The Superintendent or designee shall ensure that district programs and services, including, but not limited to, instructional materials, staff development, and remediation programs, are aligned with the exit exam.~~

~~The Superintendent or designee shall administer the exit exam in accordance with law. (Education Code 60850)~~

~~Students may be allowed to take the exit exam with variations, accommodations, or modifications in accordance with law and administrative regulation.~~

Legal Reference:

EDUCATION CODE

35146 Closed sessions

35186 Williams Uniform Complaint Procedures

37252-37254.1 Supplemental instruction

51041 Evaluation of educational program

~~52378 Supplemental school counseling program~~

~~56026 Individuals with exceptional needs~~

~~56101 Waiver of code or regulation~~

~~60810 Assessment of language development~~

~~60850-60859 Exit examination~~

~~CODE OF REGULATIONS, TITLE 5~~

~~1200-1225 High school exit examination~~

~~UNITED STATES CODE, TITLE 20~~

~~1400-1482 Individuals with Disabilities Education Act~~

~~UNITED STATES CODE, TITLE 29~~

~~794 Rehabilitation Act of 1973, Section 504~~

~~CODE OF FEDERAL REGULATIONS, TITLE 34~~

~~300.503 Prior notice~~

~~COURT DECISIONS~~

~~O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452~~

~~Smiley v. California Department of Education, (2002) 45 Fed.Appx. 780~~

~~Chapman v. California Department of Education, (2002) 229 F.Supp.2d 981~~

~~Management Resources:~~

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Independent Evaluation of the California High School Exit Examination (CAHSEE), Annual Reports,
Human Resources Research Organization~~

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

~~The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators
and Policy-Makers, December 2001~~

~~WEB SITES~~

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

California Department of Education, California High School Exit Examination: <http://www.cde.ca.gov/ta/tg/hs/index.asp>

Educational Testing Service: <http://www.ets.org/cahsee>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/index.html>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

High School Exit Examination

Definitions

~~Variation means a change in the manner in which the test is presented or administered or in how a student is allowed to respond, and includes, but is not limited to, accommodations and modifications as defined in Education Code 60850. (5 CCR 1200)~~

~~Accommodation means any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores. (Education Code 60850)~~

~~Modification means any variation in the assessment environment or process that fundamentally alters what the test measures or affects the comparability of scores. (Education Code 60850)~~

District and Test Site Coordinators

~~On or before July 1 of each school year, the Superintendent shall designate a high school exit examination coordinator from among district employees and shall notify the test contractor of the identity and contact information of the coordinator. The district coordinator or Superintendent or designee shall be available throughout the year, shall serve as the liaison between the district and the test contractor and between the district and the California Department of Education (CDE) for all matters related to the exit exam, and shall perform additional duties specified in 5 CCR 1209-1211.5. (5 CCR 1209)~~

~~Annually, the district coordinator or Superintendent or designee shall designate a test site coordinator for each test site to fulfill the responsibilities specified in 5 CCR 1210-1211.5. (5 CCR 1210)~~

~~All district and test site coordinators shall sign a test security affidavit/agreement pursuant to 5 CCR 1211.5.~~

~~Access to exam materials shall be limited to students taking the exit exam and individuals who have signed the test security affidavit, including employees directly responsible for test administration. All district and test site coordinators shall be responsible for inventory control. (5 CCR 1211)~~

Administration

~~The Superintendent or designee shall administer the exit exam in each district high school on the dates designated by the Superintendent of Public Instruction as exam days or make-up days. (Education Code 60851)~~

~~The exit exam shall be administered as follows: (Education Code 60851, 60852.3; 5 CCR 1204, 1204.5)~~

~~1. Students in grade 10, including students with disabilities who are otherwise exempt from the requirements of the exam, shall take each section of the exit exam once during the school year, either during the grade 10 census administration or the district designated grade 10 make-up administration.~~

~~2. Students in grade 11 who have not yet passed one or both sections of the exit exam shall have up to two opportunities during the school year to take the section(s) of the exam not yet passed and may elect to~~

~~take the exam during these opportunities. These students may be tested in successive administrations within a school year. Students should be offered appropriate remediation or supplemental instruction before being retested.~~

