

# Gold Trail Union School District



## BOARD OF TRUSTEES

### Regular and Closed Session Meeting

### Thursday, April 6, 2017

### Gold Trail School

### Agenda

**District Office**  
1575 Old Ranch Road  
Placerville, CA 95667  
1.530.626.3194  
Fax 1.530.626.3199  
Joe Murchison  
*Superintendent*

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board Secretary, Joe Murchison, at (530) 626-3194 for assistance. Notification at least 48 hours before the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

**Board of Trustees**  
Sue Hennike  
*President*  
Janet Barbieri  
*Clerk*  
Julie Bauer  
Micah Howser  
Daryl Lander

**Sutter's Mill School (K-3)**  
4801 Luneman Road  
Placerville, CA 95667  
1.530.626.2591  
Fax 1.530.626.3199  
Joe Murchison  
*Superintendent/Principal*

**Gold Trail School (4-8)**  
889 Cold Springs Road  
Placerville, CA 95667  
1.530.626.2595  
Fax 1.530.626.3289  
Scott Lyons  
*Principal*

*An Equal Opportunity Employer*

**6:00 P.M.**

**OPENING BUSINESS**

- 1. CALL TO ORDER**  
S. Hennike, President  
J. Barbieri, Clerk  
J. Bauer, Member  
M. Howser, Member  
D. Lander, Member
- 2. PUBLIC SESSION**  
.1 Flag Salute
- 3. ACTION ITEM: Adoption of Agenda**  
The Board will review the agenda prior to adoption, taking this opportunity to re-sequence or table agenda topics.
- 4. OPEN HEARING**  
Members of the public are encouraged to address the Board concerning any item on the agenda either before or during the Board's consideration of the item. Under the Brown Act and open meeting laws, members of the public shall also be given an opportunity to address the Board on any item of interest that is not on the agenda but within the subject matter jurisdiction of the Board. Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. Members of the community may address the Board at this time. (*Education Code 35145.5, Government Code 54952/54954.3, Board Bylaw 9323*)

## **RECOGNITION**

**5. RECOGNITION:** The Board will recognize Doug Veerkamp, General Engineering Contractor, for a generous donation to the District Food Services Program.

## **REPORTS**

**6. REPORT: Student Council**

E. Harm, president, will report on Student Council activities.

**7. REPORT: Parent Teacher Organization**

T. Hanks, president, will report on PTO activities.

**8. REPORT: Gold Trail Federation of Educators**

D. Matyac, president, will report on Federation activities.

**9. REPORT: Library Media Center Program Evaluation**

N. Albert will report on the condition and use of school libraries. (*BP6163.1*)

**10. REPORT: Local Control Accountability Plan (LCAP) and McKinney/Vento Update**

J. Murchison, superintendent, will present the District's update on the 2017-18 LCAP and McKinney/Vento program status. (*BP 0640*)

## **CONSENT**

**11. CONSENT ITEM**

The items listed below are passed in one motion without discussion. Any item may be pulled from the Consent Agenda by the Board. (*BB 9322*)

**.1 Meeting Minutes (BB 9324)**

**Regular Meeting of March 9, 2017**

The Board will take action to approve the Minutes.

**.2 Warrants (BP 3314)**

The Board will take action to approve the expenditures.

**.3 Resolution 2016-17: 04-01: Resolution to Employ Short Term Classified Support**

The Board will adopt the Resolution allowing an increase for short term classified support for the 2016-17 school year only.

**.4 Personnel**

***Re-classification***

B. Aguilar, Teacher Associate, 6.0 hours per day, re-classified to Teacher Associate, Signing Aide for the Deaf or Hard of Hearing (DHOH), 6.0 hours per day, effective 2016-17 school year

**Hiring**

L. Burton, Bus Driver, 4.0 hours per day, effective March 21, 2017  
T. Hanks, Playground Monitor, Short Term Classified Support, 1.0 hour per day, 3 days per week, effective March 20, 2017 through June 1, 2017.  
J. Hoyt, Teacher Associate, Signing Aide for the Deaf or Hard of Hearing (DHOH), 6.0 hours per day, effective March 27, 2017.

**Rescind Leave of Absence**

C. Jackson, Teacher, 1.0 FTE, effective April 20, 2017 through May 31, 2017

**Resignation**

M. Carlisle, Playground Monitor, 1.5 hours per day, effective March 17, 2017  
C. Myers, Teacher Associate, 6.0 hours per day, effective June 30, 2017

**.5 Job Description**

❖ **Teacher Associate: Bilingual, Language Option**

The Board will take action to approve the new job description.

**.6 Quarterly Report on Williams Uniform Complaints**

The quarterly report to the County Office of Education is brought forward for Board acceptance. (*Education Code 35186*)

**.7 School Site Council Plans/Single Plan for Student Achievement (SPSA)**

**Sutter's Mill School**

**Gold Trail School**

The Board will take action to approve the plans and the budget.

**ACTION ITEMS**

**12. ACTION ITEM: Superintendent's Employment Agreement: S. Lyons**

The Board will take action to approve the contract allowing for S. Lyons to serve as Superintendent of the District, effective July 1, 2017.

**13. ACTION ITEM: Hiring, Gold Trail School Site Administrator**

The Board will take action to approve the hire of B. Holler as Gold Trail School Site Administrator, effective the 2017-18 school year.

**14. ACTION ITEM: Superintendent Evaluation Process (Annual)**

The Board will determine the method(s) and schedule for the Superintendent's annual evaluation. (*BP 2140*)

**15. ACTION ITEM: Board Self Evaluation (Annual)**

The Board will determine the method(s) and schedule for the Board's annual self-evaluation. (*BB 9400*)

**16. ACTION ITEM: Resolution 2016-17:04-02: Resolution Reducing Services**

The Board will take action to adopt the Resolution to reduce classified services.

**17. ACTION ITEM: First Reading of Board Policies, Administrative Regulations and Board Bylaws**

**BP 0460, Local Control and Accountability Plan (BP Revised)**

**BP 3260/AR 3260, Fees and Charges (BP/AR Revised)**

**AR 4112.22, Staff Teaching English Learners (AR Revised)**

**E 4112.9/4212.9/4312.9, Employee Notifications (E Revised)**

**AR 4161.1/4361.1, Personal Illness/Injury Leave (AR Revised)**

**AR 4261.1, Personal Illness/Injury Leave (AR Revised)**

**BP 5111, Admission (BP Revised)**

**BP 5111.1, District Residency (BP Revised)**

**BP 5113/AR 5113, Absences and Excuses (BP/AR Revised)**

**BP 5141.52/AR 5141.52, Suicide Prevention (BP/AR Revised)**

**E 5145.6, Parental Notifications (E Revised)**

**BP 5148.2/AR 5148.2, Before/After School Programs (BP Revised; AR Deleted)**

**BP 6111, School Calendar (BP Revised)**

**BP 6142.2/AR 6142.2, World/Foreign Language Instruction (BP/AR Revised)**

**BP 6144, Controversial Issues (BP Revised)**

**BP 6174/AR 6174/E 6174, Education for English Learners (BP/AR Revised; E Deleted)**

**BP 6176, Weekend/Saturday Classes (BP Revised)**

The Board will take action to adopt the roster for first reading.

**DISCUSSION ITEMS**

**18. DISCUSSION ITEM: Administrative Reports**

J. Murchison will report on activities relevant to District and Sutter's Mill School site business.

S. Lyons will report on activities relevant to Gold Trail School site business.

W. Scarlett will be available to answer question relevant to financial business.

Board members will report on activities relevant to District business.

**CLOSED SESSION**

**19. CLOSED SESSION OPEN HEARING**

Members of the public may take this opportunity to comment on Closed Session agenda items.

**20. CLOSED SESSION**

The Board will adjourn to Closed Session pursuant to Government Code 54957. Closed Session attendants: Board Members, superintendent interviewees.

**.1 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

The Board will give direction regarding employee bargaining issues with the Gold Trail Federation of Educators and discussion with other non-represented employee groups.

**RECONVENE PUBLIC SESSION**

**21. RECONVENE PUBLIC SESSION AND CLOSED SESSION DISCLOSURE**

Any action taken during Closed Session will be disclosed at this time. Public action necessitated by Closed Session deliberations will also be disclosed at this time.

**ADVANCE PLANNING**

**22. FUTURE REGULAR MEETING SCHEDULE**

**Date: May 11, 2017 Time: 6:00 p.m. Location: Gold Trail School Library**

Agenda Items for that meeting may include but are not limited to:

Board Policies, Administrative Regulations and Board Bylaw Updates

Board Self Evaluation

Declaration of Need of Fully Qualified Educators (Annual)

Local Control Accountability Plan (LCAP) Update

Reduction of Certificated Employees—Final Order, If Applicable

Resolution: Temporary Transfer Agreement, If Applicable (Annual)

Resolution: Year End Balance Authorization (Annual)

Statement of Need: 30-Day Emergency Permits (Annual)

*Requests may be made at this time for items to be placed on a future agenda.*

**ADJOURNMENT**

**PUBLIC INSPECTION**

Documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office, located in the Sutter's Mill School Administration building, 4801 Luneman Road, Placerville, California, during normal business hours. In addition, such writings and documents will be posted on the District's website, [www.gtusd.org](http://www.gtusd.org). Agendas will be posted at:

**Gold Trail School**

880 Cold Springs Road

Placerville, CA. 95667

**Sutter's Mill School/District Office**

4801 Luneman Road

Placerville, CA. 95667

**And E-mailed to every district family**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM**  
**Opening Business**

**1.0 CALL TO ORDER**

-  S. Hennike, President
-  J. Barbieri, Clerk
-  J. Bauer, Member
-  M. Howser, Member
-  D. Lander, Member

**2.0 PUBLIC SESSION**

**.1 Flag Salute**

**3.0 ACTION ITEM: Adoption of Agenda**

This item is provided as an opportunity for trustees, through consensus, to re-sequence or table agenda topics.

<i><b>ACTION</b></i>	<i><b>Moved</b></i>	<i><b>Seconded</b></i>
<input type="checkbox"/> <i>Approved as is</i>		
<input type="checkbox"/> <i>Not approved</i>		
<input type="checkbox"/> <i>Amended to read:</i>		

<i><b>Vote</b></i>	<i><b>Ayes</b></i>	<i><b>Noes</b></i>	<i><b>Absent</b></i>	<i><b>Abstain</b></i>

**4.0 OPEN HEARING**

Under the Brown Act and open meeting laws, members of the community wishing to address an item on the agenda may do so at this time or for action items, when they come before the Board. Items not on the agenda, but within jurisdiction of this body, may be addressed at this time or be submitted to the Superintendent in writing for Board consideration as an agenda item. Items not on the agenda, which are expressed in person before this Board without written request, are restricted in response and action by the Board and its members. A three-minute limit is set for each speaker on all such items.  
(Board Bylaws 9323/Government Code 54952)

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 5.0  
RECOGNITION**

**BACKGROUND**

- The Board will recognize Doug Veerkamp, General Engineering Contractor, for a generous donation to the District Food Services Program.

**ATTACHMENTS**

➤ None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 6.0**  
**REPORT: Student Council**

**BACKGROUND**

Ella Harm, president, will report on Student Council activities.

**ATTACHMENTS**

- None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 7.0**  
**REPORT: Parent Teacher Organization**

**BACKGROUND**

Tracy Hanks, president, will report on PTO activities.

**ATTACHMENTS**

➤ None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 8.0**  
**REPORT: Gold Trail Federation of Educators**

**BACKGROUND**

Debbi Matyac, president, will report on Federation activities.

**ATTACHMENTS**

➤ None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 9.0**

**REPORT: Library Media Center Program Evaluation**

**BACKGROUND**

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum:

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day.
2. The process and frequency by which students are allowed to check out library materials.
3. Staffing levels, qualifications, and number of hours worked.
4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year.
5. Any special programs offered at the school to encourage reading and/or library use.
6. The adequacy of the facility space and equipment designated for the school library.
7. The source(s) and adequacy of funding for school libraries. (BP6163.1)

Nita Albert, Library Technician Assistant, will make the annual report to the Board.

**ATTACHMENTS**

➤ None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 10.0**

**REPORT: Local Control Accountability Plan (LCAP) and McKinney/Vento Update**

**BACKGROUND**

The Local Control Accountability Plan (LCAP) is a critical part of the new Local Control Funding Formula (LCFF). Each school district must engage parents, educators, employees and the community to establish these plans. The plans will describe the school district's overall vision for students, annual goals and specific actions the district will take to achieve the vision and goals.

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community (*BP 0640*). Joe Murchison, superintendent, will present the most current update on the 2017-18 LCAP and the McKinney/Vento status.

**ATTACHMENTS**

- None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 11.0**  
**Consent**

*President Script:*

*The following is the consent agenda. In accordance with law, the public has a right to comment on any consent item.*

The items listed below are passed in one motion without discussion. Any item may be pulled from the Consent Agenda by the Board. (BB 9322)

**.1 Meeting Minutes (BB 9324)**

**Regular Meeting of March 9, 2017**

The Board will take action to approve the Minutes.

**.2 Warrants (BP 3314)**

The Board will take action to approve the expenditures.

**.3 Resolution 2016-17: 04-01: Resolution to Employ Short Term Classified Support**

The Board will adopt the Resolution allowing an increase for short term classified support for the 2016-17 school year only.

**.4 Personnel**

***Re-classification***

B. Aguilar, Teacher Associate, 6.0 hours per day, re-classified to Teacher Associate, Signing Aide for the Deaf or Hard of Hearing (DHOH), 6.0 hours per day, effective 2016-17 school year

***Hiring***

L. Burton, Bus Driver, 4.0 hours per day, effective March 21, 2017

T. Hanks, Playground Monitor, Short Term Classified Support, 1.0 hour per day, 3 days per week, effective March 20, 2017 through June 1, 2017.

J. Hoyt, Teacher Associate, Signing Aide for the Deaf or Hard of Hearing (DHOH), 6.0 hours per day, effective March 27, 2017.

***Rescind Leave of Absence***

C. Jackson, Teacher, 1.0 FTE, effective April 20, 2017 through May 31, 2017

***Resignation***

M. Carlisle, Playground Monitor, 1.5 hours per day, effective March 17, 2017

C. Myers, Teacher Associate, 6.0 hours per day, effective June 30, 2017

**.5 Job Description**

**❖ Teacher Associate: Bilingual, Language Option**

The Board will take action to approve the new job description.

**.6 Quarterly Report on Williams Uniform Complaints**

The quarterly report to the County Office of Education is brought forward for Board acceptance. (Education Code 35186)

**.7 School Site Council Plans/Single Plan for Student Achievement (SPSA)**

**Sutter's Mill School**

**Gold Trail School**

The Board will take action to approve the plans and the budget.

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

*President Script:*

*Do any members of the audience wish to address or comment any of these items?*

**NOTES**

**PULL (If Applicable)**

<i>ACTION</i>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i>				
<input type="checkbox"/> <i>Not approved</i>				
<input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM**

**Consent**

**11.1 Meeting Minutes (Board Bylaw 9324)**

**BACKGROUND**

Minutes of prior Board meetings are included for review and approval.

**ATTACHMENTS**

- Regular Meeting of March 9, 2017

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

Approve the minutes.

**NOTES**

*If pulled from Consent*

<i>ACTION</i>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

# Gold Trail Union School District

**BOARD OF TRUSTEES**  
**Regular and Closed Session Meeting**  
**Thursday, March 9. 2017**  
**OPEN AND CLOSED SESSION MINUTES**



**District Office**  
1575 Old Ranch Road  
Placerville, CA 95667  
1.530.626.3194  
Fax 1.530.626.3199  
Joe Murchison  
Superintendent

**Board of Trustees**  
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1.530.626.2595  
Fax 1.530.626.3289  
Scott Lyons  
Principal

## 1. CALL TO ORDER

The meeting was called to order in the Gold Trail School Library by S. Hennike, president, at 6:00 p.m.

Members present: J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander

Members absent: None

## 2. PUBLIC SESSION

E. Harm, student body president, led the flag salute.

## 3. ACTION ITEM: Adoption of Agenda

MOTION WAS MADE by J. Barbieri and duly seconded by D. Lander to adopt the agenda with no changes, and the vote was as follows:

AYES: Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander

NOES: None

ABSENCES: None

ABSTENSIONS: None

MOTION CARRIED

## 4. OPEN HEARING

The Board president solicited comments in accordance with the Brown Act and Open Meeting laws. No one addressed the Board.

## 5. REPORT: Student Council

E. Harm, president, reported on Student Council activities.

## 6. REPORT: Gold Trail Federation of Educators

D. Matyac, president, reported on Federation activities.

## 7. REPORT: Local Control Accountability Plan (LCAP) Update

J. Murchison, superintendent, reported on the progress of the District's 2017-18 LCAP.

## **8. CONSENT ITEMS**

- .1 Meeting Minutes (BB 9324)**
  - Regular Meeting of February 9, 2017**
  - Special Meeting of February 13, 2017**
- .2 Warrants (BP 3314)**
- .3 Personnel**
  - Hiring**
    - A Garcia, Athletic Coach: Track, effective 2016-17 school year
    - L Iverson, Coordinator: Special Curriculum Projects, effective 2016-17 school year
    - J Thompson, Maintenance/Custodian, 2 hours per day, effective February 7, 2017
  - Resignation**
    - J Thompson, Custodian, 2 hours per day, effective February 6, 2017
  - Re-classification**
    - J Whitmore, Teacher, 1.0 FTE, re-classified from temporary employee to probationary employee, effective November 1, 2016
- .4 Job Description**
  - ❖ Teacher Associate Signing Aide For the Deaf or Hard of Hearing (DHOH)**
- .5 Individual Services Agreement for Nonpublic, Nonsectarian School/Agency Services: Summitview Child and Family Services**

MOTION WAS MADE by D. Lander and duly seconded by J. Bauer to adopt the consent agenda, and the vote was as follows:

AYES:	Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander
NOES:	None
ABSENCES:	None
ABSTENSIONS:	None
	MOTION CARRIED

## **9. ACTION ITEM: 2016-17 Second Interim Financial Report**

MOTION WAS MADE by J. Barbieri and duly seconded by M. Howser to accept the report, and the vote was as follows:

AYES:	Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander
NOES:	None
ABSENCES:	None
ABSTENSIONS :	None

MOTION CARRIED

## **10. ACTION ITEM: 2017-18 and 2018-19 Calendar Adoption**

MOTION WAS MADE by J. Bauer and duly seconded by S. Hennike to adopt the calendars, and the vote was as follows:

AYES:	Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander
NOES:	None
ABSENCES:	None
ABSTENSIONS:	None

MOTION CARRIED

**11. ACTION ITEM: Resolution 2016-17:03-01 Reduction of Certificated Employees**  
MOTION WAS MADE by D. Lander and duly seconded by J. Barbieri to adopt the subject resolution, and the vote was as follows:  
AYES: Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander  
NOES: None  
ABSENCES: None  
ABSTENSIONS: None MOTION CARRIED

**12. ACTION ITEM: 2017 CSBA Delegate Assembly Election**  
Having no nomination for this election, this topic was tabled. NO ACTION TAKEN

**13. DISCUSSION ITEM: Administrative Reports**  
The Board members and administration reported on District activities.

**14. CLOSED SESSION OPEN HEARING**  
No one addressed the Board.

**15. CLOSED SESSION**  
The Board adjourned to Closed Session at 6:50 p.m.

.1 **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT**  
Members present: Board members, S. Lyons, J. Murchison, T. Orio, and W. Scarlett

.2 **CONFERENCE WITH LABOR NEGOTIATORS** (*Government Code Section 54957.6*)  
Members present: Board members, S. Lyons, J. Murchison, T. Orio, and W. Scarlett

.3 **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**  
**Title: Superintendent**  
Members present: Board members and S. Lyons

**16. RECONVENE PUBLIC SESSION AND CLOSED SESSION DISCLOSURE**  
The Board reconvened Public Session at 7:40 p.m. During closed session the Board adopted a resolution pursuant to Education Code section 44929.21 and authorized the District's superintendent to notify a teacher of release from his/her probationary position. MOTION WAS MADE by S. Lander and duly seconded by S. Hennike to adopt the resolution, and the vote was as follows:  
AYES: Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander  
NOES: None  
ABSENCES: None  
ABSTENSIONS: None MOTION CARRIED

**17. FUTURE REGULAR MEETING SCHEDULE**

**Date: April 6, 2017      Time: 6:00 p.m.      Location: Gold Trail School Library**

Agenda Items for that meeting may include but are not limited to:

Board Policies, Administrative Regulations and Board Bylaw Updates

District Fee Adjustment, If Applicable

Library Media Center Program Evaluation (Annual)

Local Control Accountability Plan (LCAP) Update

Williams Act Uniform Complaint Procedures Quart4rly Report

There being no further business to come before the Board, MOTION WAS MADE by D. Lander and duly seconded by M. Howser and carried to adjourn the meeting 7:42 p.m. and the vote was as follows:

**AYES:**                      Trustees J. Barbieri, J. Bauer, S. Hennike, M. Howser and D. Lander

**NOES:**                      None

**ABSENCES:**                None

**ABSTENSIONS:**           None

**MOTION CARRIED**

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S. Hennike, President

---

J. Murchison, Secretary

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM**

**Consent**

**11.2 Warrants (Board Policy 3314)**

**BACKGROUND**

The warrants are included for Board review and approval.

**ATTACHMENTS**

➤ Warrants

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

All warrants are within the adopted budget and/or approved expenditures.

**RECOMMENDATION**

Approve the warrants.

**NOTES**

*If pulled from Consent*

<i>ACTION</i>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

APY250 L.00.05

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 7026 GTUSD ACCOUNTS PAYABLEEL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/10/2017

03/10/17 PAGE 1

WARRANT	VENDOR/ADDR	NAME (REMIT) REQ#	REFERENCE	LN	FD	RESC	Y	OBJT	GOAL	FUNC	LC1	LOC2	L3	SCH	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	DESCRIPTION	AMOUNT
80548917	008521/	A-Z BUS SALES INC																	
					PV-170476	01-0000-0-5600-0000-3600-000-0000-00-000									02S303917 BUS 10 REPAIRS		477.19		
						WARRANT TOTAL												\$477.19	
80548918	100912/	BANK OF AMERICA			PV-170477	01-0000-0-4300-0000-2700-002-0000-22-000									EL PARENT MEETING		137.72		
						01-0000-0-4300-0000-2700-002-0000-22-000									SM STUDENT INCENTIVES		36.03		
						01-0000-0-4300-0000-2700-003-0000-22-000									EL PARENT MEETING		137.72		
						01-0000-0-4300-0000-3140-000-0000-00-000									NURSE ROOM SUPPLIES		30.58		
						01-0000-0-4300-0000-3140-000-0000-00-000									NURSE BUSINESS CARDS		26.93		
						01-0000-0-4300-0000-3600-000-0000-00-000									TRANSPORTATION SUPPLIES		61.05		
						01-0000-0-4300-0000-7100-000-0000-00-000									BOARD SUPPLIES		26.65		
						01-0000-0-4300-0000-8100-000-0000-00-000									MAINTENANCE SUPPLIES		264.60		
						01-0000-0-4300-0000-8100-000-0000-00-000									MAINTENANCE SUPPLIES		58.00		
						01-0000-0-4300-0000-8100-002-0000-00-000									MAINTENANCE SUPPLIES		50.05		
						01-0000-0-4300-1110-1000-000-0000-00-000									VALENTINE DNCE DECOR-ASB REIMB		537.76		
						01-0000-0-4300-1110-1000-002-0600-00-000									ROCKET ENRICHMENT CLASS SUPPLY		319.18		
						01-0000-0-4300-1110-1000-002-1210-00-000									SM TESTING HEADPHONES		98.95		
						01-0000-0-4300-1110-1000-003-0000-22-000									8TH GR SCIENCE SUPPLIES		26.86		
						01-0000-0-4300-1110-1000-003-1210-00-000									GT PROJECTOR CABLES		23.28		
						01-0000-0-4300-1110-1000-003-1210-00-000									GT TESTING HEADPHONES		98.96		
						01-0000-0-5210-1110-1000-003-0104-00-000									DRIVER MEALS 4TH GR FT		35.45		
						01-0000-0-5210-1110-1000-003-0106-00-000									CXL DRVR LDGNG 6TH GR FT		256.39-		
						01-0000-0-5815-0000-3600-000-0000-00-000									DENSMORE DMV PHYSICAL		115.00		
						01-0000-0-5835-1110-1000-003-0115-00-000									GT DISNEY JAZZ FT TICKETS		7,475.50		
						01-0000-0-5835-1110-1000-003-0115-00-000									GT DISNEY JAZZ FT TICKETS		7,475.50		

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC	LC1 LOC2 L3 SCH	DESCRIPTION	
			01-0000-0-5835-1110-1000-003-0600-00-000		OOTM REGIONAL MEMBERSHIP	100.00
			01-0000-0-5835-1110-1000-003-0600-00-000		CXL OOTM REGIONAL MEMBRSHP	100.00-
			01-0000-0-6200-0000-8500-002-0469-00-000		SM BOOKROOM COUNTERTOPS	608.36
			01-0000-0-6200-0000-8500-002-0469-00-000		SM BOOKROOM MATERIALS	397.32
			01-0000-0-6200-0000-8500-002-0469-00-000		SM BOOKROOM CABINETS	1,125.85
			01-0600-0-4300-1110-1000-002-0000-00-000		SIPPS CLASS SUPPLIES	58.99
			01-0600-0-4300-1110-1000-002-0000-00-000		CLARK CLSRM ALTERNATIVE SEATING	372.12
			01-5810-0-4400-0000-8100-002-1210-00-000		SM ALL CALL SYSTEM CONTROL BOX	935.92
			01-6300-0-4100-1110-1000-003-0000-00-000		SPANISH MATH CONSUMABLES	29.03
			13-5310-0-5210-0000-3700-000-0000-00-000		CAFE MANAGER MEETING	45.00
			WARRANT TOTAL			\$20,351.97
80548919	100513/	BUCKEYE UNION SCHOOL DISTRICT				
	175067	PO-170067	1. 01-0000-0-5600-0000-3600-000-0000-00-000		170099 BUS REPAIRS	2,527.78
			WARRANT TOTAL			\$2,527.78
80548920	000352/	CALTRONICS BUSINESS SYSTEMS				
		PV-170478	01-1100-0-5600-1110-1000-003-1210-00-000		S02696 GT COPIER	215.01
			WARRANT TOTAL			\$215.01
80548921	101544/	KATHLEEN CAPP'S				
		PV-170479	01-0000-0-9598-0000-0000-000-0000-00-000		REPLACE LOST A/P CHECK	66.51
			WARRANT TOTAL			\$66.51
80548922	101302/	CDW GOVERNMENT				
	175124	PO-170124	1. 01-5810-0-4400-1110-1000-003-1210-00-000		GST8213 REPLC CANFIELD LAPTOP	1,038.66
	175124		1. 01-5810-0-4400-1110-1000-003-1210-00-000		GWT3491 RET'D DISPLAY TV	772.33-
			WARRANT TOTAL			\$266.33
80548923	101104/	CIT TECHNOLOGY FIN SERV INC				
	175024	PO-170024	1. 01-1100-0-5600-1110-1000-003-1210-00-000		29860638 GT COPIER LEASE	569.60

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC	LC1 LOC2 L3 SCH	DESCRIPTION	
WARRANT TOTAL						\$569.60
80548924	011529/	THE DANIELSEN CO				
	175048	PO-170048	1. 13-5310-0-4700-0000-3700-000-0800-00-000	126304	LUNCH FOOD	1,460.16
	175048		1. 13-5310-0-4700-0000-3700-000-0800-00-000	125106	LUNCH FOOD	1,842.78
	175048		2. 13-5310-0-4700-0000-3700-000-0801-00-000	126304	BREAKFAST FOOD	319.99
	175048		2. 13-5310-0-4700-0000-3700-000-0801-00-000	125106	BREAKFAST FOOD	325.26
	175048		3. 13-5310-0-4700-0000-3700-000-0802-00-000	125106	ALA CARTE FOOD	237.78
			WARRANT TOTAL			\$4,185.97
80548925	101874/	THE DBQ PROJECT				
	175128	PO-170130	1. 01-0000-0-4300-1110-1000-003-0416-00-000	2017-02-66	YATES HISTORY GRANT	351.00
			WARRANT TOTAL			\$351.00
80548926	101817/	VANESSA DENSMORE				
		PV-170480	01-0000-0-5815-0000-3600-000-0000-00-000		FIRST AID/CPR/AED TRAINING	50.00
			WARRANT TOTAL			\$50.00
80548927	000738/	EL DORADO DISPOSAL				
		PV-170481	01-0000-0-5560-0000-8100-002-0000-00-000	172442939	SM	733.99
			01-0000-0-5560-0000-8100-003-0000-00-000	172442920	GT	899.43
			WARRANT TOTAL			\$1,633.42
80548928	100594/	TULEN EMERY				
		PV-170482	01-0000-0-4300-1110-1000-003-0104-00-000		FOOD ADVANCE 4TH GR FIELD TRIP	1,200.00-
			01-0000-0-4300-1110-1000-003-0104-00-000		FOOD EXP 4TH GR FIELD TRIP	1,344.88
			WARRANT TOTAL			\$144.88
80548929	100422/	SUE FADEL				
		PV-170483	01-6500-0-5210-5770-1120-000-0000-00-000		MILEAGE FEB 2017	38.16
			WARRANT TOTAL			\$38.16
80548930	101346/	FERRELLGAS				
		PV-170484	01-0000-0-5530-0000-8100-000-0000-00-000	1095507186	EXT DAY	204.51

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH		DESCRIPTION	
			01-0000-0-5530-0000-8100-002-0000-00-000	1095548651	SM	1,387.31
			WARRANT TOTAL			\$1,591.82
80548931	101780/	FLYING ACE INK				
	175134	PO-170134	1. 01-0000-0-4300-1110-1000-002-0103-00-000	1001121	3RD GR TSHIRTS	678.00
			WARRANT TOTAL			\$678.00
80548932	101878/	ANGELA FRANCO				
		PV-170485	01-0000-0-8675-0000-3600-000-0000-00-000	REFUND	BUS FEES	75.00
			WARRANT TOTAL			\$75.00
80548933	079952/	GOLD STAR FOODS INC				
	175050	PO-170050	1. 13-5310-0-4700-0000-3700-000-0800-00-000	1957167	LUNCH FOOD	2,264.88
	175050		2. 13-5310-0-4700-0000-3700-000-0801-00-000	1964023	BREAKFAST FOOD	55.50
	175050		2. 13-5310-0-4700-0000-3700-000-0801-00-000	1957167	BREAKFAST FOOD	1,511.41
	175050		3. 13-5310-0-4700-0000-3700-000-0802-00-000	1957167	ALA CARTE FOOD	220.31
			WARRANT TOTAL			\$4,052.10
80548934	100356/	GOLD TRAIL FEDERATION OF				
		PV-170486	01-0000-0-9573-0000-0000-000-0000-00-000	DUES	FEBRUARY 2017	3,533.02
			WARRANT TOTAL			\$3,533.02
80548935	101708/	GROWING HEALTHY CHILDREN				
		PV-170487	01-6500-0-5806-5770-1120-000-0000-00-000	GTUSD_1702	OT SVCS FEB 2017	669.60
			WARRANT TOTAL			\$669.60
80548936	101877/	AMY HENRY				
		PV-170488	01-0000-0-8699-0000-0000-003-0104-00-000	REFUND	4TH GR PETALUMA FT	130.00
			WARRANT TOTAL			\$130.00
80548937	101314/	LEGALSHIELD				
		PV-170489	01-0000-0-9576-0000-0000-000-0000-00-000	0126086	JANUARY 2017	51.80
			WARRANT TOTAL			\$51.80
80548938	100979/	DANNY LULLA				
		PV-170490	01-0000-0-4300-1110-1000-003-0104-00-000	FOOD/SUPPLIES/PIZZA	4TH GR FT	1,229.22

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	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH		DESCRIPTION	
			WARRANT TOTAL			
80548939	101233/	MCGRAW-HILL SCHOOL EDUCATION				\$1,229.22
	175046	PO-170046	1. 01-5810-0-5875-1110-1000-003-1210-00-000	96774729001	ALEK MATH PGM	25.00
			WARRANT TOTAL			\$25.00
80548940	100834/	MARGARET MOORE				
		PV-170491	01-0000-0-4300-0000-3140-000-0000-00-000		NURSE ROOM SUPPLIES	16.09
			WARRANT TOTAL			\$16.09
80548941	003202/	JOE MURCHISON				
		PV-170492	01-0000-0-5210-0000-7100-000-0000-00-000		MILEAGE FEBRUARY 2017	104.52
			WARRANT TOTAL			\$104.52
80548942	000232/	PACIFIC GAS & ELECTRIC COMPANY				
		PV-170493	01-0000-0-5540-0000-8100-000-0000-00-000	0991367996-6	EXT DAY	173.94
			01-0000-0-5540-0000-8100-002-0000-00-000	0991367996-6	SM	2,777.32
			01-0000-0-5540-0000-8100-003-0000-00-000	0991367996-6	GT	4,583.43
			WARRANT TOTAL			\$7,534.69
80548943	020926/	PITNEY BOWES GLOBAL FINANCIAL				
		PV-170494	01-0000-0-5902-0000-2700-000-0000-00-000	3101059342	PSTG MTR LEASE	366.52
			WARRANT TOTAL			\$366.52
80548944	077441/	PLACERVILLE GROCERY OUTLET				
	175051	PO-170051	1. 13-5310-0-4700-0000-3700-000-0800-00-000		LUNCH FOOD	69.51
	175051		2. 13-5310-0-4700-0000-3700-000-0801-00-000		BREAKFAST FOOD	71.63
	175051		3. 13-5310-0-4700-0000-3700-000-0802-00-000		ALA CARTE FOOD	4.99
			WARRANT TOTAL			\$146.13
80548945	101468/	PROTECH PROJECTION SYSTEMS INC				
	175115	PO-170115	1. 01-0000-0-4400-1110-1000-003-1210-00-000	14394	PROJECTORS/REPLCMT LAMPS	1,351.00
			WARRANT TOTAL			\$1,351.00
80548946	100735/	RIEBES AUTO PARTS				
		PV-170495	01-0000-0-4300-0000-3600-000-0000-00-000	957165	BUS SUPPLIES	39.43

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	
	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH		DESCRIPTION	AMOUNT
WARRANT TOTAL						\$39.43
80548947	100846/	WENDY SCARLETT				
		PV-170497	01-0000-0-5800-0000-3600-000-0000-00-000		NOTARY FEE BUS LOAN DOCS	10.00
			WARRANT TOTAL			\$10.00
80548948	000895/	SCHOOL SERVICES OF CALIFORNIA				
	175030	PO-170030	1. 01-0000-0-5800-0000-7200-000-0000-00-000		0109573-IN JAN BDGT SVCS	56.00
			WARRANT TOTAL			\$56.00
80548949	101209/	SELF-INSURED SCHOOLS OF CALIF				
		PV-170498	01-0000-0-3901-1110-1000-000-0000-00-000		DIST PD RET MAR 2017	1,174.60
			01-0000-0-3901-1110-1000-000-0000-00-000		DIST PD RET DNTL MAR 2017	150.00
			01-0000-0-9570-0000-0000-000-0000-00-000		EMP MED MAR 2017	52,639.00
			01-0000-0-9570-0000-0000-000-0000-00-000		EMP DNTL MAR 2017	6,720.00
			01-0000-0-9570-0000-0000-000-0000-00-000		RET MED MAR 2017	5,189.40
			01-0000-0-9570-0000-0000-000-0000-00-000		RET DNTL MAR 2017	1,922.00
			WARRANT TOTAL			\$67,795.00
80548950	004234/	SKI AIR INCORPORATED				
		PV-170499	01-0000-0-6200-0000-8500-002-0469-00-000		20840 SM BOOKROOM HVAC	667.91
			WARRANT TOTAL			\$667.91
80548951	101171/	SLIC CO-OP				
		PV-170496	13-5310-0-5300-0000-3700-000-0000-00-000		17038 CO-OP MEMBERSHIP FEE	50.00
			WARRANT TOTAL			\$50.00
80548952	101715/	STUDYPAD INC				
	175121	PO-170120	1. 01-0600-0-5875-1110-1000-002-1210-00-000		SMINV201600618 SM MATH PGM	3,412.50
			WARRANT TOTAL			\$3,412.50
80548953	101412/	TCG ADMINISTRATORS				
		PV-170500	01-0000-0-5800-0000-7200-000-0000-00-000		151250 JAN 2017	30.00
			WARRANT TOTAL			\$30.00

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WARRANT REQ#	VENDOR/ADDR REFERENCE	NAME (REMIT) LN	DEPOSIT TYPE FD RESC Y OBJT GOAL FUNC	ABA NUM LC1 LOC2 L3 SCH	ACCOUNT NUM DESCRIPTION	AMOUNT
80548954	005977/	BARBARA THOMAS	PV-170501	01-0000-0-4300-1110-1000-002-0300-59-000 WARRANT TOTAL	STIGALL CLASSROOM SUPPLIES	44.63 \$44.63
80548955	101700/	DEBORAH VALLADON-HORNSBY	PV-170502	01-0000-0-4300-1110-1000-003-0104-00-000 WARRANT TOTAL	4TH GR FIELD TRIP PHOTOS	107.97 \$107.97
80548956	101027/	MICHELE WAGSTROM	PV-170503	01-0000-0-5210-0000-7200-000-0000-00-000 WARRANT TOTAL	MILEAGE FEBRUARY 2017	157.41 \$157.41
80548957	002823/	WAYNE'S LOCKSMITH SERVICE	PV-170504	01-0000-0-4300-0000-8100-002-0000-00-000 WARRANT TOTAL	23486 SM OFC/GYM PANIC BAR REP	145.00 \$145.00
80548958	005002/	WEST COAST JANITORIAL COMPANY	PV-170505	01-0000-0-4300-0000-8100-002-0000-00-000 WARRANT TOTAL	46703 SM CUSTODIAL SUPPLIES	81.67 \$81.67
*** BATCH TOTALS ***			TOTAL NUMBER OF CHECKS:	42	TOTAL AMOUNT OF CHECKS:	\$125,029.85*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$0.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$0.00*
			TOTAL PAYMENTS:	42	TOTAL AMOUNT:	\$125,029.85*
*** DISTRICT TOTALS ***			TOTAL NUMBER OF CHECKS:	42	TOTAL AMOUNT OF CHECKS:	\$125,029.85*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$0.00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$0.00*
			TOTAL PAYMENTS:	42	TOTAL AMOUNT:	\$125,029.85*

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH		DESCRIPTION	
80550694	008233/	AMERICAN FIDELITY ASSURANCE				
		PV-170506	01-0000-0-9582-0000-0000-000-0000-00-000 WARRANT TOTAL	B584033	APRIL 2017	1,204.94 \$1,204.94
80550695	020043/	ARC				
		PV-170515	01-0000-0-5835-1110-1000-002-0102-00-000 WARRANT TOTAL	2ND GR	WAKAMATSU FIELD TRIP	340.00 \$340.00
80550696	100716/	AT&T				
		PV-170507	01-0000-0-5901-0000-2700-003-1210-00-000 01-0000-0-5901-0000-7200-000-1210-00-000 01-0000-0-5901-0000-7700-000-1210-00-000 WARRANT TOTAL	9338154 GT 9338152 ALARM LINES 9338151 PRI	65.04 31.18 311.67 \$407.89	
80550697	008192/	CALIFORNIA LEAGUE OF SCHOOLS				
	175117	PO-170117	1. 01-6264-0-5200-0000-2700-003-0000-00-000 WARRANT TOTAL	NORTH17-LYONS CLSM CONF	329.00 \$329.00	
80550698	101505/	SARAH CANFIELD				
		PV-170508	01-0000-0-4300-1110-1000-003-0600-00-000 WARRANT TOTAL	OOTM EXPENSES	76.92 \$76.92	
80550699	000073/	CHEVRON & TEXACO				
		PV-170509	01-0000-0-4370-0000-3600-000-0000-00-000 01-0000-0-4370-0000-8100-003-0000-00-000 01-0000-0-4370-1110-1000-003-0115-00-000 01-9022-0-4370-0000-3600-000-0000-00-000 13-5310-0-4370-0000-3700-000-0000-00-000 WARRANT TOTAL	6000917515 TRANSPORTATION FUEL 6000917515 GT MAINTENANCE FUEL 6000917515 DISNEY JAZZ FT FUEL 6000917515 MV FUEL 6000917515 CAFE FUEL	5.90 81.41 48.82 16.79 5.89 \$158.81	
80550700	101104/	CIT TECHNOLOGY FIN SERV INC				
	175024	PO-170024	1. 01-1100-0-5600-1110-1000-003-1210-00-000 WARRANT TOTAL	30000754 GT COPIER LEASE	569.60 \$569.60	

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WARRANT	VENDOR/ADDR	NAME (REMIT) REQ#	REFERENCE	LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC	LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT	
80550701	100999/	DAWSON OIL COMPANY															
			175068	PO-170068	1.	01-0000-0-4370-0000-3600-000-0000-00-000								73191 BUS FUEL	2,339.11		
															WARRANT TOTAL	\$2,339.11	
80550702	101618/	DE LAGE LANDEN															
			175026	PO-170026	1.	01-0000-0-7439-0000-9100-000-1210-00-000								53507530 D O COPIER	241.19		
															2.	01-0000-0-7439-0000-9100-002-1210-00-000	
															WARRANT TOTAL	196.33	
																\$437.52	
80550703	005954/	DEPARTMENT OF JUSTICE															
			PV-170510		01-0000-0-5812-0000-7200-000-0000-00-000									21224 FINGERPRINTING FEB 2017	47.00		
															WARRANT TOTAL	\$47.00	
80550704	000126/02	EL DORADO COUNTY OFC OF ED															
			PV-170511		01-0000-0-5809-1110-4900-000-0000-00-000									111491 EXT DAY-MV STUDENT	23.28		
															WARRANT TOTAL	\$23.28	
80550705	000626/	EL DORADO IRRIGATION DISTRICT															
			PV-170512		01-0000-0-5520-0000-8100-000-0000-00-000									078351-001 EXT DAY	113.74		
															01-0000-0-5520-0000-8100-002-0000-00-000	264.12	
															01-0000-0-5520-0000-8100-003-0000-00-000	252.37	
															WARRANT TOTAL	\$630.23	
80550706	101346/	FERRELLGAS															
			PV-170513		01-0000-0-5530-0000-8100-002-0000-00-000									1095861175 SM	491.44		
															01-0000-0-5530-0000-8100-002-0000-00-000	123.17	
															01-0000-0-5530-0000-8100-003-0000-00-000	551.96	
															01-0000-0-5530-0000-8100-003-0000-00-000	2,823.54	
															WARRANT TOTAL	\$3,990.11	
80550707	101101/	FOG WILLOW FARMS															
			PV-170514		01-0000-0-5835-1110-1000-002-0102-00-000									42104 2ND GR 4/21 FIELD TRIP	462.00		
															WARRANT TOTAL	\$462.00	

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION  
 COMMERCIAL WARRANT REGISTER  
 FOR WARRANTS DATED 03/28/2017

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DISTRICT: 005 Gold Trail Union School Dist  
 BATCH: 7027 GTUSD ACCOUNTS PAYABLE

WARRANT REQ#	VENDOR/ADDR REFERENCE	NAME (REMIT) LN FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
80550708	000761/	FOLLETT SCHOOL SOLUTIONS INC				
	175132	PO-170132 1. 01-0600-0-4200-0000-2420-003-1205-00-000 WARRANT TOTAL		564790F-6	LOST GT LIBRARY BKS	148.70 \$148.70
80550709	100036/	FOOTHILL FOOD SERVICE INC				
	175049	PO-170049 1. 13-5310-0-4700-0000-3700-000-0800-00-000		477864	LUNCH FOOD	32.72
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477863	LUNCH FOOD	32.72
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477776	LUNCH FOOD	379.01
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477775	LUNCH FOOD	339.54
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477653	LUNCH FOOD	32.23
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477410	LUNCH FOOD	17.95
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477322	LUNCH FOOD	209.10
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477321	LUNCH FOOD	321.96
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477186	LUNCH FOOD	99.71
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477185	LUNCH FOOD	53.43
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477087	LUNCH FOOD	159.02
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		477086	LUNCH FOOD	174.67
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		476765	LUNCH FOOD	373.03
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		476763	LUNCH FOOD	337.47
	175049	1. 13-5310-0-4700-0000-3700-000-0800-00-000		476483	LUNCH FOOD	31.00
	175049	2. 13-5310-0-4700-0000-3700-000-0801-00-000		477776	BREAKFAST FOOD	15.66
	175049	2. 13-5310-0-4700-0000-3700-000-0801-00-000		477775	BREAKFAST FOOD	18.65
	175049	2. 13-5310-0-4700-0000-3700-000-0801-00-000		477087	BREAKFAST FOOD	31.31
	175049	2. 13-5310-0-4700-0000-3700-000-0801-00-000		476763	BREAKFAST FOOD	18.65
	175049	3. 13-5310-0-4700-0000-3700-000-0802-00-000		476763	ALA CARTE FOOD	8.65
	175049	3. 13-5310-0-4700-0000-3700-000-0802-00-000		477086	ALA CARTE FOOD	29.21

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION  
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DISTRICT: 005 Gold Trail Union School Dist  
 BATCH: 7027 GTUSD ACCOUNTS PAYABLE

WARRANT REQ#	VENDOR/ADDR REFERENCE	NAME (REMIT) LN FD RESC Y OBJT	DEPOSIT TYPE GOAL FUNC LC1 LOC2 L3 SCH	ABA NUM DESCRIPTION	ACCOUNT NUM	AMOUNT
175049		3. 13-5310-0-4700-0000-3700-000-0802-00-000 WARRANT TOTAL		477775 ALA CARTE FOOD		33.32 \$2,749.01
80550710	101691/	KERRY KOENIG				
		PV-170516	01-0000-0-4300-1110-1000-003-0300-78-000 WARRANT TOTAL		CLASSROOM SUPPLIES	190.32 \$190.32
80550711	100758/	LOZANO SMITH LLP				
		PV-170517	01-0000-0-5819-0000-7100-000-0000-00-000 WARRANT TOTAL		2022748 PERSONNEL ISSUES	118.00 \$118.00
80550712	082690/	DEBBI MATYAC				
		PV-170518	01-0000-0-4300-1110-1000-002-0100-00-000 WARRANT TOTAL		FOLSOM ZOO FT EXPENSES	193.66 \$193.66
80550713	101848/	JEFFREY MOLINARI				
		PV-170519	01-0000-0-4300-1110-1000-003-0300-69-000 WARRANT TOTAL		CLASSROOM SUPPLIES	22.82 \$22.82
80550714	101623/	KATY MULLIGAN				
		PV-170520	01-0000-0-4300-1110-1000-003-0106-00-000 01-0000-0-4300-1110-1000-003-0300-71-000 WARRANT TOTAL		YOSEMITE FT SUPPLIES CLASSROOM SUPPLIES	148.05 480.90 \$628.95
80550715	101881/	EMMA MUSGROVE				
		PV-170521	01-0000-0-4300-1110-1000-003-0104-00-000 WARRANT TOTAL		4TH GR PIONEER DAY SUPPLIES	427.36 \$427.36
80550716	101651/	MYBINDING.COM				
		PO-173083	1. 01-0000-0-4300-1110-1000-002-0000-00-000 1. 01-0000-0-4300-1110-1000-002-0000-00-000 WARRANT TOTAL		713972 SM LAMINATING FILM 713973 SM LAMINATING FILM	239.25 239.25 \$478.50
80550717	021298/	THERESA ORIO				
		PV-170522	01-0000-0-4300-0000-7100-000-0000-00-000 WARRANT TOTAL		BOARD SUPPLIES	19.66 \$19.66

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION  
 COMMERCIAL WARRANT REGISTER  
 FOR WARRANTS DATED 03/28/2017

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DISTRICT: 005 Gold Trail Union School Dist  
 BATCH: 7027 GTUSD ACCOUNTS PAYABLE

WARRANT	VENDOR/ADDR	NAME (REMIT) REQ#	REFERENCE	LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC	LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT	
80550718	000232/		PACIFIC GAS & ELECTRIC COMPANY														
			PV-170525		01-0000-0-5540-0000-8100-003-0000-00-000 WARRANT TOTAL									1274317581-7 GT STREET LIGHT	41.36 \$41.36		
80550719	101818/		TOM PAGAN						PV-170523		01-0000-0-4300-1110-1000-003-0600-00-000 WARRANT TOTAL						878.08 \$878.08
80550720	101880/		LAUREN PITTMAN						PV-170524		01-0000-0-4300-1110-1000-003-0600-00-000			ODYSSEY OF THE MIND SUPPLIES		127.11	
										01-0000-0-4300-1110-1000-003-0600-00-000 WARRANT TOTAL				ODYSSEY OF THE MIND SUPPLIES		16.18 \$143.29	
80550721	100735/		RIEBES AUTO PARTS						PV-170526		01-0000-0-4300-0000-8100-003-0000-00-000 WARRANT TOTAL			939753 MAINTENANCE SUPPLIES		52.11 \$52.11	
80550722	101653/		RIMROCK WATER COMPANY						PV-170527		01-0000-0-4300-0000-2700-002-0000-00-000 WARRANT TOTAL			17638 D1/B2 WATER		20.34 \$20.34	
80550723	011513/		RISO PRODUCTS OF SACRAMENTO						PV-170528		01-1100-0-5600-1110-1000-002-1210-00-000			167494 SM RISO		540.91	
										01-1100-0-5600-1110-1000-003-1210-00-000 WARRANT TOTAL				167230 GT RISO		808.93 \$1,349.84	
80550724	000298/		SACRAMENTO CO OFFICE OF EDUCAT						PV-170529		01-0000-0-5835-1110-1000-002-0103-00-000 WARRANT TOTAL			3RD GRADE SLY PARK FT DEPOSIT		750.00 \$750.00	
80550725	100846/		WENDY SCARLETT						PV-170530		01-0000-0-5210-0000-7200-000-0000-00-000 WARRANT TOTAL			MILEAGE - FEB 2017		73.14 \$73.14	
80550726	101128/		SCHOOLS INSURANCE AUTHORITY						PV-170531		01-0000-0-3901-1110-1000-000-0000-00-000			DIST PD RET VISION MAR 2017		41.40	

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/28/2017

03/28/17 PAGE 6

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 7027 GTUSD ACCOUNTS PAYABLE

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	
	REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH	DESCRIPTION		AMOUNT
			01-0000-0-9570-0000-0000-000-0000-00-000	EMP VISION MAR 2017		1,569.78
			01-0000-0-9570-0000-0000-000-0000-00-000	RET VISION MAR 2017		481.86
			WARRANT TOTAL			\$2,093.04
80550727	023212/	SHELL FLEET MANAGEMENT				
		PV-170532	01-0000-0-4370-0000-3600-000-0000-00-000	8000061765 TRANSP FUEL		12.55
			01-9022-0-4370-0000-3600-000-0000-00-000	8000061765 MV HTS FUEL		25.11
			13-5310-0-4370-0000-3700-000-0000-00-000	8000061765 CAFE FUEL		12.55
			WARRANT TOTAL			\$50.21
80550728	000365/	SIERRA NEVADA TIRE & WHEEL				
		PV-170533	01-0000-0-5600-0000-8100-003-0000-00-000	451313 TRACTOR TIRE REPAIRS		33.70
			WARRANT TOTAL			\$33.70
80550729	100751/	SIGNATURE WIRELESS GROUP				
		175032	PO-170032 1. 01-0000-0-5800-0000-3600-000-0000-00-000	27793 SMR RPTR SVC 4/17		258.05
		175032	1. 01-0000-0-5800-0000-3600-000-0000-00-000	27697 SMR RPTR SVC 3/17		258.05
			WARRANT TOTAL			\$516.10
80550730	100580/	STAPLES ADVANTAGE				
		PV-170534	01-0000-0-4300-1110-1000-000-0000-00-000	3321785735 DIST KRAFT PAPER		99.48
			WARRANT TOTAL			\$99.48
80550731	101865/	SUMMITVIEW				
		PV-170535	01-6500-0-5806-5770-1120-000-0000-00-000	SOC WORK SVCS 02/2017		963.30
			WARRANT TOTAL			\$963.30
80550732	101412/	TCG ADMINISTRATORS				
		PV-170536	01-0000-0-5800-0000-7200-000-0000-00-000	151553 FEB 2017		30.00
			WARRANT TOTAL			\$30.00
80550733	101723/	JAKE THOMPSON				
		PV-170537	01-0000-0-9598-0000-0000-000-0000-00-000	REISSUE LOST PAYROLL CHECK		212.57
			WARRANT TOTAL			\$212.57

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION  
 COMMERCIAL WARRANT REGISTER  
 FOR WARRANTS DATED 03/28/2017

03/28/17 PAGE 7

DISTRICT: 005 Gold Trail Union School Dist  
 BATCH: 7027 GTUSD ACCOUNTS PAYABLE

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE	LN FD RESC Y OBJT GOAL FUNC	LC1 LOC2 L3 SCH	DESCRIPTION		
80550734	000558/	TRUE VALUE HARDWARE				
		PV-170538	01-0000-0-4300-0000-8100-000-0000-00-000	632152	MAINT SUPPLIES	7.50
			01-0000-0-4300-0000-8100-003-0000-00-000	637224	GT MAINT SUPPLIES	53.61
			WARRANT TOTAL			\$61.11
80550735	100981/	VERIZON WIRELESS				
		PV-170539	01-0000-0-5901-0000-3140-000-1210-00-000	9781149489	NURSE	120.19
			01-0000-0-5901-0000-8100-000-1210-00-000	9781149489	MAINT	60.59
			01-5810-0-5901-0000-2700-002-1210-00-000	9781149489	SM	38.59
			01-5810-0-5901-0000-2700-003-1210-00-000	9781149489	GT	38.59
			WARRANT TOTAL			\$257.96
80550736	013563/	WALKER'S OFFICE SUPPLIES				
		PO-173097	1. 01-0000-0-4300-1110-1000-000-0000-00-000	1054927-0	DISTRICT COPY PAPER	964.93
			WARRANT TOTAL			\$964.93
*** BATCH TOTALS ***		TOTAL NUMBER OF CHECKS:	43	TOTAL AMOUNT OF CHECKS:	\$24,583.95*	
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*	
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*	
		TOTAL PAYMENTS:	43	TOTAL AMOUNT:	\$24,583.95*	
*** DISTRICT TOTALS ***		TOTAL NUMBER OF CHECKS:	43	TOTAL AMOUNT OF CHECKS:	\$24,583.95*	
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*	
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*	
		TOTAL PAYMENTS:	43	TOTAL AMOUNT:	\$24,583.95*	

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

<b>AGENDA ITEM</b> <b>Consent</b>
--------------------------------------

**11.3 Resolution 2016-17: 04-01: Resolution to Employ Short Term Classified Support**

**BACKGROUND**

The Board will adopt the Resolution allowing an increase for short term classified support for the 2016-17 school year only.

**ATTACHMENTS**

➤ **Resolution 2016-17: 04-01: Resolution to Employ Short Term Classified Support**

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

Approve the resolution.

*If pulled from Consent*

<i>ACTION</i>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

**Gold Trail Union School District**  
**Resolution 2016-17: 04-01**  
**RESOLUTION TO EMPLOY SHORT TERM CLASSIFIED SUPPORT**

**WHEREAS**, Gold Trail Union School District, County of El Dorado, State of California, is duly authorized and existing under the law of said state; and

**WHEREAS**, school districts are authorized by Education code section 45103 to utilize "short-term employees" when required; and

**WHEREAS**, "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; and

**WHEREAS**, before employing a short-term employee, the Governing Board, at a regularly scheduled board meeting, shall specify the service required to be performed by the employee pursuant to the definition of "classification" in subdivision (a) of Section 45101, and shall certify the ending date of the service; and

**WHEREAS**, the ending date may be shortened or extended by the Governing Board, but shall not extend beyond 75 percent of a school year; that "seventy-five percent of a school year" means 195 working days, including holidays, sick leave, vacation and other leaves of absence, irrespective of number of hours worked per day; and

**WHEREAS**, this section shall apply only to districts not incorporating the merit system as outlined in Article 6 (commencing with Section 45240).

**WHEREAS**, it is advantageous to support individual students' needs;

**THEREFORE, BE IT RESOLVED** that the Governing Board hereby authorizes the Superintendent to add the following short-term classified support:

Position #1:

Playground Monitor (1.0 hours per day, three days per week)  
March 20, 2017 through June 1, 2017 (no more than 35%)

Position#2:

Cafeteria Aide (.25 hours per day, five days per week)  
March 28, 2017 through June 1, 2017 (no more than 35%)

**ADOPTED** by the Governing Board of Gold Trail Union School District on April 6, 2017 by the following vote:

Ayes [ ]      Noes [ ]      Absent [ ]      Abstain [ ]

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Sue Hennike, President

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

<b>AGENDA ITEM</b> <b>Consent</b>
--------------------------------------

**11.4 Personnel**

**BACKGROUND**

*Re-classification*

B. Aguilar, Teacher Associate, 6.0 hours per day, re-classified to Teacher Associate, Signing Aide for the Deaf or Hard of Hearing (DHOH), 6.0 hours per day, effective 2016-17 school year

*Hiring*

L. Burton, Bus Driver, 4.0 hours per day, effective March 21, 2017

T. Hanks, Playground Monitor, Short Term Classified Support, 1.0 hour per day, 3 days per week, effective March 20, 2017 through June 1, 2017.

J. Hoyt, Teacher Associate, Signing Aide for the Deaf or Hard of Hearing (DHOH), 6.0 hours per day, effective March 27, 2017.

*Rescind Leave of Absence*

C. Jackson, Teacher, 1.0 FTE, effective April 20, 2017 through May 31, 2017

*Resignation*

M. Carlisle, Playground Monitor, 1.5 hours per day, effective March 17, 2017

C. Myers, Teacher Associate, 6.0 hours per day, effective June 30, 2017.

**ATTACHMENTS**

➤ None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

Approve the action.

**NOTES**

*If pulled from Consent*

<i>ACTION</i>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM**  
**Consent**

**11.5 Job Description**  
❖ **Teacher Associate: Bilingual, Language Option**

**BACKGROUND**

With the need for specialized services for our students, this new job description is brought forward for Board approval.

**ATTACHMENTS**

➤ **Job Description for Teacher Associate: Bilingual, Language Option**

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

Approve the job description.

**NOTES**

*If pulled from Consent*

<i>ACTION</i>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

Gold Trail Union School District  
**POSITION DESCRIPTION**

**Teacher Associate: Bilingual, Language Option**

Responsible To: Site Administrator or Designee	Series: Classified	Division: School Administration
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**Basic Function**

Performs all job functions as they relate to the Teacher Associate, but can provide all services in the primary language of English Language Learners (ELLs). Assist the classroom teacher by using the primary language to provide access to the core curriculum in areas of math, social studies, and science to ELLs. Provide instructional support to individuals or small groups of limited or non-English speaking students in a classroom, pull-out, supervised or other learning environment; prepare or modify instructional materials; translate orally and in writing as required.

**Language Options:**

- **Spanish Language Option:** Incumbents in this option are required to speak, read and write fluently in, but not limited to, English and Spanish.
- **Vietnamese Language Option:** Incumbents in this option are required to speak, read and write fluently in, but not limited to, English and Vietnamese.
- **Russian Language Option:** Incumbents in this option are required to speak, read and write fluently in, but not limited to, English and Russian.
- **Farsi Language Option:** Incumbents in this option are required to speak, read and write fluently in, but not limited to, English and Farsi.
- **Mandarin Language Option:** Incumbents in this option are required to speak, read and write fluently in, but not limited to, English and Mandarin.

**Performance of Responsibilities**

- Assist the teacher in providing access to the core curriculum in the areas of math, social studies, and science in the primary language of the ELLs by translating orally, presenting instructional materials, and reinforcing instruction or follow-up on student understanding of specific academic concepts.
- Develop teaching aids and materials in the primary language with teacher direction.
- Communicate with ELLs in a designated second or third language to facilitate the instructional process.
- Report progress regarding the performance and behavior of the ELLs to assigned teacher as required.
- Assist the teacher with the assessment and evaluation of the ELLs work in the primary language.
- Attend meetings and in-service training related to ELL related issues.
- Provide a social/cultural link for students and staff and build a supportive relationship.
- Assist ELLs by providing proper examples, emotional support, a friendly attitude and general

- guidance; assist in registration activities as appropriate.
- Assist in home/school communication by translating short memos or flyers and acting as an interpreter between parents of ELLs and school personnel.
- Assume additional responsibilities, tasks and duties to support ELLs as determined by the Principal or designee.

### **Experience**

Prior successful experience interacting with children within the past three years in a program requiring bilingual skills.

### **Education and Training Requirements**

1. High school diploma or the equivalent, **and**
2. Two years of college (48 units), **or**
3. A.A. degree (or higher), **or**
4. Pass a local assessment of knowledge and skills in assisting in instruction.

### **Knowledge of**

- Correct oral and written usage of English and a designated second or third language
- Instructional material used at grade(s) levels(s)
- Application of curriculum content as it applies to individual differences
- General needs and behavior of children
- Reading, writing, listening, and speaking communication skills
- Standard office equipment and modern office methods
- Basic knowledge of the computer

### **Ability To**

- Assist ELLs with instructional program and related activities of the assigned learning environment.
- Read, write and translate English and a designated second or third language (i.e., letters to parents, curriculum materials).
- Speak and interpret English and a designated second or third language.
- Establish and maintain effective relationships with students, parents, staff and the public including members of ethnic communities and foreign countries.
- Demonstrate an understanding, patient and receptive attitude toward individuals from foreign cultures ethnic communities.
- Print and write legibly in English and the primary language.
- Understand and follow oral and written directions in English and the primary language.
- Communicate effectively both orally and in writing in English and the primary language.
- Instruct under minimal guidance of the teacher in charge.
- Establish and maintain effective relationships with adults and children.
- Plan learning activities under guidance of teacher in charge.
- Assume a high level of responsibility and independent activity.

### **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with

disabilities to perform the essential functions. While performing the duties of this job, the employee is frequently required to stand; walk; use hands to finger, handle, or feel; reach with hands and arms; and talk or hear. The employee is occasionally required to stop, kneel, crouch or crawl. The employee must possess adequate ability and physical strength to perform all of the essential tasks in the job classification. Vision sufficient to successfully perform the duties and responsibilities required of this position.

Equal Employment Opportunity Employer

The information contained in this job description is for compliance with the American with Disabilities Act (ADA) and is not an exhaustive list of the duties performed for this position. Additional duties are performed by the individuals currently holding this position and additional duties may be assigned.

Adopted by the Board of Trustees: April 6, 2017

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM**

**Consent**

**11.6      Quarterly Report on Williams Uniform Complaints**

**BACKGROUND**

Education Code 35186 mandates that districts use the uniform complaint process to help identify and resolve any deficiencies related to instructional materials, teacher vacancy or misassignments, and emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff. A school district shall report summarized data on the nature and resolution of all complaints. These summaries shall be publicly reported to the Board and the County Superintendent of Schools on a quarterly basis, and presented at a regularly scheduled meeting of the governing board of the school district. The complaints and written responses shall be available as public records. *Education Code 35186*

**ATTACHMENTS**

- **Quarterly Report on Williams Uniform Complaints**

**BUDGETED**

NA      Yes       No       Cost Analysis Follows

**RECOMMENDATION**

Approve the report.

*If pulled from Consent*

<b>ACTION</b>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

## Quarterly Report on Williams Uniform Complaints

[Education Code § 35186]

To: Ed Manansala, Ed.D., Superintendent of Schools

District: Gold Trail Union School District

Person completing this form: Joe Murchison Title: Superintendent

Quarterly Report Submission Date:  April 2017  
(check one)  July 2017  
 October 2017  
 January 2018

Date for information to be reported publicly at governing board meeting: April 6, 2017

Please check the box that applies:

- No complaints were filed with any school in the district during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignment	0	0	0
Facilities Conditions	0	0	0
<b>TOTALS</b>	0	0	0

---

Signature of District Superintendent

---

Date

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

<b>AGENDA ITEM</b> <b>Consent</b>
--------------------------------------

**11.7 School Site Council Plans/Single Plan for Student Achievement (SPSA)**

**Sutter's Mill School**  
**Gold Trail School**

**BACKGROUND**

The Board of Trustees believes that comprehensive planning that is aligned with the district's local control and accountability plan (LCAP) is necessary at each school, in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals. Each district school shall establish a school site council in accordance with Education Code 52852 and the accompanying administrative regulation to develop, review, and approve school plans.

For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (*Education Code 64001*) The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and its students. He/she shall also ensure that specific actions included in the district's LCAP are consistent with the strategies identified in each school's SPSA.

The Board shall, at a regularly scheduled Board meeting, review and approve each school's SPSA and any subsequent material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. The Board shall certify that, to the extent allowable under federal law, the SPSA is consistent with district local improvement plans required as a condition of receiving federal funding. (*Education Code 64001*)

**ATTACHMENTS**

- **Gold Trail School Single Plan for Student Achievement**
- **Sutter's Mill School Single Plan for Student Achievement**

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

Approve the Action.

**NOTES**

*If pulled from Consent*

<b>ACTION</b>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

# The Single Plan for Student Achievement

**School:** Gold Trail School

**CDS Code:** 09618876005516

**District:** Gold Trail Union Elementary School District

**Principal:** Scott Lyons

**Revision Date:** April 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

**Contact Person:** Scott Lyons

**Position:** Principal

**Phone Number:** 530.626.2595

**Address:** 889 Cold Springs Rd.  
Placerville, CA 95667

**E-mail Address:** [slyons@gtusd.org](mailto:slyons@gtusd.org)

**The District Governing Board approved this revision of the SPSA on April 13, 2017.**

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## School Vision and Mission

### Gold Trail School's Vision and Mission Statements

Our District Vision: The vision for Gold Trail School District is to create and maintain an environment where every child receives a high quality education and comes to school feeling safe, cared for, and optimistic about his or her ability to learn. In addition, Gold Trail School's mission is: We strive to make Gold Trail School a place where students, parents, and staff work together to provide a positive, caring, and safe place where each student can achieve his or her personal best.

## School Profile

Gold Trail School is located in a beautiful, rural setting three miles from Coloma, where gold was discovered in California. Gold Trail celebrated its 50th anniversary at the site in 2009-10. The school has a current student population of approximately 396 (CBEDS 2016) and serves grades four through eight.

Gold Trail School provides self contained fourth, and three core teachers for Language Arts, History, Science, and Math in grades five and six. Seventh and eighth grade students attend core classes as well as an offering of elective courses. All students attend physical education, and fourth through sixth grade attend a Music or Band class. At seventh and eighth grade, Band or Performing Arts, Spanish, and Art electives are offered.

Campus facilities feature fifteen occupied classrooms, provide two classrooms for students enrolled in El Dorado County special education classes housed on the campus, and also include a library, five 36 chrome book computers on wheels, campus wide wireless internet access, a children's museum of California History, a multi-purpose room which provides space as a performing arts pavilion, and a gymnasium which is well used not only by the school but also by the local Parks and Recreation Department and AAU programs. Other programs housed on campus include all required special education programs, a tutorial intervention program for students who are struggling or are not meeting or exceeding standards in reading and mathematics, and after school academy for students at risk of not being eligible for graduation. In addition, a broad spectrum of enrichment programs are offered including After School Sports, Jazz Band, Robotics, Dance, Art, and Odyssey of the Mind, to name a few. In 2015-16 we continue to offer a late bus for transportation home for students attending these offerings.

Gold Trail School is one of two schools in the Gold Trail Union School District. The District has seen an increase in student mobility during the past several years. For Gold Trail, the unduplicated pupil counts including students qualifying for free and reduced lunches is 27%. Typically, the district community tends to be homogenous in its language, ethnic and racial composition. The community is very supportive of its schools. Parents regularly volunteer in classrooms and participate in a variety of activities that are offered to promote family involvement in our students success. In addition, the school has an active and engaged Parent Teacher Organization that partners with the school to provide services and funding. The school maintains a website to provide easy access to information about our schools. Communication with families is supported by Parent Link and emails and our English Learner outreach coordinator.

The instructional program is rigorous and the site exceeds requirements for minutes per school year including Physical Education. There are 19 minimum days in the school year. Ten days are used for a week of parent conferencing in October and in March, while the other days are used for staff collaboration and training. The last day of school is also a minimum day. In addition, there are two staff development days scheduled in the calendar for staff training.

Gold Trail School parents and staff participate in the District Advisory Committee (DAC). The purpose of the committee is to review and advise the development of the various required District and Site plans in order to coordinate funding and effectively provide programs and services that are essential for student achievement and family support. The Single Plan for Student Achievement is approved by the Gold Trail School Board of Trustees. Developing this plan allows for parent and staff involvement and input. Additionally, the Site Council annually reviews the Local Education Agency Plan for consistency and to coordinate programs through the Single Plan for Student Achievement, the Local Control Accountability Plan, the Comprehensive Safety Plan and other district plans.

## Comprehensive Needs Assessment Components

### Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

### Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

Ongoing review of student progress is through Aeries Browser Interface (ABI) by teacher, parent and administration. Staff are surveyed individually and at staff meetings regarding their training and classroom/program needs. The site will begin to administer the California Healthy Kids Survey annually to grades 5 through 8 each year to monitor results and address issues related to the physical and social health of our students. The surveys are discussed with staff and at a regular board meeting annually.

### Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

Classroom observations are conducted on a regular, ongoing basis to observe teaching techniques and student engagement.

### Analysis of Current Instructional Program

The following statements are derived from the Elementary and Secondary Education Act (ESEA) of 1965 and Essential Program Components (EPCs). In conjunction with the needs assessments, these categories may be used to discuss and develop critical findings that characterize current instructional practice for numerically significant subgroups as well as individual students who are:

- Not meeting performance goals
- Meeting performance goals
- Exceeding performance goals

Discussion of each of these statements should result in succinct and focused findings based on verifiable facts. Avoid vague or general descriptions. Each successive school plan should examine the status of these findings and note progress made. Special consideration should be given to any practices, policies, or procedures found to be noncompliant through ongoing monitoring of categorical programs.

### Standards, Assessment, and Accountability

#### 1. Use of state and local assessments to modify instruction and improve student achievement (ESEA)

State testing results are examined and discussed by staff. Results are analyzed to determine instructional and curriculum strengths and weaknesses. A variety of local assessments (SIPPS, ALEKS Math, Read Naturally, Textbook tests) are used to modify instruction, re-teach and improve student achievement. Currently Gold Trail teachers are developing periodic grade level longitudinal academic assessments in mathematics. The goal is to assess students periodically, identify students individual needs and adjust curriculum delivery to improve student achievement. Areas of strengths and weakness are to be specifically addressed in the LCAP summary and goals. Action steps are to be considered for how best to remediate and increase student performance.

#### 2. Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC)

Teachers monitor student progress on Aeries within their class and subject areas and use the local assessments listed above to modify instruction. Local test results help initially screen and target students for the Student Success Team and the Response to Intervention program.

### Staffing and Professional Development

#### 3. Status of meeting requirements for highly qualified staff (ESEA)

All teachers are NCLB compliant.

4. Sufficiency of credentialed teachers and teacher professional development (e.g., access to instructional materials training on SBE-adopted instructional materials) (EPC)

El Dorado County Office of Education provides a variety of training opportunities which have been made available to staff. Trainings to improve the delivery of the Common Core Standards curriculum, Step up to Writing, Step up to Math, Love and Logic and a number of classes related to the use of technology in the classroom are examples of available offerings.

5. Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA)

Staff development is focused on Common Core Standards training for all math and language arts teachers and increasing the use of technology in the classroom.

6. Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC)

Support for our new teachers has been ongoing throughout the year. The Beginning Teacher Support and Assessment (BTSA) induction program has our new teachers partnering with a mentor teacher. In addition, BTSA teachers meet with the principal to review goals and discuss instructional strategies. All teachers have benefitted from recent Educator Effectiveness training funds (not included in this plan) which allows for more participation in workshops, conferences, and trainings offered in the county and region.

7. Teacher collaboration by grade level (kindergarten through grade eight [K–8]) and department (grades nine through twelve) (EPC)

Teachers have the opportunity to collaborate by grade level as well as by curricular area. During the 16/17 school year, there are nine early release days and two staff development days that allow for teacher collaboration.

#### Teaching and Learning

8. Alignment of curriculum, instruction, and materials to content and performance standards (ESEA)

Curriculum is aligned with the Common Core Standards for Math and Language Arts.

9. Adherence to recommended instructional minutes for reading/language arts and mathematics (K–8) (EPC)

Teachers and programs adhere to recommended instructional minutes for mathematics and language arts.

10. Lesson pacing schedule (K–8) and master schedule flexibility for sufficient numbers of intervention courses (EPC)

There is no official lesson pacing guide outside of the recommendation in teacher edition texts. There is very little flexibility in the master schedule of a small school district and we have limited resources. Accordingly, providing intervention courses is extremely difficult and we continue to seek creative solutions for students who are struggling academically.

11. Availability of standards-based instructional materials appropriate to all student groups (ESEA)

Instructional materials are available to all student groups including materials for English Learners.

12. Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC)

Instructional and intervention materials are SBE adopted and standards based.

### Opportunity and Equal Educational Access

13. Services provided by the regular program that enable underperforming students to meet standards (ESEA)

Teachers modify and differentiate to ensure underperforming students are provided the opportunity to access the curriculum.

14. Research-based educational practices to raise student achievement

Students identified as candidates to benefit from Response to Intervention programs are provided with research-based programs in instruction.

### Parental Involvement

15. Resources available from family, school, district, and community to assist under-achieving students (ESEA)

Parks and Recreation programs, Boys and Girls Club, and after school enrichment classes and athletics, etc. help support, motivate, and assist under-achieving students. A late bus is available to students two days a week and is targeted to assist those families with struggling students to participate in after school tutorial and enrichment classes. The district English Learner Outreach program has been implemented and provides direct student instructional support, translated materials and regular communication with EL families.

16. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of ConApp programs (5 California Code of Regulations 3932)

School Site Council and the Local Control Accountability Plan Council has been combined into the District Advisory Committee (DAC) and consists of parents, staff and administrators. The DAC and Parent Teacher Organization provide forums to allow meaningful participation from stakeholder groups. Also parents are encouraged to attend meetings with the Principals of both sites to engage in a number of topics.

### Funding

17. Services provided by categorical funds that enable underperforming students to meet standards (ESEA)

Pull out tutorial classes, library tech assistant, administrative and teacher training, learning software and increased access to technology and after school tutorials and enrichment. Also supplemental LCFF funds support the programs provided by categorical funds.

18. Fiscal support (EPC)

Other supplemental educational support in the form of software and tutorials is provided to English Learners, McKinney Vento, Immigrant and GATE students to enrich the curriculum. Multiple learning tools are provided to students so they may gain academic improvements.

## Description of Barriers and Related School Goals

### 1. School, district and community barriers to improvement:

Barriers include students missing school for vacations, activities, or special events. Student tardiness also impedes progress. Student attendance is monitored closely, student academic progress is tracked, and parent contact and conferencing is ongoing and persistent. Internet access is still an issue for some families. The cost of increased use of technology in the classroom and modifying infrastructure to keep pace with emerging technology that compounds obsolescence is a considerable challenge. Providing adequate time for staff to meet, analyze and plan instruction for all students is a challenge.

### 2. Limitations of the current program to enable underperforming students to meet standards:

While funding is improving our district remains a lower funded district. It is difficult to develop and maintain programs with the funding limitations. Despite the limited funding the district strives to provide remedial program offerings, behavior support and remediation, counseling services, and differentiated instruction when appropriate.

## School and Student Performance Data

### CAASPP Results (All Students)

#### English Language Arts/Literacy

Grade Level	Overall Participation for All Students							
	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	76	75	73	73	73	73	96.1	97.3
Grade 5	66	76	65	74	65	74	98.5	97.4
Grade 6	77	74	75	72	75	72	97.4	97.3
Grade 7	54	79	54	78	54	78	100.0	97.5
Grade 8	83	55	82	55	82	55	98.8	100
All Grades	356	359	349	352	349	352	98.0	97.8

\* The "% of Enrolled Students Tested" showing in this table is not the same as "Participation Rate" for federal accountability purposes.

Grade Level	Overall Achievement for All Students									
	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	2471.7	2460.7	22	23	30	29	22	16	26	32
Grade 5	2506.9	2505.3	14	24	38	30	25	19	23	27
Grade 6	2544.6	2548.3	17	19	47	39	21	28	15	14
Grade 7	2569.8	2550.6	11	18	52	38	22	21	15	23
Grade 8	2570.0	2587.1	11	15	41	49	33	24	15	13
All Grades	N/A	N/A	15	20	41	36	25	21	19	22

Grade Level	Reading					
	Demonstrating understanding of literary and non-fictional texts					
	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	30	22	45	51	25	27
Grade 5	28	26	42	39	31	35
Grade 6	20	14	53	60	27	26
Grade 7	20	26	59	50	20	24
Grade 8	23	38	56	47	21	15
All Grades	24	24	51	49	25	26

Grade Level	Writing					
	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	23	16	52	56	25	27
Grade 5	22	23	52	45	26	32
Grade 6	27	21	57	61	16	18
Grade 7	31	22	57	53	11	26
Grade 8	20	27	65	56	16	16
All Grades	24	22	57	54	19	24

Grade Level	Listening					
	Demonstrating effective communication skills					
	% Above Standard		% At or Near Standard		% Below Standard	
2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	
Grade 4	23	22	62	66	15	12
Grade 5	20	14	71	72	9	15
Grade 6	15	28	72	69	13	3
Grade 7	20	15	65	71	15	14
Grade 8	15	18	72	67	13	15
All Grades	18	19	68	69	13	12

Grade Level	Research/Inquiry					
	Investigating, analyzing, and presenting information					
	% Above Standard		% At or Near Standard		% Below Standard	
2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	
Grade 4	16	26	62	51	22	23
Grade 5	31	39	60	49	9	12
Grade 6	31	38	61	54	8	8
Grade 7	30	27	59	54	11	19
Grade 8	18	20	70	65	12	15
All Grades	25	30	63	54	13	16

#### Conclusions based on this data:

1. Overall the percentage of students exceeded increased from 15 to 25% but the percentage not met also increased from 19 to 22%.
2. Reading: All grades virtually unchanged. Huge improvement in grade 8, drop in grade 4 when looking at % above standard. Writing: all grades slight drop, growth in grade 8, drop in grade 4 when looking at % above and below standard. Listening: All grades virtually unchanged. Huge improvement in grade 6, drop in grade 5. Research/Inquiry: All grades growth on above standard, drop on below standard, low scores in grade 4.
3. Teachers need time to collaborate to more closely identify areas of weakness and to develop intervention strategies.

#### School and Student Performance Data

##### CAASPP Results (All Students)

## Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	76	75	74	73	74	73	97.4	97.3
Grade 5	66	76	65	74	65	74	98.5	97.4
Grade 6	77	74	75	72	75	72	97.4	97.3
Grade 7	54	79	54	78	54	78	100.0	97.5
Grade 8	83	55	82	55	82	55	98.8	100
All Grades	356	359	350	352	350	352	98.3	97.8

\* The "% of Enrolled Students Tested" showing in this table is not the same as "Participation Rate" for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	2455.6	2474.8	8	18	23	29	49	37	20	16
Grade 5	2510.8	2491.1	15	16	23	19	38	31	23	34
Grade 6	2530.7	2554.5	27	25	20	28	33	36	20	11
Grade 7	2574.7	2546.4	26	17	39	26	20	33	15	24
Grade 8	2595.4	2622.1	29	40	30	25	24	24	16	11
All Grades	N/A	N/A	21	22	27	25	33	33	19	20

Concepts & Procedures Applying mathematical concepts and procedures						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	18	29	39	38	43	33
Grade 5	22	16	37	39	42	45
Grade 6	27	32	36	44	37	24
Grade 7	39	26	44	38	17	36
Grade 8	46	53	35	31	18	16
All Grades	30	30	38	39	32	32

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 4	14	22	54	55	32	23
Grade 5	20	19	51	41	29	41
Grade 6	23	26	56	63	21	11
Grade 7	44	29	43	42	13	28
Grade 8	32	42	52	49	16	9
All Grades	26	27	52	50	23	23

<b>Communicating Reasoning</b> <b>Demonstrating ability to support mathematical conclusions</b>						
<b>Grade Level</b>	<b>% Above Standard</b>		<b>% At or Near Standard</b>		<b>% Below Standard</b>	
	<b>2014-15</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2015-16</b>
Grade 4	15	22	57	53	28	25
Grade 5	17	18	57	45	26	38
Grade 6	24	17	47	63	29	21
Grade 7	31	26	59	60	9	14
Grade 8	27	42	61	49	12	9
All Grades	23	24	56	54	21	22

**Conclusions based on this data:**

1. Overall virtually unchanged.
2. Concepts and procedures: unchanged. Problem solving and modeling/data analysis: large drop in grade 7, growth in grades 4 & 8. Communicating reasoning: unchanged.

## School and Student Performance Data

### CELDT (Initial Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment															
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning			
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	
4				***	***		***		***		***					***
5				***	***	***						***				
6						***				***						
7	***							***								
8	***					***	***									
Total	38			25	60	57	25	20	14	13	20	14				14

## School and Student Performance Data

### CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
4				***	***		***		***		***				***
5			25	***	***	50						25			
6						***			***	***					
7	***							***				***	***		
8	50					***	25					25			
Total	30		9	20	60	45	20	20	18	10	20	18	20		9

## School and Student Performance Data

### Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers			
Percent with Prior Year Data			
Number in Cohort			
Number Met			
Percent Met			
NCLB Target	59.0		
Met Target			

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort						
Number Met						
Percent Met						
NCLB Target	22.8	49.0				
Met Target						

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		--	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		--	
Met Percent Proficient or Above		--	

#### Conclusions based on this data:

1. The data is incomplete.

## School and Student Performance Data

### Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers			
Percent with Prior Year Data			
Number in Cohort			
Number Met			
Percent Met			
NCLB Target	59.0		
Met Target			

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort						
Number Met						
Percent Met						
NCLB Target	22.8	49.0				
Met Target						

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate			
Met Percent Proficient or Above			
Mathematics			
Met Participation Rate			
Met Percent Proficient or Above			
Met Target for AMAO 3			

#### Conclusions based on this data:

1. The data is incomplete.

## Planned Improvements in Student Performance

### School Goal #1

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> Language Arts and Mathematics
<b>LEA GOAL:</b>
All students will demonstrate growth in language arts and math.
<b>SCHOOL GOAL #1:</b>
Students will make satisfactory academic progress based on local assessments. Students not making satisfactory progress will be referred to a Student Success Team.
<b>Data Used to Form this Goal:</b>
The 15-16 CAASPP results are the second year of data measuring student academic achievement. Local measures will be used to determine progress during the year. These measures may include student work samples and district approved assessments. The district is in the process of refining longitudinal math assessments to monitor student progress. A data tool to track academic growth for students at all grade levels remains a concern.
<b>Findings from the Analysis of this Data:</b>
Ongoing evaluation of assessment results is used to determine the needs of the student failing to meet grade level standards and make adequate improvement.
<b>How the School will Evaluate the Progress of this Goal:</b>
Teacher reports of student progress based on local assessments and on-going benchmark assessments.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Description	Proposed Expenditure(s)	Type	Funding Source	Amount
Actions taken to support this goal are funded by other sources and will be discussed in the LCAP. The limited funding reauthorized as ESSA (formerly ESEA/NCLB) has been used to support other goals in this plan.							

## Planned Improvements in Student Performance

### School Goal #2

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> Educationally Disadvantaged Youth
<b>LEA GOAL:</b>
Educationally disadvantaged youth will have their unique needs addressed to increase individual academic success.
<b>SCHOOL GOAL #2:</b>
Students at risk of failure will be provided support through a multi-tiered approach to improve student performance.
<b>Data Used to Form this Goal:</b>
Previous standardized test scores, current local assessments which include ALEKS math, Read Naturally and other periodic benchmark assessments.
<b>Findings from the Analysis of this Data:</b>
Effective interventions are needed to work with underperforming students in order to increase their skills and knowledge. Support for students with unique challenges require different support in order to succeed at school.
<b>How the School will Evaluate the Progress of this Goal:</b>
Analyze student progress reports by Response to Intervention and classroom Teacher. Continue to monitor educationally disadvantaged subgroups.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
Learning software and increased access to technology in the classroom, labs and at home.	16/17	Principal/Teacher/ T	Learning software	4000-4999: Books And Supplies	Rural Education Achievement Program (REAP)
Response to intervention, after school tutorial services and After School Academy for students at risk of failing are delivered using LCFF supplemental funding and the actions are included in the Local Control Accountability Plan.					

## Planned Improvements in Student Performance

### School Goal #3

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> Staff Training			
<b>LEA GOAL:</b>			
Teachers and administrators need to be fully versed and current in issues surrounding education including the implementation of the Common Core State Standards.			
<b>SCHOOL GOAL #3:</b>			
The staff will receive high quality on-going instruction and professional development.			
<b>Data Used to Form this Goal:</b>			
Present levels of staff development and recent changes to both instructional curricula, materials, and assessments.			
<b>Findings from the Analysis of this Data:</b>			
Current conditions exist that necessitate staff development and training to improve knowledge of curriculum, pedagogy, and assessment techniques.			
<b>How the School will Evaluate the Progress of this Goal:</b>			
Confirmation of trainings, observations, and formal and informal discussion to confirm progress.			

<b>Actions to be Taken to Reach This Goal</b>	<b>Timeline</b>	<b>Person(s) Responsible</b>	<b>Proposed Expenditure(s)</b>			
			<b>Description</b>	<b>Type</b>	<b>Funding Source</b>	<b>Amount</b>
BTSAs Mentor Teaching Support	16/17	Mentor Teachers/Principal	Extra Duty Stipend	1000-1999: Certificated Personnel Salaries	Local Categorical	3,680
There is a planned carryover of Title II teacher training funds. There are more training opportunities offered to staff in 16/17 and this will be funded by Educator Effectiveness Funds and is not detailed in the SSP.						

## Planned Improvements in Student Performance

### School Goal #4

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> Educationally Disadvantaged Youth			
<b>LEA GOAL:</b>			
Educationally disadvantaged youth will have their unique needs addressed to increase individual academic success.			
<b>SCHOOL GOAL #4:</b>			
Students at risk of failure will be provided support through a multi-tiered approach to improve student performance.			
<b>Data Used to Form this Goal:</b>			
Previous standardized test results and disaggregated data show needs for certain population groups, including educationally disadvantaged youth.			
<b>Findings from the Analysis of this Data:</b>			
Effective interventions are needed to work with under-performing groups.			
<b>How the School will Evaluate the Progress of this Goal:</b>			
Analyze student progress reports by RTI and Classroom Teacher. Continue to monitor educationally disadvantaged youth subgroups.			
Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)
Response to intervention, after school tutorial services and After School Academy for students at risk of failing are delivered using LCFF supplemental funding and the actions are included in the Local Control Accountability Plan.			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	
Supplemental supplies and services for Immigrant students, Limited English proficient and McKinney-Vento students will include learning software and other intervention tools.	16/17	Principal	Educational intervention and learning supplies. LEP \$861 and Immigrant \$0	4000-4999: Books And Supplies	Title II	861
			Supplemental supplies for the needs of Homeless students MV \$TBD	4000-4999: Books And Supplies	Other	1
			Transportation MV \$TBD	5000-5999: Services And Other Operating Expenditures	Other	1

## Planned Improvements in Student Performance

### School Goal #5

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: Technology and Library Services</b>			
<b>LEA GOAL:</b>			
Improve library services and technology to enhance student learning.			
<b>SCHOOL GOAL #5:</b>			
Teachers will be given support for equipment and training to enhance student learning through technology, multi-media materials, and the library/media center.			
<b>Data Used to Form this Goal:</b>			
Teacher meetings, technology group meetings and lab and classroom observations.			
<b>Findings from the Analysis of this Data:</b>			
Teachers need support for equipment and training to enhance student learning. Computers and other forms of technology such as projectors and "smart boards" can be effective tools to enhance student learning. Tools are needed for differentiating instruction. Students will need experience with a variety of software platforms to continue to prepare for the Smarter Balanced Assessments. Wireless and more student access to technology is needed.			
<b>How the School will Evaluate the Progress of this Goal:</b>			
Teacher Survey of Needs Assessment Teachers participate as members of the technology committee.			

<b>Actions to be Taken to Reach This Goal</b>	<b>Timeline</b>	<b>Person(s) Responsible</b>	<b>Proposed Expenditure(s)</b>			
			<b>Description</b>	<b>Type</b>	<b>Funding Source</b>	<b>Amount</b>
Continue to improve the technology infrastructure. Provide greater access to technology for the teachers and the students.	16/17	Principal/Teachers/ IT	Technology Equipment	4000-4999: Books And Supplies	Rural Education Achievement Program (REAP)	21,455

## Planned Improvements in Student Performance

### School Goal #6

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> School Climate			
<b>LEA GOAL:</b>			
Gold Trail will provide a safe, caring environment, where every student is optimistic about their ability to learn.			
<b>SCHOOL GOAL #6:</b>			
Gold Trail students, parents, and staff work together to provide a positive, caring, safe and enriched learning environment where each student can achieve his or her personal best.			
<b>Data Used to Form this Goal:</b>			
CHKS data Discipline records Formal and informal observations Attendance data ELL data Survey data			
<b>Findings from the Analysis of this Data:</b>			
School climate and access to education issues are continually in need of review and monitoring			
<b>How the School will Evaluate the Progress of this Goal:</b>			
CHKS data Discipline records Formal and informal observations Attendance data ELL data Parent survey data			

<b>Actions to be Taken to Reach This Goal</b>	<b>Timeline</b>	<b>Person(s) Responsible</b>	<b>Proposed Expenditure(s)</b>		
			<b>Description</b>	<b>Type</b>	<b>Funding Source</b>
Tobacco use prevention will focus on the new trend of e-cigarettes. The Single Plan for Student Achievement	16/17	Principal/Teachers	supplies and services	4000-4999; Books And Supplies	Tobacco-Use Prevention Education

3/22/17

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The Single Plan for Student Achievement

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
program will increase awareness of problems associated with use in order to discourage use smoking and increase positive health choices.						

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
1000-1999: Certificated Personnel Salaries	Local Categorical	3,680.00
4000-4999: Books And Supplies	Other	1.00
5000-5999: Services And Other Operating	Other	1.00
4000-4999: Books And Supplies	Rural Education Achievement Program	25,955.00
4000-4999: Books And Supplies	Title III	861.00
4000-4999: Books And Supplies	Tobacco-Use Prevention Education	1,275.00

## Summary of Expenditures in this Plan

### Total Expenditures by Funding Source

Funding Source	Total Expenditures
Local Categorical	3,680.00
Other	2.00
Rural Education Achievement Program (REAP)	25,955.00
Title III	861.00
Tobacco-Use Prevention Education	1,275.00

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type

Object Type	Total Expenditures
1000-1999: Certificated Personnel Salaries	3,680.00
4000-4999: Books And Supplies	28,092.00
5000-5999: Services And Other Operating Expenditures	1.00

## Summary of Expenditures in this Plan

### Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 2	4,500.00
Goal 3	3,680.00
Goal 4	863.00
Goal 5	21,455.00
Goal 6	1,275.00

## School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). The SSC shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Tracy Celio				X	
Jo Marie Cope				X	
Carl Geil				X	
Becca Kaldunski				X	
Jason Hanks				X	
Sarah Canfield		X			
Marta Harris		X			
Cheryl Romig		X			
Scott Lyons	X				
Wendy Scarlett			X		
Numbers of members of each category:	1	3	1	5	

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

## Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s)s to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (Check those that apply):

State Compensatory Education Advisory Committee

\_\_\_\_\_  
Signature

English Learner Advisory Committee

\_\_\_\_\_  
Signature

Special Education Advisory Committee

\_\_\_\_\_  
Signature

Gifted and Talented Education Program Advisory Committee

\_\_\_\_\_  
Signature

District/School Liaison Team for schools in Program Improvement

\_\_\_\_\_  
Signature

Compensatory Education Advisory Committee

\_\_\_\_\_  
Signature

Departmental Advisory Committee (secondary)

\_\_\_\_\_  
Signature

Other committees established by the school or district (list):

District Advisory Committee

\_\_\_\_\_  
Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on April 5, 2016.

Attested:

Scott Lyons

\_\_\_\_\_  
Typed Name of School Principal

\_\_\_\_\_  
Signature of School Principal

\_\_\_\_\_  
Date

Scott Lyons

\_\_\_\_\_  
Typed Name of SSC Chairperson

\_\_\_\_\_  
Signature of SSC Chairperson

\_\_\_\_\_  
Date

# The Single Plan for Student Achievement

**School:** Sutter's Mill School

**CDS Code:** 09618876110167

**District:** Gold Trail Union School District

**Principal:** Joe Murchison

**Revision Date:** April 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

**Contact Person:** Joe Murchison

**Position:** Superintendent/Principal

**Phone Number:** 530.626.2591

**Address:** 4801 Luneman Rd.  
Placerville, CA 95667

**E-mail Address:** jmurchison@gtusd.org

**The District Governing Board approved this revision of the SPSA on April 13, 2017.**

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## School Vision and Mission

### Sutter's Mill School's Vision and Mission Statements

The Gold Trail Union School District (GTUSD) and Sutter's Mill (SM) School's vision is to create and maintain an environment where every child comes to school feeling safe, cared for and optimistic about his or her ability to learn. In addition, the Gold Trail Board of Trustees (GBT) has adopted uncompromising principles to provide direction to fulfill this vision.

#### Uncompromising Principles:

- Learning for all; whatever it takes.
- Community founded on the principle of treating others as we want to be treated.
- Stewards of the funds entrusted to us to educate our children.
- Well developed life skills for the world of the future.

## School Profile

Sutter's Mill School is located in a beautiful, rural setting three miles from Coloma, the California Gold Discovery Site. Sutter's Mill (SM) was dedicated on October 26, 1989. The school opened with temporary facilities in September 1991 and permanent construction was completed in September 1992. SM School currently serves 289 students (Oct 2016 CBEDS) in transitional kindergarten through third. Campus facilities feature 14 classrooms, a library and a large multi-purpose room. The school has wireless access throughout the campus and currently provides technology devices, (iPads and Chromebooks), available for student use at a ratio of one device per two students. School programs include a dynamic physical education program, speech and language services, a Title I intervention program for at-risk students, classroom aides to assist underachieving students, supplemental services for Limited English Learners and homeless students, a garden program with prepared teacher lessons, a Resource Specialist Program (special education) and a behaviorist.

Instructional time, as measured in number of minutes per school year, is 61,700 for kindergarten and 51,000 for grades 1 through 3. (A total of 35,000 and 49,000 minutes, respectively, are currently required by the state.) The Transitional Kindergarten and kindergarten programs offer all-day instruction. The Transitional Kindergarten program is designed for children who turn five after September 2 in the current school year.

Students meet the state physical education requirement (200 minutes within ten days) by participating in daily physical education with a Physical Education Specialist. There are 20 minimum days in the school year. Ten days are used for parent conferencing in October and March and seven minimum days are used for staff collaboration and training. In addition, there are two scheduled staff development days for training.

Sutter's Mill School parents and staff participate in the District Advisory Committee (DAC). The purpose of the committee is to review and advise the development of the various district and site plans, to coordinate funding that effectively deliver programs and services that are essential for student achievement and family support. The parents and staff on the DAC that represent Sutter's Mill school drafted this Single Plan for Student Achievement (SPSA). Developing this plan allows for parent involvement and helps to create a good working relationship between parents and staff. The Gold Trail Board of Trustees approves the SPSA. With various instructional funds, the SPSA supports school goals to improve student academic performance.

## Comprehensive Needs Assessment Components

### Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

### Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

Staff are informally surveyed individually and at staff meetings regarding their training and classroom/program needs. Meetings with the Principal are scheduled twice a year to encourage families to become involved and provide input for planning purposes. The PTO meets monthly and classroom needs are discussed at those meetings that are attended by the principal, staff and parents.

### Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

The principal observes teachers delivering curriculum to students in the classroom at least once a week. A summary of findings is provided once a year to each teacher being evaluated. Beginning teachers are evaluated every year and tenured teachers are evaluated every other year.

### Analysis of Current Instructional Program

The following statements are derived from the Elementary and Secondary Education Act (ESEA) of 1965 and Essential Program Components (EPCs). In conjunction with the needs assessments, these categories may be used to discuss and develop critical findings that characterize current instructional practice for numerically significant subgroups as well as individual students who are:

- Not meeting performance goals
- Meeting performance goals
- Exceeding performance goals

Discussion of each of these statements should result in succinct and focused findings based on verifiable facts. Avoid vague or general descriptions. Each successive school plan should examine the status of these findings and note progress made. Special consideration should be given to any practices, policies, or procedures found to be noncompliant through ongoing monitoring of categorical programs.

### Standards, Assessment, and Accountability

#### 1. Use of state and local assessments to modify instruction and improve student achievement (ESEA)

The 14/15 SBAC has set the baseline for measuring student academic achievement and 15/16 results provide the first opportunity to review and compare. Sutter's Mill teachers are working with a teacher leader to develop annual longitudinal academic assessments in math and language arts. Currently, we use teacher made assessments, adopted textbook assessments and programmatic assessments such as SIPPS, Raz Kids for language arts and IXL, Moby, and SplashMath. 16/17 is the first year of the implementation of a locally developed standards based report card at all grade levels used to monitor and report students academic progress during the year.

#### 2. Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC)

Teachers use Razkids assessments, and assessments from the text books to monitor and adjust instruction. The report cards also provide valuable information for pacing and reteaching.

### Staffing and Professional Development

#### 3. Status of meeting requirements for highly qualified staff (ESEA)

All teachers are highly qualified.

4. Sufficiency of credentialed teachers and teacher professional development (e.g., access to instructional materials training on SBE-adopted instructional materials) (EPC)

All of our teachers are trained in the common core standards. In 16/17 we adopted Common Core Language Arts curriculum for grades TK through 3rd. Instructional staff are encouraged to attend trainings at the El Dorado County Office of Education. Trainings are available to increase skills in common core delivery for language arts and math curriculum. Other teaching strategies such as Love and Logic enhance productive classroom management and a number of technology offerings are available to develop skills to increase use of technology by teachers and students.

5. Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA)

El Dorado County Office of Education collaborates with Districts to understand the needs of the districts and develop content standards based trainings to meet those needs.

6. Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC)

Beginning Teacher Support Activities provides newly credentialed teachers with mentor assistance to develop the skills necessary to become effective teachers. Other services are provided by the LCAP and LCFF funding.

7. Teacher collaboration by grade level (kindergarten through grade eight [K–8]) and department (grades nine through twelve) (EPC)

Teacher collaboration has become a very strong trend at Sutter's Mill. The teachers collaborate at grade level and vertically across grade levels. For the 16/17 school year there are seven early release days for teacher collaboration.

#### Teaching and Learning

8. Alignment of curriculum, instruction, and materials to content and performance standards (ESEA)

The teachers at Sutter's Mill are using the common core standards as the course of study for math and English language arts.

9. Adherence to recommended instructional minutes for reading/language arts and mathematics (K–8) (EPC)

Sutter's Mill teachers adhere to the recommended instructional minutes in mathematics and reading/language arts.

10. Lesson pacing schedule (K–8) and master schedule flexibility for sufficient numbers of intervention courses (EPC)

The teachers have pacing guides and continually meet in grade level groups to discuss progress.

11. Availability of standards-based instructional materials appropriate to all student groups (ESEA)

Standards based instructional materials are available to all students, including English learners and students with individual education plans.

12. Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC)

SIPPS, BrainPop, SplashMath, Starfall and Raz Kids are programs used by Sutter's Mill to supplement the basic textbooks.

#### Opportunity and Equal Educational Access

13. Services provided by the regular program that enable underperforming students to meet standards (ESEA)

We provide SIPPS classes for students who are struggling readers. The Local Control Accountability Plan and Local Control Funding provide opportunities for after school tutorial and enrichment to improve learning.

14. Research-based educational practices to raise student achievement

See 12 above.

Parental Involvement

15. Resources available from family, school, district, and community to assist under-achieving students (ESEA)

Parks and Recreation programs, Boys and Girls Club, library, after-school enrichment programs, after-school athletic programs, pull out instructional support, etc. The district has funded and continues to develop and improve an outreach program for English Language Learners and their families. In addition a late bus has been added with the intent to attract students who are economically disadvantaged to participate in the after school program offerings.

16. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of ConApp programs (5 California Code of Regulations 3932)

The District Advisory Committee/Site Council and Parent Teacher Organization provide a forum for parents and teachers to give input in planning, implementation, and evaluation of the programs included in the Consolidated Application.

Funding

17. Services provided by categorical funds that enable underperforming students to meet standards (ESEA)

Teacher's Aides support underperforming students in the classroom as well as during pull out instructional times. A behaviorist works with teachers, aides and students to identify at risk students and to provide interventions for both the teacher and student. Learning software and access to technology continues to be a priority for the school. Categorical funds are augmented with other district funds in order to fund effective programs.

18. Fiscal support (EPC)

The district receives very limited NCLB/ESEA funding and requires other funding in order to provide effective programs.

## Description of Barriers and Related School Goals

School, district and community barriers to improvement:

Barriers include students missing school for vacations, activities or special events. Student tardiness also impedes progress. Student attendance is monitored closely, student academic progress is tracked, and parent contact and conferencing is ongoing and persistent. The cost of internet access is prohibitive to some families and in this rural community service can be unavailable or inefficient.

Limitations of the current program to enable underperforming students to meet standards:

Funding received by GTUSD is limited when compared to other local districts and requires unrestricted general funds to provide supplemental services to students. Because of serious competing priorities for funding (ie: facilities, programs, staff compensation/benefits, administrative requirements) there are deficits in the services and staff that are available to provide programs and support. Despite the limited funding the district strives to provide remedial program offerings, counseling services, and differential instruction when appropriate.

The increased cost of the use of technology in the classroom and upgrading the infrastructure to keep pace with emerging technology is a material challenge.

Fulfilling administrative and legal requirements is costly to both resources and staff time. Balancing compliance requirements while providing adequate time for staff to meet, analyze and plan instruction for all students continues to be a primary concern.

## School and Student Performance Data

### CAASPP Results (All Students)

#### English Language Arts/Literacy

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	74	73	74	69	74	69	100.0	94.5
All Grades	74	73	74	69	74	69	100.0	94.5

\* The "% of Enrolled Students Tested" showing in this table is not the same as "Participation Rate" for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2412.6	2438.3	18	36	26	19	26	20	31	25
All Grades	N/A	N/A	18	36	26	19	26	20	31	25

Reading						
Demonstrating understanding of literary and non-fictional texts						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	23	29	43	48	34	23
All Grades	23	29	43	48	34	23

Writing						
Producing clear and purposeful writing						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	9	25	54	43	36	32
All Grades	9	25	54	43	36	32

Listening						
Demonstrating effective communication skills						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	20	29	66	57	14	14
All Grades	20	29	66	57	14	14

Research/Inquiry						
Investigating, analyzing, and presenting information						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	15	32	61	42	24	26
All Grades	15	32	61	42	24	26

Conclusions based on this data:

1. Concerns about the danger of drawing conclusions from small sample size.
2. We are doing some things right. Test scores are increasing. Look for strategies to improve the lowest performing students while we continue to challenge the highest performing students.
3. Test scores are lower in English Language Arts sections relative to math scores. Could be due to flaws in the design of the test, or may be a real disparity. We should see if the disparity continues and address it if is shown to be a legitimate shortcoming in our curriculum.

## School and Student Performance Data

### CAASPP Results (All Students)

#### Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	74	73	74	69	74	69	100.0	94.5
All Grades	74	73	74	69	74	69	100.0	94.5

\* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2434.9	2446.2	20	23	41	32	14	28	26	17
All Grades	N/A	N/A	20	23	41	32	14	28	26	17

Concepts & Procedures						
Applying mathematical concepts and procedures						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	41	39	28	38	31	23
All Grades	41	39	28	38	31	23

Problem Solving & Modeling/Data Analysis						
Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	24	28	54	55	22	17
All Grades	24	28	54	55	22	17

<b>Communicating Reasoning</b> <b>Demonstrating ability to support mathematical conclusions</b>						
<b>Grade Level</b>	<b>% Above Standard</b>		<b>% At or Near Standard</b>		<b>% Below Standard</b>	
	<b>2014-15</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2015-16</b>
Grade 3	34	29	50	58	16	13
All Grades	34	29	50	58	16	13

**Conclusions based on this data:**

1. We are doing some things right. Test scores are increasing. Look for strategies to improve the lowest performing students while we continue to challenge the highest performing students.
2. While we made a significant increase in our scores in writing adding more emphasis to our writing program, in every grade level, will improve scores in all academic areas including math.

## School and Student Performance Data

### CELDT (Initial Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K													***		
1		***									***				
2			***										***		***
3							***				***	***	***		
Total		33	25				***				67	50	***		25

## School and Student Performance Data

### CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)															
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning			
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	
K				***			***			***	***	***	***	***	***	***
1		***								***						
2			***								***	***				***
3							***				***	***	***			
Total		20	14	17			33				60	43	50	20	43	

## School and Student Performance Data

### Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers			
Percent with Prior Year Data			
Number in Cohort			
Number Met			
Percent Met			
NCLB Target	59.0		
Met Target			

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort						
Number Met						
Percent Met						
NCLB Target	22.8	49.0				
Met Target						

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		--	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		--	
Met Percent Proficient or Above		--	

#### Conclusions based on this data:

1. The data is incomplete.

## School and Student Performance Data

### Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers			
Percent with Prior Year Data			
Number in Cohort			
Number Met			
Percent Met			
NCLB Target	59.0		
Met Target			

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort						
Number Met						
Percent Met						
NCLB Target	22.8	49.0				
Met Target						

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate			
Met Percent Proficient or Above			
Mathematics			
Met Participation Rate			
Met Percent Proficient or Above			
Met Target for AMAO 3			

#### Conclusions based on this data:

1. The data is incomplete.

## Planned Improvements in Student Performance

### School Goal #1

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

SUBJECT: Language Arts and Math				
<b>LEA GOAL:</b>				
All students will make satisfactory progress in language arts and math in the 16/17 school year.				
<b>SCHOOL GOAL #1:</b>				
Students will make one year's growth in language arts and math based on local assessments. Students not making satisfactory progress will be referred to the Student Success Team.				
<b>Data Used to Form this Goal:</b>				
Student work samples and district approved local assessments.				
<b>Findings from the Analysis of this Data:</b>				
Ongoing evaluation of assessment results are used to determine the needs of the student failing to meet grade level standards and make adequate improvement.				
<b>How the School will Evaluate the Progress of this Goal:</b>				
Teacher reports of student progress based on student work samples and district approved assessments.				

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
1) Educational assistance will be provided to all underperforming students including Limited English Proficient, McKinney-Vento and Immigrant students. Local assessments are monitored regularly to identify students not making adequate academic progress. Those identified students will be referred to the Student Success Team process and offered supplemental services to increase academic performance. Services include Title I aide instructional support, access to	16/17	Principal, Teachers & Staff	.59 Title I Aide	2000-2999: Classified Personnel Salaries	Title I 27,486

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
technology and learning software (see goal #3). Title I and other ESSA funding received by the district is insufficient to support the program and is augmented by LCFF Supplemental funds. Only Title 1 fund costs are shown here. See LCAP for other funding and services.					

## Planned Improvements in Student Performance

### School Goal #2

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: Staff Development</b>
<b>LEA GOAL:</b>
All teachers and classroom staff are highly trained and will continue to increase Common Core readiness and computer literacy skills to support student success in Smarter Balance testing.
<b>SCHOOL GOAL #2:</b>
All teachers increase Common Core curriculum delivery skills and computer literacy to support student success in Smarter Balance testing.
<b>Data Used to Form this Goal:</b>
All teachers are evaluated every other year and all probationary teachers are evaluated annually. The principal performs at least 40 walk-thru observations and provides teacher feedback on a regular basis.
<b>Findings from the Analysis of this Data:</b>
Improving teacher strategies and skills is an on-going pursuit. No matter how much we learn and improve teaching skills - there is always something more to learn.
<b>How the School will Evaluate the Progress of this Goal:</b>
Student success and administrative evaluations.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
Beginning teachers will be supported by a mentor teacher to develop teaching skills to improve student and teacher success.	16/17	Principal, Teacher	Mentor stipends, release time and supplies	1000-1999: Certificated Personnel Salaries	Other 1,840
The funding here is not adequate to support the BTSA program and is augmented by LCFF and Educator Effectiveness Training Funds.					
There is a planned carryover of Title II funds for next year. Other training opportunities are currently being					
The Single Plan for Student Achievement					

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
provided by Educator Effectiveness and LCFF funds. See LCAP and Educator effectiveness plans for these actions and costs.					

## Planned Improvements in Student Performance

### School Goal #3

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: Technology</b>
<b>LEA GOAL:</b>
All students will make satisfactory progress in language arts and mathematics in the 15/16 school year.
<b>SCHOOL GOAL #3:</b>
To provide access to technology and technical support to teachers and students in order to increase achievement in reading and mathematics.
<b>Data Used to Form this Goal:</b>
Technology needs surveys, teacher meetings, and staff development discussions.
<b>Findings from the Analysis of this Data:</b>
Teachers and students need technical support so they can access and use up to date educational hardware and software. Students need access to on-line educational and informational web sites. In addition, students need to learn fundamentals of using a computer and how to access information on the internet. Teachers need to access educational sites on the internet as a resource. Continued enhancement to technology is crucial to effective teaching.
<b>How the School will Evaluate the Progress of this Goal:</b>
Staff development debrief, teacher demonstrations, technology surveys of both teachers and students and reports to the board.