~~3. Students in grade 12 shall have at least three opportunities to take the section(s) of the exit exam not yet passed. Students in grade 12 may elect to take the exam up to five times during the school year and may take the exam in successive administrations. Students should be offered appropriate remediation or supplemental instruction before being retested.~~

~~(cf. 6179—Supplemental Instruction)~~

~~4. Adult education students shall have up to three opportunities per year to take the section(s) of the exit exam not yet passed and may elect to take the exam during these opportunities. Students should be offered appropriate remediation or supplemental instruction before being retested.~~

~~(cf. 6200—Adult Education)~~

~~If a student does not possess sufficient English language skills to be assessed on the exit exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing, and comprehension in the English language. (Education Code 60852)~~

~~(cf. 6174—Education for English Learners)~~

~~Test administrators at the test sites shall be responsible for the accurate identification of eligible students to whom the exit exam is to be administered. This identification shall be made through the use of photo identification or positive recognition by an employee of the district. (5 CCR 1203)~~

~~Any student found to have cheated, assisted others in cheating, or compromised the security of the exit exam shall not receive a score from that test administration. (5 CCR 1220)~~

~~(cf. 5131.9—Academic Honesty)~~

~~(cf. 6162.54—Test Integrity/Test Preparation)~~

~~Testing Variations for All Students~~

~~The Superintendent or designee may provide any student taking the exit exam with extra time within a testing day, simplified or clarified test directions (but not test questions), student marks (other than responses) including highlighting in test booklets, and/or testing in a small group setting. (5 CCR 1215)~~

~~A student may also be provided the following testing variations if they are regularly used in the classroom: (5 CCR 1215)~~

- ~~1. Special lighting, special acoustics, or special or adaptive furniture~~
- ~~2. Visual magnifying or audio amplification equipment~~
- ~~3. Noise buffers (e.g., an individual carrel or study enclosure)~~

~~4. Testing of individual students in a separate room provided that the student is directly supervised by an employee who has signed the test security affidavit~~

~~5. Colored overlay, mask, or other means to maintain visual attention to the exam or test items~~

~~6. Manually Coded English or American Sign Language to present test administration directions~~

~~At least 30 working days before the proposed administration of the exit exam, the Superintendent or designee shall submit a request to the CDE for a case-by-case review of a proposed variation that is not specified in law. The request shall include a description of the requested variation(s) and, if applicable, a certification that the student's individualized education program (IEP) or Section 504 plan specifies that the requested variation is appropriate and necessary to access the exam due to the student's identified disability(ies) and that such variation is currently listed in his/her IEP or Section 504 plan. (5 CCR 1218)~~

~~Testing Variations for English Language Learners~~

~~In addition to testing variations allowed for all students, identified English language learners may be allowed the following testing variations if regularly used in the classroom or for assessments: (5 CCR 1217)~~

~~1. Flexible setting: English language learners may have the opportunity to be tested in a separate room with other English language learners provided that the students are directly supervised by an employee who has signed the test security affidavit.~~

~~2. Flexible schedule: English learners may have additional supervised breaks within a testing day.~~

~~3. Flexible time: English learners may have extra time on the exam within a testing day.~~

~~4. Translated directions: English learners may have the opportunity to hear the test directions printed in the test contractor's manual translated into their primary language. English learners may have the opportunity to ask clarifying questions about the test directions in their primary language.~~

~~5. Glossaries: English learners may have access to translation glossaries (English to primary language and/or primary language to English). The glossaries are to include only the English words or phrases with the corresponding primary language words or phrases. The glossaries shall include no definitions, formulas, or parts of speech.~~

~~Accommodations/Modifications for Students with Disabilities~~

~~A student with disabilities shall be permitted to take the exit exam with accommodations or modifications when the student's IEP or his/her Section 504 plan specifies their use on the exit exam, for standardized testing, or during classroom instruction and assessments. (Education Code 60850; 5 CCR 1215.5, 1216)~~

~~(cf. 6146.4—Differential Graduation and Competency Standards for Students with Disabilities)~~

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

~~(cf. 6164.6—Identification and Education Under Section 504)~~

The use of accommodations shall not invalidate a student's test score(s). Accommodations may include: (5 CCR 1215.5)