<b>Actions to be Taken to Reach This Goal</b>	<b>Timeline</b>	<b>Person(s) Responsible</b>	<b>Proposed Expenditure(s)</b>		
			<b>Description</b>	<b>Type</b>	<b>Funding Source</b>
The district will continue to update technology equipment and provide access and training to improve technology skills for the teacher and the students. The REAP funding here is not sufficient to support the program we offer. Additional funding for technology is provided by LCFF funding and can be found in the LCAP plan.	16/17	Principal, COE IT staff/Technology committee	Technology Equipment And Supplies	4000-4999: Books And Supplies	Rural Education Achievement Program (REAP)

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
Teachers will use technology for curriculum delivery and will provide tools to use in the classroom and lab and will encourage use at home or at the local library.	16/17	Principal, Teachers, IT Staff	Learning software	5800: Professional/Consulting Services And Operating Expenditures	Rural Education Achievement Program (REAP) 2,000

## Planned Improvements in Student Performance

### School Goal #4

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> Learning Environment
<b>LEA GOAL:</b>
All students will be educated in learning environments that are safe, drug-free, and conducive to learning.
<b>SCHOOL GOAL #4:</b>
To provide a safe and healthy school environment where all students can achieve their personal best both academically and socially.
<b>Data Used to Form this Goal:</b>
Staff development discussions, parent involvement forums, and informal conversations with staff and parents, current events.
<b>Findings from the Analysis of this Data:</b>
School Safety is essential to student wellbeing and no data is needed to understand this critical need.
<b>How the School will Evaluate the Progress of this Goal:</b>
UMIRS data, staff and parent feedback, and a survey will be developed to assist with this goal.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
The behaviorist works with students whose behavior interferes with their own or other students' academic or social success. The behaviorist works closely with student and teacher to develop strategies to mitigate triggers and to assist the student to learn positive behavior skills in order to increase learning.	16/17	Principal, Teachers	.21 FTE Classified	2000-2999; Classified Personnel Salaries	Title I 10,946



## Planned Improvements in Student Performance

### School Goal #5

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet academic performance index (API) and adequate yearly progress growth (AYP) targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b> Disadvantaged Sub-group Youth
<b>LEA GOAL:</b>
The district will support the unique needs of Limited English Proficient, Immigrant and Homeless students to assist their success both academically and socially.
<b>SCHOOL GOAL #5:</b>
The district will support the unique needs of Limited English Proficient, Immigrant and Homeless students to assist their success both academically and socially.
<b>Data Used to Form this Goal:</b>
Students who are homeless, or have English as a second language require support specific to their individual needs.
<b>Findings from the Analysis of this Data:</b>
The unique needs of these students are identified and supported promptly, the students will have a better opportunity to become successful.
<b>How the School will Evaluate the Progress of this Goal:</b>

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)		
			Description	Type	Funding Source
Homeless students will be identified, provided supplemental materials and other support, and will be monitored during the year.	16/17	Principal/Teachers	Supplemental supplies and/or transportation	4000-4999: Books And Supplies	Local Categorical 1
MV Funding = \$1 TBD Funding has been committed to this goal and will be paid by LCFF should MV insufficient to support the needs.					
Limited English Proficient students will be identified, provided supplemental materials and other support, and will be monitored during the year.	16/17	Principal/Teachers	Supplemental supplies	4000-4999: Books And Supplies	Title III 694

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	
Immigrant students will be identified, provided supplemental materials and other support, and will be monitored during the year.	16/17	Principal/Teachers	Supplemental supplies	4000-4999: Books And Supplies	Title III Immigrant Education Program	162

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
4000-4999: Books And Supplies	Local Categorical	1.00
1000-1999: Certificated Personnel Salaries	Other	1,840.00
4000-4999: Books And Supplies	Rural Education Achievement Program	18,926.00
5800: Professional/Consulting Services And	Rural Education Achievement Program	2,000.00
2000-2999: Classified Personnel Salaries	Title I	38,432.00
4000-4999: Books And Supplies	Title III	694.00
4000-4999: Books And Supplies	Title III Immigrant Education Program	162.00

## Summary of Expenditures in this Plan

### Total Expenditures by Funding Source

Funding Source	Total Expenditures
Local Categorical	1.00
Other	1,840.00
Rural Education Achievement Program (REAP)	20,926.00
Title I	38,432.00
Title III	694.00
Title III Immigrant Education Program	162.00

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type

Object Type	Total Expenditures
1000-1999: Certificated Personnel Salaries	1,840.00
2000-2999: Classified Personnel Salaries	38,432.00
4000-4999: Books And Supplies	19,783.00
5800: Professional/Consulting Services And Operating	2,000.00

## Summary of Expenditures in this Plan

### Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	27,486.00
Goal 2	1,840.00
Goal 3	20,926.00
Goal 4	10,946.00
Goal 5	857.00

## School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). The SSC shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Cathy Mueller				X	
Mike Lenau				X	
Diana Still				X	
Kym Wilkinson				X	
Clarissee Fanning				X	
Kathleen Ayre		X			
Sierra Clark		X			
Debbi Matyac		X			
Joe Murchison	X				
Susana Sarmago			X	X	
<b>Numbers of members of each category:</b>	<b>1</b>	<b>3</b>		<b>4</b>	

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

## Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s)s to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (Check those that apply):

State Compensatory Education Advisory Committee

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Signature

English Learner Advisory Committee

---

Signature

Special Education Advisory Committee

---

Signature

Gifted and Talented Education Program Advisory Committee

---

Signature

District/School Liaison Team for schools in Program Improvement

---

Signature

Compensatory Education Advisory Committee

---

Signature

Departmental Advisory Committee (secondary)

---

Signature

Other committees established by the school or district (list):

District Advisory Committee

---

Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on April 5, 2016.

Attested:

Joe Murchison

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Typed Name of School Principal

---

Signature of School Principal

---

Date

Micah Howser

---

Typed Name of SSC Chairperson

---

Signature of SSC Chairperson

---

Date

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 12.0**

**ACTION ITEM: Superintendent's Employment Agreement: S. Lyons**

**BACKGROUND**

The Board of Trustees believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to work together to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for stability in district administration and shall ensure the best use of district resources. (*Board Policy 2121*)

**ATTACHMENTS**

- Superintendent's Employment Agreement: S. Lyons

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to approve the agreement.

**NOTES**

<b><i>ACTION</i></b>	<i>Moved</i>	<i>Seconded</i>
<input type="checkbox"/> <i>Approved as is</i>		
<input type="checkbox"/> <i>Not approved</i>		
<input type="checkbox"/> <i>Amended to read:</i>		

<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

**GOLD TRAIL UNION SCHOOL DISTRICT**  
**SUPERINTENDENT EMPLOYMENT AGREEMENT**

This Superintendent Employment Agreement is made and entered into this day between the Board of Trustees of the Gold Trail Union School District (hereinafter "District" or "Board") and Scott Lyons, (hereinafter "Superintendent") (collectively referred to as "the parties").

**1. Term**

The District hereby employs a Superintendent for a term of three (3) years, commencing July 1, 2017 and ending June 30, 2020 subject to the terms and conditions hereinafter set forth.

**2. Superintendent's Duties**

Superintendent shall serve as chief executive officer and secretary of the Governing Board pursuant to Education Code section 35035. The Superintendent shall perform the duties of the District Superintendent as prescribed by the then current laws of the State of California and then current Board Policy and shall carry out the directions and policies of the Governing Board. The Governing Board, individually and collectively, shall promptly refer all criticisms, complaints, and suggestions called to its attention, which in the opinion of the Board, individually and collectively, may affect the ability of the Superintendent and the Board to meet their duties, to the Superintendent for study and recommendation.

**3. Salary**

Superintendent's annual salary shall be one hundred twenty thousand dollars (\$120,000.00) (as made effective July 1, 2017) per year for the term of this Agreement. Said salary shall be payable in twelve (12) equal monthly payments. When only a portion of any year or month is served, the Superintendent's salary shall be prorated to reflect such service.

The Governing Board reserves the right to increase the annual salary of the Superintendent. Any adjustment in salary made during the term of this Agreement shall be in the form of an amendment to this Agreement and shall not be viewed as extending the term of this Agreement unless it so specifically states.

**4. Credential**

It is agreed that the Superintendent shall furnish throughout the life of this Agreement a valid and appropriate credential issued by the California Commission on Teacher Credentialing to act as an administrator in the District.

**5. Work Year**

Superintendent shall provide the District full-time service for 220 weekdays per year. As an exempt employee under the Fair Labor Standards Act, he shall be ineligible for either overtime pay or compensatory time off.

The Board may approve additional workdays for the Superintendent, commencing with the signature of this Agreement. In such cases, the Superintendent shall be paid his daily per diem rate which shall be computed by dividing the annual salary by the number of regularly scheduled workdays.

Except in cases of illness or personal emergency, Superintendent shall notify the Board President in advance of any absence from the District which is anticipated to be more than two (2) full consecutive working days. In cases of illness or personal emergency resulting in absence from the District for more than two (2) consecutive working days, the Superintendent shall inform the Board President as soon as practicable. Except in cases of illness or emergency, absences from the District of more than four (4) consecutive working days shall be taken at a time agreeable to the Board President.

## 6. Benefits

### a. Health and Welfare

Superintendent shall be entitled to receive all health and welfare benefits of employment enjoyed by all full-time certificated management employees of the District. Additionally, the District shall provide the Superintendent with a term life insurance policy with a face amount of at least \$100,000; payable to the beneficiary designated by the Superintendent.

### b. Sick Leave

Superintendent shall be entitled to twelve (12) days of sick leave each contract year, which may be accumulated from year to year so long as this may be done under the State Teachers' Retirement System with no additional cost to the District from the State Teachers' Retirement System.

### c. Disability Insurance

The Board agrees to purchase Long Term Disability Insurance for the Superintendent.

### d. Holidays

Superintendent shall be entitled to the holidays defined in Education Code section 37220 and granted by the Board for all employees and for any other holidays declared by the Board for employees. Such days shall not be considered a part of his work year nor shall they contribute to the 220 working days per year for which he is responsible.

### e. Vacation

Superintendent shall not be entitled to any days of paid vacation.

## 7. Expenses

a. District shall reimburse the Superintendent for all reasonable, actual and necessary expenses incurred by him outside of El Dorado County for activities falling within the scope of his employment, in accordance with then current Board Policy and Administrative Regulations, and within budget limitations.

b. District shall reimburse the Superintendent for mileage to compensate for the operation of his/her own vehicle in relation to school district related activities in accordance with Board policy.

c. District will provide the Superintendent with a cell phone.

## 8. Membership and Dues

The Board shall pay membership fees and dues for the Superintendent for the Association of California School Administrators (ACSA) and any other organizations approved by the Board, in accordance with Board Policy and Administrative Regulations, and within budget limitations.

## 9. Outside Professional Activities

Superintendent shall devote this time, attention and energy to the business of the District. However, with the prior approval of the Governing Board, Superintendent may serve as a consultant, lecturer, engage in writing activities and speaking engagements, and engage in other activities which are of a short-term duration. If the Superintendent receives pay or an honorarium for such activities, Superintendent shall utilize non-work days for the purpose of engaging in such activities. Superintendent may only utilize workdays for such activities with prior approval of the Board.

## **10. Professional Activities**

Superintendent shall endeavor to maintain and improve his professional competence. District shall pay for all reasonable and necessary expenses for such activities if the activities have been approved in advance by the Board and funding for them is available in the annual budget.

## **11. Evaluation**

The Governing Board shall annually evaluate in closed session the performance of the Superintendent and the relationships between the Superintendent and the Governing Board. Such written evaluation shall be provided to Superintendent in writing. Superintendent shall remind Board of this obligation by March 1 of each year and again by May 1 of each year. This evaluation shall be completed by June 30 of each year, and if the above notification has occurred and the evaluation was not completed, Superintendent's performance shall be deemed to be satisfactory. The evaluation shall be based on the position description and mutually agreed upon and specified goals and objectives in accordance with the procedures in authorized in District Policy. This final evaluation format shall be adopted by mutual agreement of the parties. Within ten (10) days after receipt of the written evaluation, or other reasonable time as needed, Superintendent shall have an opportunity to meet with the Board to discuss the contents of the evaluation. Superintendent shall have the right to submit a written response to the evaluation and have a copy of such response placed in the personnel file. Unless agreed to in writing by the Superintendent, the Board shall maintain confidentiality concerning the contents of any such evaluation, to the extent permitted by law. Should Superintendent take any adverse action towards the District, its Board or a Board member, the Board shall no longer be bound to keep the evaluation confidential.

## **12. Termination of Agreement**

### **a. Mutual Agreement**

This Agreement may be terminated by mutual consent of the parties hereto, provided, however, that the party seeking termination shall provide no less than sixty (60) days written notice to the other party.

### **b. Disability or Incapacity**

Should the Superintendent be unable to serve in his position due to a physical and/or mental condition(s), upon expiration of Superintendent's sick leave entitlement as provided by statute and District Policy plus an additional period of thirty (30) calendar days, this Agreement shall be deemed terminated. Such determination will be made upon receipt of a written evaluation by a licensed physician mutually designated and paid for by the District indicating the inability of the Superintendent to further serve in his position of employment.

If Superintendent is absent for a period of thirty (30) calendar days or more, it is understood and agreed that the Governing Board may appoint an interim Superintendent for the remainder of the period of Superintendent's absence plus one week. The Interim Superintendent shall perform all of the duties of the Superintendent and have all of the responsibilities of the position.

### **c. Death of the Superintendent**

This Agreement is automatically terminated upon the death of the Superintendent.

### **d. Termination for Cause**

The Board may terminate the Superintendent for: (1) acts done in bad faith to the detriment of the District; (2) refusals or failures to act in accordance with specific provisions of this Agreement or Board directives; (3) breach of this Agreement; (4) unsatisfactory performance; (5) misconduct or dishonest behavior; (6) conviction of a crime involving dishonesty, breach of trust, or physical or emotional harm to any person; or (7) any other cause the Board in its sole discretion deems sufficient for termination.

The existence of such cause shall constitute a material breach of this Agreement and shall extinguish all rights and duties of the parties under this Agreement. The Board shall be the sole judge of the sufficiency of cause for termination or breach. If cause exists, the Board shall meet with the

Superintendent and shall submit a written statement of the grounds for termination. If the Superintendent disputes the cause for termination, the Superintendent shall then be entitled to a conference before the Board in a closed session meeting. The Superintendent and the Board shall each have the right to be represented by counsel at their own expense. The Superintendent shall have a reasonable opportunity to respond to all matters raised in the written grounds for termination. The conference with the Board shall not be an evidentiary hearing and neither party shall have the opportunity to call witnesses. If the Board, after considering all matters presented, decides to terminate this Agreement, such termination shall sever Superintendent from all District employment. Superintendent waives any other rights that may be applicable to this proceeding with the understanding that completion of this conference exhausts the Superintendent's administrative remedies.

In the event Superintendent's employment is terminated for cause, no further payment shall be made to Superintendent under this Agreement which shall be deemed terminated.

**e. Unilateral Termination**

Either the Superintendent or the Board may unilaterally terminate this Agreement for any reason, without cause or a hearing, in the parties' absolute discretion, by giving the other party at least sixty (60) calendar days advance written notice of termination by personal service or by certified or regular mail. In the event of unilateral termination by the Board, Superintendent shall continue to serve as Superintendent but shall receive salary earned through the date of termination.

**f. Nonrenewal**

The Governing Board may elect not to renew this Agreement for any reason and shall provide Superintendent with written notice of this fact no later than forty five (45) days prior to the expiration of this Agreement. Superintendent shall inform the Governing Board of this notice requirement and provide each member with notification of the requirements of Education Code section 35031 no later than December 1 of the last year of this agreement.

### **13. General Provisions**

**a. Governing Law**

This Agreement, and the rights and responsibilities of the parties, shall be governed by and construed in accordance with the laws of the State of California.

**b. Entire Agreement**

This Agreement contains the entire agreement and understanding between the parties. It supersedes and replaces any prior agreement between the parties. There are no oral understandings, terms or conditions, and neither party has relied upon representation, express or implied, not contained in this agreement.

**c. Amendment**

This Agreement may be amended at any time during the term of the Agreement. However, such amendment shall be in writing and is only effective with the mutual consent of the Superintendent and the Governing Board.

**d. Execution**

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute the same instrument.

**e. Severability**

If any provision of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of the Agreement shall continue in full force and effect.

**f. Attorney Fees**

Should legal action be brought in regard to this Agreement, the prevailing party shall be entitled to recovery of attorney's fees.

**g. Construction**

Each party has cooperated in the drafting and preparation of this Agreement and this Agreement shall not be construed for or against either party on the basis that one party was the drafter.

**h. Exclusivity**

To the extent permitted by law, the employment relationship between the District and Superintendent shall be governed exclusively by this Agreement.

**i. Management Hours**

Superintendent's duties may require him to average more than eight (8) hours a day and/or more than forty (40) hours per week. However, Superintendent shall not be entitled to overtime compensation or compensatory time off.

**j. Board Approval**

This Agreement is contingent upon Board approval.

Dated: April 6, 2017

Gold Trail Union School District

By:

---

Sue Hennike, Board President

**ACCEPTANCE OF OFFER**

I accept the above offer of employment. I hold valid administrative and teaching credentials each of which are or will be recorded in the Office of the Superintendent of Schools of El Dorado County before receipt of my first payroll warrant. I certify that I meet the qualifications of Education Code section 35028.

Dated: April 6, 2017

---

Scott Lyons, Superintendent

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 13.0**

**ACTION ITEM: Hiring, Gold Trail School Site Administrator**

**BACKGROUND**

The Board will take action to approve the hire of Boyd Holler as Gold Trail School Site Administrator, effective the 2017-18 school year.

**ATTACHMENTS**

➤ None

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to approve to hire Boyd Holler as the new Gold Trail School Principal, effective the 2017-18 school year.

**NOTES**

<i><b>ACTION</b></i>	<i><b>Moved</b></i>	<i><b>Seconded</b></i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i><b>Vote</b></i>	<i><b>Ayes</b></i>	<i><b>Noes</b></i>	<i><b>Absent</b></i>	<i><b>Abstain</b></i>

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 14.0**

**ACTION ITEM: Superintendent Evaluation Process (Annual)**

**BACKGROUND**

The Board shall annually conduct a formal evaluation of the Superintendent's performance to assess his/her effectiveness in leading the district toward established goals. The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used. Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

**ATTACHMENTS**

- BP 2140, Evaluation of the Superintendent

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

The Board will determine the method(s) and schedule for the Superintendent's annual evaluation.

**NOTES**

<i><b>ACTION</b></i>	<i><b>Moved</b></i>	<i><b>Seconded</b></i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i><b>Vote</b></i>	<i><b>Ayes</b></i>	<i><b>Noes</b></i>	<i><b>Absent</b></i>	<i><b>Abstain</b></i>

# **Gold Trail Union SD**

## **Board Policy**

### **Evaluation Of The Superintendent**

BP 2140

**Administration**

The Board of Trustees recognizes that, in order to effectively fulfill its responsibilities for setting direction, ensuring accountability, and providing community leadership for the district, it must adopt measures for holding the Superintendent accountable. At a minimum, the Board shall annually conduct a formal evaluation of the Superintendent's performance to assess his/her effectiveness in leading the district toward established goals. In addition, the evaluation process may include opportunities during the year for review of the Superintendent's progress toward meeting the goals. The evaluation shall be in accordance with the provisions of the Superintendent's contract and any applicable Board policy.

(cf. 0000 - Vision)

(cf. 2121 - Superintendent's Contract)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2111 - Superintendent Governance Standards)

The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used.

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

Each Board member shall independently evaluate the Superintendent's performance. Based on these individual evaluations, the Board president shall produce a document that summarizes the individual evaluations. The Board shall then take action on this document and present it to the Superintendent for his/her response.

The evaluation shall provide commendations in areas of strength and achievement, provide recommendations for improving effectiveness in areas of concern and unsatisfactory

performance, and serve as a basis for making decisions about salary increase and/or contract extension.

The Board shall meet in closed session with the Superintendent to discuss the evaluation.  
(Government Code 54957)

(cf. 9321 - Closed Session Purposes and Agendas)  
(cf. 9321.1 - Closed Session Actions and Reports)

The Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional evidence of his/her performance or district progress.

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file.

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

At the open session after the Superintendent's evaluation or at a subsequent meeting, the Board and Superintendent shall jointly identify performance goals for the next year.

(cf. 9400 - Board Self-Evaluation)

**Legal Reference:**

**GOVERNMENT CODE**

53262 Employment contracts, superintendent

54957 Closed session, personnel matters

**COURT DECISIONS**

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

**Management Resources:**

**CSBA PUBLICATIONS**

Maximizing School Board Governance: Superintendent Evaluation, 2006

**WEB SITES**

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

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

Policy GOLD TRAIL UNION SCHOOL DISTRICT  
adopted: October 13, 2011 Placerville, California

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 15.0**

**ACTION ITEM: Board Self Evaluation (Annual)**

**BACKGROUND**

Each year the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures a reasonable number of previously identified performance objectives. The evaluation may address any areas of Board responsibility, including but not limited to Board performance in relation to vision setting, curriculum, personnel, finance, policy, collective bargaining and community relations. The evaluation also may address objectives related to Board meeting operations, relationships among Board members, relationship with the Superintendent, understanding of Board and Superintendent roles and responsibilities, communication skills, or other boardsmanship skills.

**ATTACHMENTS**

- BB 9400, Board Self-Evaluation
- Evaluation Model

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

The Board will determine the method(s) and schedule for the Board's annual self-evaluation.

**NOTES**

<i><b>ACTION</b></i>	<i><b>Moved</b></i>	<i><b>Seconded</b></i>
<input type="checkbox"/> <i>Approved as is</i>		
<input type="checkbox"/> <i>Not approved</i>		
<input type="checkbox"/> <i>Amended to read:</i>		

<i><b>Vote</b></i>	<i><b>Ayes</b></i>	<i><b>Noes</b></i>	<i><b>Absent</b></i>	<i><b>Abstain</b></i>

**Gold Trail Union SD  
Board Bylaw  
Board Self-Evaluation**

BB 9400  
**Board Bylaws**

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

(cf. 0000 - Vision)  
(cf. 2140 - Evaluation of the Superintendent)

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

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

The Board shall be evaluated as a whole. Individual Board members also are encouraged to use the evaluation process as an opportunity to privately assess their own personal performance.

Each year the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures a reasonable number of previously identified performance objectives. Videotape of a Board meeting may be used as an evaluation tool only with the consent of all Board members.

Any discussion of the Board's self-evaluation shall be conducted in open session. At the request of the Board, a facilitator may be used to assist with the evaluation process. The Board may invite the Superintendent or others to provide input into the evaluation process.

Following the evaluation, the Board shall develop strategies for strengthening Board performance and shall establish priorities and objectives for the following year's evaluation.

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

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

Management Resources:  
CSBA PUBLICATIONS  
Professional Governance Standards, 2000  
Maximizing School Board Leadership, 1996  
WEB SITES  
CSBA: <http://www.csba.org>

Bylaw GOLD TRAIL UNION SCHOOL DISTRICT  
adopted: October 13, 2005 Placerville, California

# **Governing Board of the Gold Trail Union School District**

## **Board Self-Evaluation**

### **April/May 2017**

Board members are encouraged to be as specific as possible when identifying concerns. Please circle your answers below.

## Personal Responsibility Checklist

1. Board members arrive on time, thus not delaying the start of the meeting.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

2. Board members arrive prepared with the tools needed for conducting the business of the Board (calendars, pens, pencils, paper.)  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

3. Each member makes a sincere effort to be informed on all agenda items prior to the meeting, contacting the Superintendent with questions prior to the meeting.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

4. Board members avoid “bird walking” and/or skirting issues as a means of making a public statement or calling attention to how much they know.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

5. Care is used in criticizing a staff recommendation in terms of implying criticism of the Superintendent or staff member.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

6. The Board members demonstrate professional courtesy.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

7. Board members demonstrate an ability to think independently, to grow in knowledge, to rely on fact rather than prejudice, and a willingness to hear and consider all sides of a controversial question.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

8. Board members are willing to work through defined channels of authority and responsibility.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

9. All data is requested and considered before the Board makes a decision.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

10. Board members stay on task, expediting the Board meeting.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

11. The Board understands the scope of what it needs to know v. what it wants to know.  
Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

## Notes:

A horizontal row of ampersands (&) repeated in a pattern across the page.

## Meeting Management Checklist

1. Routine agenda items are acted on through a consent procedure.

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

2. The Board adheres strictly to the provisions set forth in the law for closed sessions.

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

3. The Board president controls the audience participation so that such participation does not interfere with Board deliberations.

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

4. In discussing agenda items, the Board thinks through the problems, their causes, and requests staff input before reaching decisions.

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

5 The Board withholds action until after Superintendent recommendation is requested and presented.

3. The Board withdraws action until after Superintendent recommendation is requested and presented.

6. When conflicts over decisions come up, the Board does not avoid them, but addresses the conflicts and resolve them.

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

7. Fellow Board members feel committed to carrying out the decisions made by the Board, no matter what their personal feelings might be

their personal feelings might be.

8. Board members try to be positive and constructive when commenting on the work of the Superintendent or staff.

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

9. The room is suitable for the type meeting being held

9. The room is suitable for the type meeting being held.

## Notes:

# Meeting Logistics Checklist

1. There is adequate room at the Board table for the Board and Superintendent.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
2. Members have adequate room in which to place and use materials.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
3. Members of the Board are visible to the public when seated.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
4. There are not distractions in the room that detract from the meeting.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
5. There are alternatives to the arrangement of the meeting room.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
6. The names and titles of the Board and administration are visible to the public.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
7. There is ample comfortable seating for the public.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree

## Notes:

## Agenda Development Checklist

1. The agenda is easy to read and follow.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
2. Reports and public comments are permitted early in the meeting.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
3. The Board follows the agenda closely.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
4. The Board adheres to the laws of parliamentary procedure and Brown Act.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
5. When a vote is taken, it is clear how each member voted.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
6. There is not more than one motion on the floor at a time.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
7. The Board spent quality time on each item on the agenda.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
8. The Board feels it is well informed prior to taking action.	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree

## Notes:

## **Individual Checklist**

### **Mental Notes:**

1. My manner of dress and general appearance is appropriate for meetings.
2. I appear prepared and ready for business.
3. My body language reflects my attitudes toward people or issues.
4. My posture is straight and I am attentive.
5. I actively listen and participate throughout the entire meetings.
6. My attitude and facial expressions reflect the image I want to portray at the meetings.
7. My voice is always clear and strong.
8. Emotions such as frustration, anger or disappointment do not enter my voice during deliberations.
9. I allow myself to view the item discussed from all angles, allowing for a balanced perspective.
10. How would you rate your attention span?
11. How would you rate your ability to disagree with others?
12. How would you rate your ability to debate issues?
13. How would you rate your overall performance at meetings?
14. How would you have liked to improve your performance at meetings?

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 16.0**

**ACTION ITEM: Resolution 2016-17:04-02: Resolution Reducing Services**

**BACKGROUND**

It is necessary to decrease the number of classified employees in the District for lack of work and lack of funds as determined in accordance with Education Code Sections 45114, 45115, 45117, 45298, 45308, and Article XVIII of the Agreement between the Gold Trail Union School District and the Gold Trail Federation of Educators, Classified Chapter, Local 4911, CTFT/AFT (AFL-CIO) and Labor Code.

**ATTACHMENTS**

- Resolution 2016-17: 04-02

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to adopt the resolution.

**NOTES**

<i><b>ACTION</b></i>	<i>Moved</i>	<i>Seconded</i>
<input type="checkbox"/> <i>Approved as is</i>		
<input type="checkbox"/> <i>Not approved</i>		
<input type="checkbox"/> <i>Amended to read:</i>		

**RESOLUTION 2016-17: 04-02**  
**GOLD TRAIL UNION SCHOOL DISTRICT**

**Resolution Reducing Services**

**WHEREAS**, the Governing Board of the Gold Trail Union School District has determined that it shall be necessary to reduce the following positions in the District:

<u>Position</u>	<u>FTE</u>
Bus Driver/Maintenance	0.81
Custodian	0.50
Teacher Associate	2.47

**WHEREAS**, it is the opinion of the Governing Board that it is necessary by reason of the above reductions to decrease the number of classified employees in the District for lack of work and lack of funds as determined in accordance with Education Code Sections 45114, 45115, 45117, 45298, 45308, and Article XVIII of the Agreement between the Gold Trail Union School District and the Gold Trail Federation of Educators, Classified Chapter, Local 4911, CTFT/AFT (AFL-CIO) and Labor Code;

**NOW, THEREFORE, BE IT RESOLVED** that it shall be necessary to terminate:

- effective June 30, 2017, the employment of 0.81 FTE Bus Driver/Maintenance
- effective June 30, 2017, the employment of 0.50 FTE Custodian
- effective June 30, 2017, the employment of 2.47 FTE Teacher Associate

totaling 3.78 FTE classified employees of the District as a result of lack of work and lack of funds. The Superintendent or his designated representative is directed to take all appropriate action needed, including the sending of appropriate notices to all employees whose positions shall be affected by virtue of this action.

**ADOPTED** by the Governing Board of Gold Trail Union School District on April 6, 2017 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

J. Barbieri, Clerk

**AGENDA ITEM 17.0**

**ACTION ITEM: First Reading of Board Policies, Administrative Regulations and Board Bylaws**

**BACKGROUND**

The District receives from the California School Boards Association periodic updates of Policies, Regulations and Bylaws that reflect current law and court decisions. The following roster is brought forward with the California School Board Association's recommendations.

**ATTACHMENTS**

- Policy Guide sheet
- BP 0460, Local Control and Accountability Plan (BP Revised)
- BP 3260/AR 3260, Fees and Charges (BP/AR Revised)
- AR 4112.22, Staff Teaching English Learners (AR Revised)
- E 4112.9/4212.9/4312.9, Employee Notifications (E Revised)
- AR 4161.1/4361.1, Personal Illness/Injury Leave (AR Revised)
- AR 4261.1, Personal Illness/Injury Leave (AR Revised)
- BP 5111, Admission (BP Revised)
- BP 5111.1, District Residency (BP Revised)
- BP 5113/AR 5113, Absences and Excuses (BP/AR Revised)
- BP 5141.52/AR 5141.52, Suicide Prevention (BP/AR Revised)
- E 5145.6, Parental Notifications (E Revised)
- BP 5148.2/AR 5148.2, Before/After School Programs (BP Revised; AR Deleted)
- BP 6111, School Calendar (BP Revised)
- BP 6142.2/AR 6142.2, World/Foreign Language Instruction (BP/AR Revised)
- BP 6144, Controversial Issues (BP Revised)
- BP 6174/AR 6174/E 6174, Education for English Learners (BP/AR Revised; E Deleted)
- BP 6176, Weekend/Saturday Classes (BP Revised)

**BUDGETED**

NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to adopt the roster for first reading.

**NOTES**

<b><i>ACTION</i></b>	<b><i>Moved</i></b>	<b><i>Seconded</i></b>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<b><i>Vote</i></b>	<b><i>Ayes</i></b>	<b><i>Noes</i></b>	<b><i>Absent</i></b>	<b><i>Abstain</i></b>

**POLICY GUIDE SHEET**  
**April 2017**  
**Page 1 of 4**

**BP 0460 - Local Control and Accountability Plan**

(BP revised)

Policy updated to reflect **NEW LAW** (Proposition 58, 2016) which requires the local control and accountability plan (LCAP) development process to include solicitation of parent/guardian and community input on effective and appropriate instructional methods, including language acquisition programs. Policy also reflects the State Board of Education's (SBE) adoption of evaluation rubrics (the "California School Dashboard") that will assist districts in evaluating progress toward their LCAP goals.

**BP/AR 3260 - Fees and Charges**

(BP/AR revised)

Policy reorganized and updated to reflect a California Department of Education (CDE) management advisory regarding the prohibition against requiring parent/guardian volunteer hours or payment as a condition of the student's enrollment or participation in educational activities. Regulation updated to reflect **NEW LAW** (AB 2615, 2016) which permits districts to charge a fee for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Center (21st CCLC) programs, and 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for a homeless or foster youth. Regulation also clarifies the permissibility of charging a fee for in-state field trips in accordance with CDE's interpretation of law, provided that no student is prevented from participating based on a lack of funds.

**AR 4112.22 - Staff Teaching English Learners**

(AR revised)

Regulation updated to revise definition of "English learner" pursuant to Proposition 58 (2016). Regulation also deletes material regarding the Certificate of Staff Development issued by the Commission on Teacher Credentialing and provides a general paragraph applicable to multiple types of authorizations to teach English learners. Title of regulation updated to reflect current terminology.

**E 4112.9/4212.9/4312.9 - Employee Notifications**

(E revised)

Exhibit updated to add notice seeking volunteers to administer opioid antagonist pursuant to **NEW LAW** (AB 1748, 2016), delete notice seeking volunteers to administer anti-seizure medication as the requirement self-repealed on January 1, 2017, add notice informing new employees of their right to purchase Public Employment Retirement Service credit for certain active military service, and update legal citations.

**AR 4161.1/4361.1 - Personal Illness/Injury Leave**

(AR revised)

Regulation updated to add new section on "Additional Leave for Disabled Military Veterans" reflecting **NEW LAW** (SB 1180, 2016) which entitles eligible certificated employees to receive an additional 10 days of sick leave with pay during the first year of employment for the purpose of undergoing medical treatment for a military service-connected disability. Regulation reflects **NEW LAW** (AB 2393, 2016) which clarifies differential pay for parental leave ("baby bonding" leave), including clarifying that such leave will run concurrently with parental leave taken under the California Family Rights Act, but, unlike the CFRA, does not require an employee to have at least 1,250 hours of service with the district in the previous 12-month period. Regulation also clarifies applicability of law requiring a reemployment list for employees who are not medically able to resume duties after a specified period of time.

**POLICY GUIDE SHEET**  
**April 2017**  
**Page 2 of 4**

**AR 4261.1 - Personal Illness/Injury Leave**

(AR revised)

Regulation updated to add new section on "Additional Leave for Disabled Military Veterans" reflecting **NEW LAW** (SB 1180, 2016) which entitles eligible classified employees to receive an additional 12 days of sick leave with pay during the first year of employment for the purpose of undergoing medical treatment for a military service-connected disability. Regulation also updated to reflect **NEW LAW** (AB 2393, 2016) which extends to classified employees the same provisions related to differential pay for parental leave that were previously granted only to certificated employees.

**BP 5111 - Admission**

(BP revised)

Policy updated and released on GAMUT in February, in conjunction with new CSBA Legal Guidance, to clarify that, under state compulsory education laws and the U.S. Supreme Court decision in *Plyler v. Doe*, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. Policy includes direction not to inquire into a student's citizenship or immigration status nor deny enrollment on the basis of citizenship or immigration status. Policy also reflects **NEW LAW** (AB 2308, 2016) which extends the requirement that the district's enrollment forms include an informational item about affordable health care options and available enrollment assistance through the 2020-21 school year.

**BP 5111.1 - District Residency**

(BP revised)

Policy updated and released on GAMUT in February, in conjunction with new CSBA Legal Guidance, to clarify that, under state compulsory education laws and the U.S. Supreme Court decision in *Plyler v. Doe*, districts cannot deny enrollment on the basis of citizenship or immigration status and therefore should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school.

**BP/AR 5113 - Absences and Excuses**

(BP/AR revised)

Policy updated to reflect the requirement for a board resolution approving reasonable methods by which students can verify absences due to illness or quarantine. Policy also deletes section on "Effect of Absence on Grades/Credits," as that material is covered in BP/AR 5121 - Grades/Evaluation of Student Achievement and BP 6154 - Homework/Makeup Work. Regulation updated to reflect **NEW LAW** (AB 1593, 2016) which provides that a student's attendance at his/her own naturalization ceremony constitutes an excused absence. Regulation also includes parent notification requirement formerly in BP, and adds notifications that a student may be excused for religious exercises or instruction and that a student's grade will not be lowered following an excused absence provided that missed schoolwork is completed within a reasonable period of time.

**BP/AR 5141.52 - Suicide Prevention**

(BP/AR revised)

Policy and regulation substantially revised to reflect **NEW LAW** (AB 2246, 2016) which mandates districts serving grades 7-12 to adopt policy on suicide prevention, intervention, and postvention by the beginning of the 2017-18 school year. Policy and regulation reflect the mandate to address any related staff development to be provided to teachers in grades 7-12 and to address the needs of specified high-risk student populations. In addition, policy and regulation add best practices in prevention, intervention, and postvention, including, but not limited to, student instruction, crisis intervention procedures, follow-up care for a student who threatens or attempts suicide, and the provision of counseling and other postvention strategies to reduce suicide contagion.

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**E 5145.6 - Parental Notifications**

(E revised)

Exhibit updated to reflect **NEW LAWS** adding parental notifications related to language acquisition programs (Proposition 58, 2016), involuntary transfer of a student convicted of violent felony or firearms-related misdemeanor (SB 1343, 2016), enrollment priorities for homeless and foster youth in before/after school programs (AB 2615, 2016), and exemption from local graduation requirements for former juvenile court school students (AB 2306, 2016). Exhibit also deletes notification related to structured English immersion programs pursuant to Proposition 58, and updates legal citations and referenced CSBA sample policies/regulations.

**BP 5148.2 - Before/After School Programs**

(BP revised; AR deleted)

Policy updated to reflect **NEW LAW** (AB 2615, 2016) which permits districts to charge a family fee for participation in an ASES, 21st CCLC, or ASSETs program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for a homeless or foster youth. Policy also links program content with goals in the district's LCAP, and includes material formerly in AR related to priorities for establishing district programs consistent with state and federal priorities for funding programs.

**BP 6111 - School Calendar**

(BP revised)

Policy updated to clarify that a district must offer a minimum of 175 instructional days per school year until it meets or exceeds its funding target under the local control funding formula, at which time the minimum required number of instructional days is 180. Policy also adds reference to the requirement for a minimum of 163 instructional days per year for multitrack year-round schools.

**BP/AR 6142.2 - World/Foreign Language Instruction**

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (Proposition 58, 2016) which authorizes the establishment of dual-language immersion programs that provide integrated language learning and academic instruction for English learners and native speakers of English. Policy also reflects **NEW LAW** (AB 2290, 2016) which requires the SBE to consider revisions to the state content standards for world languages by March 31, 2019. Regulation reflects provisions of Proposition 58 which (1) delete the requirement that a parent/guardian request a waiver of structured English immersion instruction so that an English learner may participate in a dual-language immersion program, (2) require dual-language immersion programs in grades K-3 to meet class size requirements, and (3) require a parental notice with information on the district's dual-language and other language acquisition programs.

**BP 6144 - Controversial Issues**

(BP revised)

Policy updated to provide that parents/guardians may be given an opportunity to opt out of instruction on controversial issues only when required by law, not at the discretion of a teacher or administrator. Policy also clarifies the district's right to limit teacher expressions of personal opinion when teachers are in the classroom and therefore acting on behalf of the district.

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**BP/AR/E 6174 - Education for English Learners**

(BP/AR revised; E deleted)

Policy and regulation substantially revised to reflect **NEW LAW** (Proposition 58) which authorizes parents/guardians to select a language acquisition program that best suits their child and eliminates the requirement for parents/guardians to request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. Policy reflects provisions of Proposition 58 that require districts to (1) offer, at a minimum, a structured English immersion program; (2) seek parent/guardian and community input on language acquisition programs during development of the district's LCAP; and (3) to the extent possible, offer a language acquisition program requested by parents/guardians of 30 or more students at a school or 20 or more students in any grade level at the school. Policy and regulation also reflect revisions in Title III English learner programs, including renumbering of accountability requirements and changes in the required parental notification, pursuant to the Every Student Succeeds Act. Title of policy and regulation updated to reflect current terminology. Exhibit deleted as districts no longer need a sample form for the parental exception waiver.

**BP 6176 - Weekend/Saturday Classes**

(BP revised)

Policy updated to reflect **NEW LAW** (AB 2659, 2016) which authorizes makeup classes for any type of absence, including excused absences, to be offered during the weekend. Policy also adds material regarding the circumstances under which teachers cannot be assigned to work on a weekend.

# CSBA Sample Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

### LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: The following policy is **optional**. Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). A template for the plan and related requirements for LCAP development are contained in 5 CCR 15494-15497.5, as amended by Register 2015, No. 2. Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

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

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Note: Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. The LCAP template in 5 CCR 15497.5, as added by Register 2015, No. 2, presents guiding questions to consider in plan development and groups these priorities into categories of Conditions of Learning, Pupil Outcomes, and Engagement. See the accompanying administrative regulation for further information about the required content of the LCAP.

## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

~~Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership.~~

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

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

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

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

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

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

(cf. 0420 - School Plans/Site Councils)

## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

### Plan Development

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

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

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. Pursuant to Education Code 52052, *as amended by AB 104 (Ch. 13, Statutes of 2015)*, a numerically significant subgroup includes ethnic subgroups, students with disabilities, socioeconomically disadvantaged students, English learners, foster youth, and homeless students, when there are at least 30 students in the subgroup (or 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval of the *State Board of Education (SBE)*.

State regulations do not provide examples of consultation with groups other than students, but consultations might include the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations.

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

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

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

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 6020 - Parent Involvement)*

**Public Review and Input**

Note: Pursuant to Education Code 52063 and 5 CCR 15495, ~~as amended by Register 2015, No. 2~~, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495 as amended, must include a majority of parents/guardians of English learners. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

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

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

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

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

## **LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

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

*(cf. 5145.6 - Parental Notifications)*

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

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

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

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

*(cf. 9320 - Meetings and Notices)*

### **Adoption of the Plan**

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

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

## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

### Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent. The County Superintendent may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. He/she is required to approve the LCAP on or before October 8 if he/she determines that (1) the LCAP adheres to the template in 5 CCR 15497.5 **as added by Register 2015, No. 2**; (2) the district budget includes expenditures sufficient to implement the specific actions in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497, **as added by Register 2015, No. 2**, requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

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

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

### Monitoring Progress

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

~~In September 2016, the SBE adopted evaluation rubrics to assist districts in evaluating their strengths, weaknesses, and areas that require improvement. The rubrics include all of the state priorities described in Education Code 52060, SBE standards for district and school performance, and SBE expectations for improvement in regard to those state priorities.~~

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. **Evaluation shall include, but not be limited to, an assessment of district and school performance based on evaluation rubrics adopted by the State Board of Education pursuant to Education Code 52064.5.** Evaluation data shall be used to recommend any necessary revisions to the LCAP.

*(cf. 0500 - Accountability)*

## **LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

### **Technical Assistance/Intervention**

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

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

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

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

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

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

1. Revision of the district's LCAP

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

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

*Legal Reference: (see next page)*

## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

### Legal Reference:

#### EDUCATION CODE

305-306 English language education

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

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

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

#### CODE OF REGULATIONS, TITLE 5

15494-15497.5 Local control and accountability plan and spending requirements

#### UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

### Management Resources:

#### CSBA PUBLICATIONS

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

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

**Impact of Local Control Funding Formula on Board Policies, November 2013**

**Local Control Funding Formula 2013, Governance Brief, August 2013**

**State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013**

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

**California School Accounting Manual**

**Every Student Succeeds Act - Update #6, January 18, 2017**

**LCFF Frequently Asked Questions**

#### WEB SITES

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

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

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### Policy Reference UPDATE Service

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# CSBA Sample Board Policy

## Business and Noninstructional Operations

BP 3260(a)

### FEES AND CHARGES

Note: Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity as defined in Education Code 49010. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. **Additionally**, Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. However, pursuant to 5 CCR 350, a district is permitted, in certain circumstances, to impose fees that are specifically authorized by law. See the accompanying administrative regulation for a list of permissible fees.

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

*(cf. 3100 - Budget)*

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

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

*(cf. 3250 - Transportation Fees)*

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

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

*(cf. 5143 - Insurance)*

*(cf. 9323.2 - Actions by the Board)*

Note: The following **optional** paragraph may be revised to reflect district practice. The prohibition against student fees pursuant to Education Code 49011 does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, **and/or** providing prizes or other recognition for participants in such fundraising activities. **However, according to California Department of Education's (CDE) Fiscal Management Advisory 15-01, Pupil Fees: Parent Service Hours**, the prohibition against student fees does **bar a district from requiring volunteer hours or payment in lieu of performing volunteer hours as a condition of admission, enrollment, continued enrollment, sibling preference, attendance, participation in educational activities, or receipt of credit or privileges related to educational activities.**

## FEES AND CHARGES (continued)

The prohibition against student fees shall not restrict the district from soliciting for **voluntary** donations, participating in fundraising activities, **and/or** providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. However, the district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. It also **and** shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - *Solicitation of Funds from and by Students*)

(cf. 3290 - *Gifts, Grants and Bequests*)

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

The Superintendent or designee may provide **additional** information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - *Staff Development*)

(cf. 4231 - *Staff Development*)

(cf. 4331 - *Staff Development*)

## Complaints

**Note:** Pursuant to Education Code 49013, a district is mandated to adopt policy **and procedures** which allow complaints to be filed using the uniform complaint procedures when the district is alleged to have violated the prohibition against requiring unauthorized student fees. See BP/AR 1312.3 - Uniform Complaint Procedures for language implementing this mandate.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - *Uniform Complaint Procedures*)

**Note:** Education Code 49013 **provides for** **requires** districts found in violation of the prohibition against **requiring** student fees to design a remedy which may include reasonable efforts to fully identify and reimburse all affected individuals as specified in 5 CCR 4600, as amended by Register 2013, No. 38. See AR 1312.3 - **Uniform Complaint Procedures** for additional language reflecting these requirements.

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

## FEES AND CHARGES (continued)

**Note:** Education Code 49013 requires the district to include information about the prohibition against requiring unauthorized student fees in the annual notification required pursuant to 5 CCR 4622.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification **of uniform complaint procedures required** to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

### Legal Reference:

#### EDUCATION CODE

8239 Preschool and wraparound child care services

8250 Child care and development services for children with disabilities

8263 Child care eligibility

#### **8422 21st Century High School After School Safety and Enrichment for Teens programs**

8482.6 After School Education and Safety programs

8760-8774 Outdoor science and conservation programs

17453.1 District sale or lease of Internet appliances or personal computers to students or parents

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38086.1 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39801.5 Transportation for adults

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents

48904 Liability of parent or guardian

49010-49013 Student fees

49065 Charge for copies

49066 Grades, effect of physical education class apparel

49091.14 Prospectus of school curriculum

51810-51815 Community service classes

52612 Tuition for adult classes

52613 Nonimmigrant **foreign nationals aliens**

56504 School records; students with disabilities

60410 Students in classes for adults

Legal Reference continued: (see next page)

## FEES AND CHARGES (continued)

### *Legal Reference: (continued)*

#### GOVERNMENT CODE

*6253 Request for copy; fee*

#### CALIFORNIA CONSTITUTION

*Article 9, Section 5 Common school system*

#### CODE OF REGULATIONS, TITLE 5

*350 Fees not permitted*

*4600-4687 Uniform complaint procedures*

#### UNITED STATES CODE, TITLE 8

*1184 Foreign students*

#### COURT DECISIONS

*Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513*

*Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251*

*Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739*

*Hartzell v. Connell (1984) 35 Cal. 3d 899*

*CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738*

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

**Pupil Fees: Damage to School Property, Fiscal Management Advisory 16-01, September 16, 2016**

**Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015**

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony

Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

#### WEB SITES

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

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

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# CSBA Sample Administrative Regulation

## Business and Noninstructional Operations

AR 3260(a)

### FEES AND CHARGES

Note: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law **and should be revised to reflect the types of fees that have been approved by the Governing Board; see the accompanying Board policy.** Other permissible fees may exist and be identified in the future. **For further information about fees and charges, see the California Department of Education's (CDE) Fiscal Management Advisory 12-02, Fees, Deposits and Other Charges.**

Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees may be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult with legal counsel.

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

**Note: In its Fiscal Management Advisory 12-02, the CDE interprets Education Code 35330 as permitting the district, at its discretion, to charge fees for any field trip, provided that no student is prevented from participating in a field trip due to a lack of funds. However, Education Code 35330 prohibits the use of district funds or district transportation allowances for an out-of-state field trip, and thus the district must charge participating students a fee for such trips and/or use non-district funds such as donations from a parent-teacher or community organization, education foundation, or school fundraiser specifically designated for this purpose.**

3. Expenses of students' participation in a field trip or excursion **within the state or** to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

**FEES AND CHARGES** (continued)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

*(cf. 6142.5 - Environmental Education)*

Note: Education Code 17551 permits the district to sell to a student any nonperishable property of the district which has been fabricated by the student, as provided in item #6 below. **California Department of Education (CDE)** Fiscal Management Advisory 12-02 clarifies that this cost applies to materials the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)
7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and exemptions are made for indigent and disabled students (Education Code 39807.5)

*(cf. 3250 - Transportation Fees)*

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)
9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

Note: Education Code 17453.1 permits the district to sell or lease Internet appliances or personal computers to students as provided in item #10 below. CDE Fiscal Management Advisory 12-02 defines "Internet appliance" as a technological product that allows connection or access to an online educational network and clarifies that Internet appliances and personal computers are deemed supplemental and not an essential part of a district's educational program.

10. Sale or lease of Internet appliances or personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, for the purpose of providing access to the district's educational computer network, provided that the items are sold or leased to parents/guardians at no more than cost, as long as and the district provides network access for families who cannot afford it (Education Code 17453.1)

*(cf. 0440 - District Technology Plan)*

*(cf. 6163.4 - Student Use of Technology)*

**FEES AND CHARGES** (continued)

11. **Fees for any An adult education or secondary school** community service class in civic, vocational, ~~literacy~~, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810~~--~~51815)

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

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - *Hazardous Substances*)

(cf. 5142 - *Safety*)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - *Student Records*)

14. Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - *Access to District Records*)

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

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

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

(cf. 3551 - *Food Service Operations/Cafeteria Funds*)

(cf. 3552 - *Summer Meal Program*)

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

(cf. 3554 - *Other Food Sales*)

16. As allowed in law, replacement cost or reimbursement for lost or **willfully** damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

(cf. 3515.4 - *Recovery for Property Loss or Damage*)

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

## FEES AND CHARGES (continued)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, **or classes** for which high school credit is granted when taken by a person who does not hold a high school diploma, or, **effective July 1, 2015**, classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

**Note: Pursuant to Education Code 8422 and 8482.6, as amended by AB 2615 (Ch. 470, Statutes of 2016), districts are permitted to charge family fees for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Centers (21st CCLC), and 21st Century High School After School Safety and Enrichment for Teens programs, as long as fees are waived or reduced for families with students who are eligible for free or reduced-price meals. In regard to ASES and 21st CCLC, commencing July 1, 2017, no fees may be charged if the district knows the student is a homeless youth or in foster care.**

20. After School Education and Safety Programs as long as no eligible student is denied the ability to participate because of inability to pay the fee **Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth** (Education Code **8422**, 8482.6)

(cf. 5148.2 - Before/After School Programs)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

**Note: In Fiscal Management Advisory 12-02, the CDE lists Advanced Placement and International Baccalaureate examination fees item #21 below as permissible. Districts with questions concerning this item should consult legal counsel. Some districts choose to reduce the cost of the fees for low-income students through the use of district funds or other funding sources; see BP 6141.4 - International Baccalaureate Program and BP 6141.5 - Advanced Placement.**

**FEES AND CHARGES** (continued)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

**(cf. 6141.4 - International Baccalaureate Program)**

**(cf. 6141.5 - Advanced Placement)**

Note: In its Addendum to Fiscal Management Advisory 12-02 issued in October 2013, the CDE clarifies that a district that requires its students to wear a cap and gown as a condition for their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor.

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# CSBA Sample Administrative Regulation

Certificated Personnel

AR 4112.22(a)

## STAFF TEACHING ENGLISH **LANGUAGE** LEARNERS

Note: **A teacher who is To be** assigned to provide English language development (ELD), specially designed academic instruction in English (SDAIE), and/or primary language instruction, as defined below, **a teacher** must hold an appropriate authorization from the Commission on Teacher Credentialing (CTC).

Education Code 44258.9 requires the County Superintendent of Schools to monitor district teacher assignments and vacancies and to investigate district efforts to ensure that a teacher in an assignment requiring authorization to teach English learners completes the necessary requirements. **If a school is ranked in deciles 1-3 on the statewide Academic Performance Index, the County Superintendent must annually report on the appropriate English learner certification held by teachers in any class with at least 20 percent English learners.** See BP 4113 - Assignment.

### Definitions

**Note: Proposition 58 (November 2016) amended Education Code 306 to revise the definition of "English learner" to conform with federal law, as follows.**

***English learner* means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)**

***English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)**

***Instruction for English language development (ELD)* means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)**

***Specially designed academic instruction in English (SDAIE)* means instruction in a subject area, delivered in English, that is specially designed to meet the needs of English learners. (Education Code 44253.2)**

## STAFF TEACHING ENGLISH **LANGUAGE** LEARNERS (continued)

*Primary language instruction* includes both *primary language development* designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and *content instruction delivered in the primary language* in any subject area. (Education Code 44253.2)

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

### Teacher Qualifications

Note: Education Code 44253.1-44253.11, related Title 5 regulations, and CTC leaflet CL-622, Serving English Learners, describe requirements pertaining to the qualifications of teachers of English learners.

It is the authorization listed on a document issued by the CTC, not the title of the document, which determines if and how an individual is authorized to serve English learners. Teacher preparation programs for multiple subject, single subject, and education specialist candidates include embedded coursework that allows them to earn an English learner authorization (authorizing ELD and SDAIE instruction) or a bilingual authorization (authorizing ELD, SDAIE, and primary language instruction) directly on their teaching credential. A teacher also may qualify to provide ELD and SDAIE instruction by completing coursework and/or passing CTC-approved examinations leading to a Crosscultural, Language and Academic Development (CLAD) certificate. The CTC is no longer issuing new Bilingual, Crosscultural, Language and Academic Development (BCLAD) certificates, but current holders of valid BCLAD certificates may continue to provide ELD, SDAIE, and primary language instruction.

**Pursuant to Education Code 44253.11, a teacher with an appropriate prerequisite credential may enroll in a CTC-approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing the teacher to provide instruction in SDAIE.**

5 CCR 80021 and 80021.1, as amended by Register 2010, No. 43, provide that all Short-Term Staff Permits and Provisional Internship Permits will be issued with an English learner authorization, unless the district requests the bilingual authorization and the applicant verifies target-language proficiency. The CTC also may issue emergency CLAD and bilingual authorization permits pursuant to 5 CCR 80024.7-80024.8, as amended by Register 2010, No. 43. See AR 4112.2 - Certification.

The CTC's "Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California" clarifies that any teacher with one or more K-12 English learner students in his/her class is required to have **an a CTC authorization for to provide ELD, and/or SDAIE, and/or primary language instruction**, as appropriate. State law does not specify any exemption based on the number of English learners in a class, the type of class (e.g., elective), or type of setting (e.g., special education or career technical education). **According to the FAQs, districts have discretion to establish an employment requirement that all teachers, even those who currently have no English learners, possess an authorization to teach English learners. Districts that choose to do so should modify the following paragraph accordingly.**

~~The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary~~

**STAFF TEACHING ENGLISH **LANGUAGE** LEARNERS** (continued)

language instruction. Only a teacher who possesses an appropriate authorization issued by the Commission on Teacher Credentialing (CTC) shall provide ELD, SDAIE, and/or primary language instruction in a class with one or more English learners.

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

(cf. 4112.2 - *Certification*)

(cf. 4112.21 - *Interns*)

(cf. 4113 - *Assignment*)

(cf. 4131 - **Staff Development**)

(cf. 4222 - *Teacher Aides/Paraprofessionals*)

A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)

(cf. 4131 - **Staff Development**)

The **Governing Board district** may, for the purpose of providing primary language instruction, hire bilingual teachers who are employed in public or private schools of a foreign country, state, territory, or possession, provided such teachers speak English fluently and hold the necessary sojourn credential issued by the CTC. After the initial two-year sojourn credential expires, the teacher may annually apply to the CTC for an extension for a total period of not more than five years. Any application for renewal shall include verification by the Superintendent or designee that termination of the employment would adversely affect an existing bilingual program and that attempts to secure the employment of a qualified certificated California teacher have been unsuccessful. (Education Code 44856)

*Legal Reference:* (see next page)

## STAFF TEACHING ENGLISH **LANGUAGE** LEARNERS (continued)

### *Legal Reference:*

#### EDUCATION CODE

306 *Definition, English learner*

44253.1-44253.11 *Certification for bilingual crosscultural competence-Qualifications of teachers of English learners*

44258.9 *County superintendent review of teacher assignments*

44259.5 *Standards for teachers of all students, including English language learners*

44380-44386 *Alternative certification*

44856 *Employment of teachers from foreign countries*

52160-52178 *Bilingual-Bicultural Act of 1976*

62001-62005. 5 *Evaluation and sunsetting of programs*

#### CODE OF REGULATIONS, TITLE 5

80015 *Requirements for the CLAD certification or English learner authorization*

80015.1-80015.4 *Requirements for CLAD, English learner authorization or bilingual authorization*

80021 *Short-Term Staff Permit*

80021.1 *Provisional Internship Program*

80024.7-80024.8 *Emergency CLAD and bilingual permits*

#### UNITED STATES CODE, TITLE 20

6601-6651 *Training and recruiting high-quality teachers*

6801-7014 *Language instruction for English learners and immigrant students*

#### **7801 Definition of English learner**

#### COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698

### *Management Resources:*

#### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

#### Administrator's Assignment Manual

#### Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California

CL-622 *Serving English Learners, December 2010*

CL-626B *Bilingual Authorizations, November 2010*

CL-626C *Crosscultural, Language and Academic Development (CLAD) Certificate, November 2010*

CL-568 *The Sojourn Certificated Employee Credential, August 2009*

#### **CL-824 Certificate of Completion of Staff Development**

#### WEB SITES

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

California Association for Bilingual Education: <http://www.bilingualeducation.org> <http://www.gocabe.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

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

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

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# CSBA Sample

## Exhibit

<b>All Personnel</b>	E 4112.9(a) 4212.9 4312.9
<b>EMPLOYEE NOTIFICATIONS</b>	

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

<b>When/Whom to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>I. To All Employees</b>			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11023-11024	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR 6112	Public hearing on alternative schedule
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
<b>At least once per year</b>	<b>Education Code 49414.3</b>	<b>AR 5141.21</b>	<b>Request for volunteers to be trained to administer opioid antagonist</b>
Electronically to all employees, no more than twice per school year per child needing medication	Education Code 49414.7	AR 5141.21	Request for volunteers to administer emergency antiseizure medication; training to be provided

E 4112.9(b)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
<b>I. To All Employees (continued)</b>			
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; <b>34 CFR 84.205, 84.210</b>	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
<b>Upon employment</b>	<b>Government Code 21029</b>	<b>None</b>	<b>Right to purchase PERS service credit for military service performed prior to public employment</b>
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

E 4112.9(c)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
<b>I. To All Employees (continued)</b>			
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	<b>2 CCR 11023; 34 CFR 104.8, 106.9</b>	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR <b>11096; 11091, 11095;</b> 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act ( <b>eFRA</b> ); obligation to provide 30 days' notice of need for leave when possible
To all employees and job applicants	34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress
<b>II. To Certificated Employees</b>			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time

E 4112.9(d)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>II. To Certificated Employees (continued)</b>			
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employees in district with ADA of 250 or more by March 15 of employee's second consecutive year of employment	Education Code 44929.21	AR 4117.6	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

E 4112.9(e)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
<b>II. To Certificated Employees (continued)</b>			
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing

E 4112.9(f)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
<b>III. To Classified Employees</b>			
To classified employee charged with mandatory leave of absence offense, in merit system district	Education Code 44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, procedures, and employee rights
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
<b>IV. To Administrative/Supervisory Personnel</b>			
To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term

E 4112.9(g)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>IV. To Administrative/Supervisory Personnel (continued)</b>			
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
<b>V. To Individual Employees Under Special Circumstances</b>			
In the event of a breach of security of district records, to affected employees	Civil Code <b>1798.21</b> <b>1798.29</b>	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
<b>To employees returning from military leave of absence, within 30 days of return</b>	<b>Government Code 20997</b>	<b>AR 4161.5 4261.5 4361.5</b>	<b>Right to receive PERS service credit for military service; application form</b>
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification

E 4112.9(h)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
<b>V. To Individual Employees Under Special Circumstances (continued)</b>			
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204, 5193	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; <b>2 CCR 11049, 11091</b>	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

(5/16 7/16) 3/17

### Policy Reference UPDATE Service

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# CSBA Sample Administrative Regulation

Certificated Personnel

AR 4161.1(a)

4361.1

## PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Education Code 44978 provides a minimum of 10 days of personal illness or injury leave (sick leave) per year for certificated employees working five days a week. The Governing Board may allow additional days at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), as added by AB 1522 (Ch. 317, Statutes of 2014), require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including temporary and substitute employees. Pursuant to Labor Code 246, as amended by AB 304 (Ch. 67, Statutes of 2015), a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his/her employment or each calendar year or 12-month period. Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years.

The provisions of Labor Code 245-249 are very broad and **only** district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, this administrative regulation has been drafted to include the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this administrative regulation accordingly.

For additional requirements of Labor Code 245-249, see the section titled "Healthy Workplaces, Healthy Families Act Requirements" below. For paid sick leave for temporary and substitute certificated employees, see BP/AR 4121 - Temporary/Substitute Personnel. For sick leave for classified employees, see AR 4261.1 - Personal Illness/Injury Leave.

Certificated employees employed five school days a-per week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave), per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave **per year** due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

### Use of Sick Leave

Certificated employees may use sick leave for absences due to:

## PERSONAL ILLNESS/INJURY LEAVE (continued)

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - *Work-Related Injuries*)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - *Family Care and Medical Leave*)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - *Personal Leaves*)

Note: **Optional** item #4 below may be revised as desired to specify a different minimum increment for sick leave.

4. Medical and dental appointments, in increments of not less than one quarter hour
5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/**4261.11**/4361.11 - *Industrial Accident/Illness Leave*)

Note: Pursuant to Labor Code 246.5, as added by AB 1522 (Ch. 317, Statutes of 2014), paid sick leave may be used for the purposes specified in item #6 below. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, for the purposes specified in items #6-7 below.

To attend to the illness of their family members, as specified in item #6 below, family members include, but are not limited to, an employee's grandparent, grandchild, and sibling, not just his/her child, parent, spouse, or domestic partner. In addition, the law defines child as a "biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis." For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #6 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.

For more details of AB 1522 requirements, see section "Healthy Workplaces, Healthy Families Act

## PERSONAL ILLNESS/INJURY LEAVE (continued)

**Requirements** below. For additional information about leaves for victims of domestic violence, sexual assault, or stalking **granted in accordance with item #7 below**, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

6. **In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following:** (Labor Code 233, 246.5)
  - a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care **(Labor Code 233, 246.5)**
- b.7.** Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking **(Labor Code 233, 246.5)**

**For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)**

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

Note: The following paragraph is **optional**.

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

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

**At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.**

**The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)**

Note: Pursuant to Education Code 44979-44980, a certificated employee is entitled to have his/her accumulated sick leave transferred with him/her in the circumstances specified in the following **optional** paragraph.

## PERSONAL ILLNESS/INJURY LEAVE (continued)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

### Additional Leave for Disabled Military Veterans

**Note: Education Code 44978.2, as added by SB 1180 (Ch. 728, Statutes of 2016), provides that an employee hired on or after January 1, 2017, who is a military veteran with a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher) is entitled to additional sick leave with pay for up to 10 days. Such leave may only be taken during the first year of employment for the purpose of undergoing medical treatment, as specified below.**

**In addition to any other entitlement for sick leave with pay, a newly hired certificated employee who is a military veteran with a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)**

**The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)**

**Note: Pursuant to Education Code 44978.2, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.**

**The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.**

### Notification of Absence

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

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate

## PERSONAL ILLNESS/INJURY LEAVE (continued)

of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - *Temporary/Substitute Personnel*)

### Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 44977, an employee who is absent for up to five months after exhausting all his/her available sick leave must receive his/her regular salary minus the cost of a substitute. Option 1 below reflects this requirement. However, Education Code 44983 provides that Education Code 44977 does not apply to those districts that adopt a rule that gives certificated employees 50 percent or more of their regular salary during the period of absence. Option 2 below is for use by districts that choose to specify such a level of compensation; these districts are mandated to adopt a rule to this effect.

When an employee is absent for a period of more than five months, or is absent for a cause other than illness, Education Code 44977 and 44983 provide that the amount deducted from his/her salary shall be determined according to the rules and regulations adopted by the Board as long as such rules are not in conflict with State Board of Education regulations. **If not covered in the district's negotiated agreement, the district may add provisions in this section reflecting salary deductions for employees absent longer than five months.**

#### OPTION 1:

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or **injury** accident, continues to be absent from his/her duties for an additional period of up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

An employee shall not be provided more than one five-month period per illness or **injury** accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

Note: Option 2 below is **mandated** for use by districts that choose to provide employees at least 50 percent of their regular salary during the period of absence pursuant to Education Code 44983. The following paragraph specifies 50 percent and should be modified by districts that have set a higher percentage.

## PERSONAL ILLNESS/INJURY LEAVE (continued)

### OPTION 2:

After a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or **injury/accident**, continues to be absent for an additional period **of** up to five months, he/she shall receive 50 percent of his/her regular salary during the additional period of absence. (Education Code 44983)

### Absence Beyond Five-Month Period/Reemployment List

**Note:** The following paragraph is required for districts that select Option 1 (i.e., differential pay) in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above and should be carefully considered by districts that select Option 2 (i.e., 50 percent pay). Education Code 44978.1 requires the establishment of a reemployment list for employees who are unable to resume their duties after the five-month period provided pursuant to Education Code 44977. Although Education Code 44978.1 does not explicitly require a reemployment list for districts selecting Option 2, such districts should be aware that failure to establish a reemployment list may subject employees to termination following a five-month absence. Therefore, any district that selects Option 2 and currently maintains a reemployment list for employees who are absent beyond the five-month period, or that wishes to establish such a list, should consult legal counsel before changing its policy or practices.

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

*(cf. 4116 - Probationary/Permanent Status)*

### Differential Pay for Parental Leave

**Note:** The following paragraph is for use by districts that selected either Option 1 or Option 2, and **section** is subject to any conflicting provision in a collective bargaining agreement **that provides greater parental leave rights entered into before January 1, 2016**. Pursuant to Education Code 44977.5, **as added by AB 375 (Ch. 400, Statutes of 2015) as amended by AB 2393 (Ch. 883, Statutes of 2016)**, the district is required to provide differential pay to a certificated employee when he/she has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to **maternity or paternity parental** leave for the birth of the employee's child or placement of a child with the employee for adoption or foster care (baby bonding), pursuant to Government Code 12945.2 (California Family Rights Act). Such an employee is entitled to receive differential pay, **calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above**, for up to 12 **work** weeks. **Among the many questions generated by the new law are whether the 12 weeks differential pay for maternity/paternity leave would be in addition to the five months differential leave pay pursuant to Education Code 44977 (Option 1 above) and whether the law applies to districts that provide their employees at least 50 percent of their regular salary instead of differential pay during such period of**

## PERSONAL ILLNESS/INJURY LEAVE (continued)

absence, as permitted by Education Code 44983 (Option 2 above.) The following paragraph reflects CSBA's interpretation of the law. Any district with a question regarding the interpretation to be given to this new law should consult its legal counsel.

As amended, Education Code 44977.5 provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 44977.5 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

~~In addition, d~~During each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of ~~maternity or paternity~~ ~~parental~~ leave (baby bonding) pursuant to Government Code 12945.2 shall receive, ~~differential pay~~ for up to 12 ~~school work~~ weeks., ~~his/her regular salary minus the actual cost of a substitute to fill the position or, if no substitute was employed, the amount that would have been paid had a substitute been employed.~~ The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such ~~maternity or paternity~~ ~~parental~~ leave. Such parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 44977.5 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

### Verification Requirements

Note: Education Code 44978 **mandates** the Board to adopt regulations requiring proof of illness or injury and prescribing the means of verification. However, Education Code 44978 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. For verification requirements for employees on leave pursuant to the Family and Medical Leave Act, see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. The following section should be modified to reflect district practice and any procedures which have been specified in negotiated agreements.

~~Previously, Labor Code 233 authorized a district to apply the same conditions and restrictions placed upon its employees' use of sick leave for their own illness to any use of sick leave for illnesses of an employee's family members. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), this authorization no longer exists. As amended, Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #6-7 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.~~

## **PERSONAL ILLNESS/INJURY LEAVE (continued)**

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or his/her family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)*

## **Healthy Workplaces, Healthy Families Act Requirements**

Note: Pursuant to Labor Code 245-249, ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action

## PERSONAL ILLNESS/INJURY LEAVE (continued)

against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
  - a. That an employee is entitled to accrue, request, and use paid sick days
  - b. The amount of sick days provided by Labor Code 245-249
  - c. The terms of use of paid sick days
  - d. That discrimination or retaliation against an employee for requesting **and**/or using sick leave is prohibited by law and **that** an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

*Legal Reference: (see next page)*

## PERSONAL ILLNESS/INJURY LEAVE (continued)

### *Legal Reference:*

#### EDUCATION CODE

44964 *Power to grant leave of absence in case of illness, accident, or quarantine*  
44965 *Granting of leaves of absence for pregnancy and childbirth*  
44976 *Transfer of leave rights when school is transferred to another district*  
44977 *Salary deduction during absence from duties up to five months after sick leave is exhausted*  
44977.5 **Salary deduction during absence from duties for maternity or paternity** **Differential pay during parental** leave up to 12 weeks after sick leave is exhausted  
44978 *Provisions for sick leave of certificated employees*  
44978.1 *Inability to return to duty; placement in another position or on reemployment list*  
**44978.2 Leave for military service connected disability**  
44979 *Transfer of accumulated sick leave to another district*  
44980 *Transfer of accumulated sick leave to a county office of education*  
44981 *Leave of absence for personal necessity*  
44983 *Exception to sick leave when district adopts specific rule*  
44984 *Industrial accident or illness*  
44986 *Leave of absence for disability allowance applicant*

#### LABOR CODE

220 *Sections inapplicable to public employees*  
230 *Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off*  
230.1 *Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off*  
233 *Illness of child, parent, spouse or domestic partner*  
234 *Absence control policy*

245-249 *Healthy Workplaces, Healthy Families Act of 2014*  
CODE OF REGULATIONS, TITLE 5

5601 *Transfer of accumulated sick leave*  
UNITED STATES CODE, TITLE 42

2000ff-2000ff-11 *Genetic Information Nondiscrimination Act of 2008*  
CODE OF FEDERAL REGULATIONS, TITLE 29

1635.1-1635.12 *Genetic Information Nondiscrimination Act of 2008*

#### COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

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#### **Policy Reference UPDATE Service**

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# CSBA Sample Administrative Regulation

Classified Personnel

AR 4261.1(a)

## PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Twelve days of paid personal illness or injury leave (sick leave) per year is the minimum prescribed by Education Code 45191 for classified employees employed five days a week in both merit and non-merit system districts. The Governing Board may allow more sick leave at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), as added by AB 1522 (Ch. 317, Statutes of 2014), require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including classified employees. Pursuant to Labor Code 246, as amended by AB 304 (Ch. 67, Statutes of 2015), a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his/her employment or each calendar year or 12-month period. Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years.

The provisions of Labor Code 245-249 are very broad and **only** district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, this administrative regulation reflects the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this administrative regulation accordingly.

**For additional requirements of Labor Code 245-249, see sections titled "Short-Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below for more details of AB 1522 requirements.** For sick leave for certificated employees, see AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

## PERSONAL ILLNESS/INJURY LEAVE (continued)

### Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)
2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - *Family Care and Medical Leave*)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - *Personal Leaves*)

Note: **Optional** item #4 below may be revised to specify a different minimum increment.

4. Medical or dental appointments, in increments of not less than one quarter hour
5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. **4161.11/4261.11/4361.11** - *Industrial Accident/Illness Leave*)

Note: Pursuant to Labor Code 246.5, as added by AB 1522 (Ch. 317, Statutes of 2014), paid sick leave may also be used for the purposes specified in item #6 below. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, **for the purposes specified in items #6-7 below**.

~~To attend to the illness of their family members, as specified in item #6 below, family members include, but are not limited to, an employee's grandparent, grandchild, and sibling, not just his/her child, parent, spouse, or domestic partner. In addition, the law defines child as a "biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis." For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #6 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.~~

**For additional information about leaves for victims of domestic violence, sexual assault, or stalking granted in accordance with item #7 below, see AR 4161.2/4261.2/4361.2 - Personal Leaves.**

## PERSONAL ILLNESS/INJURY LEAVE (continued)

~~For more details of AB 1522 requirements, see sections titled "Short Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below. For additional information about leaves for victims of domestic violence, sexual assault, or stalking, see AR 4161.2/4261.2/4361.2 – Personal Leaves.~~

6. ~~In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 245.5, 246.5)~~
  - a. ~~Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)~~
  - b.7. ~~Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)~~

**For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)**

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

**Note:** The following paragraph is **optional**.

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

~~The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)~~

**Note:** Pursuant to Education Code 45202, a classified employee who is terminated after at least one year of employment for any reason unrelated to discipline is entitled to have his/her accumulated sick leave transferred with him/her in certain circumstances. The following paragraph, which provides for the notification of employees as a way to implement this provision, is **optional** and may be revised to reflect district practice.

## **PERSONAL ILLNESS/INJURY LEAVE (continued)**

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

### **Additional Leave for Disabled Military Veterans**

**Note:** Education Code 45191.5, as added by SB 1180 (Ch. 728, Statutes of 2016), provides that an employee hired on or after January 1, 2017, who is a military veteran with a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher) is entitled to additional sick leave with pay for up to 12 days. Such leave may only be taken during the first year of employment for the purpose of undergoing medical treatment, as specified below.

**In addition to any other entitlement for sick leave with pay, a newly hired classified employee who is a military veteran with a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)**

**The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)**

**Note:** Pursuant to Education Code 45191.5, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

**The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.**

### **Notification of Absence**

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

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute

## **PERSONAL ILLNESS/INJURY LEAVE (continued)**

may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

### **Continued Absence After Available Sick Leave Is Exhausted/Differential Pay**

**Note:** Pursuant to Education Code 45196, a district is authorized to pay any employee who has exhausted his/her paid leaves his/her salary minus the actual pay received by a substitute for the remainder of a five-month absence to which the employee is entitled (Option 1 below). Alternatively, such an employee may be compensated at 50 percent or more of his/her salary for up to 100 working days, regardless of whether or not a substitute is hired (Option 2 below).

Districts that maintain a catastrophic leave program for their classified employees should specify how the program will affect the differential leave pay to which the employee may be entitled.