1. Presentation accommodations, including large print versions in 20 point font, exam items enlarged if larger than 20 point font is required, Braille transcriptions provided by the test contractor, audio or oral presentation of the mathematics section of the exam, or use of Manually Coded English or American Sign Language to present test questions on the mathematics section of the exam or any prompts or passages present in the writing task

2. Response accommodations, including responses marked in the test booklet and transferred to the answer document by an employee who has signed the test security affidavit; responses dictated orally, in Manually Coded English, or in American Sign Language to a scribe for selected response items (e.g., multiple choice test questions); responses dictated orally or in Manually Coded English to a scribe, audio recorder, or speech to text converter on the writing portion of the exam and the student indicates all spelling and language conventions; word processing software with spell and grammar check tools turned off on the writing portion of the exam; or an assistive device that does not interfere with the independent work of the student on the multiple choice or writing portion of the exit exam

3. Scheduling/timing accommodations, including testing over more than one day after consultation with the test contractor, supervised breaks within a section of the exam, and administration of the exam at the most beneficial time of day to the student after consultation with the test contractor

4. Setting accommodations, including tests administered by a test examiner to a student at home or in the hospital

For purposes of receiving a high school diploma, the use of modifications shall invalidate a student's test score for the section of the exam for which the modification(s) were used. If the score is equivalent to a passing score, the student may be eligible for a waiver, as detailed below. Modifications may include: (5 CCR 1216)

1. Arithmetic table or formulas, calculators, or math manipulatives on the mathematics section of the exit exam

2. Audio or oral presentation of the multiple choice portion of the English language arts section of the exit exam

3. Manually Coded English or American Sign Language to present the multiple choice portion on the English language arts section of the exit exam

4. Spell checkers, grammar checkers, or word processing software programs that check or correct spelling and/or grammar on the writing portion of the exit exam

5. Mechanical or electronic devices or other assistive devices that are not used solely to record the student's responses, including, but not limited to, transcribers, scribes, voice recognition or voice to text software, and that identify a potential error in the student's response or that correct spelling, grammar, or conventions on the writing portion of the exit exam

6. Responses dictated orally, in Manually Coded English, or in American Sign Language to provide an essay response to a scribe and the scribe provides spelling, grammar, and language conventions

~~7. Dictionary on any section of the exam~~

~~Exemption for Students with Disabilities Beginning in 2009-10~~

~~The district shall grant a diploma to a student with a disability who has not passed the exit exam if all of the following criteria are satisfied: (Education Code 60852.3)~~

- ~~1. The student has an IEP or Section 504 plan.~~
- ~~2. The IEP or 504 plan states that the student is scheduled to receive a high school diploma.~~
- ~~3. The student has satisfied or will satisfy all other state and district requirements for the receipt of a high school diploma on or after July 1, 2009.~~

~~Waiver for Students with Disabilities~~

~~When a student with disabilities has taken any section of the exit exam with one or more modifications and has received the equivalent of a passing score, his/her parent/guardian may request that the student receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit a request for a waiver to the Board of Trustees. The Board may waive the requirement to successfully pass the exit exam if the principal certifies that the student has all of the following: (Education Code 60851)~~

- ~~1. An IEP or Section 504 plan in place that requires the accommodations or modifications to be provided to the student when taking the exit exam~~
- ~~2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam~~
- ~~3. An individual score report showing that the student has received the equivalent of a passing score on the exit exam while using a modification that fundamentally alters what the exam measures as determined by the State Board of Education~~

~~In order to protect the student's privacy rights, the waiver request shall be considered in closed session. Final Board action on the waiver request shall be taken in open session and shall be a matter of public record. The student's name shall not be disclosed in open session.~~

~~(cf. 9321—Closed Session Purposes and Agendas)~~

~~(cf. 9321.1—Closed Session Actions and Reports)~~

~~The principal or designee shall notify parents/guardians of students with disabilities about the criteria and process for applying for a waiver of the requirement to successfully pass the exit exam.~~

~~Each year, the Superintendent or designee shall provide the CDE with data regarding students with disabilities and the district's waiver process as specified in 5 CCR 1207.1.~~

~~Records~~

~~The Superintendent or designee shall maintain a summary data file of all students who participate in each test administration. This summary data file shall include the following information for the English language arts section and the mathematics section for each administration: (5 CCR 1205)~~

- ~~1. The date on which each section of the exam was taken~~
- ~~2. The full name of each student who took each section of the exam~~
- ~~3. The grade level of each student at the time each section of the exam was taken~~
- ~~4. Whether each student has satisfied the requirement to successfully pass each section of the exam~~

~~In addition, the Superintendent or designee shall provide the test contractor with the student demographic information specified in 5 CCR 1207.~~

~~Within 60 days of receiving electronic data files from the test contractor, the Superintendent or designee shall enter the following information in each student's permanent record: (5 CCR 1206)~~

- ~~1. The date on which the student took each section of the exam~~
- ~~2. Whether the student has satisfied the requirement to successfully pass each section of the exam~~

~~(cf. 5125— Student Records)~~

Notifications

~~At the beginning of each school year, the Superintendent or designee shall provide written notification of the exit exam requirement to all students in grades 9–12 and to their parents/guardians. Such notification shall also be provided to any student who transfers into the district after the beginning of the school year at the time of the student's transfer. The notification shall include, at a minimum, the date of the exam, the requirements for passing the exam, and the consequences of not passing the exam, and shall inform the parent/guardian that passing the exam is a condition of graduation. The Superintendent or designee shall maintain documentation that the parent/guardian of each student has been sent this written notification. (Education Code 48980, 60850; 5 CCR 1208)~~

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

~~(cf. 6146.1— High School Graduation Requirements)~~

~~Prior to each administration of the exit exam, the Superintendent or designee shall notify students of the provisions of 5 CCR 1220 related to the consequences of cheating. (5 CCR 1220)~~

~~Regulation WILLITS UNIFIED SCHOOL DISTRICT~~

~~approved: August 7, 2013 Willits, California~~

High School Exit Examination

~~Parent/Guardian Request for Waiver of the High School Exit Examination Requirement for a Student with Disabilities~~

~~Please return the completed form to the principal of your child's high school.~~

~~My child, _____ [name] _____ is a student with disabilities attending _____ [high school] _____. He/she has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or more parts of the exam.~~

~~I hereby request that the principal submit a request to the Board of Trustees for a waiver of the requirement that my child successfully pass the exit examination in order to receive a high school diploma. I understand that, in order to receive such a waiver, state law requires that my child have all of the following:~~

- ~~1. An individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or a plan adopted pursuant to Section 504 of the Rehabilitation Act of 1973 that specifies the use of the modification(s) on the exit exam, standardized testing, or classroom instruction and assessments~~
- ~~2. Sufficient high school level coursework either satisfactorily completed or in progress in the district's high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam~~
- ~~3. An individual score report showing that my child has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education~~

~~I hereby certify that, to the best of my knowledge, my child satisfies the conditions listed above.~~

~~Parent/Guardian Signature: _____ Date: _____~~

~~Exhibit WILLITS UNIFIED SCHOOL DISTRICT~~

~~version: August 7, 2013 Willits, California~~

Exhibit 2

6162.52

High School Exit Examination

Principal's Certification and Request for the Board of Trustees

to Waive the High School Exit Exam Requirement
for a Student with Disabilities

Student's Name: _____

Student's Number (for use on open session agenda): _____

Pursuant to Education Code 60851, the parent/guardian of _____ [student's name] _____, a child with disabilities, has requested that the Board of Trustees waive the requirement that his/her child successfully pass the high school exit examination in order to receive a diploma from _____ High School. His/her child has taken the high school exit exam with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score on one or both parts of the exam.

I certify that the student qualifies for a waiver because he/she satisfies all of the following conditions:

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or Section 504 plan that specifies the use of the modification(s) on the exit exam, standardized testing or classroom instruction and assessments. (Attach the IEP or Section 504 plan that indicates the modification needed to participate and access the high school exit exam.)

a. Describe the nature of the student's disability as identified on the IEP or Section 504 plan:

b. Describe any modification(s) used on the English/language arts section of the exam:

c. Describe any modification(s) used on the mathematics section of the exam:

d. List the rationale as to why the modification used was necessary to allow the student to access the test:

e. Describe the accommodations/modifications that the student regularly uses for English/language arts in the classroom and on other assessments:

f. Describe the accommodations/modifications that the student regularly uses for mathematics in the classroom and on other assessments:

2. Has sufficient high school level coursework either satisfactorily completed or in progress in the high school curriculum sufficient to have attained the skill and knowledge otherwise needed to pass the high school exit examination. (Attach transcript showing coursework completed.)