#### **OPTION 1:**

**Note: In 53 Ops.Cal.Atty.Gen. 111 (1970), the Attorney General clarified that a classified employee is entitled to a total period of five months, commencing with the first day of illness, during which the amount deducted from his/her salary may not exceed the sum which is actually paid a substitute. This five-month period runs concurrently with any other paid leave. After the employee has exhausted all paid leaves, he/she is entitled to differential pay for the balance of the five-month period.**

**In California School Employees Association v. Tustin Unified School District, the court ruled that a district could deduct from the absent employee's salary only the cost of an outside substitute employee, not the cost of existing classified employee(s) working additional hours to fill the position during the absence.**

**Pursuant to Education Code 45196, the amount paid to a substitute must be less than the absent employee's salary unless the Board has adopted a salary schedule for substitutes.**

**A classified employee who has exhausted all paid leaves, including sick leave, shall for the remainder of the five-month period of absence to which he/she is entitled, receive his/her salary minus the actual amount paid a substitute to fill the employee's position during his/her absence. (Education Code 45196)**

**The five-month period shall commence on the first day of the leave of absence and shall run concurrently with any other paid leave.**

#### **OPTION 2:**

**Note: Education Code 45196 authorizes, but does not require, a district to annually credit regular classified**

**PERSONAL ILLNESS/INJURY LEAVE (continued)**

~~employees with at least 100 working days of paid sick leave, and to compensate any such employee at 50 percent or more of the employee's regular salary for the remainder of the 100 working days after the employee has exhausted all leaves for which he/she would be entitled to a full salary. Any district that chooses this option is mandated to adopt a rule to that effect. Such districts should note that this option is exclusive of other paid leave, holidays, or vacation. In California School Employees Association v. Colton Joint Unified School District, the court ruled that the district's practice of coordinating or combining vacation with the 100 days differential leave contradicts the express provision of Education Code 45196.~~

~~The following paragraph may be revised to specify more than 100 working days and/or the level of compensation the district will pay an employee, if it chooses to pay more than 50 percent of the employee's salary.~~

~~Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or **injury accident**, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)~~

**Differential Pay for Parental Leave**

**Note:** The following section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights. Pursuant to Education Code 45196.1, as added by AB 2393 (Ch. 883, Statutes of 2016), the district is required to provide differential pay to a classified employee when he/she has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to parental leave for the birth of the employee's child or placement of a child with the employee for adoption or foster care (baby bonding), pursuant to Government Code 12945.2 (California Family Rights Act). Such an employee is entitled to receive differential pay, calculated in the same manner described in Option 1 or 2 in the section "**Continued Absence After Available Sick Leave Is Exhausted/Differential Pay**" above, for up to 12 work weeks.

**Education Code 45196.1** provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to **Education Code 45196.1** does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

**During each school year, any classified employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. Such parental leave shall run concurrently with the parental leave**

## PERSONAL ILLNESS/INJURY LEAVE (continued)

**taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 45196.1 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)**

### Extension of Leave

Note: Pursuant to Education Code 45195, the following extension of leave may be either paid or unpaid, and the Board may grant full pay for the full 18 months' allowable absence, if desired.

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

*(cf. 4216 - Probationary/Permanent Status)*

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

### Verification Requirements

Note: Education Code 45191 **mandates** the Board to adopt regulations that require proof of illness or injury and prescribe the means of verification. However, Education Code 45191 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. The following section should be modified to reflect district practice and any procedures that have been specified in negotiated agreements.

Previously, Labor Code 233 authorized a district to apply the same conditions and restrictions placed upon its employees' use of sick leave for their own illness to any use of sick leave for illnesses of an employee's family members. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), this authorization no longer exists. As amended, Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #6-7 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who

## **PERSONAL ILLNESS/INJURY LEAVE (continued)**

is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or his/her family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)*

## PERSONAL ILLNESS/INJURY LEAVE (continued)

### Short-Term and Substitute Employees

Note: Pursuant to Labor Code 245-249, as added by AB 1522 (Ch. 317, Statutes of 2014), the district is required to grant a minimum of one hour of paid sick leave for every 30 hours worked by an employee who works for 30 days within a year of his/her employment. In implementing this requirement, Labor Code 246, as amended by AB 304 (Ch. 67, Statutes of 2015), permits the district to use any of the options specified below. Option 1 provides for paid leave accrual based on one hour for every 30 hours worked. Option 2 allows an accrual method that provides for a regular accrual basis and ensures that the employee receives 24 hours of paid sick leave by the 120th calendar day of his/her employment. Option 3 is for any district that credits employees with 24 hours of paid sick leave at the beginning of each year and does not allow unused sick leave to carry over to the next year. In addition, pursuant to Labor Code 245.5, as amended by AB 304, retired annuitants who have not reinstated to the applicable public retirement system are excluded from participation in these leave benefit provisions. The district should select the option below which corresponds to its approach under Labor Code 246.

See section below titled "Healthy Workplaces, Healthy Families Act Requirements" for additional details of AB 1522 requirements.

#### **OPTION 1:**

**Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)**

#### **OPTION 2:**

**Except for a retired annuitant who is not reinstated to the retirement system, any short term or substitute employee who works for 30 or more days within a year of his/her employment shall accrue, on a regular basis, paid sick leave of up to 24 hours by the 120th calendar day of his/her employment or each calendar year or 12 month period. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)**

#### **OPTION 3:**

**Except for a retired annuitant who is not reinstated to the retirement system, any short term or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)**

Note: The following paragraph applies to all the above options.

## **PERSONAL ILLNESS/INJURY LEAVE (continued)**

Any short-term or substitute employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. (Labor Code 246)

Note: The following paragraph applies to all of the above options and reflects the intent of the Healthy Workplaces, Healthy Families Act to enable California workers to address their own and their family's health needs and to provide them with economic security when they need to take time off work for reasons of domestic violence, sexual assault, or stalking. The following paragraph may be revised to include additional reasons for which short-term or substitute employees may use sick leave, pursuant to district policy or practice. Pursuant to Labor Code 247.5, as amended by AB 304 (Ch. 67, Statutes of 2015), a district is not required to inquire into the purposes for which an employee uses paid leave.

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

## **Healthy Workplaces, Healthy Families Act Requirements**

Note: Pursuant to Labor Code 245-249, as added by AB 1522 (Ch. 317, Statutes of 2014), all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
  - a. That an employee is entitled to accrue, request, and use paid sick days

**PERSONAL ILLNESS/INJURY LEAVE (continued)**

- b. The amount of sick days provided by Labor Code 245-249
- c. The terms of use of paid sick days
- d. That discrimination or retaliation against an employee for requesting **and**/or using sick leave is prohibited by law and **that** an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her

- 2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
- 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

- 4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

*Legal Reference: (see next page)*

## PERSONAL ILLNESS/INJURY LEAVE (continued)

### *Legal Reference:*

#### EDUCATION CODE

45103 *Substitute employees*

45190 *Leaves of absence and vacations*

45191 *Leaves of absence for illness and injury*

#### **45191.5 Leave for military service connected disability**

45193 *Leave of absence for pregnancy (re use of sick leave under certain circumstances)*

45195 *Additional leave for nonindustrial accident or illness; reemployment preference*

45196 *Salary; deductions during sick leave*

#### **45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted**

45202 *Transfer of accumulated sick leave and other benefits*

#### LABOR CODE

230 *Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off*

230.1 *Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off*

233 *Illness of child, parent, spouse or domestic partner*

245-249 *Healthy Workplaces, Healthy Families Act of 2014*

#### COURT DECISIONS

California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

#### ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 111 (1970)

(12/15 3/16) 3/17

### **Policy Reference UPDATE Service**

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# CSBA Sample

## Board Policy

**Students**

BP 5111(a)

### ADMISSION

**Note: Pursuant to Education Code 48200, all children ages 6-18 years are subject to compulsory full-time education, unless specifically exempted. See BP/AR 5112.1 - Exemptions from Attendance for further information about such exemptions.**

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Note: Admission requirements include age criteria for grades K-1; see the accompanying administrative regulation. Other admission requirements are addressed in AR 5111.1 - District Residency, BP/AR 5141.31 - Immunizations, and AR 5141.32 - Health Screening for School Entry.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

*(cf. 5111.1 - District Residency)*

*(cf. 5125 - Student Records)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

*(cf. 5141.32 - Health Screening for School Entry)*

Note: State and federal law require the immediate enrollment of homeless youth (Education Code 48850, **48852.7**; 42 USC 11432) and foster youth (Education Code 48853.5), regardless of their ability to provide the school with records normally required for enrollment; see BP/AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth. In addition, Education Code 49701 requires the district to facilitate the enrollment of children of military families and to ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements; see BP/AR 6173.2 - Education of Children of Military Families.

~~The Office for Civil Rights, U.S. Department of Education, has issued a "Dear Colleague" letter to clarify that districts may not adopt enrollment procedures that discourage the participation of students based on the actual or perceived citizenship or immigration status of the student or parent/guardian, as such practices would violate federal laws granting all students equal access to education. Thus, the district may not inquire into a student's citizenship or immigration status as a condition of enrollment.~~

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

## ADMISSION (continued)

(cf. 6173 - *Education for Homeless Children*)  
(cf. 6173.1 - *Education for Foster Youth*)  
(cf. 6173.2 - *Education of Children of Military Families*)

Note: Education Code 48645.5 prohibits the district from denying enrollment to a child solely for reason of his/her contact with the juvenile justice system as specified in the following paragraph. **Also see AR 6173.3 - Education for Juvenile Court School Students.** Pursuant to Education Code 48647, as added by AB 2276 (Ch. 901, Statutes of 2014), districts are strongly encouraged to work together with other agencies, including, but not limited to, the county office of education and the county probation department, to facilitate smooth transition of children from the juvenile court schools into regular schools.

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5119 - *Students Expelled from Other Districts*)  
**(cf. 6173.3 - *Education for Juvenile Court School Students*)**

**Note: In *Plyler v. Doe*, the U.S. Supreme Court ruled that, under the Fourteenth Amendment of the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a joint Dear Colleague Letter and joint fact sheet, *Information on the Rights of All Children to Enroll in School*, issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented.**

**Undocumented children in California not only have a right to attend school, but are mandated to do so under state compulsory education laws (Education Code 48200). Furthermore, every student has a right to attend school free from discrimination, harassment, violence, intimidation, and bullying; see BP 0410 - Nondiscrimination in District Programs and Activities and BP/AR 5145.3 - Nondiscrimination/Harassment.**

**Although districts may require proof of residency within the district (e.g., utility or phone bill, property tax payment receipt, rental property lease agreement, etc.), they should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school; see BP/AR 5111.1 - District Residency.**

**If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing such information to U.S. Immigration and Customs Enforcement, as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order.**

**For further discussion of these issues, see CSBA's *Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status*. The legal guidance also includes a sample board resolution that may be used to inform students, parents/guardians, and the community of students' rights under current law to attend a district school regardless of their citizenship or immigration status.**

## ADMISSION (continued)

**The Superintendent or designee shall not inquire into or request documentation of a student's citizenship or immigration status, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Any information obtained about a student's or parent/guardian's citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.**

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

*(cf. 5145.3 - Nondiscrimination/Harassment)*

**Note: The following optional paragraph is for use by districts that request the social security number of a student or his/her parent/guardian for enrollment purposes. 5 USC 552a Note provides that a district may not deny enrollment to a student if he/she or his/her parent/guardian chooses not to provide a social security number. Thus, while CSBA's Legal Guidance of Providing All Children Equal Access to Education, Regardless of Immigration Status recommends against requesting social security numbers, a district that chooses to do so must inform the enrolling student or parent/guardian that the disclosure is voluntary.**

**A student shall not be denied enrollment based on the parent/guardian's refusal to provide the student's or parent/guardian's social security number. During the enrollment process, a student and parent/guardian shall be informed that disclosure of their social security number is voluntary. (5 USC 552a Note)**

**Note: The following optional paragraph may be revised to reflect district practice. Education Code 48354 requires the district to give priority for enrollment to students residing in the district, including students applying for intradistrict open enrollment, over students transferring from a school identified under the Open Enrollment Act (Education Code 48350-48361). Thus, the district needs to align the application windows for various attendance options in a manner that will allow the district to meet legal requirements pertaining to admissions priorities. See BP/AR 5116.1 - Intradistrict Open Enrollment and BP/AR 5118 - Open Enrollment Act Transfers for application windows applicable to those options.**

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5117 - Interdistrict Attendance)*

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

**Note: Education Code 49452.9, as added by AB 2706 (Ch. 827, Statutes of 2014) amended by AB 2308 (Ch. 570, Statutes of 2016), extends beyond the 2017-18 school year the requirement that requires the district's**

## ADMISSION (continued)

enrollment forms ~~for the 2015-16, 2016-17, and 2017-18 school years to~~ include an informational item about affordable health care options and available enrollment assistance. Pursuant to Education Code 49452.9, the district could accomplish this by developing an informational item or amending its existing forms, or by using a template or attaching a fact sheet to be developed by the California Department of Education.

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

### Legal Reference:

#### EDUCATION CODE

46300 *Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten*

46600 *Agreements for admission of students desiring interdistrict attendance*

48000 *Minimum age of admission (kindergarten)*

48002 *Evidence of minimum age required to enter kindergarten or first grade*

48010 *Minimum age of admission (first grade)*

48011 *Admission from kindergarten or other school; minimum age*

48050-48053 *Nonresidents*

48200 *Children between ages of 6 and 18 years (compulsory full-time education)*

48350-48361 *Open Enrollment Act*

48850-48859 *Educational placement of homeless and foster youth*

#### **48645.5 Enrollment of former juvenile court school students**

49076 *Access to records by persons without written consent or under judicial order*

49408 *Information of use in emergencies*

49452.9 *Health care coverage options and enrollment assistance*

49700-49704 *Education of children of military families*

#### HEALTH AND SAFETY CODE

120325-120380 *Education and child care facility immunization requirements*

121475-121520 *Tuberculosis tests for students*

#### CODE OF REGULATIONS, TITLE 5

200 *Promotion from kindergarten to first grade*

201 *Admission to high school*

#### CODE OF REGULATIONS, TITLE 17

6000-6075 *School attendance immunization requirements*

#### UNITED STATES CODE, TITLE 5

**552a Note Refusal to disclose social security number**

#### UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

#### COURT DECISIONS

**Plyler v. Doe, 457 U.S. 202 (1982)**

Management Resources: (see next page)

BP 5111(e)

## ADMISSION (continued)

*Management Resources:*

**CSBA PUBLICATIONS**

**Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017**

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

**U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS**

**Fact Sheet: Information on the Rights of All Children to Enroll in School**

**Dear Colleague Letter: School Enrollment Procedures, May 6, 2011-May 8, 2014**

**WEB SITES**

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

**U.S. Department of Justice: <https://www.justice.gov>**

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# CSBA Sample Board Policy

**Students**

BP 5111.1(a)

## DISTRICT RESIDENCY

Note: Education Code 48200 requires the district to provide an education to any student who resides within the district's attendance area. Education Code 48204, as amended by AB 224 (Ch. 554, Statutes of 2015), specifies additional circumstances under which students will be deemed to meet the residency requirements for school attendance, including, but not limited to, through parent/guardian employment within district boundaries under certain conditions and interdistrict transfers; see the accompanying administrative regulation.

If the Governing Board elects to authorize investigations to verify students' residency, it is **mandated** to adopt policy with specified components pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015). See sections "Investigation of Residency" and "Appeal of Enrollment Denial" below.

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

*(cf. 5116 - School Attendance Boundaries)*

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5145.6 - Parental Notifications)*

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

*(cf. 5111 - Admission)*

*(cf. 5125 - Student Records)*

Note: The U.S. Department of Education's Office for Civil Rights, in its publication Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, states that districts may not adopt enrollment procedures that discourage the participation of students based on the student's or the parent/guardian's actual or perceived citizenship or immigration status, as such practices would violate federal laws granting all students equal access to education. In Plyler v. Doe, the U.S. Supreme Court ruled that, under the Fourteenth Amendment of the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a joint Dear Colleague Letter and joint fact sheet, Information

## DISTRICT RESIDENCY (continued)

**on the Rights of All Children to Enroll in School**, issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented. Thus, while the district may require proof that a student resides within the district (see accompanying administrative regulation for allowable evidence of residency), it should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school. Also see BP 5111 - Admission and CSBA's Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status.

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

Note: When a district chooses to grant residency status to students whose parent/guardian is employed within district boundaries for at least 10 hours per school week (see section "Residency Based on Parent/Guardian Employment (Allen Bill Transfers)" in the accompanying administrative regulation), Education Code 48204 encourages the district to notify the parent/guardian in writing when admission is denied and to provide reasons for the denial. The following **optional** paragraph provides that written notice will be provided to parents/guardians whenever enrollment is denied on any basis related to residency and may be revised to reflect district practice.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

### Investigation of Residency

Note: The following section should be revised to reflect district practice. To conduct an investigation into the residency claim of a student as authorized by Education Code 48204.1, a district is **mandated**, pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015), to adopt a policy with specified components. The policy must (1) identify the circumstances under which the district may initiate an investigation, including, at a minimum, a requirement that the district is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency; (2) describe the investigatory methods that may be used, including whether the district may employ the services of a private investigator; (3) require staff to make reasonable efforts to determine whether the student resides in the district before hiring a private investigator (if allowed at all); (4) prohibit surreptitious photographing or video-recording of students who are being investigated; and (5) provide for an appeals process.

The district should consult legal counsel if questions arise regarding the appropriateness of efforts to verify residency.

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

## **DISTRICT RESIDENCY** (continued)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

### **Appeal of Enrollment Denial**

Note: If the district chooses to authorize investigations into the residency claim of a student as described in the section "Investigation of Residency" above, it is **mandated** pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015), to adopt a policy which provides for an appeals process. The timelines specified in the following section may be revised to reflect district practice.

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

Note: The district may select and/or revise either of the following options to indicate who will be responsible for making the final decision regarding the student's residency claim. Option 1 is for use by districts that assign

**DISTRICT RESIDENCY (continued)**

a district employee other than the Superintendent to make the initial residency determination, and provides that the Superintendent will make the final decision following the appeals process. Option 2 is for use by districts in which the Superintendent is responsible for the initial residency determination, and provides that the decision may be appealed to the Governing Board.

**OPTION 1:** ~~In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.~~

**OPTION 2: In an appeal of the Superintendent's determination that district residency requirements were not met, the Board shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision at its next regularly scheduled meeting following the parent/guardian's request for the appeal. The Board's decision shall be final.**

**Enrollment Not Requiring District Residency**

Note: The following **optional** paragraph is for use by any district maintaining grades 9-12 that (1) has petitioned for certification from the U.S. Department of Homeland Security's Student and Exchange Visitor Program to enroll a nonimmigrant foreign student who is in the United States on an F-1 visa and/or (2) admits high school students from other countries through an international exchange program under the sponsorship of a government-approved agency. For further information about enrollment of nonresident foreign students, see AR 5111.2 - Nonresident Foreign Students, BP/AR 6145.6 - International Exchange, and CSBA's Legal Guidance Regarding International Student Exchange Placement Organizations.

~~When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government approved agency.~~

*(cf. 5111.2 - Nonresident Foreign Students)  
(cf. 6145.6 - International Exchange)*

Note: The following **optional** paragraph is for use by any district adjacent to another state or foreign country from which students may commute to the district and should be revised to reflect district circumstances. Pursuant to Education Code 48050 and 48052, any district that admits such students must be reimbursed by the parents/guardians of the students or by the district of residence for the total cost of educating the student and may not include such students in computing average daily attendance for purpose of obtaining apportionment of state funds.

~~The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.~~

~~District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)~~

## DISTRICT RESIDENCY (continued)

(cf. 6178.2 - *Regional Occupational Center/Program*)

### *Legal Reference:*

#### EDUCATION CODE

- 220 *Prohibition of discrimination*
- 35160.5 *Intradistrict open enrollment*
- 35351 *Assignment of students to particular schools*
- 46600-46611 *Interdistrict attendance permits*
- 48050-48054 *Nonresidents*
- 48200-48208 *Compulsory education law, especially:*
  - 48204 *Residency requirements*
  - 48204.1-48204.2 *Evidence of residency*
- 48300-48316 *Student attendance alternatives, school district of choice program*
- 48350-48361 *Open Enrollment Act transfers*
- 48852.7 *Education of homeless students; immediate enrollment*
- 48853.5 *Education of foster youth; immediate enrollment*
- 48980 *Notifications at beginning of term*
- 52317 *Regional occupational program, admission of persons including nonresidents*

#### FAMILY CODE

- 6550-6552 *Caregivers*

#### GOVERNMENT CODE

- 6205-6210 *Confidentiality of residence for victims of domestic violence*

#### CODE OF REGULATIONS, TITLE 5

- 432 *Retention of student records*

#### UNITED STATES CODE, TITLE 42

- 11431-11435 *McKinney-Vento Homeless Assistance Act*

#### COURT DECISIONS

- Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

### *Management Resources:*

#### CSBA PUBLICATIONS

#### Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

#### U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

#### Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, May 6, 2014-May 8, 2014

#### WEB SITES

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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

U.S. Department of Justice: <https://www.justice.gov>

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# CSBA Sample Board Policy

Students

BP 5113(a)

## ABSENCES AND EXCUSES

Note: The following **optional** policy may be revised to reflect district practice. Pursuant to Education Code 48200, children **between** ages **6-18 years and 18** are subject to compulsory, full-time education, except when otherwise exempted.

**Pursuant to Education Code 42238.8, the determination of an absence as excused or unexcused is irrelevant for accounting purposes. However, verification of excused absences is still relevant necessary for purposes of enforcement of compulsory education laws and for the determination of whether a student is truant. Pursuant to Education Code 48260, students with a valid excused absence are not truant. In addition, this classification is important since California's welfare system (CalWORKS), Welfare and Institutions Code 11253.5, sets family grant eligibility requirements based upon whether a child is "regularly attending school." See BP/AR 5113.1 - Chronic Absence and Truancy.**

For examples of strategies for reducing chronic absences, see **BP/AR 5113.1 - Chronic Absence and Truancy** and CSBA's policy brief, **Improving Student Achievement by Addressing Chronic Absence**. **For information about the impact of absences on a student's grades, see BP 5121 - Grades/Evaluation of Student Achievement.**

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

*(cf. 5112.1 - Exemptions from Attendance)  
(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5113.1 - Chronic Absence and Truancy)  
(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 6154 - Homework/Makeup Work)*

### Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

Note: The following paragraph is **optional**. Pursuant to Education Code 46014, the Governing Board may allow students to be absent for religious exercises or instruction. If the Board allows such absences, it must first adopt a resolution permitting an excused absence for this purpose. The Board is also mandated to adopt regulations governing students' attendance at such exercises or instruction and the reporting of these absences; see accompanying administrative regulation.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation. (Education Code 46014)

## ABSENCES AND EXCUSES (continued)

Inasmuch as **school attendance and** class participation **is an are** integral **part of to** students' learning experiences, parents/guardians and students shall be encouraged to schedule medical **and other** appointments during non-school hours.

**Note:** The following paragraph applies to all districts. Districts that maintain only elementary grades should delete the reference to grades 7-12 students in the paragraph.

~~At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1) [MOVED TO AR]~~

*(cf. 5145.6—Parental Notifications)*

**Note:** ~~The California Supreme Court (American Academy of Pediatrics et al v. Lundgren et al) has clarified that students do not need parent/guardian consent before receiving confidential medical services. The Attorney General reached the same conclusion in 87 Ops.Cal.Atty. Gen. 168 (2004). Pursuant to Education Code 46010.1 and the California Supreme Court in American Academy of Pediatrics et al v. Lundgren et al. (1997), minor students do not need parent/guardian consent to obtain confidential medical services, and schools are authorized to excuse a student from school to obtain such services.~~

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, **as authorized pursuant to Education Code 46010.1, for a** confidential medical appointment.

**Note:** ~~5 CCR 421 requires the Board to approve reasonable methods for verifying student absences due to illness or quarantine. See the accompanying administrative regulation for examples of methods of verification.~~

**The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)**

**Effect of Absence on Grades/Credits**—[SECTION DELETED]

*Legal Reference: (see next page)*

## ABSENCES AND EXCUSES (continued)

### Legal Reference:

#### EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

**2550-2558.6 Computation of revenue limits**

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

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

48210-48216 Exclusions from attendance

48240-48246 Supervisors of attendance

48260-48273 Truants

48292 Filing complaint against parent

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

**48980 Parental notifications**

49067 Unexcused absences as cause of failing grade

49701 Provisions of the interstate compact on educational opportunities for military children

#### ELECTIONS CODE

12302 Student participation on precinct boards

#### FAMILY CODE

6920-6929 Consent by minor **for medical treatment**

#### VEHICLE CODE

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

#### WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

#### CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

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

#### ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

66 Ops.Cal.Atty.Gen. 244 (1983)

#### COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

### Management Resources:

#### CSBA PUBLICATIONS

Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010

#### WEB SITES

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

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### Policy Reference UPDATE Service

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# CSBA Sample Administrative Regulation

Students

AR 5113(a)

## ABSENCES AND EXCUSES

### Excused Absences

Note: **Items #1-11 below reflect absences that are authorized by law to be considered as excused absences** Pursuant to Education Code 42238.8, the determination of an absence as "excused" or "unexcused" is not relevant for accounting purposes. However, verification of excused absences is relevant for purposes of enforcing the compulsory state attendance laws, determining the grant eligibility of a student's family for the CalWORKS program, and, when authorized by the Governing Board, assignment of a failing grade to a student for excessive absences; see accompanying Board policy.

A student's absence shall be excused for **any of** the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)  
*(cf. 5112.2 - Exclusions from Attendance)*
3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)

*Immediate family* shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment **during school hours** of a child to whom the student is the custodial parent (Education Code 48205)

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

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)

- a. Appearance in court

**ABSENCES AND EXCUSES** (continued)

- b. Attendance at a funeral service
- c. Observation of a holiday or ceremony of his/her religion
- d. Attendance at religious retreats **for no more than not to exceed** four hours per semester
- e. Attendance at an employment conference
- f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process

**Note:** Education Code 48205 allows excused absences for service on a precinct board as specified in item #8 below. Elections Code 12302, as amended by AB 554 (Ch. 150, Statutes of 2015), authorizes an elections official to appoint a maximum of five students per precinct to serve under the direct supervision of precinct board members if the students possess specified qualifications (e.g., at least 16 years old, a United States citizen or lawfully admitted for permanent residence in the United States, grade point average of 2.5) and their appointment is approved by the Board.

- 8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

*(cf. 6142.3 - Civic Education)*

**Note:** AB 387 (Ch. 610, Statutes of 2011) amended Education Code 48205 to include student absence due to the reason described in item #9 below as a type of excused absence.

- 9. To spend time with **an** **his/her** immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

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

**Note:** AB 1593 (Ch. 92, Statutes of 2016) amended Education Code 48205 to add attendance at the student's own naturalization ceremony as an excused absence.

- 10. To attend his/her naturalization ceremony to become a United States citizen. (Education Code 48205)**

**Note:** Item #10-11 below should be listed only if the **Governing Board** has chosen to allow absences for **religious instruction or exercises**. See the accompanying Board policy. If these absences are allowed, Education Code 46014 **mandates** that the Board adopt regulations governing students' attendance at

**ABSENCES AND EXCUSES** (continued)

religious exercises or instruction and the reporting of such absences. These regulations should be included here and should include **all of items #a and #b #11a-c** below.

**#11.** Participation in religious exercises or to receive moral and religious instruction in accordance with district policy, **subject to the following conditions:** (Education Code 46014)

- a.** **The student's parent/guardian shall provide written consent for the absence.**
- a.b.** **In such instances, t**The student shall attend at least the minimum school day.
- b.c.** The student shall be excused from school for this purpose on no more than four days per school month.

(cf. 6141.2 - *Recognition of Religious Beliefs and Customs*)

**Method of Verification**

Note: 5 CCR 420-421 provide guidelines for verifying absences due to illness; quarantine; medical, dental, or eye appointments; or attending funeral service of a member of **the a student's** immediate family. 5 CCR 421 authorizes a student's absence to be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or any other qualified district employee assigned to make such verification. The following section should be revised to reflect district-adopted methods of verification and to specify employee(s) assigned to verify absences.

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
  - a. Name of student
  - b. Name of parent/guardian or parent representative
  - c. Name of verifying employee

**ABSENCES AND EXCUSES** (continued)

- d. Date(s) of absence
- e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.

Note: The following **optional** paragraph provides a means of verifying an excuse for confidential medical services without inquiring into the nature of the medical services.

- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may **request a note from the contact** a medical office to confirm the time of the appointment.

Note: The following **optional** paragraph provides that, after ~~a specified number of~~ absences for illness **on multiple occasions, verified by methods listed in #1-3 above**, the student **may be required to** ~~must~~ bring a note from a physician to verify his/her illness. If a student does not have access to medical services in order to obtain such verification, the district may ~~need to provide financial assistance or assist the student in obtaining~~ the medical consultation if it is required. ~~The district should modify the number of absences below to reflect district practice.~~

- b. ~~When If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences. has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.~~

**Parental Notifications**

**At the beginning of each school year, the Superintendent or designee shall:**

Note: The requirement in item #1 below is for use by districts that have chosen to allow absences for religious instruction or exercises. If the Board allows such absences to be excused, it must first adopt a resolution permitting an excused absence for this purpose. See the accompanying Board policy.

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property

**ABSENCES AND EXCUSES (continued)**

**designated by a religious group, church, or denomination (Education Code 46014, 48980)**

Note: The requirement in item #2 applies to all districts. Districts that maintain only elementary grades should delete the reference to students in grades 7-12 below.

2. Notify students in grades 7-12 and the parents/guardians of all students that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)
3. Notify parents/guardians that a student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of Education Code 48205 in the notice (Education Code 48980)

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

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6154 - Homework/Makeup Work)*

(11/07 11/11) 3/17

# CSBA Sample Board Policy

Students

BP 5141.52(a)

## SUICIDE PREVENTION

Note: The Government Claims Act (Government Code 810-996.6) provides that a district may be liable for injuries on school grounds or for an employee's failure to exercise supervisorial responsibility to use reasonable care to prevent foreseeable injuries resulting from school activities. Therefore, it is strongly recommended that, before adopting the following optional policy and administrative regulation, districts carefully review all the elements, consider their staff capabilities and resources, and delete or modify them as necessary to ensure that all aspects will be adequately enforced. Districts should also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate. Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the Governing Board of any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. Those components are addressed in the following policy and the accompanying administrative regulation. Also see the California Department of Education's model policy required by Education Code 215.

The following policy and accompanying administrative regulation should be revised to reflect district practice. Pursuant to Education Code 215, the policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.

The Governing Board recognizes that suicide is a major leading cause of death among youth and should be taken seriously that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In order to attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop preventive strategies and intervention proceduresmeasures and strategies for suicide prevention, intervention, and postvention.

In developing measures and strategies for use by the district, the Superintendent or designee may involve consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, local health agencies, and mental health professionals, and community organizations. in planning, implementing, and evaluating the district's strategies for suicide prevention and intervention.

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

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

## Prevention and Instruction

Note: The following optional section may be revised to reflect district practice. The California Department of Education's (CDE) Youth Suicide Prevention Guidelines for California Schools identifies factors that may

## SUICIDE PREVENTION (continued)

~~help build resiliency and protect against high-risk behaviors, including, but not limited to, emotional wellness, school engagement, self-perceived ability to cope with problems, and positive interpersonal relationships. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 Conduct, BP 5145.3 Nondiscrimination/Harassment, and BP 5145.9 Hate Motivated Behavior.~~

Such measures and Suicide prevention strategies ~~may shall~~ include, but ~~are~~ not ~~be~~ limited to,:

**Note:** Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. Item #1 may be revised to specify other categories of employees who will receive the training.

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students in the secondary grades

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Note:** Items #2-7 below reflect optional strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

*(cf. 6142.8 - Comprehensive Health Education)*

3. Efforts ~~to promote for promoting~~ a positive school climate that enhances students' feelings of connectedness with the school and ~~that~~ is characterized by caring staff and harmonious interrelationships among students

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

## SUICIDE PREVENTION (continued)

**Note:** The state's Health Education Content Standards for California Public Schools include voluntary content standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school. The district may revise the following optional paragraph to reflect grade levels offered by the district.

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem solving skills, coping skills, and self esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self destructive behaviors, including potential suicide, and to identify suicide prevention strategies. [MOVED TO AR]

(*Ref. 6142.8—Comprehensive Health Education*)

4. The Superintendent or designee may offer parents/guardians education or provision of information to parents/guardians regarding which describes **risk factors and warning signs of suicide**, the severity of the youth suicide problem, the district's suicide prevention curriculum, **risk factors and warning signs of suicide**, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.
5. Students shall be encouraged **Encouragement for students** to notify a teacher, principal, counselor, **appropriate school personnel** or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.
6. **Crisis intervention procedures for addressing suicide threats or attempts**
7. **Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide**

**Note:** Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate.

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

## SUICIDE PREVENTION (continued)

### Staff Development [MOVED TO AR]

Note: The following optional section may be revised to reflect district practice. Education Code 49604 encourages each district to provide suicide prevention training to each middle, junior high, and high school counselor.

Staff development may include training about risk factors associated with suicide, as provided in item #1 below. Information about research on risk factors is available in the CDE's [Youth Suicide Prevention Guidelines for California Schools](#) as well as through the California Department of Mental Health, Centers for Disease Control and Prevention, American Association of Suicidology, and other health organizations.

Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies and may include information on:

1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors  
(cf. 5131.6 *Alcohol and Other Drugs*)

2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior

3. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

4. School and community resources and services  
(cf. 5141.6 *School Health Services*)  
(cf. 6164.2 *Guidance/Counseling Services*)

5. District procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide  
(cf. 4131 *Staff Development*)  
(cf. 4231 *Staff Development*)  
(cf. 4331 *Staff Development*)

### Intervention

Note: The following optional section should be revised to reflect district practice. Education Code 49602,

## SUICIDE PREVENTION (continued)

~~which requires confidentiality of information disclosed to a school counselor by students 12 years of age or older, specifically allows a counselor to disclose such information to the principal or parents/guardians of the student when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the student's health or safety. In addition, Education Code 49602 allows disclosure to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment.~~

~~Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the principal or school counselor. The principal or counselor shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources in the school or community.~~

*(cf. 5141 Health Care and Emergencies)*

~~Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.~~

~~Whenever schools establish a peer counseling system to provide support for students, peer counselors shall complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.~~  
[MOVED TO AR]

*(cf. 5138 Conflict Resolution/Peer Mediation)*

**Note:** For sample procedures to be followed in the event of a suicide attempt on campus, see the accompanying administrative regulation.

~~The Superintendent or designee shall establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.~~

### Legal Reference:

#### EDUCATION CODE

##### **215 Student suicide prevention policies**

32280-32289 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

#### GOVERNMENT CODE

810-996.6 Government Claims Act

Legal Reference continued: (see next page)

## SUICIDE PREVENTION (continued)

Legal Reference: (continued)

**PENAL CODE**

**11164-11174.3 Child Abuse and Neglect Reporting Act**

**WELFARE AND INSTITUTIONS CODE**

**5698 Emotionally disturbed youth; legislative intent**

**5850-5883 Mental Health Services Act**

**COURT DECISIONS**

**Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554**

Management Resources:

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

**Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008**

**Youth Suicide Prevention Guidelines for California Schools, 2005**

**Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003**

**CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS**

**California Strategic Plan for Suicide Prevention: Every Californian is Part of the Solution, 2008**

**CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS**

**School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009**

**NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS**

**Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2015**

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS**

**Preventing Suicide: A Toolkit for High Schools, 2012**

**National Strategy for Suicide Prevention: Goals and Objectives for Action, 2004rev. 2012**

**WEB SITES**

**American Association of Suicidology: <http://www.suicidology.org>**

**American Foundation for Suicide Prevention: <https://afsp.org>**

**American Psychological Association: <http://www.apa.org>**

**American School Counselor Association: <https://www.schoolcounselor.org>**

**California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>**

**California Department of Mental Health, Children and Youth Programs:**

**[http://www.dmh.ca.gov/Services\\_and\\_Programs/Children\\_and\\_Youth](http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth)**

**California Department of Health Care Services, Suicide Prevention Program:**

**<http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>**

**Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>**

**National Association of School Psychologists: <https://www.nasponline.org>**

**National Institute for Mental Health: <http://www.nimh.nih.gov>**

**Trevor Project: <http://thetrevorproject.org>**

**U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services**

**Administration: <http://www.samhsa.gov>**

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Policy Reference UPDATE Service

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# CSBA Sample Administrative Regulation

Students

AR 5141.52(a)

## SUICIDE PREVENTION

Note: The Government Claims Act (Government Code 810-996.6) provides that a district may be liable for injuries on school grounds or for an employee's failure to exercise supervisorial responsibility to use reasonable care to prevent foreseeable injuries resulting from school activities. Therefore, it is strongly recommended that, before adopting the following optional policy and administrative regulation, districts carefully review all the elements, consider their staff capabilities and resources, and delete or modify them as necessary to ensure that all aspects will be adequately enforced. Districts should also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate. Pursuant to Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), districts serving students in grades 7-12 are mandated to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide). See the accompanying Board policy. The following administrative regulation provides additional strategies that fulfill the mandate and may be revised to reflect district practice.

Examples of suicide prevention strategies are available in the California Department of Education's (CDE) model policy created in response to AB 2246, the U.S. Department of Health and Human Services publication [Preventing Suicide: A Toolkit for High Schools](#), and resources issued by other state and federal agencies and organizations. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP 5145.9 - Hate-Motivated Behavior.

## Staff Development

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. The following section may be revised to reflect district practice.

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students at the secondary level. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

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

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

**SUICIDE PREVENTION** (continued)

**Note:** Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups; see the accompanying Board policy. One strategy to specifically address their needs is to increase staff awareness of the higher rates of suicide among these groups, as provided in item #1 below.

1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth

**Note:** Staff development may include training about risk factors associated with suicide, as provided in item #2 below. Information about risk factors is available from the CDE, Centers for Disease Control and Prevention, American Association of Suicidology, American Foundation for Suicide Prevention, Trevor Project, and other agencies and organizations.

2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors

*(cf. 5131.6 - Alcohol and Other Drugs)*

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent

4. Protective factors that may help to decrease a person's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community

5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

7. District procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide

## SUICIDE PREVENTION (continued)

### Instruction

Note: The following optional section reflects topics of instruction recommended by suicide prevention resources and is consistent with the state's Health Education Content Standards for California Public Schools, which include standards pertaining to suicide prevention instruction at grade 7 or 8 and high school. The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school. The district may revise the following paragraph to reflect grade levels offered by the district.

At appropriate secondary grades, the district's suicide prevention instruction shall be designed to help students. The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum at appropriate secondary grades and shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Identify alternatives to suicide and develop coping and resiliency skills and self-esteem
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention services

(cf. 1020 - Youth Services)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Guidance/Counseling Services)

### Intervention

Note: The following optional section may be revised to reflect district practice. For additional information about steps that school personnel can take when a student threatens or attempts suicide, see the California Department of Education's Youth Suicide Prevention Guidelines for California Schools. Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address suicide intervention. The following section should be revised to reflect district practice.

**SUICIDE PREVENTION** (continued)

In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289; see BP/AR 0450 - Comprehensive Safety Plan.

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, he/she shall promptly notify the principal or school counselor.

**Note:** Education Code 49602 generally protects the confidentiality of information of a personal nature disclosed to a school counselor by a student age 12 years or older or by a parent/guardian. However, in certain circumstances, the counselor may disclose such information to avert a clear and present danger to the health, safety, or welfare of the student. Also see BP 6164.2 - Guidance/Counseling Services.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

(cf. 5141 - Health Care and Emergencies)

A school employee shall act only within the authorization and scope of his/her credential or license. An employee is not authorized to diagnose or treat mental illness unless he/she is specifically licensed and employed to do so. (Education Code 215)

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Ensure the student's physical safety by one of the following, as appropriate:
  - a.1. Immediately securing immediate medical treatment and/or mental health services as necessary if a suicide attempt has occurred
  - b.2. Securing Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened

**SUICIDE PREVENTION (continued)**

e.3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene

**4. Removing other students from the immediate area as soon as possible**

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5141 - Health Care and Emergencies)*

2. Designate specific individuals to be promptly contacted, including the school counselor, psychologist, nurse, superintendent, and/or the student's parent/guardian, and, as necessary, local law enforcement or mental health agencies

3. The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat as soon as feasible

*(cf. 5125 - Student Records)*

Note: The following paragraph is optional. If a student's parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide, the Superintendent or designee shall consider whether a referral to child protective services for child neglect is needed. Pursuant to Penal Code 11164-11174.3, the Child Abuse and Neglect Reporting Act, school employees who are mandated reporters are required to report child abuse or neglect, as defined in law, when they have knowledge of or reasonably suspect that a child is a victim of child abuse or neglect. See BP/AR 5141.4 - Child Abuse Prevention and Reporting.

4. The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether he/she is required, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at the school

**SUICIDE PREVENTION** (continued)

6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions

**Postvention**

**Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address suicide postvention. The following section should be revised to reflect district practice.**

~~In the event that a suicide occurs or is attempted on campus, the principal or designee shall follow the crisis intervention procedures contained in the school safety plan. After consultation with the Superintendent or designee and the student's parents/guardians about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.~~

~~In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.~~

**Note: Research has identified an increased risk of suicide among youth who are grieving the suicide of another (so-called "suicide contagion"). The National Association of School Psychologists, in its Preventing Suicide, Guidelines for Administrators and Crisis Teams, recommends that memorials should be implemented with care so as not to sensationalize or glamorize suicide and thereby increase the suicide risk to other students. If a memorial is conducted for a student who dies by suicide, the association suggests a living memorial, such as making donations to a local crisis center, participating in an event that raises awareness about suicide prevention, or providing other opportunities for service activities in the school.**

~~The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. He/she shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.~~

~~Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.~~

**SUICIDE PREVENTION** (continued)

*(cf. 1112- Media Relations)*

**After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.**

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**Policy Reference UPDATE Service**

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# CSBA Sample

## Exhibit

**Students** E 5145.6(a)

### PARENTAL NOTIFICATIONS

**Cautionary Notice:** Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. **The Budget Act of 2015 (AB 93, Ch. 10, Statutes of 2015) extends the suspension of these requirements through the 2015-16 fiscal year. The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year.** As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures (UCP) as mandated by 5 CCR 4622. **Pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015), the district is required to include information about specified educational rights of foster youth and homeless students in its annual UCP notification.**

In addition to the notices required by law, there are other notices that districts are recommended to distribute. For example, AR 5145.3 - Nondiscrimination/Harassment includes an optional notice regarding the rights of transgender and gender-nonconforming students. Furthermore, although the California High School Exit Examination is suspended through the 2017-18 school year pursuant to Education Code 60851.5, **as added by SB 472 (Ch. 572, Statutes of 2015)**, and therefore the notice described in Education Code 60850 is not currently required, districts may choose to notify parents/guardians of the suspension of the exam and the possibility that it could subsequently be reinstated.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>I. Annually</b>			
Beginning of each school year	Education Code 310	BP 6174 AR 6142.2	<b>Information on the district's language acquisition programs</b>
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>I. Annually (continued)</b>			
Beginning of each school year	Education Code 46010.1	<b>BPAR</b> 5113	Absence for confidential medical services
<b>Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school</b>	<b>Education Code 48929, 48980</b>	<b>BP 5116.2</b>	<b>District policy authorizing transfer</b>
Beginning of each school year	Education Code 48980	BP 6111	<b>Schedule of minimum days and student-free staff development days</b>
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	<b>Copy of sSexual harassment policy as related to students</b>
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	<b>BP 5113</b> AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	<b>BP 5113</b> AR 5113 <b>AR BP</b> 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; <b>full text of Education Code 48205</b>
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>I. Annually</b> (continued)			
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; <b>inspection rights and procedures</b>

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>I. Annually</b> (continued)			
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.61	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
<b>II. At Specific Times During the Student's Academic Career</b>			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
<b>Upon a student's enrollment</b>	<b>Education Code 310</b>	<b>BP 6174 AR 6142.2</b>	<b>Information on the district's language acquisition programs</b>
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>II. At Specific Times During the Student's Academic Career</b> (continued)			
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
<b>Upon a student's enrollment</b>	<b>Education Code 49063</b>	<b>AR 5125 AR 5125.3</b>	<b>Specified rights related to student records</b>
When students entering grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education; right to view A/V materials, who's teaching whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>II. At Specific Times During the Student's Academic Career</b> (continued)			
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, <b>within 20 working days</b> of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
<b>III. When Special Circumstances Occur</b>			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
<b>When student has been placed in structured English immersion program</b>	Education Code 310.311; 5 CCR 11309	AR 6174	<b>Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements</b>
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate

**PARENTAL NOTIFICATIONS** (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<b>III. When Special Circumstances Occur</b> (continued)			
When student is identified as English learner and district receives <b>Title I or Title III funds for English learner programs</b> , not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 440; 20 USC <b>7012</b> <b>6312</b>	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, <b>option to remove student from program at any time</b> , exit requirements of program
<b>When homeless or foster youth applies for enrollment in before/after school program</b>	<b>Education Code 8483</b>	<b>AR 5148.2</b>	<b>Right to priority enrollment; how to request priority enrollment</b>
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP <b>3442-3312</b>	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>III. When Special Circumstances Occur</b> (continued)			
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified <b>a</b> as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>III. When Special Circumstances Occur</b> (continued)			
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR	5125.2 Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, <b>unless taken into custody as victim of suspected child abuse</b>
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>III. When Special Circumstances Occur</b> (continued)			
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
<b>Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school</b>	<b>Education Code 48929, 48980</b>	<b>BP 5116.2</b>	<b>Right to request a meeting with principal or designee</b>
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
<b>When parent/guardian's challenge of student record is denied and parent/guardian appeals</b>	<b>Education Code 49070</b>	<b>AR 5125.3</b>	<b>If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection</b>
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>III. When Special Circumstances Occur</b> (continued)			
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
To person holding educational rights, within 30 days of foster <b>youth, or homeless youth's, or former juvenile court school student being transferred between high schools</b>	Education Code 51225.1	<b>BP 6146.1</b> AR 6173 AR 6173.1 <b>AR 6173.3</b>	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
<b>Within 14 days of instruction At least 14 days before HIV prevention or sexual health instruction</b> , if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	<b>BP 6175</b> AR 6175	Parent advisory council membership composition

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>III. When Special Circumstances Occur</b> (continued)			
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>III. When Special Circumstances Occur</b> (continued)			
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6316	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
<b>IV. Special Education Notices</b>			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

**PARENTAL NOTIFICATIONS** (continued)

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>IV. Special Education Notices (continued)</b>			
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who <b>in attendance will attend</b> , participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

**PARENTAL NOTIFICATIONS (continued)**

<b>When to Notify</b>	<b>Education or Other Legal Code</b>	<b>Board Policy/ Administrative Regulation #</b>	<b>Subject</b>
<b>V. Classroom Notices</b>			
In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities

(4/15 5/16) 3/17

**Policy Reference UPDATE Service**

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# CSBA Sample Board Policy

Students

BP 5148.2(a)

## BEFORE/AFTER SCHOOL PROGRAMS

Note: The following **optional** policy is for use by districts providing before-school and/or after-school programs and should be revised to reflect the program(s) offered by the district. **For eligible programs in grades K-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the funds after school programs in grades K-9, with priority given to schools with the highest percentage of students eligible for free or reduced price meals. The federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), for students in grades K-9 and The federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs for students in grades 9-12, are restricted to applicants that primarily serve students in Title I schoolwide programs or serve a high percentage of students from low income families. Under both of these federal programs, competitive priority for funding is given to applications jointly submitted by school districts and community organizations for an expiring grant or for programs in schools identified for program improvement under 20 USC 6316. Under 21st CCLC, funding priority is also given to applications that will provide year-round expanded learning programming. Under ASSETs, funding priority is also given for the expansion of existing grants.** See the accompanying administrative regulation for major requirements of each program.

The following policy is applicable to all three programs, unless otherwise noted, and may be adapted by districts that offer **other** programs through district funding or **alternative other** sources. If the district does not offer both a before-school and after-school program, it may modify the following policy as appropriate.

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program **in a supervised environment, and provide safe alternatives for students.** In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, **local control and accountability plan, its** curriculum, and **district and state** academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

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

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

Note: The following paragraph reflects a requirement for collaborative planning for both ASES (Education Code 8482.5) and ASSETs (Education Code 8422). **20 USC 7174 requires 21st CCLC programs to must be developed in collaboration with the school(s) the students attend, but collaboration with other entities is at the discretion of the district. neither state nor federal law requires collaboration with other community agencies or organizations.** Districts offering only 21st CCLC programs may revise the following paragraph to reflect district practice.

## BEFORE/AFTER SCHOOL PROGRAMS (continued)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5)

**Note:** The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETs programs is restricted to schools receiving federal Title I funding. In addition, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311; (2) serve students at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for Programs Proposing to Serve High School Students."

**To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.**

(cf. 1020 - Youth Services)

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

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

(cf. 6020 - Parent Involvement)

**The establishment of a**Any program to be established shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

**Note:** The following optional paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to both ASES and 21st CCLC), the program administrator is required to establish minimum qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies. See the accompanying administrative regulation for further information about requirements related to staffing. A district offering an ASSETs program must establish its expectations for staff qualifications.

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

**BEFORE/AFTER SCHOOL PROGRAMS** (continued)*(cf. 4222 - Teacher Aides/Paraprofessionals)**(cf. 4231 - Staff Development)**(cf. 4331 - Staff Development)*

**The Each** program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, **the each** program may include support services that reinforce the educational component and promote student health and well-being.

*(cf. 0450 - Comprehensive Safety Plan)**(cf. 3550 - Food Service/Child Nutrition Program)**(cf. 5030 - Student Wellness)**(cf. 5131.6 - Alcohol and Other Drugs)**(cf. 6142.7 - Physical Education and Activity)*

Note: Pursuant to Education Code 8482.6 (applicable to both ASES and 21st CCLC) and Education Code 8422 (applicable to ASSETs programs), **as added and amended by AB 2615 (Ch. 470, Statutes of 2016)**, the district may charge fees **to participating families as long as those fees are waived or reduced for families with students who are eligible for free or reduced-price meals. or conduct individual eligibility determinations based on need or income.** Option 1 below is for use by districts that choose not to charge **family** fees. Option 2 is for use by districts that will charge a **permissible family** fee to cover unfunded costs of the program. **Districts that choose Option 2 may waive or subsidize the fee for some families based on economic need or other factors.**

**OPTION 1:** No fee shall be charged for participation in the program.

**OPTION 2: A family fee may be charged to participating families based on the actual cost of services, as long as the fee is waived or reduced for families with students who are eligible for free or reduced-price meals. The fee may be waived or subsidized based on economic need or other critical needs. (Education Code 8422, 8482.6)**

**Note: The following paragraph is for use by districts selecting Option 2 that offer an ASES and/or 21st CCLC program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8482.6, as added by AB 2615 (Ch. 470, Statutes of 2016), commencing July 1, 2017, no family fees may be charged for these programs if the district knows the participating student is a homeless youth or in foster care.**

**In regard to the After School Education and Safety program and/or 21st Century Community Learning Center program, no fee shall be charged for a student identified as a homeless or foster youth. (Education Code 8482.6)**

*(cf. 3260 - Fees and Charges)**(cf. 3553 - Free and Reduced Price Meals)**(cf. 6173 - Education for Homeless Children)**(cf. 6173.1 - Education for Foster Youth)*

Note: The remainder of this policy is for use by districts that selected either Option 1 or 2 above.

**BEFORE/AFTER SCHOOL PROGRAMS** (continued)

The following **optional** paragraph is for use by districts with programs serving students ages 11-12 years. Education Code 8263.4 provides that the preferred placement for students ages 11-12 years is in a before-school or after-school program rather than in subsidized child care and development services. When subsidized child care services are also available, students ages 11-12 years will be eligible for subsidized child care services only for the portion of care that is not available in a before-school or after-school program. See AR 5148 - Child Care and Development.

Eligible students ages 11-12 years shall be placed in a before-school or after-school program, if and when available, rather than subsidized child care and development services. During the time that the before-school or after-school program does not operate, **such** students **ages 11-12 years** may be provided the option of enrolling in child care and development services in accordance with the priorities established in AR 5148 - Child Care and Development. (Education Code 8263.4)

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

To assist in evaluations of program effectiveness, the district may refer to the California Department of Education's (CDE) Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality. In addition, CDE's publication A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools describes available assessment tools that are closely aligned with the program standards. These publications are available on CDE's web site.

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores, high school exit examination scores, English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The district should consult with legal counsel if it has any questions regarding the sharing of student data.

In addition, Education Code 8427 and 8484, **as amended by SB 1221 (Ch. 370, Statutes of 2014)**, require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

*(cf. 0500 - Accountability)*

Note: The following paragraph is for use by districts that offer an ASES or 21st **ELCC-CCLC** program, and may be adapted by districts that offer ASSETs or other programs. **Education Code 8482.3 requires districts offering an ASES or 21st CCLC program to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years.**

## BEFORE/AFTER SCHOOL PROGRAMS (continued)

Every three years, the **program** **Superintendent or designee** shall review **its the** after-school program plan, including, **but not limited to**, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years. **(Education Code 8482.3)**

(cf. 3580 - District Records)

### Legal Reference:

#### EDUCATION CODE

8263 *Eligibility and priorities for subsidized child development services*

8263.4 *Enrollment of students ages 11-12 years*

8273.1 *Family fees, exemptions*

8350-8359.1 *Programs for CalWORKS recipients*

8360-8370 *Personnel qualifications*

8420-8428 *21st Century After-School Program for Teens*

8482-8484.65 *After School Education and Safety Program*

8484.7-8484.9 *21st Century Community Learning Centers*

8490-8490.7 *Distinguished After School Health Recognition Program*

17264 *New construction; accommodation of before- and after-school programs*

35021.3 *After-school physical recreation instructors*

45125 *Criminal record check*

45330 *Paraprofessionals; instructional aides*

45340-45349 *Paraprofessionals; instructional aides*

49024 *Criminal background check; Activity Supervisor Clearance Certificate*

49430-49434 *Nutrition standards*

#### **49540-49546 Child Care Food Program**

49553 *Free or reduced-price meals*

#### **60851.1 Suspension of high school exit examination**

69530-69547.9 69430-69460 *Cal Grant program*

#### UNITED STATES CODE, TITLE 20

#### **6311 State plans**

6314 *Title I schoolwide programs*

7171-7176 *21st Century Community Learning Centers*

#### UNITED STATES CODE, TITLE 42

1766-1766a *Child and Adult Care Food Program*

#### **11434a Education for homeless children and youths**

#### CODE OF FEDERAL REGULATIONS, TITLE 7

226.17 *Child care center nutrition standards*

### Management Resources:

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

**Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016**

**Request for Application for Programs Proposing to Serve High School Students, September 2016**

**21st Century Community Learning Centers (21st CCLC) FAQs Elementary/Middle School Programs, September 2016**

Management Resources continued: (see next page)

## BEFORE/AFTER SCHOOL PROGRAMS (continued)

*Management Resources: (continued)*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)**

**A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014**

**Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014**

**21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012**

**California After School Physical Activity Guidelines, 2009**

**U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

**21st Century Community Learning Centers, Nonregulatory Guidance, February 2003**

**WEB SITES**

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

**California Department of Education, Before and After School: <http://www.cde.ca.gov/ls/ba>**

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

**California School-Age Consortium: <http://calsac.org>**

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

**Partnership for Children and Youth: <http://partnerforchildren.org>**

**U.S. Department of Agriculture: <http://www.fns.usda.gov/cnd/care/afterschool.htm>**

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

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# CSBA Sample Board Policy

## Instruction

BP 6111(a)

### SCHOOL CALENDAR

Note: The following **optional** policy may be subject to collective bargaining agreements and should be modified to reflect district practice. The Public Employment Relations Board has determined that school calendar issues related to the work of employees, such as beginning and ending dates, summer vacations, and school holidays, are negotiable.

For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.

*(cf. 0200 - Goals for the School District)*

*(cf. 4143/4243 - Negotiations/Consultation)*

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

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

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

*(cf. 6112 - School Day)*

*(cf. 6115 - Ceremonies and Observances)*

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

*(cf. 6177 - Summer **School Learning Programs**)*

Note: Education Code 41420 establishes 175 days of instruction as the minimum requirement to receive full average daily attendance (ADA) reimbursement. Education Code 46200 provides incentive funding for districts to increase to 180 days of instruction and imposes financial penalties, **by way of withholding from the district's local control funding formula (LCFF) apportionment**, upon districts that offer fewer than 180 days of instruction after ~~receiving~~ ~~accepting~~ the incentive funding. However, **pursuant to Education Code 46208, once a district meets or exceeds its LCFF funding target, it will be required to offer 180 days or more of instruction or will have a portion of its apportionment withheld**. For more information about the impact of the LCFF on instructional time, see the California Department of Education's "LCFF and Instructional Time FAQs" located on its web site. ~~Education Code 46201.2 was added in 2009 to authorize any district receiving the longer year incentive funding to reduce the school year by up to five days of instruction without incurring financial penalties. This authorization, which was to be in effect through the 2012-13 school year, has now been extended until the end of the 2014-15 school year by Education Code 46201.2, as amended by SB 70 (Ch. 7, Statutes of 2011). In addition, Education Code 46201.3, added by AB 114 (Ch. 43, Statutes of 2011), would become operative, if certain conditions exist, to allow all districts to reduce the minimum instructional days and minutes for the 2011-12 school year by up to seven days.~~

## SCHOOL CALENDAR (continued)

**However, bB**Before any reduction in the number of working days, the district must first negotiate with employee organizations. In addition, constitutional equity issues may have to be considered. In Butt v. State of California, the California Supreme Court held that a district violated students' fundamental right to basic equality in public education when it shortened the school year by six weeks because of a lack of funds. **Thus, it is possible that, despite the legislative authority, similar equality issues could be raised if one school district offers 175 days of instruction and a neighboring district offers 180 days.** Districts seeking to reduce instructional time should proceed cautiously and consult with legal counsel.

**The following paragraph provides for 180 days of instruction. Districts that provide fewer than 180 days should modify the following paragraph accordingly.**

The district shall offer **180 a minimum of 175** days of instruction per school year, **except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2 until it equals or exceeds the local control funding formula target established for it pursuant to Education Code 42238.02, at which time it shall offer 180 days or more of instruction per school year.** (Education Code 41420, 46208)

(cf. 1431 - Waivers)

**Note: The following optional paragraph is for use by districts that maintain one or more schools on a multitrack year-round schedule. Pursuant to Education Code 37670, such schools will be deemed to be in compliance with requirements pertaining to the minimum number of instructional days if they offer at least 163 school days per year and meet specified conditions. See BP 6117 - Year-Round Schedules.**

**However, district schools on a multitrack year-round schedule may be maintained for a minimum of 163 instructional days in accordance with Education Code 37670.**

Note: Education Code 46300 identifies educational activities that are included in the computation of ADA. School districts may not receive ADA reimbursement for staff development programs conducted on regular school days.

Staff development days shall not be counted as instructional days.

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

Notification of the schedule of minimum days **and student-free staff development days** shall be sent to all parents/guardians at the beginning of the school year. If any minimum days **or student-free staff development days** are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

## SCHOOL CALENDAR (continued)

Note: Pursuant to Elections Code 12283, the Governing Board may determine whether to keep a school open or closed on an election day when the school will be used as a polling place. In some cases, districts have closed the school for safety reasons, as a precaution against the large number of visitors on school grounds. Elections officials are required to request the use of the school within sufficient time in advance of the school year so that the Board can make this determination before school calendars are printed and distributed to parents/guardians.

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

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

(cf. 5113 - *Absences and Excuses*)

### Legal Reference:

#### EDUCATION CODE

37200-37202 *School calendar*

37220-37223 *Holidays*

**37252-37254.1 *Summer school***

**37300-37307 *Year Round School Demonstration Project***

37600-37672 *Continuous school programs: year-round schools, especially:*

37618 *School calendar*

37700-377142 *Four-day week*

**41420 *Apportionment withholding, schools not maintained for 175 days***

41422 *Schools not maintained for 175 days*

**42238.02 *Local control funding formula***

46200-462068 *Incentives for longer instructional day and year*

46300 *Method of computing ADA*

48980 *Notice at beginning of term*

**REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS**

**44579-44579.6 *Instructional Time and Staff Development Reform Program***

#### ELECTIONS CODE

12283 *School closures, election days*

#### COURT DECISIONS

*Butt v. State of California, (1992) 4 Cal 4th 668*

#### PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

*Davis Joint Unified School District, (1984) PERB Decision No. 474*

### Management Resources:

#### WEB SITES

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

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

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

Secretary of State's Office: <http://www.sos.ca.gov>

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# CSBA Sample Board Policy

Instruction

BP 6142.2(a)

## WORLD/FOREIGN LANGUAGE INSTRUCTION

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

**Districts that do not maintain secondary schools may adapt this policy to reflect any elementary school programs designed to develop student's literacy in a language other than English. Education Code 51212 states legislative intent to encourage programs of world language (foreign language) instruction as early as feasible for the district.**

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop linguistic proficiency and cultural literacy in one or more world languages in addition to English.

Note: The California Department of Education's (CDE) Foreign Language Framework for California Public Schools encourages districts to offer as many language course options as possible. Within the context of the CDE's framework, American Sign Language is recognized as a foreign language. The following paragraph may be revised to reflect language courses available in the district.

The Superintendent or designee shall recommend world languages to be taught in the district's educational program based on student interest, community needs, and available resources. He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language. American Sign Language courses shall be open to all students regardless of hearing status.

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

Note: On January 7, 2009, the State Board of Education (**SBE**) adopted voluntary content standards for world languages for grades K-12; see the accompanying administrative regulation. **The state's Foreign Language Framework for California Public Schools is scheduled to be revised in 2009-10 to reflect the content standards.** Education Code 60605.5, as added by AB 2290 (Ch. 643, Statutes of 2016), requires the Superintendent of Public Instruction to recommend revisions to the standards and requires the SBE to adopt, reject, or modify the recommended revisions by March 31, 2019. **The 2003 Foreign Language Framework for California Public Schools does not reflect current content standards and is scheduled to be updated in 2020.**

In addition, Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California colleges and universities; see BP 6143 - Courses of Study. Admissions criteria for California State University and University of California include two years of coursework in one foreign language—other than English, that **have has** been approved by the University of California. **"Frequently Asked Questions" in the University of California's A-G Guide, available on its web site, clarify that American Sign Language may be used to fulfill the requirement if used with a language other than English, but signing in English will not satisfy the requirement.** The following paragraph may be revised by districts that do not maintain any of grades 7-12.

## WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

*(cf. 6011 - Academic Standards)*

*(cf. 6141 - Curriculum Development and Evaluation)*

Note: The following paragraph is for use by districts that maintain any of grades 7-12 and may be revised to reflect the grade levels at which instruction in world languages will be offered in the district. Education Code 51220 requires that the adopted course of study for grades 7-12, beginning no later than grade 7, include instruction in world languages designed to develop a facility for understanding, speaking, reading, and writing the particular language; see AR 6143 - Courses of Study.

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

*(cf. 6143 - Courses of Study)*

Note: The following **optional** paragraph is for use by districts that maintain one or more high schools. Education Code 51225.3 requires high school students to complete a one-year course in either foreign language, American Sign Language, or visual and performing arts as a condition of high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51243-51245 and 5 CCR 1632, foreign language instruction completed in a private school must be granted credit toward high school graduation provided that the instruction meets specified standards and conditions; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

A number of districts have chosen to present a biliteracy award upon high school graduation to students who demonstrate proficiency in speaking, reading, and writing skills in one or more languages in addition to English; see BP/AR 5126 - Awards for Achievement.

~~Students shall obtain credit toward high school graduation requirements for completion of a one-year course during grades 9-12 in a world language or American Sign Language during grades 9-12.~~

*(cf. 5126 - Awards for Achievement)*

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

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

Note: The following **optional** paragraph is for use by districts that **choose to offer a dual-language immersion program** ~~maintain elementary schools~~ and may be revised to reflect district practice. **Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians of English learners to select a language acquisition program that best suits their child. Districts must offer a structured English immersion program in which nearly all of the instruction is in English, and may offer dual-language immersion programs or other language acquisition programs. Also see BP/AR 6174 - Education for English Learners.**

## WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

Education Code 51212 states legislative intent to encourage programs of foreign language instruction in the course of study for grades 1-6, as early as feasible for the district. The CDE and the Center for Applied Linguistics note that **two-way dual-language** immersion programs are often focused on the primary grades and that such programs may continue for five to seven years but optimally throughout grades K-12; also see the accompanying administrative regulation.

For further information and recommendations regarding dual-language immersion programs, see CSBA's governance brief [English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs](#).

In order to encourage higher levels of language proficiency throughout a student's education, the district may offer age-appropriate language programs in elementary schools. Beginning in the primary grades, the district may deliver language studies through a two-way immersion program in which instruction is delivered in both English and another language to both English-only students and English learners. The district may establish a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. (Education Code 305-306)

Note: Pursuant to Education Code 60119, as a condition of receiving funds **for instructional materials from any state source** under the Pupil Textbook and Instructional Materials Incentive Program Act, the Governing Board is required to hold a public hearing to determine whether each student has sufficient textbooks and/or instructional materials in specified subjects, including foreign language, that are aligned to the state content standards or curriculum frameworks; see BP 6161.1 - Selection and Evaluation of Instructional Materials.

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall **also** be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. 1240 - *Volunteer Assistance*)

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

(cf. 6161.11 - *Supplementary Instructional Materials*)

(cf. 6163.1 - *Library Media Centers*)

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards.

(cf. 4131 - *Staff Development*)

Note: The following **optional** paragraph should be revised to reflect indicators agreed upon by the Board and Superintendent for evaluating the district's world/foreign languages instructional program.

**WORLD/FOREIGN LANGUAGE INSTRUCTION** (continued)

The Superintendent or designee shall provide periodic reports to the Board regarding the effectiveness of the district's world language program which may include, but not be limited to, a description of the district's curriculum and the extent to which it is aligned with the state's content standards and curriculum framework, student achievement of district standards for world language instruction, and student participation rates in each language course. Program evaluation shall be used to identify needed improvements and may be considered in determining the **world** languages to be taught in the district.

*(cf. 0500 - Accountability)*

*(cf. 6190 - Evaluation of the Instructional Program)*

*Legal Reference: (see next page)*

## WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

### Legal Reference:

#### EDUCATION CODE

300-344310 Education for English learners

42238.02 Local control funding formula; class size requirements

44253.1-44253.11 Qualifications of teachers of English learners

44256-44257 Credential requirements, including teachers of foreign language

48980 Parental notifications

51212 Legislative intent to encourage foreign language instruction in grades 1-6

51220 Courses of study, grades 7-12

51225.3 High school graduation requirements

51243-51245 Alternative credits toward graduation for foreign language instruction in private school

60119 Public hearings, instructional materials

60605.3 Content standards for ~~foreign~~ world language instruction

60605.5 Revision of state standards for world language instruction

CODE OF REGULATIONS, TITLE 5

1632 Alternative credits toward graduation for foreign language instruction in private school

11309 English immersion programs, parental exception waivers

### Management Resources:

#### CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Two-Way Language Immersion Program FAQ

World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009

Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

#### CENTER FOR APPLIED LINGUISTICS PUBLICATIONS

Guiding Principles for Dual Language Education, Second Edition, 2007

#### COLLEGE BOARD PUBLICATIONS

A Challenge to Change: The Language Learning Continuum, 1999

#### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-622 Serving English Learners

#### UNIVERSITY OF CALIFORNIA PUBLICATIONS

A-G Guide

#### WEB SITES

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

American Council on the Teaching of Foreign Languages: <http://www.actfl.org>

California Association ~~of~~ for Bilingual Education: <http://www.bilingualeducationgocabe.org>

California Department of Education, Foreign Language: <http://www.cde.ca.gov/ci/fl>

California Foreign Language Project: <http://www.stanford.edu/group/CFLP>

California Language Teachers' Association: <http://www.clta.net>

Center for Applied Linguistics: <http://www.cal.org>

College Board: <http://www.collegeboard.edu>

University of California, a-g Course Approval: <http://www.ucop.edu/a-gGuide/agguide>

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# CSBA Sample Administrative Regulation

Instruction

AR 6142.2(a)

## WORLD/FOREIGN LANGUAGE INSTRUCTION

### Content of Instruction

Note: Items #1-5 below reflect the five categories of content standards for world languages adopted by the State Board of Education (SBE) on January 7, 2009. Within each category, the state standards describe four proficiency levels or performance benchmarks based on the Language Learning Continuum disseminated by the College Board. **Education Code 60605.5, as added by AB 2290 (Ch. 643, Statutes of 2016), requires the Superintendent of Public Instruction to recommend revisions to the standards and requires the SBE to adopt, reject, or modify the recommended revisions by March 31, 2019.**

The district may revise the following list to reflect the topics to be addressed in the district's program.

The district's instructional program for world languages shall be designed to help students gain knowledge about new language systems and use that knowledge to communicate. Students shall receive instruction which is aligned with state academic standards appropriate to their age and stage of linguistic and cultural proficiency in the following **five** categories:

1. Content: Students shall be presented with a wide variety of content that is age and stage appropriate and increases in complexity.

*(cf. 6011 - Academic Standards)*

2. Communication: Students shall be taught to effectively convey and receive messages by engaging in or interpreting written, spoken, and/or signed languages.
3. Cultures: Students shall receive instruction that allows them to make connections and comparisons between language and culture.

*(cf. 6142.94 - History/Social Science Instruction)*

4. Structures: The curriculum shall address components of grammar, syntax, and language patterns appropriate to the language being taught.
5. Settings: To help students comprehend meaning and use language that is culturally appropriate, students shall develop knowledge of the context or setting in which language is used, such as common daily settings, interpersonal settings, and informal and formal settings.

### Two-Way Dual-Language Immersion Programs

Note: The following **optional** section is for use by districts that choose to establish **two-way dual-language**

## WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

immersion programs integrating **native** English **speakers** and **non-English speakers** **English learners** in a class that is taught in both English and a second language; see the accompanying Board policy.

**Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians of English learners to select a language acquisition program that best suits their child. Districts must offer a structured English immersion program in which nearly all classroom instruction is provided in English, and may offer dual-language immersion programs or other language acquisition programs. See BP/AR 6174 - Education for English Learners.**

**The following section Items #1-2 below** reflects program **models** **descriptions and recommendations** on the California Department of Education's (CDE) web site and may be revised to reflect district practice.

The district's **may establish two-way** **dual-language** immersion programs **may be** based on either or both of the following models:

1. A 50:50 model in which instruction is provided in the non-English target language for 50 percent of the time and in English for 50 percent of the time, throughout the duration of the program
2. A 90:10 model in which instruction is provided in the non-English target language for 90 percent of the time and in English for 10 percent of the time during the first year of the program, decreasing the percentage of time in the non-English language in each subsequent year until there is a 50:50 balance of languages

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

Note: **According to the CDE, two way immersion programs generally do not accept English only speakers after grade 1 and English learners after grade 2. The following paragraph may be revised to reflect the grade levels at which the program is offered and any restrictions on enrollment established by the district. The following two paragraphs reflect recommendations of the CDE in its "Two-Way Language Immersion Program FAQ," available on its web site, and may be revised to reflect district practice.**

**English only Native English** speakers shall **generally** be **accepted admitted** into the program only during the first grade level at which the program is offered, **and** English learners **may be admitted into the program** during the first or second grade level at which the program is offered. Bilingual students may enter the program at any time. **On a case-by-case basis, the Superintendent or designee may admit a student later in the program if he/she determines that the student is adequately prepared for and will benefit from the program.**

In enrolling students for the program, the district shall strive to maintain a ratio of half **native** English speakers and half **non-English speakers** **English learners**, and such ratio shall not fall below one-third for either language group except under exceptional circumstances.

## WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

**Note:** Education Code 305-306 require that English learners be placed in sheltered English language classrooms (i.e., nearly all classroom instruction in English but with the curriculum and presentation designed for students who are learning the language) during a temporary transition period normally not exceeding one year and then transferred to English language mainstream classrooms (i.e., classrooms in which the students are native English speakers or already have acquired reasonable fluency in English). Education Code 310-311 and 5 CCR 11309 authorize parental waivers of these requirements under specified circumstances. Thus, parents/guardians of English learners must annually submit a parental exception waiver allowing their child's participation in a two-way immersion program. See BP/AR/E 6174 *Education of English Language Learners* for legal requirements pertaining to parental exception waivers.

In order for a limited English proficient student to participate in a two-way immersion program, his/her parent/guardian shall annually submit a request for a parental exception waiver pursuant to Education Code 310-311 and 5 CCR 11309.

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

**Note:** The following paragraph may be deleted by districts that do not offer a dual-language immersion program in any of grades K-3. Pursuant to Education Code 310, as amended by Proposition 58 (November 2016), all language acquisition programs must comply with requirements related to class size in grades K-3.

**Any dual-language immersion program offered in grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)**

(cf. 6151 - *Class Size*)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the district's dual-language immersion program and other language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - *Parental Notifications*)

**Note:** Teachers in a class serving one or more English learners are required to possess the qualifications described in Education Code 44253.1-44253.11 and CTC leaflet CL-622, *Serving English Learners*. Also see AR 4112.22 - Staff Teaching English Learners.

**Whenever a dual-language immersion classroom contains one or more English learners, the class shall be taught by a teacher who possesses the appropriate authorization issued by the Commission on Teacher Credentialing.**

(cf. 4112.22 - *Staff Teaching English Learners*)

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# CSBA Sample Board Policy

## Instruction

BP 6144(a)

### CONTROVERSIAL ISSUES

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

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

(cf. 6141.2 - *Recognition of Religious Beliefs and Customs*)  
(cf. 6142.1 - *Sexual Health and HIV/AIDS Prevention Instruction*)  
(cf. 6142.3 - *Civic Education*)  
(cf. 6142.8 - *Comprehensive Health Education*)  
(cf. 6142.94 - *History-Social Science Instruction*)  
(cf. 6143 - *Courses of Study*)

Note: **District Recommended** criteria for determining the appropriateness of supplementary instructional materials and/or **the** circumstances under which materials should be submitted to the principal or other designee for review prior to their use (e.g., when materials relate to controversial issues or are presented in a controversial manner or context, such as when materials contain nudity, sexual content, graphic violence, or extensive profanity) are addressed in BP 6161.11 - Supplementary Instructional Materials.

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

(cf. 6141 - *Curriculum Development and Evaluation*)  
(cf. 6161.1 - *Selection and Evaluation of Instructional Materials*)  
(cf. 6161.11 - *Supplementary Instructional Materials*)

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.

## CONTROVERSIAL ISSUES (continued)

3. The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.

Note: The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech, including freedom of speech for students. However, under court decisions and Education Code 48950, discipline may be imposed upon students for speech or conduct that constitutes harassment, threats, or intimidation. See BP 5145.2 - Freedom of Speech/Expression.

4. No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school, grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.

(cf. 5022 - Student and Family Privacy Rights)  
(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 5145.2 - Freedom of Speech/Expression)  
(cf. 6145.5 - Student Organizations and Equal Access)

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)  
(cf. 5131.2 - Bullying)  
(cf. 5137 - Positive School Climate)

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.

7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)

BP 6144(c)

## CONTROVERSIAL ISSUES (continued)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the **Board requires that he/she be notified Superintendent or designee shall notify him/her** of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

Note: Pursuant to Education Code 51938, districts must notify parents/guardians of any sexual health and HIV/AIDS prevention instruction and of the opportunity to request that their child not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. The following optional paragraph provides that, at the discretion of the teacher or other designated staff, parents/guardians may be notified and asked to give consent for their child's participation in instruction related to other controversial issues. The following optional paragraph permits parents/guardians to excuse their child from certain types of instruction. For example, pursuant to Education Code 51938, districts must notify parents/guardians of the opportunity to request that their child not receive comprehensive sexual health and HIV prevention instruction. Districts must use a "passive consent" or "opt out" process in which the student receives the instruction unless the parent/guardian notifies the district in writing that the student should not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, Education Code 51240 provides that parents/guardians may request in writing that their child be excused from any part of health instruction that conflicts with their religious training or beliefs; see AR 6142.8 - Comprehensive Health Education. Pursuant to Education Code 51513, districts may not administer exams, surveys, or questionnaires containing questions about a student's or his/her family's personal beliefs or practices in sex, family life, morality, and religion unless the student's parent/guardian has provided prior written consent. See AR 5022 - Student and Family Privacy Rights.

When required by law, such as in regards to comprehensive sexual health and HIV prevention education, or otherwise deemed appropriate by the teacher or administrator, parents/guardians shall be notified prior to instruction related to any controversial issue and parent/guardian consent shall be obtained for student participation that they may request in writing that their child be excused from the instruction. Students whose parents/guardians decline such instruction may be offered the option to participate in an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues may communicate directly with the teacher or principal and/or use shall be directed to appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)

*Legal Reference: (see next page)*

BP 6144(d)

## **CONTROVERSIAL ISSUES** (continued)

*Legal Reference:*

**EDUCATION CODE**

220 Prohibition of discrimination

**48950 Freedom of speech**

**51240 Excuse from health instruction due to religious beliefs**

51500 Prohibited instruction or activity

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

**51513 Materials containing questions about beliefs or practices**

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate

**51930-51939 California Healthy Youth Act; comprehensive sexual health and HIV prevention**

**education**

**51933 Sex education courses**

**51938 Right of parent/guardian to excuse child from sexual health instruction**

60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials

60045 Criteria for instructional materials

**COURT DECISIONS**

**Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)**

**Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)**

**Garcetti v. Ceballos, (2006) 547 U.S. 410**

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**Policy Reference UPDATE Service**

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# CSBA Sample

## Board Policy

Instruction

BP 6174(a)

### EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS

Note: The following policy may be revised to reflect district practice. State and federal law establish requirements for the identification, placement, and education of English learners.

**Proposition 58** (November 2016) amended Education Code 305-310 to authorize parents/guardians to select a language acquisition program that best suits their child and repealed Education Code 311 thereby eliminating the requirement that parents/guardians request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. See the section on "Language Acquisition Programs" below.

In addition, 20 USC 6801-**6874 7014** (Title III, **Part A**) provide grant funds that may be used to supplement, but not supplant, funding from other sources for the purpose of ensuring that English learners attain English proficiency and meet the same challenging academic standards that are applicable to all students. During the Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will expect to see evidence that the district has complied with state and federal requirements. See the CDE web site for FPM compliance monitoring instruments.

~~Contingent upon voter approval in the November 2016 statewide general election, SB 1174 (Ch. 753, Statutes of 2014) would amend and repeal various statutes effective July 1, 2017. If approved, the changes will include authorization for parents/guardians to select a language acquisition program that best suits their child and a requirement for districts to solicit input on language acquisition programs as part of the parent/guardian and community engagement process required for development of the local control and accountability plan (LCAP) (see BP 0460 – Local Control and Accountability Plan).~~

The Governing Board intends to provide English learners with challenging curriculum and instruction that develop proficiency in English **as rapidly and effectively as possible** while facilitating student achievement in the district's regular course of study.

Note: Pursuant to Education Code 42238.02 and 42238.03, the local control funding formula (**LCFF**) provides additional funding based on the number and concentration of unduplicated counts of students who are English learners, foster youth, and/or eligible for free or reduced-price meals. Such funds must be used to increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number or concentration of unduplicated students; see BP 3100 - Budget.

In addition, Education Code 52060 requires the district's **local control and accountability plan (LCAP)** to include annual goals and specific actions, aligned to state and local priorities, for all students and for each "numerically significant" student subgroup as defined in Education Code 52052, including English learners; see BP/AR 0460 - Local Control and Accountability Plan.

The district shall identify in its local control and accountability plan (LCAP) **goals and** specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

*(cf. 0460 - Local Control and Accountability Plan)  
(cf. 3100 - Budget)*

## EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. **Education Code 305, as amended by Proposition 58 (November 2016), requires the district to solicit input on language acquisition programs as part of the parent and community engagement process during the development of the LCAP; see section on "Language Acquisition Programs" below. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.**

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, **implementation**, and evaluation of **English language development** programs **for English learners.**

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 6020 - Parent Involvement)*

Note: Pursuant to Education Code 60811, in November 2012 the State Board of Education (SBE) adopted state academic content standards for English language development (**ELD**), aligned with the **California** Common Core State Standards for English language arts, for students whose primary language is a language other than English. In July 2014, the SBE adopted the English Language Arts/English Language Development Framework aligned to those standards. Education Code 60811 and 60811.4 require the Superintendent of Public Instruction to recommend updated English language development standards that are also aligned with state standards for mathematics and science, and require the SBE to either adopt or reject those recommended standards by August 1, 2015. A supplementary resource, Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, specifies the correspondence between the state ELD standards and the California Common Core State Standards for mathematics and the Next Generation Science Standards.

Education Code 60211 authorizes the SBE to adopt, no later than November 30, 2015, K-8 instructional materials aligned to the state English language development standards. To bridge the gap until such materials are available, the SBE has approved a list of K-8 supplementary instructional materials which is available on the CDE's web site; this list is informational only.

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

*(cf. 6011 - Academic Standards)*

*(cf. 6141 - Curriculum Development and Evaluation)*

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

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6171 - Title I Programs)*

EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)

Note: Commission on Teacher Credentialing (CTC) leaflet CL-622, Serving English Learners, describes requirements pertaining to the qualifications of teachers of English learners. A teacher who is assigned to provide English language development, specially designed academic instruction in English, and/or primary language instruction to English learners must hold an appropriate authorization from the CTC; see AR 4112.22 - Staff Teaching English Language Learners.

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English **Language** Learners)

Note: The following **optional** paragraph reflects professional development required under 20 USC 6825 for districts receiving federal Title III funds and may be revised or deleted by other districts to reflect district practice. 20 USC 6825 specifies that the professional development described below must be of sufficient intensity and duration to have a positive and lasting impact on teacher performance (i.e., it must go beyond one-day or short term workshops and conferences). The following paragraph is for use by districts that receive federal Title III funds to improve the education of English learners. 20 USC 6825 lists the required uses of such funds, including the provision of professional development of sufficient intensity and duration to have a positive and lasting impact on teachers' performance in the classroom. Pursuant to 20 USC 6825, such professional development must not include one-day or short-term workshops and conferences. Districts that do not receive Title III funds may delete or adapt the following paragraph to reflect district practice.

The **Superintendent or designee** **district** shall provide **effective professional development** to teachers **(including teachers in classroom settings that are not the settings of language instruction educational programs)**, administrators, and other school **or community-based organization personnel** staff research-based professional development that is **designed** to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. **Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom.** (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. If district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.

The **Superintendent or designee** shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. In addition, **To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.**

## EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

(cf. 0420 – School Plans/Site Councils)  
 (cf. 1220 – Citizen Advisory Committees)  
 (cf. 6020 – Parent Involvement)

### Identification and Assessment

Note: Education Code 313 requires any district that has one or more students who are English learners to assess the English language proficiency of those students **using a state assessment designated by the SBE**. The **state is transitioning from the California English Language Development Test (CELDT) is the state test designated for this purpose. However, in the 2016-17 school year the state will field test a new language proficiency assessment, to the English Language Proficiency Assessments for California (ELPAC), which is** aligned with the 2012 state standards for **English language development ELD**. The ELPAC will include **both an initial screening test to identify students who may be English learners and a summative assessment, operational in spring 2018, for determining which will be used to determine English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English. The ELPAC's initial screening test for identifying students who may be English learners will be operational July 1, 2018**. The CDE also provides a home language survey to be used to identify students who should be tested for English proficiency. See the accompanying administrative regulation for further information about test administration and identification and reclassification criteria.

The Superintendent or designee shall maintain procedures for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

Note: In addition to testing the level of English proficiency of English learners, districts are required pursuant to Education Code 60640 to administer the California Assessment of Student Performance and Progress to English learners; see BP/AR 6162.51 - State Academic Achievement Tests. As needed, English learners may be provided with the testing resources (i.e., universal tools, designated supports, and accommodations) specified in 5 CCR 853.5 and 853.7, **as amended by Register 2014, No. 35**, during test administration.

Education Code 60640, **as amended by SB 858 (Ch. 32, Statutes of 2014)**, also authorizes districts to administer a primary language assessment to **students English learners** in grades 2-11 **for the purpose of assessing students' competency in reading, writing, and listening in their primary language**. The Standards-Based Test in Spanish may be used for this purpose until a test is available that is aligned with the most recent state **ELD English language development** standards. **The SBE is required to adopt such an assessment to be used no later than the 2016-17 school year. The new California Spanish Assessment is expected to be operational in the 2018-19 school year.**

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with **allowable** testing variations in accordance with 5 CCR 853.5 and 853.7. English learners

**EDUCATION FOR ENGLISH ~~LANGUAGE~~ LEARNERS (continued)**

who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6152.51 - *State Academic Achievement Tests*)

**Placement of English Learners Language Acquisition Programs**

**Note:** ~~Education Code 300-340, added by Proposition 227 (June 1998), require that English learners who have not yet attained a reasonable level of English proficiency be educated through a program of "structured English immersion," as defined in law and the accompanying administrative regulation, with the goal that students learn English as rapidly and effectively as possible. In *McLaughlin v. State Board of Education*, the court held that the SBE may not grant waivers related to Education Code 300-340 pursuant to its waiver authority in Education Code 33050. Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians to select a language acquisition program that best suits their child. At a minimum, the district must offer a structured English immersion program. It also may offer a dual-language immersion program, transitional and developmental program for English learners, or other language acquisition program as defined in Education Code 306; see the accompanying administrative regulation. The following section may be revised to reflect programs offered by the district.~~

**Pursuant to Education Code 310, as amended, when the parents/guardians of 30 or more students at a school or 20 or more students in any grade level at the school request a particular language acquisition program, the district shall offer that program at the school site to the extent possible.**

**In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)**

***Language acquisition programs* are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language. (Education Code 306)**

**Students who are English learners shall be educated through "structured English immersion" (also known as "sheltered English immersion"), as defined in law and the accompanying administrative regulation, for a temporary transition period not normally intended to exceed one year.**

**The district shall offer English learners a structured English immersion program to ensure that English learners have access to the core academic content standards,**

EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)

**including the English language development standards, and become proficient in English. In the structured English immersion program, ~~N~~early all of the classroom instruction ~~in the district's structured English immersion program~~ shall be provided in English, but with the curriculum and presentation designed for students who are learning ~~the language~~ English.** (Education Code 305-306)

Note: **The following optional paragraph may be revised to reflect district practice.** The Education Code does not define the term "nearly all" for purposes of ensuring that nearly all instruction **in the structured English immersion program** is provided in English pursuant to Education Code 306, and the SBE has declared that it is the responsibility of districts to determine the appropriate ratio of English to native language instruction. The following paragraph defines "nearly all" as to provide that all classroom instruction be conducted in English except for clarification, explanation, and support as needed. The district could instead establish a minimum percentage of classroom instructional time to be conducted in English or specify the types of courses to be conducted in English and the courses (e.g., science, algebra) to be taught in the student's primary language. **The following paragraph may be revised to reflect the district's definition of "nearly all."**

**"~~Nearly all,~~" f**For the purpose of determining the amount of instruction to be conducted in English **in the structured English immersion program, "nearly all"** means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

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

**In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)**

1. **The district may offer a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.**

*(cf. 6142.2 - World/Foreign Language Instruction)*

2. **The district may offer a transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards.**

**Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program**

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)**

**requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310)**

**Note: The following paragraph is for use by districts that maintain any of grades K-3. Education Code 310, as amended by Proposition 58 (November 2016), requires that language acquisition programs in grades K-3 comply with class size requirements specified in Education Code 42238.02. For further information, see BP 6151 - Class Size.**

**The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)**

*(cf. 6151 - Class Size)*

**Note: Education Code 310, as amended by Proposition 58 (November 2016), requires any district that implements a language acquisition program to distribute the following notification when a student enrolls in school or as part of the annual notification issued pursuant to Education Code 48980.**

**At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)**

*(cf. 5145.6 - Parental Notifications)*

**Note: As amended by Proposition 58 (November 2016), Education Code 305 no longer specifies that enrollment in a structured English immersion program is "not normally intended to exceed one year," nor does it address a timeline for students to be transferred from any other language acquisition program into an English language mainstream classroom. However, an English learner may transfer to an English language mainstream classroom when he/she has developed the English language skills necessary to succeed in an English-only classroom and, based on criteria established pursuant to Education Code 313 and 52164.6, is reclassified as fluent English proficient. See the accompanying administrative regulation. Furthermore, pursuant to 20 USC 6312, 34 CFR 100.3, and 5 CCR 11301, parents/guardians have a right to decline or opt their child out of a language acquisition program.**

**When an English learner is determined pursuant to state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.**

## EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

~~Note: Pursuant to Education Code 305-306 and 5 CCR 11301, when a student has acquired a reasonable level of English proficiency, as measured by state or local assessment instruments, he/she shall be removed from the structured English immersion classroom and placed in an English mainstream classroom in which the language of instruction is overwhelmingly in English. The term "overwhelmingly" is not defined in the Education Code nor in the state regulations.~~

~~The definition of "reasonable level of proficiency" is one that must be made at the local level. The following paragraph should be revised to specify the types of assessment instruments and scores and/or other local tools (e.g., student portfolios or grades) which will be used to determine whether a student has achieved a reasonable level of English proficiency for purposes of qualifying for transfer to an English mainstream classroom. The district should fill in the blanks below with its definition of "reasonable level of proficiency."~~

~~When an English learner has acquired a reasonable level of English proficiency as measured by any of the state designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)~~

*(cf. 6162.5 Student Assessment)*

~~An English learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:~~

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~~Note: 5 CCR 11301 allows a parent/guardian to have his/her child moved into an English language mainstream classroom at any time during the school year. According to the CDE, the parent/guardian only needs to request this placement; he/she does not need to go through the waiver process described below in the section entitled "Parental Exception Waivers."~~

~~Education Code 320 grants parents/guardians legal standing to sue Governing Board members, teachers, or administrators if their child has been "willfully and repeatedly" denied the option of an English language mainstream classroom. The constitutionality of this section was upheld by the Ninth Circuit Court of Appeals in *California Teachers Association v. the State Board of Education*. Therefore, districts should ensure that requests from parents/guardians to place their child in an English language mainstream classroom are granted immediately.~~

~~At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)~~

## **EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)**

### **Parental Exception Waivers**

**[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]**

### **Program Evaluation**

Note: The following section may be revised to reflect indicators agreed upon by the Board and Superintendent or designee for measuring the effectiveness of the district's educational program for English learners.

Education Code 52061 requires that the annual update of the LCAP include a review of progress toward the goals included in the LCAP, an assessment of the effectiveness of the specific actions described in the LCAP toward achieving the goals, and a description of changes the district will make as a result of this review and assessment.

Pursuant to Education Code 313.2, the CDE is required to annually determine the number of students in each district and school who are, or at risk of becoming, long-term English learners and to report that information to districts and schools. Definitions of "long-term English learner" and "English learner at risk of becoming a long-term English learner" are contained in Education Code 313.1.

**The federal Every Student Succeeds Act (ESSA) (P.L. 114-95) repealed 20 USC 6842, thereby eliminating the requirement that districts receiving federal Title III funding (20 USC 6841-6849) reach "annual measurable achievement objectives," including annual increases in the number or percentage of English learners making progress in English proficiency. Instead, 20 USC 6311, as amended by the ESSA, requires the inclusion of a performance indicator on English language proficiency within the state accountability system under Title I.**

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the district's LCAP
6. A comparison of current data with data from at least the previous year

## EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

### *Legal Reference:*

#### EDUCATION CODE

300-340 *English language education, especially:*

**305-310 Language acquisition programs**

**313-313.5 Assessment of English proficiency**

430-446 *English Learner and Immigrant Pupil Federal Conformity Act*

33050 *State Board of Education waiver authority*

42238.02-42238.03 *Local control funding formula*

44253.1-44253.11 *Qualifications for teaching English learners*

**48980 Parental notifications**

48985 *Notices to parents in language other than English*

52052 *Academic Performance Index; numerically significant student subgroups*

52060-52077 *Local control and accountability plan*

52130-52135 *Impacted Languages Act of 1984*

52160-52178 *Bilingual Bicultural Act*

**56305 CDE manual on English learners with disabilities**

**60200.7 Suspension of state instructional materials adoptions**

**60603 Definition, recently arrived English learner**

60605.87 *Supplemental instructional materials, English language development*

60640 *California Assessment of Student Performance and Progress*

60810-60812 *Assessment of language development*

62005.5 *Continuation of advisory committee after program sunsets*

#### CODE OF REGULATIONS, TITLE 5

853.5-853.7 *Test administration; universal tools, designated supports, and accommodations*

11300-11316 *English learner education*

11510-11517 *California English Language Development Test*

#### UNITED STATES CODE, TITLE 20

**1412 Individuals with Disabilities Education Act; state eligibility**

1701-1705 *Equal Educational Opportunities Act*

**6311 Title I state plan**

6312 *Title I Local education agency plans*

6801-~~6874~~**7014** *Title III, language instruction for limited English proficient English learners and immigrant students*

**7012 Parental notification**

**7801 Definitions**

#### CODE OF FEDERAL REGULATIONS, TITLE 34

**100.3 Discrimination prohibited**

**200.16 Assessment of English learners**

#### COURT DECISIONS

*Valeria G. v. Wilson*, (2002) 307 F.3d 1036

*California Teachers Association v. State Board of Education et al.*, (9th Circuit, 2001) 271 F.3d 1141

*McLaughlin v. State Board of Education*, (1999) 75 Cal.App.4th 196

*Teresa P. et al v. Berkeley Unified School District et al.*, (1989) 724 F.Supp. 698

#### ATTORNEY GENERAL OPINIONS

83 *Ops.Cal.Atty.Gen.* 40 (2000)

## EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Management Resources:

### **CSBA PUBLICATIONS**

[English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016](#)

[English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016](#)

[English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014](#)

### **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

[Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015](#)

[Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014](#)

[English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014](#)

[California English Language Development Test \(CELDT\): 2013-14 CELDT Information Guide, 2013](#)

[Common Core State Standards for Mathematics, rev. 2013](#)

[Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013](#)

[English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012](#)

[Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments](#)

### **U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE PUBLICATIONS**

[Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017](#)

[English Learner Tool Kit for State and Local Educational Agencies \(SEAs and LEAs\), rev. November 2016](#)

[English Learners and Title III of the Elementary and Secondary Education Act \(ESEA\), as Amended by the Every Student Succeeds Act \(ESSA\), Non-Regulatory Guidance, September 23, 2016](#)

[Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015](#)

[Assessment and Accountability for Recently Arrived and Former Limited English Proficient \(LEP\) Students, May 2007](#)

### **WEB SITES**

[CSBA: <http://www.csba.org>](http://www.csba.org)

[California Association for Bilingual Education: <http://www.gocabe.org>](http://www.gocabe.org)

[California Department of Education: <http://www.cde.ca.gov/sp/el>](http://www.cde.ca.gov/sp/el)

[National Clearinghouse for English Language Acquisition: <http://www.ncela.us>](http://www.ncela.us)

[U.S. Department of Education: <http://www.ed.gov>](http://www.ed.gov)

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# CSBA Sample

## Administrative Regulation

Instruction

AR 6174(a)

### EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS

#### Definitions

**Note:** The following section reflects definitions in Education Code 306, as amended by Proposition 58 (November 2016).

*English learner*, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)

*English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

*Native speaker of English* means a student who has learned and used English in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)

*English language classroom* means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

*English language mainstream classroom* means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

*Structured English immersion* (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

## EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)

***Bilingual education/native language instruction*** means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

### Identification and Assessments

Note: Education Code 52164.1 and 5 CCR 11307 and 11511 require the district to administer a home language survey to all enrolled students. A sample home language survey form in English and Spanish is available on the California Department of Education's (CDE) web site. and, for students who are determined by the survey to have a primary language other than English, to follow up with administration of a state assessment of English proficiency. The California English Language Development Test (CELDT) is the state test designated for this purpose. However, in the 2016-17 school year the state will field test a new language proficiency assessment, English Language Proficiency Assessments for California (ELPAC), which is aligned with the 2012 state standards for English language development. The ELPAC will include both an initial screening test to identify students who may be English learners and a summative assessment which will be used to determine English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English.

Upon enrollment in the district, each student's primary language shall be determined through **the** use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Note: When the home language survey indicates that a student's proficiency in English should be tested, Education Code 313 requires the district to administer a state assessment of English language proficiency. When fully operational in 2018, the English Language Proficiency Assessments for California (ELPAC) will be used for initial identification of language proficiency and subsequently for annual assessment of language proficiency.

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the state's designated English language proficiency test **for initial identification**. (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment **of the state's designated English language proficiency test** shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

Note: 5 CCR 11516-11516.6 specify allowable variations and accommodations in **CELDT the administration of the state English language proficiency assessment**. These variations and accommodations are generally the same as those allowed for other state assessments; see AR 6162.51 - State Academic Achievement Tests.

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)**

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.**76**. Variations and accommodations in test administration may be provided **to English learners** pursuant to 5 CCR 11516-11516.**76**.

**Note: The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the annual assessment of English language proficiency as appropriate. English learners with disabilities must be allowed to take the test with accommodations as specified in their individualized education program or Section 504 plan. Pursuant to 5 CCR 11516.7, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16, as amended by 81 Fed. Reg. 86076, provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).**

**Education Code 56305, as added by AB 2785 (Ch. 579, Statutes of 2016), requires the CDE to develop, by July 1, 2018, a manual providing guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.**

Any student with a disability **who is identified as an English learner** shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. **that are appropriate and necessary to address the student's individual needs. If he/she the student** is unable to participate in the assessment or a portion of the assessment **even** with such accommodations, **he/she shall be administered** an alternate assessment for English language proficiency **shall be administered to the student** as set forth in his/her IEP. (5 CCR 11516-11516.7; **20 USC 1412**)

*(cf. 6152.51 - State Academic Achievement Tests)*

*(cf. 6159 - Individualized Education Program)*

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

**Parental Notifications**

**Note: The following remainder of this** section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. **The district may choose to combine these notifications with notifications required for parental exception waivers, as detailed in the section "Parental Exception Waivers" below. The California Department of Education (CDE) has developed sample notification letters, available on its web site in multiple translations, to notify parents/guardians of the initial identification of a student as an English learner or as initially fluent English proficient and to notify them of the results of an annual assessment.**

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

**The Superintendent or designee shall provide the following written notifications to parents/guardians of English learners:**

EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)

**1. Assessment Notification:** The district **The Superintendent or designee** shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

**2. Placement Notification:** At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

Note: Items #3-4 below are The following paragraph is for use by districts that receive federal Title III funds under either Title I or Title III for services to English learners. Such districts are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program. The Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 7012 and moved the notification requirement to 20 USC 6312.

**3. Title III Notifications:** Each **The** parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title **I or Title** III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC **7012-6312**)

- a1.** The reason for the **student's classification** **identification of the student** as an English learner **and the need for placement in a language acquisition program**
- b2.** The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
- e3.** A description of the **language acquisition** program **for English language development instruction in which the student is, or will be, participating**, including a description of all of the following:
  - (1)a.** **The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction**
  - b.** The manner in which the program will meet the educational strengths and needs of the student

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

(2)c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards **for grade promotion and graduation**

(3)d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

(4)e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

4. **Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request**

e.5. Information regarding a parent/guardian's option to decline to **allow enroll** the student **to be enrolled** in the program or to choose **to allow the student to be enrolled in an alternative program another program or method of instruction, if available**

e.6. Information designed to assist a parent/guardian in selecting among available programs, if more than one program **or method** is offered

**Note:** Pursuant to 20 USC 6842, the CDE must develop annual measurable objectives for English learners served under federal Title III. These include targets for the percentage of English learners who are proficient on the assessments used in the calculations of "adequate yearly progress" for accountability purposes; see BP 0500 Accountability.

4. **Annual Measurable Objectives Notification:** If the district fails to make progress on the annual measurable achievement objectives for English learners established pursuant to 20 USC 6842, the Superintendent or designee shall, within 30 days after such failure occurs, send a notification regarding such failure to the parents/guardians of each student identified for participation in a language instruction educational program supported by Title III funds. (20 USC 7012)

**Parental Exception Waivers**

[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]

**Reclassification/Redesignation**

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

**EDUCATION FOR ENGLISH LANGUAGE LEARNERS** (continued)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

Note: **Education Code 313 and 52164.6 and** 5 CCR 11303 requires that the district's reclassification process include, **at a minimum**, the criteria specified in items #1-4 below. **The district may expand the following list to reflect any additional criteria it has established.** The CDE's CELDT Information Guide includes recommendations for assessing each of the following criteria **and states that, for a student with disabilities, the student's IEP team or Section 504 team should determine any supplemental criteria to be used.**

The **following** measures **shall be** used to determine whether an English learner shall be reclassified as fluent English proficient **shall include, but not be limited to**: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state's English language proficiency assessment
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

Note: Pursuant to Education Code 313, the fourth criterion requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from the CDE to district superintendents (Academic Criterion for Reclassification) dated August 11, 2014 clarifies that, when a state test of basic skills is unavailable, districts must select another measure which may include a local assessment. The CDE correspondence provides examples of appropriate measures and is available on the CDE web site.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

**EDUCATION FOR ENGLISH **LANGUAGE** LEARNERS (continued)**

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

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

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

**Advisory Committee**

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, a parent/guardian advisory committee is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committee are specified in 5 CCR 11308.

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the **Governing** Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. ~~Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316~~

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

## **EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)**

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

*(cf. 6020 - Parent Involvement)*

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

### **LCAP Advisory Committee**

Note: The following section is applicable if the district's student enrollment includes at least 15 percent English learners, with at least 50 students who are English learners. Education Code 52063 requires that such districts establish an English learner parent advisory committee to review and comment on the district's local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495~~1~~ as amended by Register 2015, No. 2, requires this committee to include a majority of parents/guardians of English learners.

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

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

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

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# CSBA Sample Board Policy

## Instruction

BP 6176(a)

### WEEKEND/SATURDAY CLASSES

Note: The following **optional** policy is for use by districts that choose to offer classes on Saturday and/or Sunday as authorized by Education Code 37223, **and may be subject to collective bargaining agreements.**

~~Pursuant to Education Code 44824, a teacher cannot be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, Education Code 44824 provides that full time teachers employed by the district prior to the implementation of weekend classes cannot be required to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. See AR 4113 - Assignment.~~

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

*(cf. 4113 - Assignment)*

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

*(cf. 6111 - School Calendar)*

Note: Education Code 37223 authorizes weekend classes of any of the types listed in items #1-4 below or other classes identified by the district. The following list should be revised or expanded to reflect those weekend classes approved by the Governing Board.

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)

*(cf. 6184 - Continuation Education)*

Note: Pursuant to Education Code 37223, voluntary attendance in special weekend activities for mentally gifted minors (item #2 below) cannot be included in the district's average daily attendance computation.

2. Special day classes for mentally gifted minors (Education Code 37223)

*(cf. 6172 - Gifted and Talented Student Program)*

**Note: AB 2659 (Ch. 186, Statutes of 2016) amended Education Code 37223 to authorize weekend makeup classes for excused absences as well as unexcused absences.**

3. Makeup classes for **unexcused** absences occurring during the week (Education Code 37223)

## WEEKEND/SATURDAY CLASSES (continued)

(cf. 5113 - *Absences and Excuses*)

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

(cf. 6154 - *Homework/Makeup Work*)

4. The programs of an **regional occupational center or program (ROC/P)** (Education Code 37223)

(cf. 6178 - *Career Technical Education*)

(cf. 6178.2 - *Regional Occupational Center/Program*)

Note: Items #5-6 below are **optional**. ~~Although Education Code 37252-37253 provide that specified supplemental instructional programs may be offered on Saturday, AB 97 (Ch. 47, Statutes of 2013) redirected the funding for those programs into the local control funding formula; see BP 6179 - Supplemental Instruction. In addition, AB 97 eliminated the Pupil Retention Block Grant (Education Code 41505-41506), which allowed funding to be used for the purposes of intensive reading or algebra programs, including Saturday programs. At its discretion, the district may continue to offer weekend classes for these purposes.~~

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements

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

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

(cf. 6179 - *Supplemental Instruction*)

6. Enrichment classes in core academic subjects

(cf. 6142.91 - *Reading/Language Arts Instruction*)

(cf. 6142.92 - *Mathematics Instruction*)

**Except in ROC/Ps and as otherwise provided by law, any class offered on a Saturday or Sunday pursuant to Education Code 37223, except in ROC/Ps, shall be one offered during the regular Monday through Friday during the regular school week. (Education Code 37223)**

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)

Note: Education Code 48205 specifies reasons that students must be excused from school, including observance of a holiday or ceremony of their religion. The reasons specified in Education Code 48205 are also applicable during weekend classes.

## WEEKEND/SATURDAY CLASSES (continued)

A student shall be excused from a weekend class if **the student's parent/guardian notifies the school in writing that** such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

**A teacher shall not be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, a full-time teacher employed by the district prior to the implementation of weekend classes shall not be required, without his/her consent, to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. (Education Code 44824)**

*(cf. 4113 - Assignment)*

Note: Education Code 49550 requires that districts provide at least one nutritionally adequate meal each school day (breakfast and/or lunch) for students who are eligible for free and reduced-price meals; see BP/AR 3553 - Free and Reduced-Price Meals. If the school participates in the National School Lunch or Breakfast Program, it must make meals available to all students in attendance.

According to the California Department of Education's (CDE) Management Bulletin NSD-SNP-03-2013, this requirement extends to Saturday classes unless the district or school receives a waiver. The CDE will consider a waiver when any two of the following criteria exist: (1) serving meals during the Saturday session would result in a financial loss to the district equal to one-third of the food service's net cash resources; (2) the Saturday session at the school is less than four hours and is completed by noon allowing students to go home during the lunch period; (3) less than 10 percent of the needy students attending the Saturday session are at the school for more than three hours per day; and/or (4) the school does not have proper refrigeration facilities to enable meals to be prepared on Friday and served on Saturday.

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

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

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

*(cf. 5030 - Student Wellness)*

*Legal Reference: (see next page)*

## WEEKEND/SATURDAY CLASSES (continued)

### *Legal Reference:*

**EDUCATION CODE**  
37223 *Weekend classes*  
**37252-37253 Supplemental instruction**  
**41505-41508 Pupil Retention Block Grant**  
41601 *Reports of average daily attendance*  
44824 *Weekend classes, assignment of certificated employees*  
48070-48070.5 *Promotion and retention, supplemental instruction*  
48205 *Excused absence for personal reasons*  
48260 *Truants, definition*  
49550 *Meals for needy students*  
52060-52077 *Local control and accountability plan*

### *Management Resources:*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services Division Management Bulletin NSD-SNP-03-2013, February 2013*

**WEB SITES**

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

(11/00 12/13) 3/17

**Policy Reference UPDATE Service**

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*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 18.0**  
**DISCUSSION ITEM: Administrative Reports**

**BACKGROUND**

Board members will report on activities relevant to District business.

J. Murchison will report on activities relevant to District and Sutter's Mill School business.

S. Lyons will report on activities relevant to Gold Trail School business.

W. Scarlett will be available to answer question relevant to financial business.

**ATTACHMENTS**

- Current District Enrollment

**BUDGETED**

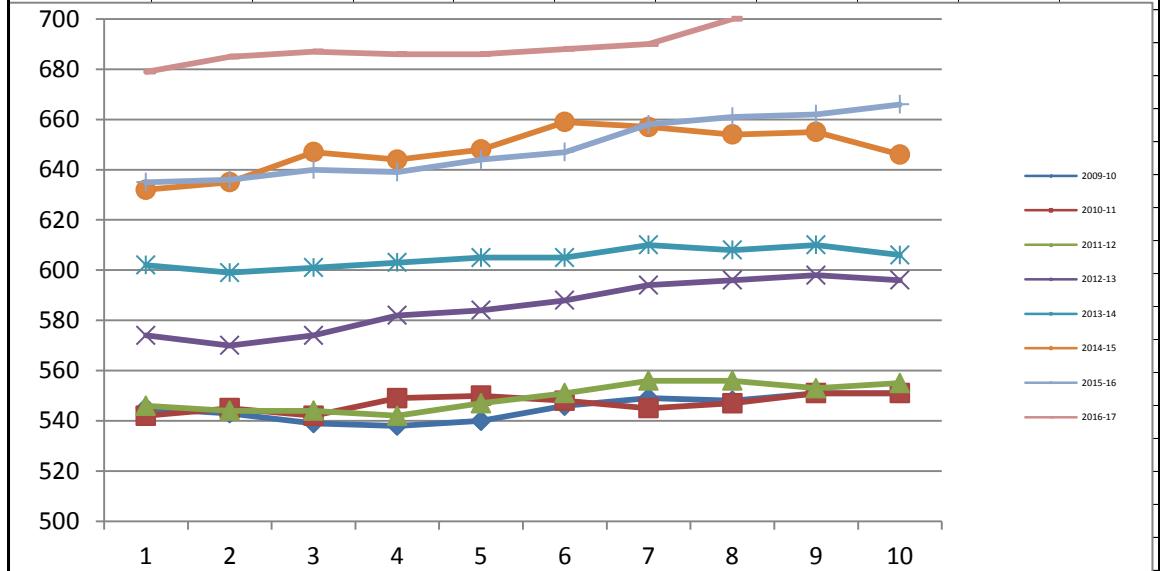
NA       Yes       No       Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

## Enrollment Report



										2016-17 Enrollment this month			
										TK	32	4	81
										K	64	5	85
										1	63	6	77
										2	68	7	80
										3	74	8	76
								Total		301	Total		399
										District Total Enrollment			700

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM:**  
**Closed Session**

**19. CLOSED SESSION OPEN HEARING**

Members of the public may take this opportunity to comment on Closed Session agenda items.

**20. CLOSED SESSION**

The Board will adjourn to Closed Session pursuant to Government Code 54957. Closed Session attendants: Board Members, superintendent interviewees.

**.1 CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

The Board will give direction regarding employee bargaining issues with the Gold Trail Federation of Educators and discussion with other non-represented employee groups.

**NOTES**

*The Brown Act and Education Code delineate the circumstances under which a legislative body of a local agency may meet in closed session and limits legislative bodies to the types of closed sessions identified under Government Code 54962. The Brown Act and Education Code authorize closed sessions for the following:*

1. *Real Property Transactions*
2. *Pending litigation*
3. *Joint Powers Agency ("JPA") issues*
4. *Public security*
5. *Personnel exception*
6. *Collective Bargaining*
7. *Student Discipline*
8. *Assessment Instruments*

*Gold Trail Union School District  
Supplemental Information  
Regular Meeting of the Board: April 6, 2017*

**AGENDA ITEM 21.0**

**Reconvene Public Session and Closed Session Disclosure**

*If Vote Taken in Closed Session*

<b><i>ACTION</i></b>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>

**AGENDA ITEM 22.0**

**Future Meetings**

**Date: May 11, 2017 Time: 6:00 p.m. Location: Gold Trail School Library**

Agenda Items for that meeting may include but are not limited to:

Board Policies, Administrative Regulations and Board Bylaw Updates

Board Self Evaluation

Declaration of Need of Fully Qualified Educators (Annual)

Local Control Accountability Plan (LCAP) Update

Reduction of Certificated Employees—Final Order, If Applicable

Resolution: Temporary Transfer Agreement, If Applicable (Annual)

Resolution: Year End Balance Authorization (Annual)

Statement of Need: 30-Day Emergency Permits (Annual)

*Requests may be made at this time for items to be placed on a future agenda.*

**AGENDA ITEM:**

**Adjournment**

<b><i>ACTION</i></b>	<i>Moved</i>	<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>				
<i>Vote</i>	<i>Ayes</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>