Summarize the student's academic preparation and performance in the subject areas of English/language arts and/or mathematics (depending on the subject of the waiver request) that demonstrate high school level achievement:

3. Has an individual score report showing that he/she has achieved the equivalent of a passing score on the exit exam (350 or more points) using a modification that fundamentally alters what the exam measures. (Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in either the English/language arts/and/or math portion of the exam.)

Certified by: [principal's signature] _____ Date: _____

Exhibit ~~WILLITS UNIFIED SCHOOL DISTRICT~~

version: August 7, 2013 ~~Willits, California~~

**WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE**

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BB 9150 - Student Board Members

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BB revised)

Bylaw updated to reflect **NEW LAW (AB 261 and SB 468)** which eliminates the requirement that students petition in order to receive preferential voting rights for student board members. Bylaw also reflects requirement of SB 468 that the district provide student board members with materials and briefings, except those related to closed session, at the same time as other board members.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Student Board Members

~~The Board of Trustees believes that engaging the student body and seeking its input and feedback regarding the district's educational programs and activities are vital to achieving the district's mission of educating district students. To~~ In order to enhance communication and collaboration between the Governing Board and the student body and to teach encourage student the importance of civic involvement in district affairs, the Board supports the participation of shall include at least one student Board member selected by the district's high school students in district governance. accordance with procedures approved by the Board.

Petition

High school students may submit a petition to the Board requesting the appointment of at least one student Board member. (Education Code 35012)

To qualify for Board consideration, the petition for student representation shall contain the signatures of no less than 500 regularly enrolled high school students or no less than 10 percent of the number of regularly enrolled high school students, whichever is less. (Education Code 35012)

Within 60 days of receiving a student petition, or at the next regularly scheduled Board meeting if no meeting is held within those 60 days, the Board shall order the inclusion of at least one student member on the Board. (Education Code 35012)

Election of Student Board Member

Student Board member positions shall be filled by a vote of students enrolled in the high school(s) in accordance with procedures prescribed by the Board. (Education Code 35012)

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

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

The term of a student Board member shall be one year, commencing on July 1 of each year. (Education Code 35012)

Role and Responsibilities of Student Board Members

A student Board member shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 - Closed Session Purposes and Agendas)

All materials presented to Board members, except those related to closed sessions, shall be presented to student Board members at the same time they are presented to voting Board members. Student Board member(s) shall also be invited to attend staff briefings or be provided with a

separate staff briefing within the same timeframe as the briefing of other Board members. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

~~A student Board member shall be seated with other members of the Board. Student~~ In addition, a student Board member(s) shall be recognized at Board meetings as a full member(s), shall be seated with other members of the Board, and shall be allowed to receive all materials presented to other Board members except those related to closed sessions, and may participate in questioning witnesses and discussing issues. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

Student Board member(s) shall be allowed to cast preferential votes on all matters except those subject to closed session discussion. Preferential voting means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board. Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

(cf. 9324 - Minutes and Recordings)

~~A S~~ student Board member(s) may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3. (Education Code 35012)

A student Board member shall not be liable for any acts of the Board. (Education Code 35012)

(cf. 9323.2 – Actions by the Board)

~~A S~~ student Board member(s) shall be entitled to be reimbursed for mileage to the same extent as other members of the Board but shall not receive compensation for attendance at Board meetings. (Education Code 35012)

(cf. 3350 - Travel Expenses)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

Student Board Member Development

The Superintendent or designee may, at district expense, provide learning opportunities to student Board members through trainings, workshops, and conferences, such as those offered by the California School Boards Association and other organizations, to enhance their knowledge, understanding, and performance of their Board responsibilities.

(cf. 9240 - Board Training)

The Superintendent or designee may periodically provide an orientation for student Board member candidates to give them an understanding of the responsibilities and expectations of Board service.

Elimination of Position

Once established, the student Board member position shall continue to exist until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. Such a motion shall be listed as a public agenda item for a Board meeting prior to the motion being voted upon. (Education Code 35012)

Legal Reference:

EDUCATION CODE

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; pupil members

35160 Authority of governing boards

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

Management Resources:

WEB SITES

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

California Association of Student Councils: <http://www.casc.net>

California Association of Student Leaders: <http://www.caslboard.com>

National School Boards Association: <http://www.nsba.org>

Bylaw WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

WILLITS UNIFIED SCHOOL DISTRICT
SUPERINTENDENT'S OFFICE

TO: Board of Trustees
FROM: Mark Westerburg, Superintendent
DATE: August 1, 2018
RE: Board Policy Revision- BP/AR 5144.1 - Suspension and Expulsion/Due Process

Priority:

Communication

Objective:

To conduct a second/final read of the revised policy

Background:

(BP/AR revised)

Policy updated to add homeless students as one of the numerically significant student subgroups for whom the district must monitor suspension/expulsion data, and to add board review of disaggregated suspension/expulsion data for the purpose of identifying any disparities in the imposition of discipline. Updated regulation revises the grounds for suspension and expulsion to more directly reflect law which separates out aiding or abetting a crime of physical violence from causing, attempting to cause, or threatening physical violence. Regulation also adds definition of cyber sexual bullying as a ground for suspension/expulsion and reflects **NEW LAW (AB 667)** which requires a student to be informed, during the informal conference required prior to suspension, of the other means of correction that were attempted before suspension.

Funding/Source:

None

Recommendation:

Administration recommends the board conduct a final read of the revised policy

Suspension And Expulsion/Due Process

The ~~Governing Board of Trustees~~ desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144.1– Discipline. (Education Code 48900.5)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

OPTION 1: No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism. Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

~~Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.~~

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

~~The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be those specified in law and administrative regulation.~~

~~District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with the district's nondiscrimination policies.~~

~~(cf. 0410 – Nondiscrimination in District Programs and Activities)~~

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Removal from Class by a Teacher and Parental Attendance

~~When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)~~

~~Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.~~

~~Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)~~

~~When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)~~

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

~~A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)~~

~~At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.~~

~~When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.~~

~~(cf. 5125 — Student Records)~~

~~District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)~~

~~Supervised Suspension Classroom~~

~~To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.~~

~~Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)~~

~~Decision Not to Enforce Expulsion Order~~

~~On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation. (Education Code 48917)~~

~~Maintenance and Monitoring of Outcome Data~~ ~~the Use of Suspension and Expulsion~~

~~The~~~~At the end of each school year, the Superintendent or designee shall annually present a report to the Board a report of the regarding the use of suspension and/or expulsion in district schools. The report shall include, but is not limited to, outcome data which the district is required by law to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period, and data related to the effect of suspension and/or expulsion on the district's minority student populations or groupings.~~

~~In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.~~

~~(cf. 9320 — Meetings and Notices)~~

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48667 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 *Numerically significant student subgroups*

52060-52077 *Local control and accountability plan*

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7151 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 *Education of homeless children and youths*

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

~~CSBA PUBLICATIONS~~

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

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

~~Civil Rights Data Collection Summary, March 2012~~

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil

Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students Drug-Free
Schools: <http://www2.ed.gov/about/offices/list/oese/oshs/sdfs>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised:

Suspension And Expulsion/Due Process

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. [1020](#) - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. [5144](#) - Discipline)

(cf. [6142.4](#) - Service Learning/Community Service Classes)

(cf. [6164.2](#) - Guidance/Counseling Services)

(cf. [6164.5](#) - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

OPTION 1: No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism t from assigned school activities.

(cf. [5113](#) - Absences and Excuses)

(cf. [5113.1](#) - Chronic Absence and Truancy)

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation

and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall

comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code [48911](#), [48915](#), [48915.5](#), 48918)

(cf. [5119](#) - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period..

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

Legal Reference:

EDUCATION CODE

[212.5](#) Sexual harassment

[233](#) Hate violence

[1981](#) Enrollment of students in community school

[17292.5](#) Program for expelled students

[32261](#) Interagency School Safety Demonstration Act of 1985

[35145](#) Open board meetings

[35146](#) Closed sessions (regarding suspensions)

[35291](#) Rules (for government and discipline of schools)

[35291.5](#) Rules and procedures on school discipline

[48645.5](#) Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7151 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil

Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students

Schools <http://www2.ed.gov/about/offices/list/oese/osh>

Policy WILLITS UNIFIED SCHOOL DISTRICT

adopted: August 7, 2013 Willits, California

revised: