

Gold Trail Union School District



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Placerville, CA 95667
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Scott Lyons
Superintendent

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
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Gold Trail School (4-8)
889 Cold Springs Road
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Boyd Holler
Principal






BOARD OF TRUSTEES **Regular and Closed Session Meeting** **Thursday, December 14, 2017** **Gold Trail School** **Agenda**

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, Scott Lyons, 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.

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*)

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| ANNUAL ORGANIZATIONAL SESSION |
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5. ORGANIZATIONAL MEETING OF THE BOARD:

- .1 Election of Board President**
- .2 Election of Board Clerk**
- .3 Approval of Board Secretary**
- .4 Election of Board Representative to Serve on the Council of Representatives of the El Dorado School Boards Association**
- .5 Selection of Board Representative to Serve as Observer at Collective Bargaining Sessions**
- .6 Selection of Board Representative to Serve on the Salary and Benefits Committee (Serving Administrative and Confidential Employees)**
- .7 Board Meeting Dates, Times, Venue and Agenda Topics**
- .8 Review/Adoption of Board Bylaw 9320: Meeting**

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| RECOGNITION |
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- 6. RECOGNITION:** The Board will recognize Crossroads Veterinary Hospital for their support of the eighth grade teaching program at Gold Trail School.
- 7. RECOGNITION:** The Board will recognize Flying Ace T-Shirts for their continued support of the 6th grade program at Gold Trail School.

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| REPORTS |
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- 8. REPORT: Student Council**
A. Wallace, president, will report on Student Council activities.
- 9. REPORT: Gold Trail Federation of Educators**
Debbi Matyac, president, will report on Federation activities.

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| CONSENT |
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10. 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 November 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 Personnel**
Hiring
J. Hanks, Athletic Coach: Wrestling, effective 2017-18 school year
H. Perry, Teacher Associate Deaf and Hard of Hearing, 6.0 hours per day, 2 days per week, effective November 7, 2017

Resignation

B. Aguilar, Teacher Associate Deaf and Hard of Hearing, 6.0 hours per day, 2 days per week, effective November 7, 2017

The Board will take action to approve the personnel activity

.4 Comprehensive School Safety Plan (BP0450)

The Board will take action to approve the plan.

.5 Nonpublic, Nonsectarian School/Agency Services Master Contract: Action Supportive Care Services 2017-18

The Board will approve the contract between Action Supportive Care Services and the Gold Trail Union School District for contingency medical services for the 2017-18 school year.

.6 Second Reading of Board Policies, Administrative Regulations and Board Bylaws

BP 0400, Comprehensive Plans (BP revised)

BP/AR 0460, Local Control and Accountability Plan (BP/AR revised)

BP 0500, Accountability (BP revised)

BP/AR 0520.2, Title I Program Improvement Schools (BP/AR both deleted)

BP 0520.3, Title I Program Improvement Districts (BP deleted)

BP/AR 1113, District and School Web Sites (BP/AR revised)

BP 3280, Sale or Lease of District-Owned Real Property (BP revised)

BP 3513.4, Drug and Alcohol Free Schools (BP NEW)

AR 3515.6, Criminal Background Checks for Contractors (AR revised)

BP 4140/4240/4340, Bargaining Units (BP revised)

BP/AR 5113.1, Chronic Absence and Truancy (BP/AR revised)

BP/AR 5117, Interdistrict Attendance (BP/AR revised)

AR 5125.2, Withholding Grades, Diploma or Transcripts (AR revised)

BP 5131.6, Alcohol and Other Drugs (BP revised)

E 5131.63, Steroids (E deleted)

BP/AR 6020, Parent Involvement (BP/AR revised)

BP 6153, School-Sponsored Trips (BP revised)

AR 6173.1, Education for Foster Youth (AR revised)

BP/AR 6173.2, Education of Children of Military Families (BP/AR revised)

The Board will take action to adopt the roster.

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| ACTION ITEMS |
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11. ACTION ITEM: 2017-2018 First Interim

A. Harte, CBO, will present data and insights received while compiling the First Interim Report. The Board will take action to accept the report for the period ending October 31, 2017. (*Board Policy 3460*)

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

AR 6112, School Day (AR revised)

BP 6170.1, Transitional Kindergarten (BP revised)

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

- 13. ACTION ITEM: Review of Board of Trustees and Superintendent Protocols**
The Board will conduct its annual review of the subject protocols, and make any changes if needed.
- 14. ACTION ITEM: District Vision**
The Board will review, and possibly revise, the District's vision statement. (BP000)

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| DISCUSSION ITEMS |
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- 15. DISCUSSION ITEM: Administrative Reports**
S. Lyons will report on activities relevant to District and Sutter's Mill School site business.
B. Holler will report on activities relevant to Gold Trail School site business.
A. Harte will be available to answer question relevant to financial business.
Board members will report on activities relevant to District business.

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| CLOSED SESSION |
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- 16. CLOSED SESSION OPEN HEARING**
Members of the public may take this opportunity to comment on Closed Session agenda items.
- 17. CLOSED SESSION**
The Board will adjourn to Closed Session pursuant to Government Code 54957. Closed Session attendants: Board Members, superintendent
- .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.

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| RECONVENE PUBLIC SESSION |
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- 18. 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.

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| ADVANCE PLANNING |
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- 19. FUTURE REGULAR MEETING SCHEDULE**
Date: TBA Time: TBA. Location: TBA
Requests may be made at this time for items to be placed on a future agenda.

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| ADJOURNMENT |
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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. 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

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.

| ACTION | <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> |

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: December 14, 2017

AGENDA ITEM 5.0
Organizational Meeting of the Board

| | <i>Title</i> | <i>Description</i> | <i>Budgeted</i> | | | <i>Sup Recommend</i> | <i>Action</i> | | |
|-----|--|--|-----------------|----------|----------|---------------------------------------|---------------|------------|-------------|
| | | | <i>NA</i> | <i>Y</i> | <i>N</i> | | <i>1st</i> | <i>2nd</i> | <i>Vote</i> |
| 5.1 | Election of the Board President | <p><i>Duties include:</i></p> <p style="text-align: center;">x</p> <p>– Presiding at all meetings of the Board.</p> <p>– Maintaining order.</p> <p>– Enforcing the rules of the Board at all meetings.</p> <p>– Signing bonds, notes, agreements, contracts, titles, and leaves, and other legal instruments ordered to be executed by the Board.</p> <p>– Appointing all standing committees and special committees.</p> <p>– Meeting with the Superintendent monthly prior to each meeting to assist in the development of the agenda. (Required by BB 9121)</p> | | | | Current: S. Hennike | | | |
| 5.2 | Election of the Board Clerk | <p><i>Duties include:</i></p> <p style="text-align: center;">x</p> <p>– The clerk is expected to take over all the responsibilities of the President in the President's absence. (Required by BB 9121)</p> | | | | Current: J. Barbieri | | | |

Gold Trail Union School District
 Supplemental Information
 Regular Meeting of the Board: December 14, 2017

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| 5.3 Approval of Board Secretary | <p><i>Duties include:</i></p> <p><i>The position is filled by the Superintendent (BB 9213). Responsibilities include:</i></p> <ul style="list-style-type: none"> <i>–Preparing and handling the Board agenda and minutes.</i> <i>–Handling all District and Board records and documents.</i> <i>–Preparing a tentative agenda and meeting calendar for the year.</i> <i>–Submitting all correspondence addressed to the Board President or Governing Board.</i> | x | Current: S. Lyons | |
| 5.4 Election of Board Representative to Serve on the Council of Representatives of the El Dorado County School Boards Association | <p><i>This representative serves as the District's delegate to EDCSBA, attends periodic meetings and reports back to the Board.</i></p> | x | Current: J. Barbieri | <p>► Expanded Information</p> |
| 5.5 Selection of Board Member to Serve at Collective Bargaining Sessions | <p><i>This representative serves as only an independent observer of negotiation proceedings.</i></p> | x | Current: D. Lander | |

*Gold Trail Union School District
Supplemental Information
Regular Meeting of the Board: December 14, 2017*

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| 5.6 | Selection of Board Member to Serve on the Salary and Benefits Committee | <i>Historically, this representative meets with the Superintendent prior to and during the "meet and confer" sessions with employee groups other than those represented by an official, exclusive representative.</i> | x | Current: D. Lander | |
| 5.7 | Board Meeting Dates, Times, Venue and Agenda Topics | <i>The 2018 schedule of Regular Meeting dates, agenda topics, venue and times will be adopted.</i> | x | | |
| | | ► Proposed Schedule | | | |
| 5.8 | Adoption of Board Bylaws 9320: Meeting Notices | <i>Review of Bylaw which designates Regular Meeting logistics.</i> | x | | |
| | | ► Board Bylaw 9320 | x | | |

ATTACHMENTS

- Description of El Dorado County School Boards Association Council/ Representative Activities
- Proposed 2018 Board Meeting Schedule
- 2017-2018 School Calendar
- 2018 Year Calendar
- Board Bylaw 9320, Meetings and Notices

El Dorado County School Boards Association Council of Representatives
Description of Council/Representative Activities

The El Dorado County School Boards Association Council of Representatives is a gathering of one board member from each of the 15 districts and one member of the county board who meet to promote the success of all school districts in the county. It is a dedicated organization with bylaws and elected officers. Historically, the council met monthly and primarily served as a networking opportunity for the exchange of ideas and information between districts. Additionally, the annual dinner to honor board members is a function of this body.

Over time, representation at the monthly meetings decreased to a small enough number that the original purpose was called into question. It was decided, and bylaws were changed, to reflect a biannual meeting schedule and a greater focus on creating local opportunities (workshops) for county board members to access new information. Workshops in specific content areas held at the County Office of Education at no cost to board members were found to be a valuable tool in assisting districts.

Recent conversations of current representatives has revealed a desire to continue to develop the workshops but additionally to return to some of the networking and collaborative conversations that were part of the original agendas of these meetings. In these times of uncertain and diminishing funds for education, working together to share ideas and resources is becoming more and more critical.

Each year, districts appoint or assign a member of the board to be the county representative. Our appeal this year is to reframe that position to encourage a membership of people who are interested in revitalizing the strength of this council by consistent attendance, at possibly more frequent meetings, to share and collaborate for the good of all our districts.

At your December organizational meetings, please consider appointing a board member who has a particular interest in the collaborative nature of this council. Additionally, it is most beneficial to have an alternate so that every district can be represented at each meeting.

| | | |
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| Gold Trail Union School District Board Meeting Schedule 2018 | | |
| Target: Second Thursday of the Month | | |
| Open Session 6:00 p.m.; Closed Session directly following open session, if applicable. | | |
| Location: Gold Trail School Library Media Center, 889 Cold Springs Rd., Placerville CA 95667 | | |
| <i>Date</i> | <i>Agenda Topics</i> | <i>Source</i> |
| Thursday, January 11, 2018 | Audit Report (Annual) | C |
| | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | BP/AR 6154, Homework Plan Review (Annual) | S |
| | BB 9270, Conflict of Interest Review (Annual) | S |
| | Filing of District Verified Signatures (Annual) | S |
| | Local Education Agency Plan (LEAP) Amendment (Annual) | C |
| | Local Control Accountability Plan (LCAP) Update | S |
| | Williams Act Uniform Complaint Procedures Quarterly Report | S |
| Thursday, February 8, 2018 | After School Sports Report & Walk-On Coach Certification (Annual) | S |
| | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | BP 4117.3, Relevance of Tie Breaking Criteria (Annual) | S |
| | BP 6145, Extracurricular and Cocurricular Activities, Review (Annual) | S |
| | Consolidated Application and Reporting System (CARS) Winter Collection (Annual) | C |
| | EDCSBA Award Nominations (Annual) | S |
| | Local Control Accountability Plan (LCAP) Update | S |
| | Reduction of Certificated Employees, If Applicable | S |
| | School Accountability Report Card (SARC) (Annual) | C |
| | School Site Council Plans and Budgets (Annual) | S |
| Thursday, March 8, 2018 | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | Calendar Adoption (Annual) | S |
| | CSBA Delegate Assembly Election, If Applicable | S |
| | EDCOE Agreement for Services (Annual) | C |
| | Local Control Accountability Plan (LCAP) Update | S |
| | Physical Fitness Test District and School Summary (Annual) | P |
| | Reduction of Certificated Employees, If Applicable | S |
| | Reduction of Classified Services, If Applicable | S |
| | Second Period Interim Financial Report (Annual) | C |
| Thursday, April 12, 2018 | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | District Fees Adjustment, If Applicable | C |
| | English Learner Program Evaluation (Annual) | S |
| | Library Media Center Program Evaluation (Annual) | S |
| | Local Control Accountability Plan (LCAP) Update | S |
| | Williams Act Uniform Complaint Procedures Quarterly Report | S |
| Thursday, May 10, 2018 | Bargaining Unit Settlement, If Applicable (Annual) | S |
| | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | Board Self Evaluation (Annual) | S |
| | Declaration of Need of Fully Qualified Educators (Annual) | H |
| | EPA/Prop 30 Fund Use Approval (Annual) | C |
| | Local Control Accountability Plan (LCAP) Update | S |
| | Reduction of Certificated Employees-Final Order, If Applicable | S |
| | Resolution: Temporary Transfer Agreement, If Applicable (Annual) | C |
| | Resolution: Year End Balance Authorization (Annual) | C |
| | Statement of Need: 30-Day Emergency Permits (Annual) | H |
| | Superintendent Evaluation (Annual) | S |

| Date | Agenda Topics | Source |
|--|---|---------------|
| Thursday, June 14, 2018 | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | Consolidated Application and Reporting System (CARS) Spring Collection (Annual) | C |
| | Independent Study Report (Annual) | S |
| | MOU EDCOE: Library Services | S |
| | Program Evaluation (Annual) | S |
| | Public Hearing for Proposed Local Control Accountability Plan (LCAP) | S |
| | Public Hearing for Proposed Budget | C |
| | Superintendent Contract (Annual) | H |
| | Tentative Fees Increase , If Applicable | C |
| | Textbook Adoptions, If Applicable | S |
| | Transportation Subcontracts: Maintenance and Training (Annual) | C |
| Thursday, June 21, 2018 | Budget Adoption (Annual) | C |
| | Local Control Accountability Plan (LCAP) Adoption (Annual) | S |
| Thursday, August 9, 2018 | Administrative Members to PAR (Annual) | S |
| | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | California Healthy Kids Survey Results (Prior Year) Annual | S |
| | Classroom Teacher Assignments (Annual) | S |
| | District Representatives to Employee Negotiations (Annual) | S |
| | Food Services Report (Prior Year) (Annual) | S |
| | NPS Services Contracts (incl. nursing services), If Applicable | C |
| | Williams Act Uniform Complaint Procedures Quarterly Report | S |
| Thursday, September 13, 2018 | Bargaining Unit Proposal Sunshine (Annual) | S |
| | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | CAC Parent Representative (Annual) | S |
| | Class Size (District) Report (Annual) | S |
| | Field Trip Survey (Annual) | S |
| | Introduction of New Employees | S |
| | Resolution: Authorization to Teach | S |
| | Resolution: Gann Appropriations Limit Calculation (Annual) | C |
| | Resolution: Sufficient Textbook and Instructional Materials (Annual) | S |
| | Unaudited Actuals (J-200) Report (Annual) | C |
| Thursday, October 11, 2018 | Annual Review of Goals and Objectives | S |
| | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | Developer Fees (Annual) | C |
| | Long Range Planning and Budget Advisory Committee/Forum | S |
| | Williams Act Uniform Complaint Procedures Quarterly Report | S |
| Thursday, November 8, 2018 | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | Call for Nominations CSBA Delegate Assembly (Annual) | S |
| | Interdistrict Report (Annual) | S |
| | Local Indicator Report (Annual) | S |
| | Teacher:Administrator Ratio (Annual) | H |
| | Teacher Assignment Report (Annual) | H |
| Thursday, December 13, 2018 (This date falls within the required time period for the Organizational Meeting.) | Board Policies, Administrative Regulations and Board Bylaws Updates | S |
| | Board Organizational Meeting (Annual) | S |
| | Comprehensive School Safety Plan (Annual) | S |
| | District Vision Review, If Applicable | S |
| | First Interim Financial Report Filed (Annual) | C |
| | Review of Board and Superintendent Protocols (Annual) | S |
| | Transportation Report (Annual) | S |
| If new trustee is seated: | New Board Photo, Swearing In of New Trustee, Update Trustee (All)Biographies | S |
| S=Superintendent; C=CBO; H=HR; P=Principal | | |

Gold Trail Union School District

2017-2018

180 Student Attendance Days

| 2017 August 12 | | | | |
|----------------|----|----|----|----|
| M | T | W | T | F |
| 31 | 1 | 2 | 3 | 4 |
| 7 | 8 | 9 | 10 | 11 |
| 14 | 15 | 16 | 17 | 18 |
| 21 | 22 | 23 | 24 | 25 |
| 28 | 29 | 30 | 31 | |

14&15 Staff Development
 14 SM K/TK Back to School Night
16 First Day of School
 17 GT Back to School Night
 24 SM 1/3 Back to School Night

| 2017 September 20 | | | | |
|-------------------|----|----|----|----|
| M | T | W | T | F |
| | | | | 1 |
| 4 | 5 | 6 | 7 | 8 |
| 11 | 12 | 13 | 14 | 15 |
| 18 | 19 | 20 | 21 | 22 |
| 25 | 26 | 27 | 28 | 29 |

1 Early Release Day (Training)
 4 Labor Day (No School)

| 2017 October 22 | | | | |
|-----------------|----|----|----|----|
| M | T | W | T | F |
| 2 | 3 | 4 | 5 | 6 |
| 9 | 10 | 11 | 12 | 13 |
| 16 | 17 | 18 | 19 | 20 |
| 23 | 24 | 25 | 26 | 27 |
| 30 | 31 | | | |

6 Early Release Day (Training)
 20 Progress Reports (Gold Trail)
 30-31 Conferences (Minimum Days)

| 2017 November 16 | | | | |
|------------------|----|----|----|----|
| M | T | W | T | F |
| | | 1 | 2 | 3 |
| 6 | 7 | 8 | 9 | 10 |
| 13 | 14 | 15 | 16 | 17 |
| 20 | 21 | 22 | 23 | 24 |
| 27 | 28 | 29 | 30 | |

1-3 Conferences (Minimum Days)
 10 Veteran's Day (No School)
 20-24 Thanksgiving Break

| 2017 December 11 | | | | |
|------------------|----|----|----|----|
| M | T | W | T | F |
| | | | | 1 |
| 4 | 5 | 6 | 7 | 8 |
| 11 | 12 | 13 | 14 | 15 |
| 18 | 19 | 20 | 21 | 22 |
| 25 | 26 | 27 | 28 | 29 |

15 Minimum Day
 15 Report Cards (Gold Trail)
 18-29 Winter Break (No School)

| 2018 January 17 | | | | |
|-----------------|----|----|----|----|
| M | T | W | T | F |
| 1 | 2 | 3 | 4 | 5 |
| 8 | 9 | 10 | 11 | 12 |
| 15 | 16 | 17 | 18 | 19 |
| 22 | 23 | 24 | 25 | 26 |
| 29 | 30 | 31 | | |

1-5 Winter Break (No School)
 15 MLK Jr. Day (No School)

| 2018 February 18 | | | | |
|------------------|----|----|----|----|
| M | T | W | T | F |
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| 5 | 6 | 7 | 8 | 9 |
| 12 | 13 | 14 | 15 | 16 |
| 19 | 20 | 21 | 22 | 23 |
| 26 | 27 | 28 | | |

2 Early Release Day (Training)
 12 Lincoln's Day (No School)
 19 President's Day (No School)

| 2018 March 17 | | | | |
|---------------|----|----|----|----|
| M | T | W | T | F |
| | | | 1 | 2 |
| 5 | 6 | 7 | 8 | 9 |
| 12 | 13 | 14 | 15 | 16 |
| 19 | 20 | 21 | 22 | 23 |
| 26 | 27 | 28 | 29 | 30 |

2 Early Release Day (Training)
 9 Progress Reports (Gold Trail)
 19-23 Conferences (Minimum Days)
 26-30 Spring Break (No School)

| 2018 April 20 | | | | |
|---------------|----|----|----|----|
| M | T | W | T | F |
| 2 | 3 | 4 | 5 | 6 |
| 9 | 10 | 11 | 12 | 13 |
| 16 | 17 | 18 | 19 | 20 |
| 23 | 24 | 25 | 26 | 27 |
| 30 | | | | |

2 Spring Break (No School)
 13 Early Release Day (Training)

| 2018 May 22 | | | | |
|-------------|----|----|----|----|
| M | T | W | T | F |
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| 7 | 8 | 9 | 10 | 11 |
| 14 | 15 | 16 | 17 | 18 |
| 21 | 22 | 23 | 24 | 25 |
| 28 | 29 | 30 | 31 | |

4 Early Release Day (Training)
 22 GT Open House/POPs Concert
 24 SM Open House
 25 Early Release Day (Training)
 28 Memorial Day (No School)

| 2018 June 5 | | | | |
|-------------|----|----|----|----|
| M | T | W | T | F |
| | | | | 1 |
| 4 | 5 | 6 | 7 | 8 |
| 11 | 12 | 13 | 14 | 15 |
| 18 | 19 | 20 | 21 | 22 |
| 25 | 26 | 27 | 28 | 29 |

7 Report Cards/Minimum Day
7 Last Day of School/Graduation
 8 Staff Work Day (Flex Day)

Arrival/Departure Times

Regular Day



GT 8:00 a.m. to 2:30 p.m.

SM 8:05 a.m. to 2:10 p.m.

Early Release/Minimum Day

GT 8:00 a.m. to 12:30 p.m.

SM 8:05 a.m. to 12:10 p.m.

 Minimum Day
 School Not in Session

Approved by Employees: March 3, 2017

Approved by Board of Trustees: March 9, 2017

Distributed to Families & Staff: March 10, 2017

5/24 UMHS Graduation

5/25 ORHS, PHS Graduation

5/26 EDHS, EDUHSD Graduation

Calendar for Year 2018 (United States)

January

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

○: 1 ●: 8 ●: 16 ●: 24 ○: 31

February

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | | | |

●: 7 ●: 15 ●: 23

March

| S | M | T | W | T | F | S |
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April

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May

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June

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July

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August

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September

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October

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November

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●: 7 ●: 15 ○: 23 ●: 29

December

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●: 7 ●: 15 ○: 22 ●: 29

Jan 1 New Year's Day
 Jan 15 Martin Luther King Jr. Day
 Feb 14 Valentine's Day
 Feb 19 Presidents' Day
 Apr 1 Easter Sunday
 Apr 13 Thomas Jefferson's Birthday
 May 13 Mother's Day

May 28 Memorial Day
 Jun 17 Father's Day
 Jul 4 Independence Day
 Sep 3 Labor Day
 Oct 8 Columbus Day (Most regions)
 Oct 31 Halloween
 Nov 11 Veterans Day

Nov 12 Veterans Day observed
 Nov 22 Thanksgiving Day
 Dec 24 Christmas Eve
 Dec 25 Christmas Day
 Dec 31 New Year's Eve

Gold Trail Union SD

Board Bylaw

Meetings And Notices

BB 9320

Board Bylaws

Meetings of the Board of Trustees are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

A Board meeting exists whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Regular Meetings

The Board shall hold one regular meeting each month. Regular meetings shall be held at 6:00 p.m. on the second Thursday at Gold Trail School.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's Internet web site. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)

(cf. 1340 - Access to District Records)

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

(cf. 2121 - Superintendent's Contract)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's Internet web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An emergency situation means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time he/she notifies the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

A majority vote by the Board may adjourn/continue any regular or special meeting to a later time and place that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

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

Meetings shall be held within district boundaries, except to do any of the following:
(Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe,

meetings shall be held for the duration of the emergency at a place designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

Legal Reference:

EDUCATION CODE

- 35140 Time and place of meetings
- 35143 Annual organizational meeting, date, and notice
- 35144 Special meeting
- 35145 Public meetings
- 35145.5 Agenda; public participation; regulations
- 35146 Closed sessions
- 35147 Open meeting law exceptions and applications

GOVERNMENT CODE

- 3511.1 Local agency executives
- 11135 State programs and activities, discrimination
- 54950-54963 The Ralph M. Brown Act, especially:
 - 54953 Meetings to be open and public; attendance
 - 54954 Time and place of regular meetings

54954.2 Agenda posting requirements, board actions

54956 Special meetings; call; notice

54956.5 Emergency meetings

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

COURT DECISIONS

Wolfe v. City of Fremont, (2006) 144 Cal.App. 544

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 218 (2005)

84 Ops.Cal.Atty.Gen. 181 (2001)

84 Ops.Cal.Atty.Gen. 30 (2001)

79 Ops.Cal.Atty.Gen. 69 (1996)

78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2009

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

The ABCs of Open Government Laws

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

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

WEB SITES

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

CSBA, Agenda Online:

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

California Attorney General's Office: <http://www.ag.ca.gov>

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

League of California Cities: <http://www.cacities.org>

Bylaw GOLD TRAIL UNION SCHOOL DISTRICT

adopted: December 11, 2014 Placerville, California

*Gold Trail Union School District
Supplemental Information
Regular Meeting of the Board: December 14, 2017*

| |
|--------------------|
| RECOGNITION |
|--------------------|

6. **RECOGNITION:** The Board will recognize Crossroads Veterinary Hospital for their support of the eighth grade teaching program at Gold Trail School.
7. **RECOGNITION:** The Board will recognize Flying Ace T-Shirts for their continued support of the 6th grade program at Gold Trail School.

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: December 14, 2017*

| |
|--|
| AGENDA ITEM 8.0 REPORT: Student Council |
|--|

BACKGROUND

Alexys Wallace, 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: December 14, 2017*

| |
|---|
| AGENDA ITEM 9.0 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

AGENDA ITEM 10.0

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 November 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 Personnel

Hiring

J. Hanks, Athletic Coach: Wrestling, effective 2017-18 school year

H. Perry, Teacher Associate Deaf and Hard of Hearing, 6.0 hours per day, 2 days per week, effective November 7, 2017

Resignation

B. Aguilar, Teacher Associate Deaf and Hard of Hearing, 6.0 hours per day, 2 days per week, effective November 7, 2017

The Board will take action to approve the personnel activity

.4 Comprehensive School Safety Plan (BP0450)

The Board will take action to approve the plan.

.5 Nonpublic, Nonsectarian School/Agency Services Master Contract: Action Supportive Care Services 2017-18

The Board will approve the contract between Action Supportive Care Services and the Gold Trail Union School District for contingency medical services for the 2017-18 school year.

.6 Second Reading of Board Policies, Administrative Regulations and Board Bylaws

BP 0400, Comprehensive Plans (BP revised)

BP/AR 0460, Local Control and Accountability Plan (BP/AR revised)

BP 0500, Accountability (BP revised)

BP/AR 0520.2, Title I Program Improvement Schools (BP/AR both deleted)

BP 0520.3, Title I Program Improvement Districts (BP deleted)

BP/AR 1113, District and School Web Sites (BP/AR revised)

BP 3280, Sale or Lease of District-Owned Real Property (BP revised)

BP 3513.4, Drug and Alcohol Free Schools (BP NEW)

AR 3515.6, Criminal Background Checks for Contractors (AR revised)

BP 4140/4240/4340, Bargaining Units (BP revised)

BP/AR 5113.1, Chronic Absence and Truancy (BP/AR revised)

BP/AR 5117, Interdistrict Attendance (BP/AR revised)

AR 5125.2, Withholding Grades, Diploma or Transcripts (AR revised)

BP 5131.6, Alcohol and Other Drugs (BP revised)

*Gold Trail Union School District
Supplemental Information
Regular Meeting of the Board: December 14, 2017*

E 5131.63, Steroids (E deleted)
BP/AR 6020, Parent Involvement (BP/AR revised)
BP 6153, School-Sponsored Trips (BP revised)
AR 6173.1, Education for Foster Youth (AR revised)
BP/AR 6173.2, Education of Children of Military Families (BP/AR revised)
The Board will take action to adopt the roster.

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> |

AGENDA ITEM

Consent

10.1 Meeting Minutes (Board Bylaw 9324)
Regular Meeting of November 9, 2017

BACKGROUND

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

ATTACHMENTS

➤ **Regular Meeting of November 9, 2017**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to 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



District Office

1575 Old Ranch Road
Placerville, CA 95667
1.530.626.3194
Fax 1.530.626.3199
Scott Lyons
Superintendent

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
Scott Lyons
Superintendent/Principal

Gold Trail School (4-8)

889 Cold Springs Road
Placerville, CA 95667
1.530.626.2595
Fax 1.530.626.3289
Boyd Holler
Principal

*An Equal Opportunity
Employer*

BOARD OF TRUSTEES

Regular and Closed Session Meeting

Thursday, November 9, 2017

OPEN AND CLOSED SESSION MINUTES

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. Bauer, S. Hennike, and M. Howser

Members absent: J. Barbieri and D. Lander

2. PUBLIC SESSION

Alexys Wallace, student council president, led the flag salute.

3. ACTION ITEM: Adoption of Agenda

MOTION WAS MADE by J. Bauer and duly seconded by M. Howser to adopt the agenda with no changes, and the vote was as follows:

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

NOES: None

ABSENCES: J. Barbieri and D. Lander

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

Alexys Wallace, student council president, reported on Student Council activities.

6. REPORT: Parent Teacher Organization

Fran Little, PTO president, reported on PTO activities.

7. REPORT: Gold Trail Federation of Educators

Terry Aguilar, vice-president, reported on Federation activities.

8. REPORT: Inter-District Transfers

Scott Lyons, superintendent, reported on current inter-district enrollment.

9. REPORT: Local Performance Indicators

Scott Lyons, superintendent, reported on the process that the district uses to determine student progress in priority areas in the new State accountability system, and also reported on the actual progress that our students made.

10. REPORT: Kindergarten Program

Mary James and Barbara Wagner, Kindergarten teachers, reported on the Kindergarten Program at Sutter's Mill School.

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 October 12, 2017

.2 Warrants (BP 3314)

.3 Personnel

Hiring

F. Davis, Courier, .75 hour, effective October 16, 2017

D. Farrell, Lead Bus Driver, .75 hour, effective October 16, 2017

M Webb, Teacher Associate, 2.5 hours, effective October 17, 2017

Resignation

F. Davis, Playground Monitor, .75 hour, effective October 13, 2017

D. Farrell, Courier, .75 hour, effective October 13, 2017

The Board will take action to approve the personnel activity

.4 2017-18 Teacher Assignment

.5 2017-18 Teacher: Administration Ratio

.6 Annual Organizational Meeting

MOTION WAS MADE by J. Bauer and duly seconded by M. Howser to adopt the consent agenda with no changes, and the vote was as follows:

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

NOES: None

ABSENCES: J. Barbieri and D. Lander

ABSTENSIONS: None

MOTION CARRIED

12. ACTION ITEM: Call for Nominations, CSBA Delegate Assembly (Annual)

No recommendation to the assembly was made, no action was taken.

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

AR 6112, School Day (AR revised)

BP 6170.1, Transitional Kindergarten (BP revised)

After taking into consideration the views of the Kindergarten teachers, MOTION WAS MADE by M. Howser and duly seconded by J. Bauer to table AR 6112 and BP 6170.1 and bring back for further discussion reflecting changes regarding early admittance to the District Trans Kindergarten program, and the vote was as follows:

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

NOES: None

ABSENCES: J. Barbieri and D. Lander

ABSTENSIONS: None

MOTION CARRIED

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

BP 0400, Comprehensive Plans (BP revised)

BP/AR 0460, Local Control and Accountability Plan (BP/AR revised)

BP 0500, Accountability (BP revised)

BP/AR 0520.2, Title I Program Improvement Schools (BP/AR both deleted)

BP 0520.3, Title I Program Improvement Districts (BP deleted)

BP/AR 1113, District and School Web Sites (BP/AR revised)

BP 3280, Sale or Lease of District-Owned Real Property (BP revised)

BP 3513.4, Drug and Alcohol Free Schools (BP NEW)

AR 3515.6, Criminal Background Checks for Contractors (AR revised)

BP 4140/4240/4340, Bargaining Units (BP revised)

BP/AR 5113.1, Chronic Absence and Truancy (BP/AR revised)

BP/AR 5117, Interdistrict Attendance (BP/AR revised)

AR 5125.2, Withholding Grades, Diploma or Transcripts (AR revised)

BP 5131.6, Alcohol and Other Drugs (BP revised)

E 5131.63, Steroids (E deleted)

BP/AR 6020, Parent Involvement (BP/AR revised)

BP 6153, School-Sponsored Trips (BP revised)

AR 6173.1, Education for Foster Youth (AR revised)

BP/AR 6173.2, Education of Children of Military Families (BP/AR revised)

Motion was made by J. Bauer and duly seconded by M. Howser to adopt the roster for first reading, and the vote was as follows:

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

NOES: None

ABSENCES: J. Barbieri and D. Lander

ABSTENSIONS: None

MOTION CARRIED

15. DISCUSSION ITEM: Administrative Reports

The Board members and administration reported on District activities.

16. CLOSED SESSION OPEN HEARING

Closed session was cancelled.

17. FUTURE REGULAR MEETING SCHEDULE

Date: December 14, 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 Bylaws Updates

Board Organizational Meeting (Annual)

District Vision Review

First Interim Financial Report Filed (Annual)

Review of Board and Superintendent Protocols (Annual)

Transportation Report (Annual)

There being no further business to come before the Board, MOTION WAS MADE by J. Bauer and duly seconded by M. Howser and carried to adjourn the meeting 7:29 p.m. and the vote was as follows:

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

NOES: None

ABSENCES: J. Barbieri and D. Lander

ABSTENSIONS: None

MOTION CARRIED

S. Hennike, President

S. Lyons, Secretary

AGENDA ITEM

Consent

10.2 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

The Board will take action to approve the expenditures.

NOTES

If pulled from Consent

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

11/07/17 PAGE 1

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/07/2017

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE | LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA | NUM | ACCOUNT NUM | DESCRIPTION | AMOUNT |
|----------|---------------------|---------------------------|----|----|------|---|------|------|------|-----|------|----|-----|-----|-----|-------------|-------------------------------|------------|
| 80575255 | 100708/ | AERIES SOFTWARE | | | | | | | | | | | | | | | | |
| | 185058 | PO-180058 | 1. | 01 | 0000 | 0 | 5875 | 0000 | 2700 | 002 | 1210 | 00 | 000 | | | | M&S-5917 SM SIS SFTWR SUPPORT | 780.90 |
| | 185058 | | 2. | 01 | 0000 | 0 | 5875 | 0000 | 2700 | 003 | 1210 | 00 | 000 | | | | M&S-5917 GT SIS SFTWR SUPPORT | 780.90 |
| | 185058 | | 3. | 01 | 0000 | 0 | 5875 | 0000 | 7200 | 000 | 1210 | 00 | 000 | | | | M&S-5917 DIST SFTWR SUPPORT | 1,561.80 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$3,123.60 |
| 80575256 | 101635/ | ANCIENT ARTIFACTS | | | | | | | | | | | | | | | | |
| | | PV-180209 | | 01 | 0000 | 0 | 5800 | 1110 | 1000 | 003 | 0105 | 00 | 000 | | | | 3171130 5TH GR PRESENTATION | 585.00 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$585.00 |
| 80575257 | 000623/ | ARNOLDS FOR AWARDS | | | | | | | | | | | | | | | | |
| | | PV-180210 | | 01 | 0000 | 0 | 4300 | 0000 | 7100 | 000 | 0000 | 00 | 000 | | | | 79374 EMPLOYEE NAMEPLATE | 13.89 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$13.89 |
| 80575258 | 100716/ | AT&T | | | | | | | | | | | | | | | | |
| | | PV-180211 | | 01 | 0000 | 0 | 5901 | 0000 | 7700 | 000 | 1210 | 00 | 000 | | | | 10407445 T-1 | 191.06 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$191.06 |
| 80575259 | 101505/ | SARAH CANFIELD | | | | | | | | | | | | | | | | |
| | | PV-180212 | | 01 | 0000 | 0 | 4300 | 1110 | 1000 | 003 | 0300 | 77 | 000 | | | | CLASSROOM SUPPLIES | 56.16 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$56.16 |
| 80575260 | 101618/ | DE LAGE LANDEN | | | | | | | | | | | | | | | | |
| | 185017 | PO-180017 | 1. | 01 | 0000 | 0 | 7439 | 0000 | 9100 | 000 | 1210 | 00 | 000 | | | | 56671030 D O COPIER | 252.13 |
| | 185017 | | 2. | 01 | 0000 | 0 | 7439 | 0000 | 9100 | 002 | 1210 | 00 | 000 | | | | 56671030 SM COPIER | 207.27 |
| | 185037 | PO-180037 | 1. | 01 | 1100 | 0 | 5600 | 1110 | 1000 | 003 | 1210 | 00 | 000 | | | | 56704217 GT COPIER | 165.55 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$624.95 |
| 80575261 | 021726/ | ROBYN DUKES | | | | | | | | | | | | | | | | |
| | | PV-180213 | | 01 | 0000 | 0 | 4300 | 1110 | 1000 | 002 | 0300 | 45 | 000 | | | | AYRE CLASSROOM SUPPLIES | 21.82 |
| | | | | 01 | 0000 | 0 | 4300 | 1110 | 1000 | 002 | 0300 | 46 | 000 | | | | BRANDT CLASSROOM SUPPLIES | 21.81 |
| | | | | 01 | 0000 | 0 | 4300 | 1110 | 1000 | 002 | 0300 | 47 | 000 | | | | DUKES/MATYAC CLSRM SUPPLIES | 29.92 |
| | | | | | | | | | | | | | | | | | WARRANT TOTAL | \$73.55 |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8011 GTUSD ACCOUNTS PAYABLE

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|------------------------------|----|------|------|--------|------|------|-----|------|----|-----|---------|------------------------------|------------|
| 80575262 | 101730/ | DANIELLE EDNEY | | | | | | | | | | | | | |
| | | PV-180214 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 002 | 0300 | 54 | 000 | | CLASSROOM SUPPLIES | 240.91 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$240.91 |
| 80575263 | 000738/ | EL DORADO DISPOSAL | | | | | | | | | | | | | |
| | | PV-180215 | | 01 | 0000 | 0-5560 | 0000 | 8100 | 002 | 0000 | 00 | 000 | | 172659604 SM | 760.45 |
| | | | | 01 | 0000 | 0-5560 | 0000 | 8100 | 003 | 0000 | 00 | 000 | | 172659583 GT | 1,088.36 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$1,848.81 |
| 80575264 | 101923/ | FOLSOM VALLEY RAILWAY | | | | | | | | | | | | | |
| | | PV-180216 | | 01 | 0000 | 0-5835 | 1110 | 1000 | 002 | 0100 | 00 | 000 | | TRAIN - KINDER FOLSOM ZOO FT | 201.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$201.00 |
| 80575265 | 101115/ | AMBER GARCIA | | | | | | | | | | | | | |
| | | PV-180217 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 67 | 000 | | CLASSROOM SUPPLIES | 100.94 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$100.94 |
| 80575266 | 005675/ | GOPHER SPORT | | | | | | | | | | | | | |
| | 185057 | PO-180057 | 1. | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 91 | 000 | | 9382243 GT P E EQUIPMENT | 1,083.14 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$1,083.14 |
| 80575267 | 101665/ | SHARI HARM | | | | | | | | | | | | | |
| | | PV-180218 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 002 | 0300 | 58 | 000 | | CLASSROOM SUPPLIES | 230.79 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$230.79 |
| 80575268 | 100904/ | HILLYARD/SACRAMENTO | | | | | | | | | | | | | |
| | 185059 | PO-180059 | 1. | 01 | 0000 | 0-4300 | 0000 | 8100 | 000 | 0000 | 00 | 000 | | 602747623 CUSTODIAL SUPPLIES | 2,742.78 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$2,742.78 |
| 80575269 | 101087/ | CARINA JACKSON | | | | | | | | | | | | | |
| | | PV-180219 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 76 | 000 | | CLASSROOM SUPPLIES | 105.54 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$105.54 |
| 80575270 | 101168/ | MARILYN KITT | | | | | | | | | | | | | |
| | | PV-180220 | | 01 | 0000 | 0-5200 | 0000 | 3140 | 000 | 0000 | 00 | 000 | | CSNO ANNUAL CONFERENCE | 445.00 |
| | | | | 01 | 0000 | 0-5200 | 0000 | 3140 | 000 | 0000 | 00 | 000 | | AIRFARE CSNO CONFERENCE | 202.97 |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/07/2017

11/07/17 PAGE 3

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8011 GTUSD ACCOUNTS PAYABLE

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|---------------|---------------------|--------------------------------|----|------|---|--|------|------|-----|------|----|-----|---------|--------------------------------|-------------|
| WARRANT TOTAL | | | | | | | | | | | | | | | \$647.97 |
| 80575271 | 012168/ | SCOTT LYONS | | | | | | | | | | | | | |
| | | PV-180221 | | | | 01-0000-0-5210-0000-7100-000-0000-00-000 | | | | | | | | MILEAGE OCTOBER 2017 | 112.20 |
| | | | | | | 01-0000-0-5210-0000-7200-000-0000-00-000 | | | | | | | | MILEAGE OCTOBER 2017 | 50.88 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$163.08 |
| 80575272 | 101233/ | MCGRRAW-HILL SCHOOL EDUCATION | | | | | | | | | | | | | |
| | | 185032 PO-180032 | 1. | | | 01-0600-0-5875-1110-1000-003-1210-04-000 | | | | | | | | 100313472001 ALEK SUBSCRIPTION | 31.25 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$31.25 |
| 80575273 | 100834/ | MARGARET MOORE | | | | | | | | | | | | | |
| | | PV-180222 | | | | 01-0000-0-4300-0000-3140-000-0000-00-000 | | | | | | | | NURSE SUPPLIES | 26.98 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$26.98 |
| 80575274 | 003269/ | SANDI MORGAN | | | | | | | | | | | | | |
| | | PV-180223 | | | | 01-0000-0-4300-1110-1000-003-0300-74-000 | | | | | | | | CLASSROOM SUPPLIES | 501.20 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$501.20 |
| 80575275 | 101651/ | MYBINDING.COM | | | | | | | | | | | | | |
| | | PO-183058 | 1. | | | 01-0000-0-4300-1110-1000-003-0000-00-000 | | | | | | | | 058227 GT LAMINATING FILM | 242.44 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$242.44 |
| 80575276 | 101157/ | NORCAL KENWORTH | | | | | | | | | | | | | |
| | | 185055 PO-180055 | 1. | | | 01-0000-0-5600-0000-3600-000-0000-00-000 | | | | | | | | T136829 REPAIRS BUS #2 | 10,583.67 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$10,583.67 |
| 80575277 | 021298/ | THERESA ORIO | | | | | | | | | | | | | |
| | | PV-180224 | | | | 01-0000-0-5210-0000-7100-000-0000-00-000 | | | | | | | | MILEAGE OCTOBER 2017 | 56.60 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$56.60 |
| 80575278 | 000232/ | PACIFIC GAS & ELECTRIC COMPANY | | | | | | | | | | | | | |
| | | PV-180225 | | | | 01-0000-0-5540-0000-8100-000-0000-00-000 | | | | | | | | 0991367996-6 EXT DAY | 12.94- |
| | | | | | | 01-0000-0-5540-0000-8100-002-0000-00-000 | | | | | | | | 0991367996-6 SM | 2,656.79 |
| | | | | | | 01-0000-0-5540-0000-8100-003-0000-00-000 | | | | | | | | 0991367996-6 GT | 6,511.08 |
| | | | | | | WARRANT TOTAL | | | | | | | | | \$9,154.93 |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8011 GTUSD ACCOUNTS PAYABLE

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|-------------------------------|----|------|------|--------|------|------|-----|------|----|-----|---------|----------------------------|-------------|
| 80575279 | 101165/ | JULIE REYNOLDS | | | | | | | | | | | | | |
| | | PV-180226 | | 01 | 0000 | 0-4300 | 0000 | 2700 | 003 | 0000 | 33 | 000 | | GT BULLETIN BOARDS | 162.34 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$162.34 |
| 80575280 | 011513/ | RISO PRODUCTS OF SACRAMENTO | | | | | | | | | | | | | |
| | | PV-180227 | | 01 | 0000 | 0-4300 | 0000 | 2700 | 003 | 0000 | 33 | 000 | | 176412 GT COPIER STAPLES | 72.53 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$72.53 |
| 80575281 | 101914/ | SACRAMENTO REFRIGERATION INC | | | | | | | | | | | | | |
| | | PV-180228 | | 13 | 5310 | 0-5600 | 0000 | 3700 | 000 | 0000 | 00 | 000 | | 9815 REPAIRS SM FREEZER | 180.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$180.00 |
| 80575282 | 101892/ | SUSANA SARMAGO | | | | | | | | | | | | | |
| | | PV-180229 | | 01 | 0000 | 0-5210 | 1110 | 1000 | 000 | 0000 | 00 | 000 | | MILEAGE - OCTOBER 2017 | 20.14 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$20.14 |
| 80575283 | 101128/ | SCHOOLS INSURANCE AUTHORITY | | | | | | | | | | | | | |
| | | PV-180230 | | 01 | 0000 | 0-9587 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | EMP VISION - NOV 2017 | 1,597.32 |
| | | | | 01 | 0000 | 0-9587 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | RET VISION - NOV 2017 | 550.80 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$2,148.12 |
| 80575284 | 101209/ | SELF-INSURED SCHOOLS OF CALIF | | | | | | | | | | | | | |
| | | PV-180231 | | 01 | 0000 | 0-9570 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | EMP MED - NOV 2017 | 63,647.00 |
| | | | | 01 | 0000 | 0-9570 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | RET MED - NOV 2017 | 6,363.00 |
| | | | | 01 | 0000 | 0-9586 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | EMP DENTAL - NOV 2017 | 6,555.00 |
| | | | | 01 | 0000 | 0-9586 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | RET DENTAL - NOV 2017 | 2,016.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$78,581.00 |
| 80575285 | 101685/ | EVAN THURLO | | | | | | | | | | | | | |
| | | PV-180232 | | 01 | 0000 | 0-5210 | 0000 | 8100 | 000 | 0000 | 00 | 000 | | MILEAGE OCTOBER 2017 | 55.12 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$55.12 |
| 80575286 | 101027/ | MICHELE WAGSTROM | | | | | | | | | | | | | |
| | | PV-180233 | | 01 | 0000 | 0-5210 | 0000 | 7200 | 000 | 0000 | 00 | 000 | | MILEAGE OCTOBER 2017 | 78.44 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$78.44 |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/07/2017

11/07/17 PAGE 5

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8011 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 | | |
| 80575287 | 013563/ | WALKER'S OFFICE SUPPLIES | | | | |
| | PO-183051 | 1. | 01-0000-0-4300-1110-1000-000-0000-00-000 | 1079947-0 | DISTRICT PAPER | 964.93 |
| | | 2. | 01-0000-0-4300-1110-1000-002-0000-00-000 | 1082532-0 | SM RPRT CRD PAPER | 90.07 |
| | | 2. | 01-0000-0-4300-1110-1000-002-0000-00-000 | 1079947-1 | SM RPRT CRD PAPER | 85.75 |
| | | 2. | 01-0000-0-4300-1110-1000-002-0000-00-000 | 1079947-0 | SM RPRT CRD PAPER | 85.74 |
| | | 2. | 01-0000-0-4300-1110-1000-002-0000-00-000 | C1079947-1 | EXCHANGE PAPER | 85.75- |
| | | 2. | 01-0000-0-4300-1110-1000-002-0000-00-000 | C1079947-0 | EXCHNG PAPER | 85.75- |
| | | | WARRANT TOTAL | | | \$1,054.99 |
| *** | BATCH TOTALS *** | | TOTAL NUMBER OF CHECKS: | 33 | TOTAL AMOUNT OF CHECKS: | \$114,982.92* |
| | | | TOTAL ACH GENERATED: | 0 | TOTAL AMOUNT OF ACH: | \$.00* |
| | | | TOTAL EFT GENERATED: | 0 | TOTAL AMOUNT OF EFT: | \$.00* |
| | | | TOTAL PAYMENTS: | 33 | TOTAL AMOUNT: | \$114,982.92* |
| *** | DISTRICT TOTALS *** | | TOTAL NUMBER OF CHECKS: | 33 | TOTAL AMOUNT OF CHECKS: | \$114,982.92* |
| | | | TOTAL ACH GENERATED: | 0 | TOTAL AMOUNT OF ACH: | \$.00* |
| | | | TOTAL EFT GENERATED: | 0 | TOTAL AMOUNT OF EFT: | \$.00* |
| | | | TOTAL PAYMENTS: | 33 | TOTAL AMOUNT: | \$114,982.92* |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/20/2017

11/20/17 PAGE 1

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|--------------------------------|----|------|------|--------|------|------|------|------|----|-----|---------|----------------------------|------------|
| 80576654 | 008233/ | AMERICAN FIDELITY ASSURANCE | | | | | | | | | | | | | |
| | | PV-180235 | | 01 | 0000 | 0-9582 | 0000 | 0000 | 0000 | 0000 | 00 | 000 | | B679437 NOVEMBER 2017 | 1,558.18 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$1,558.18 |
| 80576655 | 007568/ | AMERICAN FIDELITY ASSURANCE CO | | | | | | | | | | | | | |
| | | PV-180236 | | 01 | 0000 | 0-9582 | 0000 | 0000 | 0000 | 0000 | 00 | 000 | | 1583533A NOVEMBER 2017 | 575.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$575.00 |
| 80576656 | 100716/ | AT&T | | | | | | | | | | | | | |
| | | PV-180234 | | 01 | 0000 | 0-5901 | 0000 | 2700 | 003 | 1210 | 00 | 000 | | 10438332 GT | 14.08 |
| | | | | 01 | 0000 | 0-5901 | 0000 | 7200 | 000 | 1210 | 00 | 000 | | 10438331 D O | 50.51 |
| | | | | 01 | 0000 | 0-5901 | 0000 | 7700 | 000 | 1210 | 00 | 000 | | 10438329 PRI | 316.03 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$380.62 |
| 80576657 | 011529/ | THE DANIELSEN CO | | | | | | | | | | | | | |
| | | 185038 PO-180038 | 1. | 13 | 5310 | 0-4700 | 0000 | 3700 | 000 | 0800 | 00 | 000 | | 146435 LUNCH FOOD | 886.39 |
| | | 185038 | 2. | 13 | 5310 | 0-4700 | 0000 | 3700 | 000 | 0801 | 00 | 000 | | 146435 BREAKFAST FOOD | 549.62 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$1,436.01 |
| 80576658 | 100999/ | DAWSON OIL COMPANY | | | | | | | | | | | | | |
| | | 185044 PO-180044 | 1. | 01 | 0000 | 0-4370 | 0000 | 3600 | 000 | 0000 | 00 | 000 | | 73191 BUS FUEL OCT 2017 | 2,449.39 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$2,449.39 |
| 80576659 | 101585/ | DECKER EQUIPMENT | | | | | | | | | | | | | |
| | | 185056 PO-180056 | 1. | 01 | 0000 | 0-4400 | 0000 | 8100 | 003 | 0462 | 00 | 000 | | 215080A GT RESTROOM PANELS | 4,979.40 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$4,979.40 |
| 80576660 | 008318/ | EL DORADO COUNTY ENVIRONMENTAL | | | | | | | | | | | | | |
| | | PV-180237 | | 13 | 5310 | 0-5800 | 0000 | 3700 | 002 | 0000 | 00 | 000 | | IN0102577 SM CAFE PERMIT | 492.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$492.00 |
| 80576661 | 000126/ | EL DORADO COUNTY OFFICE | | | | | | | | | | | | | |
| | | PV-180238 | | 01 | 6500 | 0-5809 | 5770 | 1120 | 000 | 0000 | 00 | 000 | | 180323 1-1 AIDES SEP 2017 | 1,053.42 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$1,053.42 |
| 80576662 | 000626/ | EL DORADO IRRIGATION DISTRICT | | | | | | | | | | | | | |
| | | PV-180239 | | 01 | 0000 | 0-5520 | 0000 | 8100 | 000 | 0000 | 00 | 000 | | 078351-001 EXT DAY | 141.44 |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE | LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|-----------------------------|----|----|------|----|------|--|------|-----|------|----|-----|---------|----------------------------|------------|
| | | | | | | | | 01-0000-0-5520-0000-8100-002-0000-00-000 | | | | | | | 078350-001 SM | 2,533.46 |
| | | | | | | | | 01-0000-0-5520-0000-8100-003-0000-00-000 | | | | | | | 052522-001 GT | 254.31 |
| | | | | | | | | WARRANT TOTAL | | | | | | | | \$2,929.21 |
| 80576663 | 100670/ | EMPLOYMENT DEVELOPMENT DEPT | | | | | | | | | | | | | | |
| | | PV-180240 | | | | | | 01-0000-0-3501-1110-1000-000-0000-00-000 | | | | | | | L0635549856 LEC UI CHARGES | 1,309.95 |
| | | | | | | | | WARRANT TOTAL | | | | | | | | \$1,309.95 |
| 80576664 | 006357/ | FLYING ACE T-SHIRTS | | | | | | | | | | | | | | |
| | | PV-180241 | | | | | | 01-0000-0-4300-1110-1000-002-0101-00-000 | | | | | | | 8262 FIRST GRADE TSHIRTS | 314.37 |
| | | | | | | | | WARRANT TOTAL | | | | | | | | \$314.37 |
| 80576665 | 100036/ | FOOTHILL FOOD SERVICE INC | | | | | | | | | | | | | | |
| | 185039 | PO-180039 | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491822 LUNCH FOOD | 382.17 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 490546 LUNCH FOOD | 579.89 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491024 LUNCH FOOD | 235.41 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 490656 LUNCH FOOD | 178.19 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 490547 LUNCH FOOD | 326.77 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 490119 LUNCH FOOD | 351.45 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 490117 LUNCH FOOD | 494.06 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491133 LUNCH FOOD | 390.85 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491132 LUNCH FOOD | 240.60 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491131 LUNCH FOOD | 153.56 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491134 LUNCH FOOD | 165.13 |
| | 185039 | | | | | 1. | | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | 491823 LUNCH FOOD | 331.48 |
| | 185039 | | | | | 2. | | 13-5310-0-4700-0000-3700-000-0801-00-000 | | | | | | | 491024 BREAKFAST FOOD | 72.40 |
| | 185039 | | | | | 2. | | 13-5310-0-4700-0000-3700-000-0801-00-000 | | | | | | | 490656 BREAKFAST FOOD | 16.98 |
| | 185039 | | | | | 2. | | 13-5310-0-4700-0000-3700-000-0801-00-000 | | | | | | | 490546 BREAKFAST FOOD | 149.89 |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| 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 | | |
| 185039 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | 491133 | BREAKFAST FOOD | 17.27 |
| 185039 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | 490649 | BREAKFAST FOOD | 75.53 |
| 185039 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | 490547 | BREAKFAST FOOD | 57.61 |
| 185039 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | 490119 | BREAKFAST FOOD | 33.97 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 491473 | ALA CARTE FOOD | 25.68 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 491133 | ALA CARTE FOOD | 21.29 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 491024 | ALA CARTE FOOD | 16.66 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 490656 | ALA CARTE FOOD | 3.31 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 490546 | ALA CARTE FOOD | 44.86 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 490547 | ALA CARTE FOOD | 52.38 |
| 185039 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | 491474 | ALA CARTE FOOD | 39.03 |
| | | | WARRANT TOTAL | | | \$4,456.42 |
| 80576666 | 079952/ | | GOLD STAR FOODS INC | | | |
| 185040 | PO-180040 | 1. | 13-5310-0-4700-0000-3700-000-0800-00-000 | 2197598 | LUNCH FOOD | 1,039.98 |
| 185040 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | 2197598 | BREAKFAST FOOD | 1,364.57 |
| | | | WARRANT TOTAL | | | \$2,404.55 |
| 80576667 | 101708/ | | GROWING HEALTHY CHILDREN | | | |
| | PV-180242 | | 01-6500-0-5806-5770-1120-000-0000-00-000 | GTUSD_1710 | OT SVCS OCT 2017 | 761.25 |
| | | | WARRANT TOTAL | | | \$761.25 |
| 80576668 | 101087/ | | CARINA JACKSON | | | |
| | PV-180243 | | 01-0000-0-4300-1110-1000-003-0300-76-000 | | CLASSROOM SUPPLIES | 69.36 |
| | | | WARRANT TOTAL | | | \$69.36 |
| 80576669 | 009356/ | | OFFICE DEPOT | | | |
| | PO-183044 | 1. | 01-0000-0-4300-0000-2700-003-0000-33-000 | 965008278001 | GT OFC SUPPLIES | 163.97 |
| | | 1. | 01-0000-0-4300-0000-2700-003-0000-33-000 | 966735207001 | GT OFC SUPPLIES | 162.34 |
| | | 1. | 01-0000-0-4300-0000-2700-003-0000-33-000 | 967858915001 | GT OFFICE SUPPLIE | 162.34- |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE | LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|---------|---------------------|---------------------------|----|----|------|---|------|--|------|-----|------|----|-----|---------|--------------------------------|---------|
| | | | 1. | | | | | 01-0000-0-4300-0000-2700-003-0000-33-000 | | | | | | | 966735205001 GT OFC SUPPLIES | 108.23- |
| | PO-183050 | | 1. | | | | | 01-0000-0-4300-1110-1000-000-0000-00-000 | | | | | | | 969312925001 DIST PAPER | 397.37 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-000-0000-00-000 | | | | | | | 969313848001 DIST PAPER | 93.87 |
| | PO-183053 | | 1. | | | | | 01-0000-0-4300-0000-2700-003-0000-33-000 | | | | | | | 970420426001 GT OFC SUPPLIES | 62.03 |
| | PO-183054 | | 1. | | | | | 01-0000-0-4300-0000-7200-000-0000-00-000 | | | | | | | 970595984001 D O SUPPLIES | 76.28 |
| | PO-183056 | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-68-000 | | | | | | | 972367529001 CLARK CLS SUPPL | 64.71 |
| | PO-183057 | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-57-000 | | | | | | | 972936324001 ZORN CLS SUPPLY | 14.91 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-57-000 | | | | | | | 972936535001 ZORN CLS SUPPLY | 58.35 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-57-000 | | | | | | | 972936534001 ZORN CLS SUPPLY | 22.72 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-57-000 | | | | | | | 974353035001 ZORN CLS SUPPLY | 2.58 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-57-000 | | | | | | | 973222787001 ZORN CLS SUPPLY | 62.56 |
| | PO-183059 | | 1. | | | | | 01-0000-0-4300-1110-1000-002-0300-57-000 | | | | | | | 976950548001 ZORN CLS SUPPLY | 68.40 |
| | PO-183060 | | 1. | | | | | 01-0000-0-4300-0000-2700-003-0000-33-000 | | | | | | | 977161803001 GT OFC SUPPLIES | 46.34 |
| | | | 1. | | | | | 01-0000-0-4300-0000-2700-003-0000-33-000 | | | | | | | 977160633001 GT OFC SUPPLIES | 26.94 |
| | PO-183061 | | 1. | | | | | 01-0000-0-4300-0000-7200-000-0000-00-000 | | | | | | | 977901139001 D O OFC SUPPLIES | 75.31 |
| | PO-183062 | | 1. | | | | | 01-0000-0-4300-0000-7200-000-0000-00-000 | | | | | | | 978587006001 D O OFC SUPPLIES | 51.55 |
| | PO-183063 | | 1. | | | | | 01-0000-0-4300-1110-1000-003-0300-64-000 | | | | | | | 977396040001 HARRIS CLS SUPPLY | 6.66 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-003-0300-64-000 | | | | | | | 977395863001 HARRIS CLS SUPPLY | 73.69 |
| | PO-183064 | | 1. | | | | | 01-0000-0-4300-1110-1000-003-0300-63-000 | | | | | | | 978323155001 POULSEN CLS SUPPL | 62.12 |
| | | | 1. | | | | | 01-0000-0-4300-1110-1000-003-0300-63-000 | | | | | | | 978322503001 POULSEN CLS SUPPL | 71.12 |
| | PV-180244 | | | | | | | 01-0000-0-4300-0000-7200-000-0000-00-000 | | | | | | | 956280821001 RETURN CREDIT | 23.04- |
| | PV-180245 | | | | | | | 01-0000-0-4300-1110-1000-003-0300-62-000 | | | | | | | 967551258001 ROMIG CLSRM SUPPL | 55.86 |
| | PV-180246 | | | | | | | 01-0000-0-4300-1110-1000-003-0300-77-000 | | | | | | | 970292225001 CANFIELD CLS SUPP | 104.67 |
| | | | | | | | | 01-0000-0-4300-1110-1000-003-0300-77-000 | | | | | | | 970292225001 CANFIELD CLS SUPP | 33.99 |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| 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 |
| WARRANT TOTAL | | | | | | AMOUNT |
| 80576670 | 021298/ | THERESA ORIO | | | | |
| | | PV-180247 | 01-1100-0-4300-1110-1000-003-0000-00-000 | | | "THE CAVE" SPANISH VERSION |
| | | | | | | 12.86 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$12.86 |
| 80576671 | 004699/ | J W PEPPER & SON INC | | | | |
| | 185008 | PO-180007 | 1. 01-0000-0-4300-1110-1000-003-0201-00-000 | | | 13727276 GT MUSIC |
| | | | | | | 311.27 |
| | 185008 | | 1. 01-0000-0-4300-1110-1000-003-0201-00-000 | | | 13718818 GT MUSIC |
| | | | | | | 364.31 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$675.58 |
| 80576672 | 101562/ | JOSE PEREZ | | | | |
| | | PV-180248 | 01-0000-0-4300-1110-1000-003-0300-72-000 | | | CLASSROOM SUPPLIES |
| | | | | | | 36.00 |
| | | | 01-0000-0-4300-1110-1000-003-0300-91-000 | | | P E SUPPLIES |
| | | | | | | 272.14 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$308.14 |
| 80576673 | 077441/ | PLACERVILLE GROCERY OUTLET | | | | |
| | 185041 | PO-180041 | 1. 13-5310-0-4700-0000-3700-000-0800-00-000 | | | LUNCH FOOD |
| | | | | | | 228.90 |
| | 185041 | | 2. 13-5310-0-4700-0000-3700-000-0801-00-000 | | | BREAKFAST FOOD |
| | | | | | | 310.79 |
| | 185041 | | 3. 13-5310-0-4700-0000-3700-000-0802-00-000 | | | ALA CARTE FOOD |
| | | | | | | 61.16 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$600.85 |
| 80576674 | 101924/ | REGAL CINEMA | | | | |
| | | PV-180249 | 01-0000-0-5835-1110-1000-003-0104-00-000 | | | 4TH GR FT MOVIE TICKETS |
| | | | | | | 446.25 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$446.25 |
| 80576675 | 100735/ | RIEBES AUTO PARTS | | | | |
| | | PV-180250 | 01-0000-0-4300-0000-3600-000-0000-00-000 | | | 036205 TRANSPORTATION SUPPLIES |
| | | | | | | 67.93 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$67.93 |
| 80576676 | 011513/ | RISO PRODUCTS OF SACRAMENTO | | | | |
| | | PV-180251 | 01-1100-0-5600-0000-7200-000-1210-00-000 | | | 176948 D O COPIER USE |
| | | | | | | 2,817.09 |
| | | | 01-1100-0-5600-1110-1000-002-1210-00-000 | | | 176943 SM COPIER USE |
| | | | | | | 1,047.06 |
| | | | | | | WARRANT TOTAL |
| | | | | | | \$3,864.15 |

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE | LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCHE | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|-------------------------------|----|--|------|---|------|------|------|-----|------|----|------|---------|-------------------------------|------------|
| 80576677 | 101784/ | S E TECHNOLOGIES INC | | | | | | | | | | | | | | |
| | 185061 | PO-180061 | 1. | 01-0000-0-5800-0000-8100-003-0000-00-000 | | | | | | | | | | | 4982 GT ALARM SVC 7/17-9/17 | 210.00 |
| | 185061 | | 1. | 01-0000-0-5800-0000-8100-003-0000-00-000 | | | | | | | | | | | 4876 GT ALARM SVC 10/17-12/17 | 210.00 |
| | 185062 | PO-180062 | 1. | 01-0000-0-5800-0000-8100-002-0000-00-000 | | | | | | | | | | | 4983 SM ALARM SVC 10/17-12/17 | 210.00 |
| | 185062 | | 1. | 01-0000-0-5800-0000-8100-002-0000-00-000 | | | | | | | | | | | 4779 SM ALARM SVC 7/17-9/17 | 210.00 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$840.00 |
| 80576678 | 000895/ | SCHOOL SERVICES OF CALIFORNIA | | | | | | | | | | | | | | |
| | 185002 | PO-180002 | 1. | 01-0000-0-5800-0000-7200-000-0000-00-000 | | | | | | | | | | | 0113186-IN OCT BDGT SVCS | 59.00 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$59.00 |
| 80576679 | 003783/ | SFS OF SACRAMENTO INC | | | | | | | | | | | | | | |
| | 185042 | PO-180042 | 1. | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | | | | | 131477501 LUNCH FOOD | 960.48 |
| | 185042 | | 1. | 13-5310-0-4700-0000-3700-000-0800-00-000 | | | | | | | | | | | 131450127 | 662.32 |
| | 185042 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | | | | | | | | | | | 131477504 BREAKFAST FOOD | 548.16 |
| | 185042 | | 2. | 13-5310-0-4700-0000-3700-000-0801-00-000 | | | | | | | | | | | 131450127 BREAKFAST FOOD | 193.85 |
| | 185042 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | | | | | | | | | | | 131450127 ALA CARTE FOOD | 254.52 |
| | 185042 | | 3. | 13-5310-0-4700-0000-3700-000-0802-00-000 | | | | | | | | | | | 131477504 ALA CARTE FOOD | 192.40 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$2,811.73 |
| 80576680 | 023212/ | SHELL FLEET MANAGEMENT | | | | | | | | | | | | | | |
| | | PV-180252 | | 01-0000-0-4370-0000-3600-000-0000-00-000 | | | | | | | | | | | 8000061765 TRANSP FUEL | 10.50 |
| | | | | 13-5310-0-4370-0000-3700-000-0000-00-000 | | | | | | | | | | | 8000061765 CAFE FUEL | 4.00 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$14.50 |
| 80576681 | 101412/ | TCG ADMINISTRATORS | | | | | | | | | | | | | | |
| | | PV-180254 | | 01-0000-0-5800-0000-7200-000-0000-00-000 | | | | | | | | | | | 154088 ADMIN FEE OCT 2017 | 26.00 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$26.00 |
| 80576682 | 100981/ | VERIZON WIRELESS | | | | | | | | | | | | | | |
| | | PV-180255 | | 01-0000-0-5901-0000-3140-000-1210-00-000 | | | | | | | | | | | 9795342793 NURSES | 129.78 |
| | | | | 01-0000-0-5901-0000-8100-000-1210-00-000 | | | | | | | | | | | 9795342793 MAINT | 65.35 |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/20/2017

11/20/17 PAGE 7

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8012 GTUSD ACCOUNTS PAYABLEF

| 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 | | |
| | | | 01-5810-0-5901-0000-2700-002-1210-00-000 | 9795342793 SM | | 43.35 |
| | | | WARRANT TOTAL | | | \$238.48 |
| 80576683 | 101463/ | WELLS FARGO CORPORATE | | | | |
| | PV-180256 | | 51-0000-0-7434-0000-9100-000-0000-00-000 | GOLD01122017 BOND INT | | 14,284.50 |
| | | | WARRANT TOTAL | | | \$14,284.50 |
| *** | BATCH TOTALS *** | | TOTAL NUMBER OF CHECKS: | 30 | TOTAL AMOUNT OF CHECKS: | \$50,983.83* |
| | | | TOTAL ACH GENERATED: | 0 | TOTAL AMOUNT OF ACH: | \$0.00* |
| | | | TOTAL EFT GENERATED: | 0 | TOTAL AMOUNT OF EFT: | \$0.00* |
| | | | TOTAL PAYMENTS: | 30 | TOTAL AMOUNT: | \$50,983.83* |
| *** | DISTRICT TOTALS *** | | TOTAL NUMBER OF CHECKS: | 30 | TOTAL AMOUNT OF CHECKS: | \$50,983.83* |
| | | | TOTAL ACH GENERATED: | 0 | TOTAL AMOUNT OF ACH: | \$0.00* |
| | | | TOTAL EFT GENERATED: | 0 | TOTAL AMOUNT OF EFT: | \$0.00* |
| | | | TOTAL PAYMENTS: | 30 | TOTAL AMOUNT: | \$50,983.83* |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/28/2017

11/28/17 PAGE 1

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8013 GTUSD ACCOUNTS PAYABLE

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SC | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|--------------------------------|----|------|------|--------|------|------|-----|------|----|-----|---------|-------------------------------|------------|
| 80577034 | 081546/ | KATHLEEN AYRE | | | | | | | | | | | | | |
| | | PV-180257 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 002 | 0100 | 00 | 000 | | KINDER FOLSOM ZOO FT SUPPLIES | 44.93 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$44.93 |
| 80577035 | 004945/ | BUREAU OF EDUCATION & RESEARCH | | | | | | | | | | | | | |
| | 185064 | PO-180064 | 1. | 01 | 4035 | 0-5200 | 1110 | 1000 | 002 | 0000 | 00 | 000 | | 4770613 DUNN P E SEMINAR | 249.00 |
| | 185064 | | 2. | 01 | 4035 | 0-5200 | 1110 | 1000 | 003 | 0000 | 00 | 000 | | 4770613 PEREZ P E SEMINAR | 249.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$498.00 |
| 80577036 | 000073/ | CHEVRON & TEXACO | | | | | | | | | | | | | |
| | | PV-180258 | | 01 | 0000 | 0-4370 | 0000 | 8100 | 000 | 0000 | 00 | 000 | | 6000917515 MAINT FUEL | 175.33 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$175.33 |
| 80577037 | 003582/ | CONFORTI PLUMBING | | | | | | | | | | | | | |
| | | PV-180259 | | 01 | 8150 | 0-5600 | 0000 | 8100 | 003 | 0000 | 00 | 000 | | L17-203 GT EMRGNCY PLUMBING | 322.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$322.00 |
| 80577038 | 000429/ | EL DORADO COUNTY SHERIFF | | | | | | | | | | | | | |
| | | PV-180260 | | 01 | 0000 | 0-5800 | 0000 | 8100 | 003 | 0000 | 00 | 000 | | PERMIT #1190 GT FALSE ALARM | 50.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$50.00 |
| 80577039 | 101115/ | AMBER GARCIA | | | | | | | | | | | | | |
| | | PV-180261 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 67 | 000 | | CLASS SUPPLIES | 19.52 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$19.52 |
| 80577040 | 079952/ | GOLD STAR FOODS INC | | | | | | | | | | | | | |
| | 185040 | PO-180040 | 1. | 13 | 5310 | 0-4700 | 0000 | 3700 | 000 | 0800 | 00 | 000 | | 2197598 BREAKFAST FOOD | 1,176.54 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$1,176.54 |
| 80577041 | 100616/ | MARTA HARRIS | | | | | | | | | | | | | |
| | | PV-180263 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 64 | 000 | | CLASSROOM SUPPLIES | 832.80 |
| | | | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 64 | 000 | | CLASSROOM SUPPLIES | 133.00 |
| | | | | | | | | | | | | | | WARRANT TOTAL | \$965.80 |
| 80577042 | 101314/ | LEGALSHIELD | | | | | | | | | | | | | |
| | | PV-180264 | | 01 | 0000 | 0-9576 | 0000 | 0000 | 000 | 0000 | 00 | 000 | | 126086 NOVEMBER 2017 | 51.80 |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/28/2017

11/28/17 PAGE 2

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8013 GTUSD ACCOUNTS PAYABLE

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCH | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|---------------|---------------------|--------------------------------|----|------|------|--------|------|------|-----|------|----|-----|---------|-------------------------------|------------|
| WARRANT TOTAL | | | | | | | | | | | | | | | \$51.80 |
| 80577043 | 100758/ | LOZANO SMITH LLP | | | | | | | | | | | | | |
| | | PV-180265 | | 01 | 0000 | 0-5819 | 0000 | 7100 | 000 | 0000 | 00 | 000 | | 2037681 GENERAL LEGAL | 84.76 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$84.76 |
| 80577044 | 082690/ | DEBBI MATYAC | | | | | | | | | | | | | |
| | | PV-180266 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 002 | 0100 | 00 | 000 | | KINDER FOLSOM ZOO FT SUPPLIES | 23.96 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$23.96 |
| 80577045 | 000232/ | PACIFIC GAS & ELECTRIC COMPANY | | | | | | | | | | | | | |
| | | PV-180267 | | 01 | 0000 | 0-5540 | 0000 | 8100 | 000 | 0000 | 00 | 000 | | 0991367996-6 EXT DAY | 151.52 |
| | | | | 01 | 0000 | 0-5540 | 0000 | 8100 | 002 | 0000 | 00 | 000 | | 0991367996-6 SM | 2,730.30 |
| | | | | 01 | 0000 | 0-5540 | 0000 | 8100 | 003 | 0000 | 00 | 000 | | 0991367996-6 GT | 4,621.70 |
| | | | | 01 | 0000 | 0-5540 | 0000 | 8100 | 003 | 0000 | 00 | 000 | | 1274317581-7 GT STREET LIGHTS | 41.49 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$7,545.01 |
| 80577046 | 011513/ | RISO PRODUCTS OF SACRAMENTO | | | | | | | | | | | | | |
| | | PV-180268 | | 01 | 1100 | 0-5600 | 1110 | 1000 | 003 | 1210 | 00 | 000 | | 177098 GT COPIER USE | 601.56 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$601.56 |
| 80577047 | 101569/ | CHERYL ROMIG | | | | | | | | | | | | | |
| | | PV-180269 | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 62 | 000 | | CLASSROOM SUPPLIES | 59.90 |
| | | | | 01 | 0000 | 0-4300 | 1110 | 1000 | 003 | 0300 | 62 | 000 | | CLASSROOM SUPPLIES | 856.85 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$916.75 |
| 80577048 | 101512/ | SCHOOL OUTFITTERS | | | | | | | | | | | | | |
| | 185051 | PO-180051 | 1. | 01 | 0000 | 0-4400 | 1110 | 1000 | 002 | 0000 | 00 | 000 | | INV12422487 SM CAFE TABLES | 3,099.21 |
| | 185051 | | 2. | 01 | 0000 | 0-4400 | 1110 | 1000 | 003 | 0000 | 00 | 000 | | INV12422487 GT CAFE TABLES | 3,038.63 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$6,137.84 |
| 80577049 | 100751/ | SIGNATURE WIRELESS GROUP | | | | | | | | | | | | | |
| | 185014 | PO-180010 | 1. | 01 | 0000 | 0-5800 | 0000 | 3600 | 000 | 0000 | 00 | 000 | | 28553 SMR RPTR SVC DEC | 258.05 |
| WARRANT TOTAL | | | | | | | | | | | | | | | \$258.05 |

APY250 L.00.05

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 11/28/2017

11/28/17 PAGE 3

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 8013 GTUSD ACCOUNTS PAYABLE

| WARRANT | VENDOR/ADDR REQ# | NAME (REMIT) REFERENCE | LN | FD | RESC | Y | OBJT | GOAL | FUNC | LC1 | LOC2 | L3 | SCHE | ABA NUM | ACCOUNT NUM DESCRIPTION | AMOUNT |
|----------|---------------------|---------------------------|----|----|------|---|------|------|------|-----|------|----|------|---------|--------------------------------|--------------|
| 80577050 | 100580/ | STAPLES ADVANTAGE | | | | | | | | | | | | | | |
| | | PO-183066 | 1. | 01 | 0000 | 0 | 4300 | 1110 | 1000 | 000 | 0000 | 00 | 000 | | 3359607468 DIST COLORED PAPER | 426.10 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$426.10 |
| 80577051 | 101607/ | DAVE STRINGER | | | | | | | | | | | | | | |
| | | PV-180262 | | 01 | 0000 | 0 | 4300 | 0000 | 8100 | 003 | 0462 | 00 | 000 | | GT RESTROOM REMODELS | 46.13 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$46.13 |
| 80577052 | 101770/ | SUMDOG INC | | | | | | | | | | | | | | |
| | 185053 | PO-180053 | 1. | 01 | 0600 | 0 | 5875 | 1110 | 1000 | 003 | 1210 | 04 | 000 | | INV-7457 ADD'L LICENSES | 15.00 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$15.00 |
| 80577053 | 000893/ | SWEET SEPTIC INC | | | | | | | | | | | | | | |
| | | PV-180270 | | 01 | 8150 | 0 | 5600 | 0000 | 8100 | 003 | 0000 | 00 | 000 | | 21537 PARTIAL PMP GT SEPTIC #2 | 768.00 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$768.00 |
| 80577054 | 101830/ | TPX COMMUNICATIONS | | | | | | | | | | | | | | |
| | | PV-180271 | | 01 | 0000 | 0 | 5901 | 0000 | 7200 | 000 | 1210 | 00 | 000 | | 151187 PHONE OCT 2017 | 1,193.53 |
| | | | | 01 | 0000 | 0 | 5901 | 0000 | 7700 | 000 | 1210 | 00 | 000 | | 151187 FIBER OCT 2017 | 1,102.43 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$2,295.96 |
| 80577055 | 013563/ | WALKER'S OFFICE SUPPLIES | | | | | | | | | | | | | | |
| | | PO-183065 | 1. | 01 | 0000 | 0 | 4300 | 1110 | 1000 | 000 | 0000 | 00 | 000 | | 1084791-0 DISTRICT COPY PAPER | 1,376.64 |
| | | | | | | | | | | | | | | | WARRANT TOTAL | \$1,376.64 |
| *** | BATCH TOTALS *** | | | | | | | | | | | | | | | |
| | | TOTAL NUMBER OF CHECKS: | 22 | | | | | | | | | | | | TOTAL AMOUNT OF CHECKS: | \$23,799.68* |
| | | TOTAL ACH GENERATED: | 0 | | | | | | | | | | | | TOTAL AMOUNT OF ACH: | \$.00* |
| | | TOTAL EFT GENERATED: | 0 | | | | | | | | | | | | TOTAL AMOUNT OF EFT: | \$.00* |
| | | TOTAL PAYMENTS: | 22 | | | | | | | | | | | | TOTAL AMOUNT: | \$23,799.68* |
| *** | DISTRICT TOTALS *** | | | | | | | | | | | | | | | |
| | | TOTAL NUMBER OF CHECKS: | 22 | | | | | | | | | | | | TOTAL AMOUNT OF CHECKS: | \$23,799.68* |
| | | TOTAL ACH GENERATED: | 0 | | | | | | | | | | | | TOTAL AMOUNT OF ACH: | \$.00* |
| | | TOTAL EFT GENERATED: | 0 | | | | | | | | | | | | TOTAL AMOUNT OF EFT: | \$.00* |
| | | TOTAL PAYMENTS: | 22 | | | | | | | | | | | | TOTAL AMOUNT: | \$23,799.68* |

| |
|--------------------------------------|
| AGENDA ITEM Consent |
|--------------------------------------|

10.3 Personnel

BACKGROUND

Personnel

Hiring

J. Hanks, Athletic Coach: Wrestling, effective 2017-18 school year

H. Perry, Teacher Associate Deaf and Hard of Hearing, 6.0 hours per day, 2 days per week, effective November 7, 2017

Resignation

B. Aguilar, Teacher Associate Deaf and Hard of Hearing, 6.0 hours per day, 2 days per week, effective November 7, 2017

ATTACHMENTS

➤ None

BUDGETED

☐ NA ☒ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the personnel activity.

NOTES

If pulled from Consent

| | | | | | |
|--|-------------|--------------|---------------|-----------------|--|
| ACTION | | <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 Consent |
|--------------------------------------|

10.4 Comprehensive School Safety Plan (BP0450)

BACKGROUND

It is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process.

The Superintendent or designee shall oversee the development of a district-wide comprehensive safety plan. (*Education Code 32280, 32281, 32282*) The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting. (*BP0450*)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (*Education Code 32282*) However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

ATTACHMENTS

- **Comprehensive School Safety Plan Template**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

Approve the plan.

NOTES

If pulled from Consent

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

Gold Trail Union School District
Grades K-8
Comprehensive School Safety Plan Compliance Checklist

California Education Code Sections 32280-32289

| Required Components | Mandate Met (Date) | Comments, Suggested Details (resources, activities, etc.) |
|--|-----------------------|---|
| California Education Code (EC) Section 32281 | | |
| 1. (a) Plan is written and developed by a School Site Council (SSC) or a Safety Planning Committee (b) The school Safety Planning Committee is made up of principal/designee, teacher(s), parents(s), and certificated/classified employees | November 2017 | (a) Agendas (enclosed) (b) Planning committee roster (enclosed) |
| 2. SSC/Safety Planning Committee consulted with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan | November 2017 | Superintendent, GT principal and district head of transportation regularly attend SCALE (School Community and Law Enforcement) meetings. Law Enforcement MOU (enclosed) |
| EC Section 32282 | | |
| 3. The comprehensive school safety plan includes, but is not limited to, all of the following: | | |
| (a) An assessment of the current status of school crime at the school and at school-related functions, which may be accomplished by reviewing the following types of information: <ul style="list-style-type: none"> ✓ Office Referrals ✓ Attendance Rates/School Attendance Review Board Data ✓ Suspension/Expulsion Data ✓ California Healthy Kids Survey ✓ School Improvement plan ✓ Local Law Enforcement Juvenile Crime Data ✓ Property Damage Data ✓ Other: | November 2017 | Data reviewed includes: <ul style="list-style-type: none"> ✓ CALPADS End of Year summary of discipline incidents (enclosed) ✓ Attendance rates/SARB Data (enclosed) ✓ California Healthy Kids Survey (enclosed) ✓ School Improvement Plans (enclosed) ✓ Law Enforcement Crime Data is received at SCALE meetings ✓ Property Damage Data is negligible <p>All office referrals are reviewed for chronic problems, corrective action, and intervention strategy. Data shows that this technique is successful, with fewer suspensions and no expulsions this past year. Crime is negligible.</p> |
| (b) Identify appropriate strategies and programs that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including, but not limited to the following: | November 2017 | |

Updated November 2017

| | | |
|---|---------------|---|
| A. Child Abuse Reporting Procedures | November 2017 | Mandated employee training upon employment, and annually after that. Also, noted in the new employee packet, and in both the employee and student handbooks (enclosed). |
| B. Disaster Procedures, routine and emergency, crisis response plan, including adaptations for pupils with disabilities and the following: | November 2017 | Included in BOWMAC, School Site Safety Plans, and drill logs (enclosed) |
| (i) Earthquake emergency procedures that include: (I) A school building disaster plan (II) A drop procedure (students and staff take cover) dates/times of drop procedure drills held once each quarter in elementary; once each semester in secondary schools (III) Protective measures to be taken before, during and after an earthquake (IV) A program to ensure that pupils, and certificated and classified staff, are aware of and are trained in the procedures | November 2017 | All rooms have escape routes clearly marked. Utility maps, drill logs, earthquake simulation scripts and listings of protective measures (enclosed) |
| (ii) Establish procedures to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency. | November 2017 | American Red Cross Shelter Agreement (enclosed) |
| C. Suspension/Expulsion policies and procedures | November 2017 | Student handbooks(s) and policies (enclosed) |
| D. Teacher notification of dangerous pupils procedures. | November 2017 | Employee handbook and AR 4158 (enclosed) |
| E. Discrimination and Harassment policy, including Bullying/Cyber bullying. Include hate crime reporting procedures and policies here. | November 2017 | Student handbook(s), policies and regulations (enclosed) |
| F. School wide Dress Code, including prohibition of gang-related apparel. | November 2017 | Student handbook(s), policies and regulations (enclosed) |
| G. Procedures for safe ingress and egress of pupils, parents, and employees to and from school site. | November 2017 | Student handbook(s) (enclosed) |

| | | |
|---|---------------|--|
| H. A safe and orderly environment conducive to learning at the school. | November 2017 | Policies, SIA Risk Reviews and Agendas, Site Inspection Log, playground inspection logs (enclosed) |
| I. Rules and procedures on school discipline. | November 2017 | Included in student handbook(s), policies and regulations (enclosed) |
| 4. When practical, consult, cooperate and coordinate with other school site councils or school safety planning committees. | November 2017 | Regularly scheduled meetings of all county superintendents allow this type of communication. |
| 5. Evaluate and amend the plan as needed and at least once each year, to ensure the plan is properly implemented. Also, keep an updated file of all non-sensitive safety-related plans and materials readily available for inspection by the public. | November 2017 | Committee agendas (enclosed) The complete Comprehensive School Safety Plan is available for inspection year round in the District Office. |
| 6. Include, to the extent resources are available, policies and procedures for bullying prevention. | November 2017 | Student handbook(s), policies and regulations (enclosed) |
| EC Section 32282.1 | | |
| Schools are encouraged to include clear guidelines for the roles and responsibilities of the positions listed below (if used by the district): Mental health professionals, school counselors Community intervention professionals School resource officers, police officers on campus | November 2017 | Job descriptions, MOU for Mental Health Therapist , and Agreement with The Center for Violence-Free Relationships (enclosed) |
| EC Section 32284 | | |
| Plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within one quarter mile of a school. | November 2017 | Included in BOWMAC (enclosed) |
| ED Section 32288 | | |
| 7. Submit the plan to school district office or county office of education for approval. | December 2017 | Board meeting agenda (enclosed) |
| 8. SSC/Safety Planning Committee communicated the school safety plan to the public at a public meeting at the school site. | November 2017 | SSC agenda(s) (enclosed) |

AGENDA ITEM

Consent

**10.5 Nonpublic, Nonsectarian School/Agency Services Master Contract: Action
 Supportive Care Services 2017-18**

BACKGROUND

This agreement for services allows for contingency medical services to be provided to Gold Trail Union School District students by a nonpublic school or a nonpublic agency. (*Education Code 56365*) The District originally approved this contract in August 2017, and is now approving the contract noting a change in ownership of the business. The District rarely calls on these services but this may be necessary to meet students' needs.

ATTACHMENTS

➤ **2017-18 Contract for Services**

BUDGETED

☐ NA ☒ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will approve the contract.

NOTES

If pulled from Consent

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

*NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES*

Master Contract

2017-2018

Master Contract

GENERAL AGREEMENT FOR NONSECTARIAN,
NONPUBLIC SCHOOL AND AGENCY SERVICES

LEA GOLD TRAIL UNION SCHOOL DISTRICT

Contract Year 2017-2018

 Nonpublic School
 X Nonpublic Agency

Type of Contract:

 X Master Contract for fiscal year with Individual Service Agreements (ISA) to be approved throughout the term of this contract.

 Individual Master Contract for a specific student incorporating the Individual Service Agreement (ISA) into the terms of this Individual Master Contract specific to a single student.

 Interim Contract: an extension of the previous fiscal years approved contracts and rates. The sole purpose of this Interim Contract is to provide for ongoing funding at the prior year's rates for 90 days at the sole discretion of the LEA. Expiration Date:

When this section is included as part of any Master Contract, the changes specified above shall amend Section 4 – Term of Master Contract.

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LOCAL EDUCATION AGENCY: Gold Trail Union School District

NONPUBLIC SCHOOL/AGENCY/RELATED SERVICES PROVIDER: Action Supportive Care Services

NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES MASTER CONTRACT

AUTHORIZATION FOR MASTER CONTRACT AND GENERAL PROVISIONS

1. MASTER CONTRACT

This Master Contract is entered into on July 1, 2017, between Gold Trail Union School District, hereinafter referred to as the local educational agency ("LEA"), a member of the El Dorado County SELPA and Action Supportive Care Services (nonpublic, nonsectarian school or agency), hereinafter referred to as NPS/A or "CONTRACTOR" for the purpose of providing special education and/or related services to students with exceptional needs under the authorization of California Education Code sections 56157, 56361 and 56365 *et seq.* and Title 5 of the California Code of Regulations section 3000 *et seq.*, AB 490 (Chapter 862, Statutes of 2003) and AB1858 (Chapter 914, Statutes of 2004). It is understood that this agreement does not commit LEA to pay for special education and/or related services provided to any student, or CONTRACTOR to provide such special education and/or related services, unless and until an authorized LEA representative approves the provision of special education and/or related services by CONTRACTOR.

Upon acceptance of a student, LEA shall submit to CONTRACTOR an Individual Services Agreement (hereinafter referred to as "ISA"). Unless otherwise agreed in writing, these forms shall acknowledge CONTRACTOR's obligation to provide all services specified in the student's Individualized Education Plan (hereinafter referred to as "IEP"). The ISA shall be executed within ninety (90) days of a student's enrollment. LEA and CONTRACTOR shall enter into an ISA for each student served by CONTRACTOR. As available and appropriate, the LEA shall make available access to any electronic IEP system and/or electronic database for ISA developing including invoicing.

Unless placement is made pursuant to an Office of Administrative Hearing (hereinafter referred to as "OAH") order, a lawfully executed agreement between LEA and parent or authorized by LEA for a transfer student pursuant to California Education Code section 56325, LEA is not responsible for the costs associated with nonpublic school placement until the date on which an IEP team meeting is convened, the IEP team determines that a nonpublic school placement is appropriate, and the IEP is signed by the student's parent.

2. CERTIFICATION AND LICENSES

CONTRACTOR shall be certified by the California Department of Education (hereinafter referred to as "CDE") as a nonpublic, nonsectarian school/agency. All nonpublic school and nonpublic agency services shall be provided consistent with the area of certification specified by CDE Certification and as defined in California Education Code, section 56366 *et seq* and within the professional scope of practice of each provider's license, certification and/or credential. A current copy of CONTRACTOR's nonpublic school/agency certification or a waiver of such certification issued by the CDE pursuant to Education Code section 56366.2 must be provided to LEA on or

before the date this contract is executed by CONTRACTOR. This Master Contract shall be null and void if such certification or waiver is expired, revoked, rescinded, or otherwise nullified during the effective period of this Master Contract. Total student enrollment shall be limited to capacity as stated on CDE certification. Total student enrollment shall be limited to capacity as stated in Section 24 of the Master Contract.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this State shall be certified or licensed by that state to provide, respectively, special education and related services and designated instruction and related services to pupils under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

If CONTRACTOR is a licensed children's institution (hereinafter referred to as "LCI"), CONTRACTOR shall be licensed by the state, or other public agency having delegated authority by contract with the state to license, to provide nonmedical care to children, including, but not limited to, individuals with exceptional needs. The LCI must also comply with all licensing requirements relevant to the protection of the child, and have a special permit, if necessary, to meet the needs of each child so placed. If the CONTRACTOR operates a program outside of this State, CONTRACTOR must obtain all required licenses from the appropriate licensing agency in both California and in the state where the LCI is located.

With respect to CONTRACTOR's certification, failure to notify the LEA and CDE of any changes in: (1) credentialed/licensed staff; (2) ownership; (3) management and/or control of the agency; (4) major modification or relocation of facilities; or (5) significant modification of the program may result in the suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by the LEA.

3. COMPLIANCE WITH LAWS, STATUTES, REGULATIONS

During the term of this contract unless otherwise agreed, CONTRACTOR shall comply with all applicable federal, state, and local statutes, laws, ordinances, rules, policies and regulations. CONTRACTOR shall also comply with all applicable LEA policies and procedures unless, taking into consideration all of the surrounding facts and circumstances, a policy or policies or a portion of a policy does not reasonably apply to CONTRACTOR. CONTRACTOR hereby acknowledges and agrees that it accepts all risks and responsibilities for its failure to comply with LEA policies and shall indemnify LEA under the provisions of Section 16 of this Agreement for all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of CONTRACTOR's failure to comply with applicable LEA policies (e.g., those policies relating to, the provision of special education and/or related services, facilities for individuals with exceptional needs, student enrollment and transfer, student inactive status, corporal punishment, student discipline, and positive behavior interventions).

CONTRACTOR acknowledges and understands that LEA may report to the CDE any violations of the provisions of this Master Contract; and that this may result in the suspension and/or revocation of CDE nonpublic school/agency certification pursuant to California Education Code section 56366.4(a).

4. TERM OF MASTER CONTRACT

The term of this Master Contract shall be from July 1, 2017 to June 30, 2018 (Title 5 California Code of Regulations section 3062(a)) unless otherwise stated. Neither the CONTRACTOR nor the LEA is required to renew this Master Contract in subsequent contract years. However, the parties acknowledge that any subsequent Master Contract is to be re-negotiated prior to June 30, 2017. In the event the contract is not renegotiated by June 30th, an interim contract may be made available as mutually agreed upon for up to 90 days from July 1 of the new fiscal year. (Title 5 California

Code of Regulations section 3062(d)) No Master Contract will be offered unless and until all of the contracting requirements have been satisfied. The offer of a Master Contract to a CONTRACTOR is at the sole discretion of the LEA.

The provisions of this Master Contract apply to CONTRACTOR and any of its employees or independent contractors. Notice of any change in CONTRACTOR's ownership or authorized representative shall be provided in writing to LEA within thirty (30) calendar days of change of ownership or change of authorized representative.

5. INTEGRATION/CONTINUANCE OF CONTRACT FOLLOWING EXPIRATION OR TERMINATION

This Master Contract includes each Individual Services Agreement and they are incorporated herein by this reference. This Master Contract supersedes any prior or contemporaneous written or oral understanding or agreement. This Master Contract may be amended only by written amendment executed by both parties.

CONTRACTOR shall provide the LEA with information as requested in writing to secure a Master Contract or a renewal.

At a minimum, such information shall include copies of teacher credentials and clearance, insurance documentation and CDE certification. The LEA may require additional information as applicable. If the application packet is not completed and returned to District, no Master Contract will be issued. If CONTRACTOR does not return the Master Contract to LEA duly signed by an authorized representative within ninety (90) calendar days of issuance by LEA, the new contract rates will not take effect until the newly executed Master Contract is received by LEA and will not be retroactive to the first day of the new Master Contract's effective date. If CONTRACTOR fails to execute the new Master Contract within such ninety day period, all payments shall cease until such time as the new Master Contract for the current school year is signed and returned to LEA by CONTRACTOR. (California Education Code section 56366(c)(1) and (2)). In the event that this Master Contract expires or terminates, CONTRACTOR shall continue to be bound to all of the terms and conditions of the most recent executed Master Contract between CONTRACTOR and LEA for so long as CONTRACTOR is servicing authorized students at the discretion of the LEA.

6. INDIVIDUAL SERVICES AGREEMENT

This contract shall include an ISA developed for each student to whom CONTRACTOR is to provide special education and/or related services. An ISA shall only be issued for students enrolled with the approval of the LEA pursuant to Education Code section 56366 (a)(2)(A). An ISA may be effective for more than one contract year provided that there is a concurrent Master Contract in effect. In the event that this Master Contract expires or terminates, CONTRACTOR, shall continue to be bound to all of the terms and conditions of the most recent executed ISAs between CONTRACTOR and LEA for so long as CONTRACTOR is servicing authorized students.

Any and all changes to a student's educational placement/program provided under this Master Contract and/or an ISA shall be made solely on the basis of a revision to the student's IEP. At any time during the term of this Master Contract, a student's parent, CONTRACTOR, or LEA may request a review of a student's IEP subject to all procedural safeguards required by law.

Unless otherwise provided in this Master Contract, the CONTRACTOR shall provide all services specified in the IEP unless the CONTRACTOR and the LEA agree otherwise in the ISA. (California Education Code sections 56366(a) (5) and 3062(e)). In the event the CONTRACTOR is unable to provide a specific service at any time during the life of the ISA, the CONTRACTOR shall notify the LEA in writing within five (5) business days of the last date a service was provided. CONTRACTOR

shall provide any and all subsequent compensatory service hours awarded to student as a result of lack of provision of services while student was served by the nonpublic school or agency.

If a parent or LEA contests the termination of an ISA by initiating a due process proceeding with the OAH, CONTRACTOR shall abide by the "stay-put" requirement of state and federal law unless the parent agrees otherwise or an Interim Alternative Educational Setting is deemed lawful and appropriate by LEA or OAH consistent with Section 1415 (k)(1)(7) of Title 20 of the United States Code. CONTRACTOR shall adhere to all LEA requirements concerning changes in placement.

Disagreements between LEA and CONTRACTOR concerning the formulation of an ISA or the Master Contract may be appealed to the County Superintendent of Schools of the County where the LEA is located, or the State Superintendent of Public Instruction pursuant to the provisions of California Education Code section 56366(c) (2).

7. DEFINITIONS

The following definitions shall apply for purposes of this contract:

- a. The term "CONTRACTOR" means a nonpublic, nonsectarian school/agency certified by the California Department of Education and its officers, agents and employees.
- b. The term "authorized LEA representative" means a LEA administrator designated to be responsible for nonpublic school/agencies. It is understood, a representative of the Special Education Local Plan Area (SELPA) of which the LEA is a member is an authorized LEA representative in collaboration with the LEA. The LEA maintains sole responsibility for the contract, unless otherwise specified in the contract.
- c. The term "credential" means a valid credential, life diploma, permit, or document in special education or pupil personnel services issued by, or under the jurisdiction of, the State Board of Education if issued prior to 1970 or the California Commission on Teacher Credentialing, which entitles the holder thereof to perform services for which certification qualifications are required as defined in Title 5 of the California Code of Regulations section 3001(j).
- d. The term "qualified" means that a person holds a certificate, permit or other document equivalent to that which staff in a public school are required to hold to provide special education and designated instruction and services and has met federal and state certification, licensing, registration, or other comparable requirements which apply to the area in which he or she is providing special education or related services, including those requirements set forth in Title 34 of the Code of Federal Regulations sections 200.56 and 200.58, and those requirements set forth in Title 5 of the California Code of Regulations Sections 3064 and 3065, and adheres to the standards of professional practice established in federal and state law or regulation, including the standards contained in the California Business and Professions Code.

Nothing in this definition shall be construed as restricting the activities in services of a graduate needing direct hours leading to licensure, or of a student teacher or intern leading to a graduate degree at an accredited or approved college or university, as authorized by state laws or regulations. (Title 5 of the California Code of Regulations Section 3001 (y)).

- e. The term "license" means a valid non-expired document issued by a licensing agency within the Department of Consumer Affairs or other state licensing office authorized to grant licenses and authorizing the bearer of the document to provide certain professional services or refer to themselves using a specified professional title including but not limited to mental health and board and care services at a residential placement. If a license is not available through an appropriate state licensing agency, a certificate of registration with the

appropriate professional organization at the national or state level which has standards established for the certificate that are equivalent to a license shall be deemed to be a license as defined in Title 5 of the California Code of Regulations section 3001(r).

- f. "Parent" means a biological or adoptive parent, unless the biological or adoptive parent does not have legal authority to make educational decisions for the child, a guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child, an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives, or an individual who is legally responsible for the child's welfare, a surrogate parent, a foster parent if the authority of the biological or adoptive parent to make educational decisions on the child's behalf has been specifically limited by court order in accordance with Code of Federal Regulations 300.30(b)(1) or (2). Parent does not include the state or any political subdivision of government or the nonpublic school or agency under contract with the LEA for the provision of special education or designated instruction and services for a child. (California Education Code section 56028).
- g. The term "days" means calendar days unless otherwise specified.
- h. The phrase "billable day" means a school day in which instructional minutes meet or exceed those in comparable LEA programs.
- i. The phrase "billable day of attendance" means a school day as defined in California Education Code Section 46307, in which a student is in attendance and in which instructional minutes meet or exceed those in comparable LEA programs unless otherwise stipulated in an IEP or ISA.
- j. It is understood that the term "Master Contract" also means "Agreement" and is referred to as such in this document.

ADMINISTRATION OF CONTRACT

8. NOTICES

All notices provided for by this contract shall be in writing. Notices shall be mailed or delivered by hand and shall be effective as of the date of receipt by addressee.

All notices mailed to LEA shall be addressed to the person and address as indicated on the signature page of the Master Contract. Notices to CONTRACTOR shall be addressed as indicated on signature page of this Master Contract.

9. MAINTENANCE OF RECORDS

All records shall be maintained by CONTRACTOR as required by state and federal laws and regulations. Notwithstanding the foregoing sentence, CONTRACTOR shall maintain all records for at least five (5) years after the termination of this Master Contract. For purposes of this Master Contract, "records" shall include, but not be limited to student records as defined by California Education Code section 49061(b) including electronically stored information; cost data records as set forth in Title 5 of the California Code of Regulations section 3061; registers and roll books of teachers and/or daily service providers; daily service logs and notes and other documents used to record the provision of related services including supervision; daily service logs and notes used to record the provision of services provided through additional instructional assistants, NPA behavior intervention aides, and bus aides; absence verification records (parent/doctor notes, telephone

logs, and related documents) if the CONTRACTOR is funded for excused absences, however, such records are not required if positive attendance is required; bus rosters; staff lists specifying credentials held and documents evidencing other staff qualifications, social security numbers, dates of hire, and dates of termination; records of employee training and certification, staff time sheets; non-paid staff and volunteer sign-in sheets; transportation and other related services subcontracts; school calendars; bell/class schedules when applicable; liability and worker's compensation insurance policies; state nonpublic school and/or agency certifications by-laws; lists of current board of directors/trustees, if incorporated; statement of income and expenses; general journals; cash receipts and disbursement books; general ledgers and supporting documents; documents evidencing financial expenditures; federal/state payroll quarterly reports; and bank statements and canceled checks or facsimile thereof. Positive attendance is required.

CONTRACTOR shall maintain student records in a secure location to ensure confidentiality and prevent unauthorized access. CONTRACTOR shall maintain a current list of the names and positions of CONTRACTOR's employees who have access to confidential records. CONTRACTOR shall maintain an access log for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record. Such log shall be maintained as required by California Education Code section 49064 and include the name, title, agency/organization affiliation, and date/time of access for each individual requesting or receiving information from the student's record. Such log needs to record access to the student's records by: (a) the student's parent; (b) an individual to whom written consent has been executed by the student's parent; or (c) employees of LEA or CONTRACTOR having a legitimate educational interest in requesting or receiving information from the record. CONTRACTOR/LEA shall maintain copies of any written parental concerns granting access to student records. For purposes of this paragraph, "employees of LEA or CONTRACTOR" do not include subcontractors. CONTRACTOR shall grant parents access to student records, and comply with parents' requests for copies of student records, as required by state and federal laws and regulations. CONTRACTOR agrees, in the event of school or agency closure, to forward student records within ten (10) business days to LEA. These shall include, but not limited to, current transcripts, IEP/IFSPs, and reports. LEA and/or SELPA shall have access to and receive copies of any and all records upon request within five (5) business days.

10. SEVERABILITY CLAUSE

If any provision of this agreement is held, in whole or in part, to be unenforceable for any reason, the remainder of that provision and of the entire agreement shall be severable and remain in effect.

11. SUCCESSORS IN INTEREST

This contract binds CONTRACTOR's successors and assignees. CONTRACTOR shall notify the LEA of any change of ownership or corporate control.

12. VENUE AND GOVERNING LAW

The laws of the State of California shall govern the terms and conditions of this contract with venue in the County where the LEA is located.

13. MODIFICATIONS AND AMENDMENTS REQUIRED TO CONFORM TO LEGAL AND ADMINISTRATIVE GUIDELINES

This Master Contract may be modified or amended by the LEA to conform to administrative and statutory guidelines issued by any state, federal or local governmental agency. The party seeking such modification shall provide the LEA and/or CONTRACTOR thirty (30) days' notice of any such

changes or modifications made to conform to administrative or statutory guidelines and a copy of the statute or regulation upon which the modification or changes are based.

14. TERMINATION

This Master Contract or Individual Service Agreement may be terminated for cause. The cause shall not be the availability of a public class initiated during the period of the contract unless the parent agrees to the transfer of the student to the public school program at an IEP team meeting. To terminate the contract either party shall give twenty (20) days prior written notice (California Education Code section 56366(a)(4)). At the time of termination, CONTRACTOR shall provide to LEA any and all documents CONTRACTOR is required to maintain under this Master Contract. ISAs are void upon termination of this Master Contract, as provided in Section 5 or 6. CONTRACTOR or LEA may terminate an ISA for cause. To terminate the ISA, either party shall give twenty (20) days prior written notice.

15. INSURANCE

CONTRACTOR shall, at his, her, or its sole cost and expense, maintain in full force and effect, during the term of this Agreement, the following insurance coverage from a California licensed and/or admitted insurer with an A minus (A-), VII, or better rating from A.M. Best, sufficient to cover any claims, damages, liabilities, costs and expenses (including counsel fees) arising out of or in connection with CONTRACTOR's fulfillment of any of its obligations under this Agreement or either party's use of the work or any component or part thereof:

PART I

- A. **Commercial General Liability Insurance**, including both bodily injury and property damage, with limits as follows:

- \$2,000,000 per occurrence
- \$ 500,000 fire damage
- \$ 5,000 medical expenses
- \$1,000,000 personal & adv. Injury
- \$3,000,000 general aggregate
- \$2,000,000 products/completed operations aggregate

The policy may not contain an exclusion for coverage of claims arising from claims for sexual molestation or abuse. In the event that CONTRACTOR's policy should have an exclusion for sexual molestation or abuse claims, then CONTRACTOR shall be required to procure a supplemental policy providing such coverage.

- B. **Business Auto Liability Insurance** for all owned scheduled, non-owned or hired automobiles with a \$1 million combined single limit.

If no owned automobiles, then only hired and non-owned is required.

If CONTRACTOR uses a vehicle to travel to/from school sites, between schools and/or to/from students' homes or other locations as approved service locations by the LEA, CONTRACTOR must comply with State of California auto insurance requirements.

- C. **Workers' Compensation and Employers Liability Insurance** in a form and amount covering CONTRACTOR's full liability under the California Workers' Compensation Insurance and Safety Act and in accordance with applicable state and federal laws.

Part A – Statutory Limits

Part B - \$1,000,000/\$1,000,000/\$1,000,000 Employers Liability

- D. Errors & Omissions (E & O)/Malpractice (Professional Liability) coverage, including Sexual Molestation and Abuse coverage, unless that coverage is afforded elsewhere in the Commercial General Liability policy by endorsement or separate policy, with the following limits:
- \$1,000,000 per occurrence
\$2,000,000 general aggregate
- E. CONTRACTOR, upon execution of this contract and periodically thereafter upon request, shall furnish the LEA with certificates of insurance evidencing such coverage. The certificate of insurance shall include a ten (10) day non-renewal notice provision. The Commercial General Liability and Automobile Liability policy shall name the LEA and the Board of Education additional insured's premiums on all insurance policies and shall be paid by CONTRACTOR and shall be deemed included in CONTRACTOR's obligations under this contract at no additional charge.
- F. Any deductibles or self-insured retentions above \$100,000 must be declared to and approved by the LEA. At its option, LEA may require the CONTRACTOR, at the CONTRACTOR's sole cost, to: (a) cause its insurer to reduce to levels specified by the LEA or eliminate such deductibles or self-insured retentions with respect to the LEA, its officials and employees, or (b) procure a bond guaranteeing payment of losses and related investigation.
- G. For any claims related to the services, the CONTRACTOR's insurance coverage shall be primary insurance as respects to the LEA, its subsidiaries, officials and employees. Any insurance or self-insurance maintained by the LEA, its subsidiaries, officials and employees shall be excess of the CONTRACTOR's insurance and shall not contribute with it.
- H. All Certificates of Insurance may reference the contract number, name of the school or agency submitting the certificate, and the location of the school or agency submitting the certificate on the certificate.

CONTRACTOR shall not be entitled to any compensation for any special education and/or related services provided to any pupil for any period during which CONTRACTOR failed to fully comply with this Section 15.

PART II - INSURANCE REQUIREMENTS FOR NONPUBLIC SCHOOLS AFFILIATED WITH A RESIDENTIAL TREATMENT FACILITY ("RTC")

When CONTRACTOR is a nonpublic school affiliated with a **residential treatment center (NPS/RTC)**, the following insurance policies are required:

- A. **Commercial General Liability** coverage of **\$3,000,000 per Occurrence** and **\$6,000,000 in General Aggregate**. The policy shall be endorsed to name the LEA and the Board of Education as *named* additional insured and shall provide specifically that any insurance carried by the LEA which may be applicable to any claims or loss shall be deemed excess and the RTC's insurance primary despite any conflicting provisions in the RTC's policy. Coverage shall be maintained with no Self-Insured Retention above \$100,000 without the prior written approval of the LEA.
- B. **Workers' Compensation Insurance** in accordance with provisions of the California Labor Code adequate to protect the RTC from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers'

Compensation Insurance coverage must also include Employers Liability coverage with limits of **\$1,000,000/\$1,000,000/\$1,000,000**.

- C. **Commercial Auto Liability** coverage with limits of **\$1,000,000** Combined Single Limit per Occurrence if the RTC does not operate a student bus service. If the RTC provides student bus services, the required coverage limit is **\$5,000,000** Combined Single Limit per Occurrence.
- D. **Fidelity Bond or Crime Coverage** shall be maintained by the RTC to cover all employees who process or otherwise have responsibility for RTC funds, supplies, equipment or other assets. Minimum amount of coverage shall be **\$250,000** per occurrence, with no self-insured retention.
- E. **Professional Liability/Errors & Omissions/Malpractice** coverage with minimum limits of **\$3,000,000** per occurrence and **\$6,000,000** general aggregate.
- F. **Sexual Molestation and Abuse Coverage**, unless that coverage is afforded elsewhere in the Commercial General Liability or Professional liability policy by endorsement, with minimum limits of **\$3,000,000** per occurrence and **\$6,000,000** general aggregate.

If LEA or CONTRACTOR determines that a change in insurance coverage obligations under this section is necessary, either party may reopen negotiations to modify the insurance obligations.

16. INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent allowed by law, CONTRACTOR shall indemnify and hold LEA and its Board Members, administrators, employees, agents, attorneys, volunteers, and subcontractors ("LEA Indemnities") harmless against all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of this Master Contract or its performance, to the extent that such loss, expense, damage or liability was proximately caused by the negligence intentional act or willful act or omission of CONTRACTOR, including, without limitation, its agents, employees, subcontractors or anyone employed directly or indirectly by it (excluding LEA and LEA Indemnities). The duty and obligation to defend shall arise immediately upon tender of a claim or lawsuit to the CONTRACTOR. The LEA and the Member District(s) shall have the right in their sole discretion to select counsel of its choice to provide the defense at the sole cost of the CONTRACTOR or the applicable insurance carrier.

To the fullest extent allowed by law, LEA shall indemnify and hold CONTRACTOR and its Board Members, administrators, employees, agents, attorneys, and subcontractors ("CONTRACTOR Indemnities") harmless against all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of this Master Contract or its performance, to the extent that such loss, expense, damage or liability was proximately caused by the negligent or willful act or omission of LEA, including, without limitation, its agents, employees, subcontractors or anyone employed directly or indirectly by it (excluding CONTRACTOR and/or any CONTRACTOR Indemnities).

LEA represents that it is self-insured in compliance with the laws of the state of California, that the self-insurance covers district employees acting within the course and scope of their respective duties and that its self-insurance covers LEA's indemnification obligations under this Master Contract.

17. INDEPENDENT CONTRACTOR

Nothing herein contained will be construed to imply a joint venture, partnership or principal-agent relationship between the LEA and CONTRACTOR. CONTRACTOR shall provide all services under this Agreement as an independent contractor, and neither party shall have the authority to bind or make any commitment on behalf of the other. Nothing contained in this Agreement shall be deemed to create any association, partnership, joint venture or relationship of principal and agent, master and servant, or employer and employee between the parties or any affiliates of the parties, or between the LEA and any individual assigned by CONTRACTOR to perform any services for the LEA.

If the LEA is held to be a partner, joint venturer, co-principle, employer or co-employer of CONTRACTOR, CONTRACTOR shall indemnify and hold harmless the LEA from and against any and all claims for loss, liability, or damages arising from that holding, as well as any expenses, costs, taxes, penalties and interest charges incurred by the LEA as a result of that holding.

18. SUBCONTRACTING

CONTRACTOR shall provide written notification to LEA before subcontracting for special education and/or related services pursuant to this Master Contract. In the event LEA determines that it can provide the subcontracted service(s) at a lower rate, LEA may elect to provide such service(s). If LEA elects to provide such service(s), LEA shall provide written notification to CONTRACTOR within five (5) days of receipt of CONTRACTOR's original notice and CONTRACTOR shall not subcontract for said service(s).

CONTRACTOR shall incorporate all of the provisions of this Master Contract in all subcontracts, to the fullest extent reasonably possible. Furthermore, when CONTRACTOR enters into subcontracts for the provision of special education and/or related services (including without limitation transportation) for any student, CONTRACTOR shall cause each subcontractor to procure and maintain insurance during the term of each subcontract. Such subcontractor's insurance shall comply with the provisions of Section 15. Each subcontractor shall furnish the LEA with original endorsements and certificates of insurance effecting coverage required by Section 15. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The endorsements are to be on forms as required by the LEA. All endorsements are to be received and approved by the LEA before the subcontractor's work commences. The Commercial General Liability and Automobile Liability policies shall name the LEA/SELPA and the LEA Board of Education as additional insured.

As an alternative to the LEA's forms, a subcontractor's insurer may provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by this Master Contract. All Certificates of Insurance may reference the LEA contract number, name of the school or agency submitting the certificate, indication if NPS or NPA, and the location of the school or agency submitting the certificate. In addition, all subcontractors must meet the requirements as contained in Section 45 Clearance Requirements and Section 46 Staff Qualifications of this Master Contract.

19. CONFLICTS OF INTEREST

CONTRACTOR shall provide to LEA upon request a copy of its current bylaws and a current list of its Board of Directors (or Trustees), if it is incorporated. CONTRACTOR and any member of its Board of Directors (or Trustees) shall disclose any relationship with LEA that constitutes or may constitute a conflict of interest pursuant to California Education Code section 56042 and including, but not limited to, employment with LEA, provision of private party assessments and/or reports, and attendance at IEP team meetings acting as a student's advocate. Pursuant to California Education code section 56042, an attorney or advocate for a parent of an individual with exceptional needs shall not recommend placement at CONTRACTOR's facility if the attorney or advocate is employed

or contracted by the CONTRACTOR, or will receive a benefit from the CONTRACTOR, or otherwise has a conflict of interest.

Unless CONTRACTOR and LEA otherwise agree in writing, LEA shall neither execute an ISA with CONTRACTOR nor amend an existing ISA for a student when a recommendation for special education and/or related services is based in whole or in part on assessment(s) or reports provided by CONTRACTOR to the student without prior written authorization by LEA. This paragraph shall apply to CONTRACTOR regardless of when an assessment is performed or a report is prepared (i.e. before or after the student is enrolled in CONTRACTOR's school/agency) or whether an assessment of the student is performed or a report is prepared in the normal course of the services provided to the student by CONTRACTOR. To avoid conflict of interest, and in order to ensure the appropriateness of an Independent Educational Evaluation (hereinafter referred to as "IEE") and its recommendations, the LEA may, in its discretion, not fund an IEE by an evaluator who provides ongoing service(s) or is sought to provide service(s) to the student for whom the IEE is requested. Likewise, the LEA may, in its discretion, not fund services through the evaluator whose IEE the LEA agrees to fund. When no other appropriate assessor is available, LEA may request and if CONTRACTOR agrees, the CONTRACTOR may provide an IEE.

When CONTRACTOR is a Nonpublic Agency, CONTRACTOR acknowledges that its authorized representative has read and understands Education Code section 56366.3 which provides, in relevant part, that no special education and/or related services provided by CONTRACTOR shall be paid for by LEA if provided by an individual who was an employee of LEA within the three hundred and sixty five (365) days prior to executing this contract. This provision does not apply to any person who is able to provide designated instruction and services during the extended school year because he or she is otherwise employed for up to ten months of the school year by LEA.

CONTRACTOR shall not admit a student living within the jurisdictional boundaries of the LEA on a private pay or tuition free "scholarship" basis and concurrently or subsequently advise/request parent(s) to pursue funding for the admitted school year from the LEA through due process proceedings.

20. NON-DISCRIMINATION

CONTRACTOR shall not unlawfully discriminate on the basis of gender, nationality, race or ethnicity, religion, age, sexual orientation, gender identity, gender expression, or disability or any other classification protected by federal or state law, in employment or operation of its programs.

EDUCATIONAL PROGRAM

21. FREE AND APPROPRIATE PUBLIC EDUCATION (FAPE)

LEA shall provide CONTRACTOR with a copy of the IEP including the Individualized Transition Plan (hereinafter referred to as "ITP") of each student served by CONTRACTOR. CONTRACTOR shall provide to each student special education and/or related services (including transition services) within the nonpublic school or nonpublic agency consistent with the student's IEP and as specified in the ISA. If CONTRACTOR is a NPS, CONTRACTOR shall not accept a student if it cannot provide or ensure the provision of the services outlined in the student's IEP. If student services are provided by a third party (i.e. Related Services Provider), CONTRACTOR shall notify LEA if provision of services cease.

Unless otherwise agreed to between CONTRACTOR and LEA, CONTRACTOR shall be responsible for the provision of all appropriate supplies, equipment, and/or facilities for students, as specified in the student's IEP and ISA. CONTRACTOR shall make no charge of any kind to

parents for special education and/or related services as specified in the student's IEP and ISA (including, but not limited to, screenings, assessments, or interviews that occur prior to or as a condition of the student's enrollment under the terms of this Master Contract). LEA shall provide low incidence equipment for eligible students with low incidence disabilities when specified in the student's IEP and ISA. Such equipment remains the property of the LEA and shall be returned to the LEA when the IEP team determines the equipment is no longer needed or when the student is no longer enrolled in the nonpublic school. CONTRACTOR shall ensure that facilities are adequate to provide LEA students with an environment, which meets all pertinent health and safety regulations. CONTRACTOR may charge a student's parent(s) for services and/or activities not necessary for the student to receive a free appropriate public education after: (a) written notification to the student's parent(s) of the cost and voluntary nature of the services and/or activities; and (b) receipt by the LEA of the written notification and a written acknowledgment signed by the student's parent(s) of the cost and voluntary nature of the services and/or activities. CONTRACTOR shall adhere to all LEA requirements concerning parent acknowledgment of financial responsibility.

Voluntary services and/or activities not necessary for the student to receive a free appropriate public education shall not interfere with the student's receipt of special education and/or related services as specified in the student's IEP and ISA unless the LEA, CONTRACTOR and PARENT agree otherwise in writing.

22. GENERAL PROGRAM OF INSTRUCTION

All nonpublic school and nonpublic agency services shall be provided consistent with the area of certification specified by CDE Certification and as defined in California Education Code section 56366 *et seq.*, and shall ensure that facilities are adequate to provide LEA students with an environment which meets all pertinent health and safety regulations.

When CONTRACTOR is a nonpublic school, CONTRACTOR's general program of instruction shall: (a) utilize evidence-based practices and predictors and be consistent with LEA's standards regarding the particular course of study and curriculum; (b) include curriculum that addresses mathematics, literacy and the use of educational, assistive technology and transition services; (c) be consistent with CDE's standards regarding the particular course of study and curriculum; (d) provide the services as specified in the student's IEP and ISA. Students shall have access to: (a) State Board of Education (SBE) - adopted Common Core State Standards ("CCSS") for curriculum and the same instructional materials for kindergarten and grades 1 to 8, inclusive; and provide standards – aligned core curriculum and instructional materials for grades 9 to 12, inclusive, used by a local education agency (LEA), that contracts with the nonpublic school; (b) college preparation courses; (c) extracurricular activities, such as art, sports, music and academic clubs; (d) career preparation and vocational training, consistent with transition plans pursuant to state and federal law and; (e) supplemental assistance, including individual academic tutoring, psychological counseling, and career and college counseling.

When CONTRACTOR serves students in grades nine through twelve inclusive, LEA shall provide to CONTRACTOR a specific list of the course requirements to be satisfied by the CONTRACTOR leading toward graduation or completion of LEA's diploma requirements. CONTRACTOR shall not award a high school diploma to students who have not successfully completed all of the LEA's graduation requirements.

When CONTRACTOR is a nonpublic agency and/or related services provider, CONTRACTOR's general program of instruction and/or services shall utilize evidence-based practices and predictors and be consistent with LEA and CDE guidelines and certification, and provided as specified in the student's IEP and ISA. The nonpublic agency providing Behavior Intervention services shall develop a written plan that specifies the nature of their nonpublic agency service for each student within thirty (30) days of enrollment and shall be provided in writing to the LEA. School-based services may not be unilaterally converted by CONTRACTOR to a substitute program or provided

at a location not specifically authorized by the IEP team. Except for services provided by a CONTRACTOR that is a licensed children's institution, all services not provided in the school setting require the presence of a parent, guardian or adult caregiver during the delivery of services, provided such guardian or caregiver have a signed authorization by the parent or legal guardian to authorize emergency services as requested. Licensed Children's Institution (LCI) CONTRACTORS shall ensure that appropriate and qualified residential or clinical staff is present during the provision of services under this Master Contract. CONTRACTOR shall immediately notify LEA in writing if no parent, guardian or adult caregiver is present. CONTRACTOR shall provide to LEA a written description of the services and location provided prior to the effective date of this Master Contract. CONTRACTORS providing Behavior Intervention services must have a trained behaviorist or trained equivalent on staff. It is understood that Behavior Intervention services are limited per CDE Certification and do not constitute as an instructional program.

When CONTRACTOR is a nonpublic agency, CONTRACTOR shall not provide transportation nor subcontract for transportation services for students unless the LEA and CONTRACTOR agree otherwise in writing.

23. INSTRUCTIONAL MINUTES

When CONTRACTOR is a nonpublic school, the total number of instructional minutes per school day provided by CONTRACTOR shall be at least equivalent to the number of instructional minutes per school day provided to students at like grade level attending LEA schools and shall be specified in the student's ISA developed in accordance with the student's IEP.

For students in grades kindergarten through 12 inclusive, unless otherwise specified in the student's IEP and ISA, the number of instructional minutes, excluding breakfast, recess, lunch and pass time shall be at the same level that Ed. Code. prescribes for the LEA.

The total number of annual instructional minutes shall be at least equivalent to the total number of annual instructional minutes provided to students attending LEA schools in like grade level unless otherwise specified in the student's IEP.

When CONTRACTOR is a nonpublic agency and/or related services provider, the total number of minutes per school day provided by CONTRACTOR shall be specified in the student's ISA developed in accordance with the student's IEP.

24. CLASS SIZE

When CONTRACTOR is a nonpublic school, CONTRACTOR shall ensure that class size shall not exceed a ratio of one teacher per twelve (12) students, unless CONTRACTOR and LEA agree otherwise in writing. Upon prior written approval by an authorized LEA representative, class size may be temporarily increased by a ratio of 1 teacher to fourteen (14) students when necessary during the regular or extended school year to provide services to students with disabilities.

In the event a nonpublic school is unable to fill a vacant teaching position responsible for direct instruction to students, and the vacancy has direct impact on the California Department of Education Certification of that school, the nonpublic school shall develop a plan to assure appropriate coverage of students by first utilizing existing certificated staff. The nonpublic school and the LEA may agree to one 30 school day period per contract year where class size may be increased to assure coverage by an appropriately credentialed teacher. Such an agreement shall be in writing and signed by both parties. This provision does not apply to a nonpublic agency.

CONTRACTOR providing special education instruction for individuals with exceptional needs between the ages of three (3) and five (5) years, inclusive, shall also comply with the appropriate instructional adult to child ratios pursuant to California Education Code sections 56440 *et seq.*

25. CALENDARS

When CONTRACTOR is a nonpublic school, CONTRACTOR shall submit to the LEA/SELPA a school calendar with the total number of billable days not to exceed _____ days, plus up to _____ extended school year billable days equivalent to the number of days determined by the LEA's extended school year calendar. Billable days shall include only those days that are included on the submitted and approved school calendar, and/or required by the IEP (developed by the LEA) for each student. CONTRACTOR shall not be allowed to change its school calendar and/or amend the number of billable days without the prior written approval of the LEA. Nothing in this Master Contract shall be interpreted to require the LEA to accept any requests for calendar changes.

Unless otherwise specified by the students' IEP, educational services shall occur at the school site. A student shall only be eligible for extended school year services if such are recommended by his/her IEP Team and the provision of such is specifically included in the ISA. Extended school year shall consist of twenty (20) instructional days, unless otherwise agreed upon by the IEP Team convened by the LEA. Any days of extended school year in excess of twenty (20) billable days must be mutually agreed to, in writing, prior to the start of the extended school year.

Student must have actually been in attendance during the regular school year and/or during extended school year and actually received services on a billable day of attendance in order for CONTRACTOR to be eligible for payment. It is specifically understood that services may not be provided on weekends/holidays and other times when school is not in session, unless agreed to by the LEA, in writing, in advance of the delivery of any nonpublic school service. Any instructional days provided without this written agreement shall be at the sole financial responsibility of the CONTRACTOR.

CONTRACTOR shall observe the same legal holidays as LEA. Those holidays are Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day and Independence Day. With the approval of LEA, CONTRACTOR may revise the date upon which CONTRACTOR closes in observance of any of the holidays observed by the LEA.

When CONTRACTOR is a nonpublic agency, CONTRACTOR shall be provided with a LEA-developed/approved calendar prior to the initiation of services. CONTRACTOR herein agrees to observe holidays as specified in the LEA-developed/approved calendar. CONTRACTOR shall provide services pursuant to the LEA-developed/approved calendar; or as specified in the LEA student's IEP and ISA. Unless otherwise specified in the LEA student's ISA, CONTRACTOR shall provide related services to LEA students on only those days that the LEA student's school of attendance is in session and the LEA student attends school. CONTRACTOR shall bill only for services provided on billable days of attendance as indicated on the LEA calendar unless CONTRACTOR and the LEA agree otherwise, in writing. Student must have actually been in attendance and/or received services on a billable day of attendance in order for CONTRACTOR to be eligible for payment. It is specifically understood that services may not be provided on weekends/holidays and other times when school is not in session, unless agreed to by the LEA, in writing, in advance of the delivery of any nonpublic agency service provided by CONTRACTOR. Any instructional days provided without this written agreement shall be at the sole financial responsibility of the CONTRACTOR.

26. DATA REPORTING

CONTRACTOR shall agree to provide to the LEA all data related to student information and billing information with LEA. CONTRACTOR shall agree to provide all data related to any and all sections

of this contract and requested by and in the format required by the LEA. It is understood that all nonpublic schools and agencies shall utilize the Special Education Information System (SEIS) or comparable system approved by the LEA and SELPA for all IEP development and progress reporting. Additional progress reporting may be required by the LEA. The LEA shall provide the CONTRACTOR with appropriate software, user training and proper internet permissions to allow adequate access.

The LEA shall provide the CONTRACTOR with approved forms and/or format for such data including, but not limited to, invoicing, attendance reports and progress reports. The LEA may approve use of CONTRACTOR'S provided forms at their discretion.

27. LEAST RESTRICTIVE ENVIRONMENT/DUAL ENROLLMENT

CONTRACTOR and LEA shall follow all LEA policies and procedures that support Least Restrictive Environment ("LRE") options and/or dual enrollment options if available and appropriate, for students to have access to the general curriculum and to be educated with their nondisabled peers to the maximum extent appropriate.

CONTRACTOR and LEA shall ensure that LRE placement options are addressed at all IEP team meetings regarding students for whom ISAs have been or may be executed. This shall include IEP team consideration of supplementary aids and services, goals and objectives necessary for placement in the LRE and necessary to enable students to transition to less restrictive settings.

When an IEP team has determined that a student should be transitioned into the public school setting, CONTRACTOR shall assist the LEA in implementing the IEP team's recommended activities to support the transition.

28. STATEWIDE ACHIEVEMENT TESTING

When CONTRACTOR is a nonpublic school, per implementation of Senate Bill 484, CONTRACTOR shall administer all Statewide assessments within the California Assessment of Student Performance and Progress ("CAASPP"), Desired Results Developmental Profile ("DRDP"), California Alternative Assessment ("CAA") achievement and abilities tests (using LEA-authorized assessment instruments), the Fitness Gram, the California English Language Development Test ("CELDT"), the English Language Proficiency Assessments for California ("ELPAC"), and as appropriate to the student, and mandated by LEA pursuant to LEA and state and federal guidelines.

CONTRACTOR is subject to the alternative accountability system developed pursuant to Education Code section 52052, in the same manner as public schools. Each LEA student placed with CONTRACTOR by the LEA shall be tested by qualified staff of CONTRACTOR in accordance with that accountability program. LEA shall provide test administration training to CONTRACTOR'S qualified staff. CONTRACTOR shall attend LEA test training and comply with completion of all coding requirements as required by LEA.

29. MANDATED ATTENDANCE AT LEA MEETINGS

CONTRACTOR shall attend District mandated meetings when legal mandates, and/or LEA policy and procedures are reviewed, including but not limited to the areas of: curriculum, high school graduation, standards-based instruction, behavior intervention, cultural and linguistic needs of students with disabilities, dual enrollment responsibilities, LRE responsibilities, transition services, and standardized testing and IEPs. LEA shall provide CONTRACTOR with reasonable notice of mandated meetings. Attendance at such meetings does not constitute a billable service hour(s).

30. POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS

CONTRACTOR shall comply with the requirements of Education Code section 56521.1 and 56521.2. LEA students who exhibit behaviors that interfere with their learning or the learning of others must receive timely and appropriate assessments and positive supports and interventions in accordance with the federal law and its implementing regulations. If the Individualized Education Program ("IEP") team determines that a student's behavior impedes his or her learning or the learning of others, the IEP team is required to consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with Section 1414(d)(3)(B)(i) and (d)(4) of Title 20 of the United States Code and associated federal regulations. This could mean that instead of developing a Behavior Intervention Plan ("BIP"), the IEP team may conclude it is sufficient to address the student's behavioral problems through the development of behavioral goals and behavioral interventions to support those goals.

CONTRACTOR shall maintain a written policy pursuant to California Education Code section 56521.1 regarding emergency interventions and behavioral emergency reports. CONTRACTOR shall ensure that all of its staff members are trained annually in crisis intervention and emergency procedures as related to appropriate behavior management strategies. Training includes certification with an approved SELPA crisis intervention program. Evidence of such training to applicable or relevant staff shall be submitted to the LEA at the beginning of the school year and within six (6) days of any new hire as referenced above.

Pursuant to Education Code section 56521.1, emergency interventions shall not be used as a substitute for a BIP, and shall not be employed longer than necessary to contain the behavior. Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. If a situation requires prolonged use of emergency intervention, staff must seek assistance from the school site administrator or a law enforcement agency.

CONTRACTOR shall complete a behavior emergency report when an emergency occurs that is defined as a serious, dangerous behavior that staff has determined to present a clear and present danger to others. It requires a non-violent physical intervention to protect the safety of student, self, or others and a physical intervention has been used; or a physical intervention has not been used, but an injury or serious property damage has occurred. Personal Safety Techniques may or may not have been used. Emergencies **require** a behavior emergency report form be completed and submitted to the LEA within twenty-four (24) hours for administrative action. CONTRACTOR shall notify Parent within twenty-four (24) hours via telephone. If the student's IEP does not contain a Behavior Intervention Plan ("BIP") or Positive Behavior Intervention Plan ("PBIP"), an IEP team shall schedule a meeting to review the behavior emergency report, determine if there is a necessity for a functional behavioral assessment, and to determine an interim plan. If the student already has a BIP, the IEP team shall review and modify the BIP if a new serious behavior has been exhibited or existing behavioral interventions have proven to be ineffective. CONTRACTOR shall schedule with LEA an IEP meeting within two (2) days.

Pursuant to Education Code section 56521.2, CONTRACTOR shall not authorize, order, consent to, or pay for the following interventions, or any other interventions similar to or like the following: (1) Any intervention that is designed to, or likely to, cause physical pain, including, but not limited to, electric-shock (2) An intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the face of the individual. (3) An intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities. (4) An intervention that is designed to subject, used to subject, or likely to subject, the individual to verbal abuse, ridicule, or humiliation, or that can be expected to cause excessive emotional trauma. (5) Restrictive interventions that employ a device, material, or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained

personnel as a limited emergency intervention. (6) Locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room. (7) An intervention that precludes adequate supervision of the individual. (8) An intervention that deprives the individual of one or more of his or her senses. (b) In the case of a child whose behavior impedes the child's learning or that of others, the individualized education program team shall consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior, consistent with Section 1414(d)(3)(B)(i) and (d)(4) of Title 20 of the United States Code and associated federal regulations.

(Added by Stats. 2013, Ch. 48, Sec. 43. Effective July 1, 2013.)

All restraint practices must be reviewed and revised when they have an adverse effect on a student and are used repeatedly for an individual child, either on multiple occasions within the same classroom or multiple uses by the same individual. CONTRACTOR shall notify the student's parent/guardian when any type of physical or mechanical restraint or seclusion has been used. Upon the use of any type of physical or mechanical restraint or seclusions of a District student, CONTRACTOR shall complete a BER per the reporting and notification requirements listed above.

31. STUDENT DISCIPLINE

CONTRACTOR shall maintain and abide by a written policy for student discipline that is consistent with state and federal law and regulations.

When CONTRACTOR seeks to remove a student from his/her current educational placement for disciplinary reasons, CONTRACTOR shall immediately submit a written discipline report to the LEA and a manifestation IEP team meeting shall be scheduled. Written discipline reports shall include, but not be limited to: the student's name; the time, date, and description of the misconduct; the disciplinary action taken by CONTRACTOR; and the rationale for such disciplinary action. A copy of the student's behavior plan, if any, shall be submitted with the written discipline report. CONTRACTOR and LEA agree to participate in a manifestation determination at an IEP meeting no later than the tenth (10th) day of suspension. CONTRACTOR shall notify and invite LEA representatives to the IEP team meeting where the manifestation determination will be made.

32. IEP TEAM MEETINGS

An IEP team meeting shall be convened at least annually to evaluate: (1) the educational progress of each student placed with CONTRACTOR, including all state assessment results pursuant to the requirements of Education Code section 52052; (2) whether or not the needs of the student continue to be best met at the nonpublic school; and (3) whether changes to the student's IEP are necessary, including whether the student may be transitioned to a public school setting. (California Education Code sections 56366 (a) (2) (B) (i) and (ii)) and pursuant to California Education Code section 56345 (b) (4).)

If the LEA student is to be transferred from a NPS setting into a regular class setting in a public school for any part of the school day, the IEP team shall document, if appropriate, a description of activities provided to integrate the student into the regular education program, including the nature of each activity as well as the time spent on the activity each day or week and a description of the activities provided to support the transition of the student from the special education program into the regular education program. Each student shall be allowed to provide confidential input to any representative of his or her IEP team. Except as otherwise provided in the Master Contract, CONTRACTOR and LEA shall participate in all IEP team meetings regarding students for whom ISAs have been or may be executed. At any time during the term of this Master Contract, the parent, the CONTRACTOR or the LEA may request a review of the student's IEP, subject to all procedural safeguards required by law, including reasonable notice given to, and participation of, the CONTRACTOR in the meeting. Every effort shall be made to schedule IEP team meetings at a time and place that is mutually convenient to parent, CONTRACTOR and LEA. CONTRACTOR

shall provide to LEA assessments and written assessment reports by service providers upon request and/or pursuant to LEA policy and procedures. It is understood that attendance at an IEP meeting is part of CONTRACTOR'S professional responsibility and is not a billable service under this Master Contract unless otherwise agreed to in writing by the LEA.

It is understood that the CONTRACTOR shall utilize the approved electronic IEP system of the LEA for all IEP planning and progress reporting at the LEA's discretion. The SELPA shall provide training for any NPS and NPA to assure access to THE APPROVED SYSTEM. The NPS and/or NPA shall maintain confidentiality of all IEP data on THE APPROVED SYSTEM and shall protect the password requirements of the system. When a student dis-enrolls from the NPS, the NPS/NPA shall discontinue use of THE APPROVED SYSTEM for that student.

Changes in any student's educational program, including instruction, services, or instructional setting provided under this Master Contract, may only be made on the basis of revisions to the student's IEP. In the event that the CONTRACTOR believes the student requires a change of placement, the CONTRACTOR may request a review of the student's IEP for the purposes of consideration of a change in the student's placement. Student is entitled to remain in the last agreed upon and implemented placement unless parent agrees otherwise or an Interim Alternative Educational Setting is deemed lawful and appropriate by LEA or OAH consistent with Section 1415 (k)(1)(7) of Title 20 of the United States Code.

33. SURROGATE PARENTS AND FOSTER YOUTH

CONTRACTOR shall comply with LEA surrogate parent assignments. A pupil in foster care shall be defined pursuant to California Education Code section 42238.01(b). The LEA shall annually notify the CONTRACTOR who the LEA has designated as the educational liaison for foster children. When a pupil in foster care is enrolled in a nonpublic school by the LEA any time after the completion of the pupil's second year of high school, the CONTRACTOR shall schedule the pupil in courses leading towards graduation based on the diploma requirements of the LEA unless provided notice otherwise in writing pursuant to Section 51225.1.

34. DUE PROCESS PROCEEDINGS

CONTRACTOR shall fully participate in special education due process proceedings including mediations and hearings, as requested by LEA. CONTRACTOR shall also fully participate in the investigation and provision of documentation related to any complaint filed with the State of California, the Office of Civil Rights, or any other state and/or federal governmental body or agency. Full participation shall include, but in no way be limited to, cooperating with LEA representatives to provide complete answers raised by any investigator and/or the immediate provision of any and all documentation that pertains to the operation of CONTRACTOR's program and/or the implementation of a particular student's IEP/Individual and Family Service Plan ("IFSP").

35. COMPLAINT PROCEDURES

CONTRACTOR shall maintain and adhere to its own written procedures for responding to parent complaints. These procedures shall include annually notifying and providing parents of students with appropriate information (including complaint forms) for the following: (1) Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations section 4600 *et seq.*; (2) Nondiscrimination policy pursuant to Title 5 of the California Code of Regulations section 4960 (a); (3) Sexual Harassment Policy, California Education Code 231.5 (a) (b) (c); (4) Title IX Student Grievance Procedure, Title IX 106.8 (a) (d) and 106.9 (a); and (5) Notice of Privacy Practices in compliance with Health Insurance Portability and Accountability Act ("HIPAA"). CONTRACTOR shall include verification of these procedures to the LEA.

36. STUDENT PROGRESS REPORTS/REPORT CARDS AND ASSESSMENTS

Unless LEA requests in writing that progress reports be provided on a monthly basis, CONTRACTOR shall provide to parents at least four (4) written progress reports/report cards. At a minimum, progress reports shall include progress over time towards IEP goals and objectives. A copy of the progress reports/report cards shall be maintained at the CONTRACTOR's place of business and shall be submitted to the LEA and LEA student's parent(s).

The CONTRACTOR shall also provide an LEA representative access to supporting documentation used to determine progress on any goal or objective, including but not limited to log sheets, observation notes, data sheets, pre/post-tests, rubrics and other similar data collection used to determine progress or lack of progress on approved goals, objectives, transition plans or behavior intervention plans. The LEA may request such data at any time within five (5) years of the date of service. The CONTRACTOR shall provide this data supporting progress within five (5) business days of request. Additional time may be granted as needed by the LEA.

CONTRACTOR shall complete academic or other evaluations of the student ten (10) days prior to the student's annual or triennial review IEP team meeting for the purpose of reporting the student's present levels of performance at the IEP team meeting as required by state and federal laws and regulations and pursuant to LEA policies, procedures, and/or practices. CONTRACTOR shall provide sufficient copies of its reports, documents, and projected goals to share with members of the IEP team five (5) business days prior to the IEP meeting. CONTRACTOR shall maintain supporting documentation such as test protocols and data collection, which shall be made available to LEA within five (5) business days of request.

The CONTRACTOR is responsible for all evaluation costs regarding the updating of goals and objectives, progress reporting and development of present levels of performance. All assessments resulting from an assessment plan shall be provided by the LEA unless the LEA specifies in writing a request that CONTRACTOR perform such additional assessment. Any assessment and/or evaluation costs may be added to the ISA and/or approved separately by the LEA at the LEA's sole discretion.

It is understood that all billable hours must be in direct services to pupils as specified in the ISA. For Nonpublic Agency services, supervision provided by a qualified individual as specified in Title 5 Regulation, subsection 3065, shall be determined as appropriate and included in the ISA. Supervision means the direct observation of services, data review, case conferencing and program design consistent with professional standards for each professional's license, certification, or credential.

CONTRACTOR shall not charge the student's parent(s) or LEA for the provision of progress reports, report cards, evaluations conducted in order to obtain present levels of performance, interviews, and/or meetings. It is understood that all billable hours have limits to those specified on the ISA consistent with the IEP. It is understood that copies of data collection notes, forms, charts and other such data are part of the pupil's record and shall be made available to the LEA upon written request.

37. TRANSCRIPTS

When CONTRACTOR is a nonpublic school, CONTRACTOR shall prepare transcripts at the close of each semester, or upon student transfer, for students in grades nine (9) through twelve (12) inclusive, and submit them on LEA approved forms to the student's school of residence for evaluation of progress toward completion of diploma requirements as specified in LEA Procedures. CONTRACTOR shall submit to the LEA names of students and their schools of residence for whom transcripts have been submitted as specified by the LEA.

38. STUDENT CHANGE OF RESIDENCE

Within five (5) school days after CONTRACTOR becomes aware of a student's change of residence, CONTRACTOR shall notify LEA of the student's change of residence as specified in LEA Procedures. Upon enrollment, CONTRACTOR shall notify parents in writing of their obligation to notify CONTRACTOR of the student's change of residence. CONTRACTOR shall maintain, and provide upon request by LEA, documentation of such notice to parents.

If CONTRACTOR had knowledge or should reasonably have had knowledge of the student's change of residence boundaries and CONTRACTOR fails to follow the procedures specified in this provision, LEA shall not be responsible for the costs of services delivered after the student's change of residence.

39. WITHDRAWAL OF STUDENT FROM PROGRAM

CONTRACTOR shall immediately report electronically and in writing to the LEA within five (5) business days when an LEA student is withdrawn without prior notice from school and/or services, including student's change of residence to a residence outside of LEA service boundaries, and student's discharge against professional advice from a Nonpublic Schools/Residential Treatment Center ("NPS/RTC"). CONTRACTOR shall assist LEA to verify and clear potential dropouts three (3) times per year, as required by the 2001 Elementary and Secondary Education Act (No Child Left Behind; NCLB), as documentation of graduation rate is one of the indicators of Adequate Yearly Progress ("AYP").

40. PARENT ACCESS

CONTRACTOR shall provide for reasonable parental access to students and all facilities including, but not limited to, the instructional setting, recreational activity areas, meeting rooms and student living quarters. CONTRACTOR shall comply with any known court orders regarding parental visits and access to LEA students.

CONTRACTOR operating programs associated with a NPS/RTC shall cooperate with a parent's reasonable request for LEA student therapeutic visits in their home or at the NPS/RTC. CONTRACTOR shall require that parents obtain prior written authorization for therapeutic visits from the CONTRACTOR and the LEA at least thirty (30) days in advance. CONTRACTOR shall facilitate all parent travel and accommodations and for providing travel information to the parent as appropriate. Payment by LEA for approved travel-related expenses shall be made directly through the LEA.

CONTRACTOR providing services in the student's home as specified in the IEP shall assure that at least one parent of the child, or an adult caregiver with written and signed authorization to make decisions in an emergency, is present. The names of any adult caregiver other than the parent shall be provided to the LEA prior to the start of any home based services, including written and signed authorization in emergency situations. The parent shall inform the LEA of any changes of caregivers and provide written authorization for emergency situation. The adult caregiver cannot also be an employee or volunteer associated with the NPS/NPA service provider.

For services provided in a pupil's home as specified in the IEP, CONTRACTOR must assure that the parent or LEA approved responsible adult is present during the provision of services. All problems and/or concerns reported to parents, both verbal and written, shall also be provided to the LEA.

41. SERVICES AND SUPERVISION AND PROFESSIONAL CONDUCT

If CONTRACTOR provides services on LEA public school campuses, CONTRACTOR shall comply with Penal Code Section 627.1 *et. seq.*, and LEA procedures regarding visitors to school campuses specified by LEA policy and in the LEA procedures, and the procedures of the campus being visited. CONTRACTOR shall be responsible for purchase and provision of the supplies and assessment tools necessary to implement the provision of services on LEA public school campuses.

For services provided on a public school campus, sign in/out procedures shall be followed along with all procedures for being on campus consistent with school and LEA policy. It is understood that the public school credentialed classroom teacher is responsible for the educational program and all nonpublic agency service providers shall work collaboratively with the classroom teacher, who shall remain in charge of the instructional program.

It is understood, that all employees, subcontractors and volunteers of any certified nonpublic school or agency shall adhere to customary professional standards when providing services. All practices shall be within the scope of professional responsibility as defined in the professional code of conduct for each profession. Reports regarding student progress shall be consistent with the provision of the contract.

CONTRACTOR providing services outside of the student's school as specified in the IEP shall ensure that at least one parent of the child or an adult caregiver with written and signed authority to make decisions in an emergency is present during provision of services. The names of any adult caregiver other than the parent shall be provided to the LEA prior to the start of any home based services, including written and signed authorization in emergency situations. The adult caregiver cannot also be an employee or volunteer associated with the NPS/NPA service provider. All problems and/or concerns reported by CONTRACTOR to parents or guardians, in either verbal or written form, shall be reported to the LEA.

42. LICENSED CHILDREN'S INSTITUTION ("LCI") CONTRACTORS AND RESIDENTIAL TREATMENT CENTER ("RTC") CONTRACTORS

If CONTRACTOR is a licensed children's institution (hereinafter referred to as "LCI"), CONTRACTOR shall adhere to all legal requirements regarding educational placements for LCI students as stated in Education Code 56366 (a) (2) (C), 56366.9 (c) (1), Health and Safety Code section 1501.1(b), AB 1858 (2004), AB490 (Chapter 862, Statutes of 2003) AB 1261 (2005), AB 1166 Chapter 171 (2015), AB 167 Chapter 224 (2010), AB 216 Chapter 324 (2013), AB 379 Chapter 772 (2015), AB 1012 Chapter 703 (2015), and the procedures set forth in the LEA Procedures. An LCI shall not require that a pupil be placed in its nonpublic school as a condition of being placed in its residential facility.

If CONTRACTOR is a nonpublic, nonsectarian school that is owned, operated by, or associated with a residential treatment center (hereinafter referred to as "NPS/RTC"), CONTRACTOR shall adhere to all legal requirements under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. section 1412(a)(1)(A) and Education Code section 56000, *et seq.*; amended and reorganized by the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA), 20 U.S.C. section 1401(29); Education Code section 56031; Cal. Code Regs., title 5, section 3001 *et seq.*, Cal. Code Regs., title 2, section 60100 *et seq.* regarding the provision of counseling services, including residential care for students to receive a FAPE as set forth in the LEA student's IEPs.

If CONTRACTOR is a nonpublic, nonsectarian school that is owned, operated by, or associated with a LCI, CONTRACTOR shall provide to LEA, on a quarterly basis, a list of all students, including those identified as eligible for special education. For those identified special education students, the list shall include: 1) special education eligibility at the time of enrollment and; 2) the educational placement and services specified in each student's IEP at the time of enrollment.

Unless placement is made pursuant to an Office of Administrative Hearings order or a lawfully executed agreement between LEA and parent, LEA is not responsible for the costs associated with nonpublic school placement until the date on which an IEP team meeting is convened, the IEP team determines that a nonpublic school placement is appropriate, and the IEP is signed by the student's parent or another adult with educational decision-making rights.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this State shall be certified or licensed by that state to provide, respectively, special education and related services and designated instruction and related services to pupils under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

43. STATE MEAL MANDATE

When CONTRACTOR is a nonpublic school, CONTRACTOR and LEA shall satisfy the State Meal Mandate under California Education Code sections 49530, 49530.5 and 49550.

44. MONITORING

CONTRACTOR shall allow LEA representatives access to its facilities for periodic monitoring of each student's instructional program and shall be invited to participate in the formal review of each student's progress. LEA shall have access to observe each student at work, observe the instructional setting, interview CONTRACTOR, and review each student's records and progress. Such access shall include unannounced monitoring visits. When making site visits, LEA shall initially report to CONTRACTOR's site administrative office. CONTRACTOR shall be invited to participate in the review of each student's progress.

If CONTRACTOR is also an LCI and/or NPS/RTC, LEA shall annually evaluate whether CONTRACTOR is in compliance with Education Code section 56366.9 and Health and Safety Code section 1501.1(b).

The State Superintendent of Public Instruction ("Superintendent") shall monitor CONTRACTOR'S facilities, the educational environment, and the quality of the educational program, including the teaching staff, the credentials authorizing service, the standards-based core curriculum being employed, and the standard focused instructional materials used on a three-year cycle, as follows: (1) CONTRACTOR shall complete a self-review in year one; (2) the Superintendent shall conduct an onsite review in year two; and (3) the Superintendent shall conduct a follow-up visit in year three.

CONTRACTOR shall participate in any LEA and CDE compliance review, if applicable, to be conducted as aligned with the CDE Onsite Review and monitoring cycle in accordance with California Education Code section 56366.1(j). This review will address programmatic aspects of the nonpublic school, compliance with relevant state and federal regulations, and Master Contract compliance. CONTRACTOR shall conduct any follow-up or corrective action procedures related to review findings.

CONTRACTOR understands that LEA reserves the right to institute a program audit with or without cause. The program audit may include, but is not limited to, a review of core compliance areas of health and safety; curriculum/instruction; related services; and contractual, legal, and procedural compliance.

When CONTRACTOR is a nonpublic school, CONTRACTOR shall collect all applicable data and prepare the applicable portion of a School Accountability Report Card as appropriate in accordance with California Education Code Section 33126.

PERSONNEL

45. CLEARANCE REQUIREMENTS

CONTRACTOR shall comply with the requirements of California Education Code sections 44237, 35021.1 and 35021.2 including, but not limited to: obtaining clearance from both the California Department of Justice (hereinafter referred to as "CDOJ") and clearance from the Federal Bureau of Investigation (hereinafter referred to as "FBI") for CONTRACTOR's employees and volunteers who will have or likely may have any direct contact with LEA students. CONTRACTOR hereby agrees that CONTRACTOR's employees and volunteers shall not come in contact with students until CDOJ and FBI clearance are ascertained. CONTRACTOR shall certify in writing to LEA that none of its employees, and volunteers, unless CONTRACTOR determines that the volunteers will have no direct contact with students, or subcontractors who may come into contact with students have been convicted of a violent or serious felony as those terms are defined in California Education Code section 44237(h), unless despite the employee's conviction of a violent or serious felony, he or she has met the criteria to be eligible for employment pursuant to California Education Code section 44237 (i) or (j). Clearance certification shall be submitted to the LEA.

The passage of AB 389 amends Education Code sections 44237 and 56366.1 as to the verification that the CONTRACTOR has received a successful criminal background check clearance and has enrolled in subsequent arrest notification service, as specified, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency. Further this bill deletes the exemption for applicants possessing a valid California state teaching credential or who are currently licensed by another state agency that requires a criminal record summary, from submitting two (2) sets of fingerprints for the purpose of obtaining a criminal record summary from the Department of Justice and the Federal Bureau of Investigation. Notwithstanding the restrictions on sharing and destroying criminal background check information, CONTRACTOR, upon demand, shall make available to the LEA evidence of a successful criminal background check clearance and enrollment in subsequent arrest notification service, as provided, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency. CONTRACTOR is required to retain the evidence on-site, as specified, for all staff, including those licensed or credentialed by another state agency. Background clearances and proof of subsequent arrest notification service, as required by California Penal Code section 11105.2, for all staff shall be provided to the LEA upon request.

46. STAFF QUALIFICATIONS

CONTRACTOR shall ensure that all individuals employed, contracted, and/or otherwise hired by CONTRACTOR to provide classroom and/or individualized instruction or related services hold a license, certificate, permit, or other document equivalent to that which staff in a public school are required to hold in the service rendered consistent with Education Code section 56366.1(n)(1) and are qualified pursuant to Title 34 of the Code of Federal Regulations sections 200.56 and 200.58, and Title 5 of the California Code of Regulations sections 3001(y), 3064 and 3065. Such qualified staff may only provide related services within the scope of their professional license, certification or credential and ethical standards set by each profession, and not assume responsibility or authority for another related services provider or special education teacher's scope of practice.

CONTRACTOR shall ensure that all staff are appropriately credentialed to provide instruction and services to students with the disabling conditions placed in their program/school through documentation provided to the CDE (5 CCR 3064 (a)).

When CONTRACTOR is a nonpublic school, an appropriately qualified person shall serve as curricular and instructional leader, and be able to provide leadership, oversight and professional development.

CONTRACTOR shall comply with personnel standards and qualifications regarding instructional aides and teacher assistants respectively pursuant to federal requirements and California Education Code sections 45340 *et seq.* and 45350 *et seq.* Specifically, all paraprofessionals, including but not limited to, instructional aides and teacher assistants, employed, contracted, and/or otherwise hired or subcontracted by CONTRACTOR to provide classroom and/or individualized instruction or related services, shall possess a high school diploma (or its recognized equivalent) and at least one of the following qualifications: (a) completed at least two (2) years of study at an institution of higher education; or (b) obtained an associate's (or higher) degree; or (c) met a rigorous standard of quality and can demonstrate, through a formal state or local assessment (i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or (ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate. CONTRACTOR shall comply with all laws and regulations governing the licensed professions, including but not limited to, the provisions with respect to supervision.

In addition to meeting the certification requirements of the State of California, a CONTRACTOR that operates a program outside of this state and serving a student by this LEA shall be certified or licensed by that state to provide special education and related services to pupils under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 *et seq.*).

47. VERIFICATION OF LICENSES, CREDENTIALS AND OTHER DOCUMENTS

CONTRACTOR shall submit to LEA a staff list, and copies of all current licenses, credentials, certifications, permits and/or other documents which entitle the holder to provide special education and/or related services by individuals employed, contracted, and/or otherwise hired or subcontracted by CONTRACTOR. CONTRACTOR shall ensure that all licenses, credentials, permits or other documents are on file at the office of the County Superintendent of Schools. CONTRACTOR shall notify LEA in writing within thirty (30) days when personnel changes occur which may affect the provision of special education and/or related services to students as specified in the LEA Procedures. CONTRACTOR shall provide the LEA with the verified dates of fingerprint clearance, Department of Justice clearance and Tuberculosis Test clearance for all employees, approved subcontractors and/or volunteers prior to such individuals starting to work with any student.

CONTRACTOR shall monitor the status of licenses, credentials, certifications, permits and/or other documents for all individuals employed, contracted, and/or otherwise hired by CONTRACTOR. CONTRACTOR shall notify LEA and CDE in writing within forty-five (45) days when personnel changes occur which may affect the provision of special education and/or related services to LEA students. CONTRACTOR shall notify LEA within forty-five (45) days if any such licenses, certifications or waivers are expired, suspended, revoked, rescinded, challenged pursuant to an administrative or legal complaint or lawsuit, or otherwise nullified during the effective period of this Master Contract. The LEA shall not be obligated to pay for any services provided by a person whose such licenses, certifications or waivers are expired, suspended, revoked, rescinded, or otherwise nullified during the period which such person is providing services under this Master Contract. Failure to notify the LEA and CDE of any changes in credentialing/licensed staff may result in suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by the LEA.

48. STAFF ABSENCE

When CONTRACTOR is a nonpublic agency and/or related services provider, and CONTRACTOR's service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section 7 of this agreement and as determined by LEA) substitute, unless LEA provides appropriate coverage in lieu of CONTRACTOR's service providers. It is understood that the parent of a student shall not be deemed to be a qualified substitute for their student. LEA will not pay for

services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided. CONTRACTOR shall not "bank" or "carry over" make up service hours under any circumstances, unless otherwise agreed to in writing by CONTRACTOR and authorized LEA representative.

49. STAFF PROFESSIONAL BEHAVIOR WHEN PROVIDING SERVICES AT SCHOOL OR SCHOOL RELATED EVENTS OR AT SCHOOL FACILITY AND/OR IN THE HOME

It is understood that all employees, subcontractors, and volunteers of any certified nonpublic school or agency shall adhere to the customary professional and ethical standards when providing services. All practices shall only be within the scope of professional responsibility as defined in the professional code of conduct for each profession as well as any LEA professional standards as specified in Board policies and/or regulations when made available to the CONTRACTOR.

For services provided on a public school campus, sign in/out procedures shall be followed by nonpublic agency providers working in a public school classroom along with all other procedures for being on campus consistent with school and district policy. Such policies and procedures shall be made available to the CONTRACTOR. It is understood that the public school credentialed classroom teacher is responsible for the instructional program.

For services provided in a pupil's home as specified in the IEP, CONTRACTOR must assure that the parent or LEA approved responsible adult is present during the provision of services. All problems and/or concerns reported to parents, both verbal and written shall also be provided to the LEA.

HEALTH AND SAFETY MANDATES

50. HEALTH AND SAFETY

CONTRACTOR shall comply with all applicable federal, state, local, and LEA laws, regulations, ordinances, policies, and procedures regarding student and employee health and safety. CONTRACTOR shall comply with the requirements of California Education Code sections 35021 *et. seq.*, 49406, and Health and Safety Code Section 3454(a) regarding the examination of CONTRACTOR's employees and volunteers for tuberculosis. CONTRACTOR shall provide to LEA documentation for each individual volunteering, employed, contracted, and/or otherwise hired by CONTRACTOR of such compliance before an individual comes in contact with a student.

CONTRACTOR shall comply with OSHA Blood-Borne Pathogens Standards, 29 code of Federal Regulations (CFR) section 1910.1030, when providing medical treatment or assistance to a student. CONTRACTOR further agrees to provide annual training regarding universal health care precautions and to post required notices in areas designated in the California Health and Safety Code.

51. FACILITIES AND FACILITIES MODIFICATIONS

CONTRACTOR shall provide special education and/or related services to students in facilities that comply with all applicable federal, state, and local laws, regulations, and ordinances related, but not limited to: disability access; fire, health, sanitation, and building standards and safety; fire warning systems; zoning permits; and occupancy capacity. When CONTRACTOR is a nonpublic

school, CONTRACTOR shall conduct fire drills as required by Title 5 California Code of Regulations section 550. CONTRACTOR shall be responsible for any structural changes and/or modifications to CONTRACTOR's facilities as required complying with applicable federal, state, and local laws, regulations, and ordinances. Failure to notify the LEA and CDE of any changes in, major modification or relocation of facilities may result in the suspension or revocation of CDE certification and/or suspension or termination of this Master Contract by the LEA.

52. ADMINISTRATION OF MEDICATION

CONTRACTOR shall comply with the requirements of California Education Code section 49423 when CONTRACTOR serves a student that is required to take prescription and/or over-the-counter medication during the school day. CONTRACTOR may designate personnel to assist the student with the administration of such medication after the student's parent(s) provides to CONTRACTOR: (a) a written statement from a physician detailing the type, administration method, amount, and time schedules by which such medication shall be taken; and (b) a written statement from the student's parent(s) granting CONTRACTOR permission to administer medication(s) as specified in the physician's statement. CONTRACTOR shall maintain, and provide to LEA upon request, copies of such written statements. CONTRACTOR shall maintain a written log for each student to whom medication is administered. Such written log shall specify the student's name; the type of medication; the date, time, and amount of each administration; and the name of CONTRACTOR's employee who administered the medication. CONTRACTOR maintains full responsibility for assuring appropriate staff training in the administration of such medication consistent with physician's written orders. Any change in medication type, administration method, amount or schedule must be authorized by both a licensed physician and parent.

53. INCIDENT/ACCIDENT REPORTING

CONTRACTOR shall submit within 24 hours, electronically, any accident or incident report to the LEA. CONTRACTOR shall properly submit required accident or incident reports pursuant to the procedures specified in LEA Procedures.

54. CHILD ABUSE REPORTING

CONTRACTOR hereby agrees to annually train all staff members, including volunteers, so that they are familiar with and agree to adhere to its own child and dependent adult abuse reporting obligations and procedures as specified in California Penal Code section 11164 et seq., and Education Code 44691. To protect the privacy rights of all parties involved (i.e. reporter, child and alleged abuser), reports will remain confidential as required by law and professional ethical mandates. A written statement acknowledging the legal requirements of such reporting and verification of staff adherence to such reporting shall be submitted to the LEA.

55. SEXUAL HARASSMENT

CONTRACTOR shall have a Sexual and Gender Identity harassment policy that clearly describes the kinds of conduct that constitutes sexual harassment and that is prohibited by the CONTRACTOR's policy, as well as federal and state law. The policy should include procedures to make complaints without fear of retaliation, and for prompt and objective investigations of all sexual harassment complaints. CONTRACTOR further agrees to provide annual training to all employees regarding the laws concerning sexual harassment and related procedures pursuant to Government Code 12950.1.

56. REPORTING OF MISSING CHILDREN

CONTRACTOR assures LEA that all staff members, including volunteers, are familiar with and agree to adhere to requirements for reporting missing children as specified in California Education Code section 49370. A written statement acknowledging the legal requirements of such reporting and verification of staff adherence to such reporting shall be properly submitted to the LEA. The written statement shall be submitted as specified by the LEA.

FINANCIAL

57. ENROLLMENT, CONTRACTING, SERVICE TRACKING, ATTENDANCE REPORTING, AND BILLING PROCEDURES

CONTRACTOR shall assure that the school or agency has the necessary financial resources to provide an appropriate education for the students enrolled and will distribute those resources in such a manner to implement the IEP and ISA for each and every student.

CONTRACTOR shall comply with all LEA procedures concerning enrollment, contracting, attendance reporting, service tracking and billing including requirements of electronic billing as specified by the LEA Procedures. CONTRACTOR shall be paid for the provision of special education and/or related services specified in the student's IEP and ISA. All payments by LEA shall be made in accordance with the terms and conditions of this Master Contract and governed by all applicable federal and state laws.

CONTRACTOR shall maintain separate registers for the basic education program, each related service, and services provided by instructional assistants, behavior intervention aides and bus aides. Original attendance forms (i.e., roll books for the basic education program, service tracking documents and notes for instructional assistants, behavioral intervention aides, bus aides, and each related service) shall be completed by the actual service provider whose signature shall appear on such forms and shall be available for review, inspection, or audit by LEA during the effective period of this contract and for a period of five (5) years thereafter. CONTRACTOR shall verify the accuracy of minutes of reported attendance that is the basis of services being billed for payment.

CONTRACTOR shall submit invoices and related documents to LEA for payment, for each calendar month when education or related services were provided. Invoices and related documents shall be properly submitted electronically and in addition, on an LEA form with signatures in the manner prescribed by LEA in the LEA Procedures. At a minimum, each invoice must contain the following information: month of service; specific days and times of services coordinated by the LEA approved calendar unless otherwise specified in the IEP or agreed to by the LEA; name of staff who provided the service; approved cost of each invoice; total for each service and total for the monthly invoice; date invoice was mailed; signature of NPS/NPA administrator authorizing that the information is accurate and consistent with the ISA, CDE certificates and staff notification; verification that attendance report is attached as appropriate; indication of any made-up session consistent with this contract; verification that progress reports have been provided consistent with the ISA (monthly or quarterly unless specified otherwise on the ISA); and name or initials of each student for when the service was provided.

In the event services were not provided, rationale for why the services were not provided shall be included.

Such an invoice is subject to all conditions of this contract. At the discretion of the LEA, an electronic invoice may be required provided such notice has been made in writing and training provided to the CONTRACTOR at no additional charge for such training.

Invoices shall be submitted no later than thirty (30) days after the end of the attendance accounting period in which the services were rendered. LEA shall make payment to CONTRACTOR based on the number of billable days of attendance and hours of service at rates specified in this contract within forty-five (45) days of LEA's receipt of properly submitted hard copy of invoices prepared and submitted as specified in California Education Code Section 56366.5 and the LEA. CONTRACTOR shall correct deficiencies and submit rebilling invoices no later than thirty (30) calendar days after the invoice is returned by LEA. LEA shall pay properly submitted re-billing invoices no later than forty-five (45) days after the date a completely corrected re-billing invoice is received by LEA.

In no case shall initial payment claim submission for any Master Contract fiscal year (July through June) extend beyond December 31st after the close of the fiscal year. In no case shall any rebilling for the Master Contract fiscal year (July through June) extend beyond six (6) months after the close of the fiscal year unless approved by the LEA to resolve billing issues including re-billing issues directly related to a delay in obtaining information from the Commission on Teacher Credentialing regarding teacher qualification, but no later than twelve (12) months from the close of the fiscal year. If the billing or re-billing error is the responsibility of the LEA, then no limit is set provided that the LEA and CONTRACTOR have communicated such concerns in writing during the 12-month period following the close of the fiscal year. LEA will not pay mileage for NPA employee.

58. RIGHT TO WITHHOLD PAYMENT

LEA may withhold payment to CONTRACTOR when: (a) CONTRACTOR has failed to perform, in whole or in part, under the terms of this contract; (b) CONTRACTOR has billed for services rendered on days other than billable days of attendance or for days when student was not in attendance and/or did not receive services; (c) CONTRACTOR was overpaid by LEA as determined by inspection, review, and/or audit of its program, work, and/or records; (d) CONTRACTOR has failed to provide supporting documentation with an invoice, as required by EC 56366(c)(2); (e) education and/or related services are provided to students by personnel who are not appropriately credentialed, licensed, or otherwise qualified; (f) LEA has not received prior to school closure or contract termination, all documents concerning one or more students enrolled in CONTRACTOR's educational program; (g) CONTRACTOR fails to confirm a student's change of residence to another district or confirms the change of residence to another district, but fails to notify LEA within five (5) days of such confirmation; or (h) CONTRACTOR receives payment from Medi-Cal or from any other agency or funding source for a service provided to a student. It is understood that no payments shall be made for any invoices that are not received by six (6) months following the close of the prior fiscal year, for services provided in that year.

Final payment to CONTRACTOR in connection with the cessation of operations and/or termination of a Master Contract will be subject to the same documentation standards described for all payment claims for regular ongoing operations. In addition, final payment may be withheld by the LEA until completion of a review or audit, if deemed necessary by the LEA. Such review or audit will be completed within ninety (90) days. The final payment may be adjusted to offset any previous payments to the CONTRACTOR determined to have been paid in error or in anticipation of correction of documentation deficiencies by the CONTRACTOR that remain uncorrected.

The amount which may be withheld by LEA with respect to each of the subparagraphs of the preceding paragraph are as follows: (a) the value of the service CONTRACTOR failed to perform; (b) the amount of overpayment; (c) the entire amount of the invoice for which satisfactory documentation has not been provided by CONTRACTOR; (d) the amount invoiced for services provided by the individual not appropriately credentialed, licensed, or otherwise qualified; (e) the proportionate amount of the invoice related to the applicable pupil for the time period from the date the violation occurred and until the violation is cured; or (f) the amount paid to CONTRACTOR by Medi-Cal or another agency or funding source for the service provided to the student.

If LEA determines that cause exists to withhold payment to CONTRACTOR, LEA shall, within ten (10) business days of this determination, provide to CONTRACTOR written notice that LEA is withholding payment. Such notice shall specify the basis or bases for LEA's withholding payment and the amount to be withheld. Within thirty (30) days from the date of receipt of such notice, CONTRACTOR shall take all necessary and appropriate action to correct the deficiencies that form the basis for LEA's withholding payment or submit a written request for extension of time to correct the deficiencies. Upon receipt of CONTRACTOR's written request showing good cause, LEA shall extend CONTRACTOR's time to correct deficiencies (usually an additional thirty (30) days), otherwise payment will be denied.

If after subsequent request for payment has been denied and CONTRACTOR believes that payment should not be withheld, CONTRACTOR shall send written notice to LEA specifying the reason it believes payment should not be withheld. LEA shall respond to CONTRACTOR's notice within thirty (30) business days by indicating that a warrant for the amount of payment will be made or stating the reason LEA believes payment should not be made. If LEA fails to respond within thirty (30) business days or a dispute regarding the withholding of payment continues after the LEA's response to CONTRACTOR's notice, CONTRACTOR may invoke the following escalation policy.

After forty-five (45) business days: The CONTRACTOR may notify the Authorized LEA's Representative of the dispute in writing. The LEA Authorized Representative shall respond to the CONTRACTOR in writing within fifteen (15) business days.

After sixty (60) business days: Disagreements between the LEA and CONTRACTOR concerning the Master Contract may be appealed to the County Superintendent of Schools or the State Superintendent of Public Instruction pursuant to the provisions of California Education Code Section 56366(c) (2).

59. PAYMENT FROM OUTSIDE AGENCIES

CONTRACTOR shall notify LEA when Medi-Cal or any other agency is billed for the costs associated with the provision of special education and/or related services to students. Upon request, CONTRACTOR shall provide to LEA any and all documentation regarding reports, billing, and/or payment by Medi-Cal or any other agency for the costs associated with the provision of special education and/or related services to students.

60. PAYMENT FOR ABSENCES

NONPUBLIC SCHOOL STAFF ABSENCE

Whenever a classroom teacher employed by CONTRACTOR is absent, CONTRACTOR shall provide an appropriately credentialed substitute teacher in the absent teacher's classroom in accordance with California Education Code section 56061. CONTRACTOR shall provide to LEA documentation of substitute coverage pursuant to the LEA Procedures. Substitute teachers shall remain with their assigned class during all instructional time. LEA will not pay for instruction and/or services unless said instruction or service is provided by an appropriately credentialed substitute teacher.

Whenever a related service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section 7 of this agreement and as determined by LEA) substitute. LEA will not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided unless otherwise agreed in student's IEP.

NONPUBLIC SCHOOL STUDENT ABSENCE

If CONTRACTOR is a nonpublic school, no later than the tenth (10th) cumulative day of a student's unexcused absence, CONTRACTOR shall notify the LEA of such absence as specified in the LEA Procedures.

Criteria for a billable day for payment purposes is one (1) day of attendance as defined in California Education Code, sections 46010, 46010.3 and 46307. LEA shall not pay for services provided on days that a student's attendance does not qualify for Average Daily Attendance (ADA) reimbursement under state law. *Per Diem* rates for students whose IEPs authorize less than a full instructional day may be adjusted on a pro rata basis in accordance with the actual proportion of the school day the student was served. LEA shall not be responsible for payment of related services for days on which a student's attendance does not qualify for Average Daily Attendance ("ADA") reimbursement under state law, nor shall student be eligible for make-up services.

NONPUBLIC AGENCY STAFF ABSENCE

When CONTRACTOR is a nonpublic agency and CONTRACTOR's service provider is absent, CONTRACTOR shall provide a qualified (as defined in Section 7 of this agreement and as determined by LEA) substitute, unless LEA provides appropriate coverage in lieu of CONTRACTOR's service providers. LEA shall not pay for services unless a qualified substitute is provided and/or CONTRACTOR provides documentation evidencing the provision of "make-up" services by a qualified service provider within thirty (30) calendar days from the date on which the services should have been provided. CONTRACTOR shall not "bank" or "carry over" make up service hours under any circumstances, unless otherwise agreed to in writing by CONTRACTOR and LEA. In the event services were not provided, reasons for why the services were not provided shall be included.

NONPUBLIC AGENCY STUDENT ABSENCE

If CONTRACTOR is a nonpublic agency, it shall notify LEA of the absence of a student no later than the fifth (5th) consecutive service day of the student's absence, as specified in the LEA Procedures. LEA shall not be responsible for the payment of services when a student is absent.

61. INSPECTION AND AUDIT

The CONTRACTOR shall maintain and the LEA shall have the right to examine and audit all of the books, records, documents, accounting procedures and practices and other evidence that reflect all costs claimed to have been incurred or fees claimed to have been earned under this Agreement.

CONTRACTOR shall provide access to LEA to all records including, but not limited to: student records as defined by California Education Code section 49061(b); registers and roll books of teachers; daily service logs and notes or other documents used to record the provision of related services; Medi-Cal/daily service logs and notes used to record provision of services provided by instructional assistants, behavior intervention aides, bus aides, and supervisors; absence verification records (parent/doctor notes, telephone logs, and related documents); bus rosters; staff lists specifying credentials held, business licenses held, documents evidencing other qualifications, dates of hire, and dates of termination; staff time sheets; non-paid staff and volunteer sign-in sheets; transportation and other related service subcontracts; school calendars; bell/class schedules when applicable; liability and worker's compensation insurance policies; state nonpublic school and/or agency certifications; by-laws; lists of current board of directors/trustees, if incorporated; other documents evidencing financial expenditures; federal/state payroll quarterly reports Form 941/DE3DP; and bank statements and canceled checks or facsimile thereof. Such access shall include unannounced inspections by LEA. CONTRACTOR shall make available to LEA all budgetary information including operating budgets submitted by CONTRACTOR to LEA for the relevant contract period being audited.

CONTRACTOR shall make all records available at the office of LEA or CONTRACTOR's offices (to be specified by LEA) at all reasonable times and without charge. All records shall be provided to LEA within five (5) working days of a written request from LEA. CONTRACTOR shall, at no cost to LEA, provide assistance for such examination or audit. LEA's rights under this section shall also include access to CONTRACTOR's offices for purposes of interviewing CONTRACTOR's employees. If any document or evidence is stored in an electronic form, a hard copy shall be made available to the LEA, unless the LEA agrees to the use of the electronic format.

CONTRACTOR shall obtain from its subcontractors and suppliers written agreements to the requirements of this section and shall provide a copy of such agreements to LEA upon request by LEA.

If an inspection, review, or audit by LEA, a state agency, a federal agency, and/or an independent agency/firm determines that CONTRACTOR owes LEA monies as a result of CONTRACTOR's over billing or failure to perform, in whole or in part, any of its obligations under this Master Contract, LEA shall provide to CONTRACTOR written notice demanding payment from CONTRACTOR and specifying the basis or bases for such demand. Unless CONTRACTOR and LEA otherwise agree in writing, CONTRACTOR shall pay to LEA the full amount owed as a result of CONTRACTOR's over billing and/or failure to perform, in whole or in part, any of its obligations under this Master Contract, as determined by an inspection, review, or audit by LEA, a state agency, a federal agency, and/or an independent agency/firm. CONTRACTOR shall make such payment to LEA within thirty (30) days of receipt of LEA's written notice demanding payment.

62. RATE SCHEDULE

The attached rate schedule (Exhibit A) limits the number of students that may be enrolled and maximum dollar amount of the contract. It may also limit the maximum number of students that can be provided specific services. Per Diem rates for students whose IEPs authorize less than a full instructional day may be adjusted proportionally. In such cases only, the adjustments in basic education rate shall be based on the required minimum number of minutes per grade level as noted in California Education Code Section 46200-46208.

Special education and/or related services offered by CONTRACTOR shall be provided by qualified personnel as per State and Federal law, and the codes and charges for such educational and/or related services during the term of this contract, shall be as stated in Exhibit A.

63. DEBARMENT CERTIFICATION

By signing this agreement, the CONTRACTOR certifies that:

- (a) The CONTRACTOR and any of its shareholders, partners, or executive officers are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency, and
- (b) Have not, within a three-year period preceding this contract, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

The parties hereto have executed this Contract by and through their duly authorized agents or representatives. This contract is effective on the 1st day of July, 2017 and terminates at 5:00 P.M. on June 30, 2018, unless sooner terminated as provided herein.

CONTRACTOR


LEA

Action Supportive Care Services
Nonpublic School/Agency

Gold Trail Union School District
LEA Name

By:  11/28/17
Signature Date

Simone Giachino, Administrator
Name and Title of Authorized
Representative

By:  11/17/17
Signature Date

Scott Lyons, Superintendent
Name and Title of Authorized
Representative

Notices to CONTRACTOR shall be addressed to:

Notices to LEA shall be addressed to:

| | |
|--|----------------------------------|
| Name and Title | Name and Title |
| Simone Giachino, Administrator | Scott Lyons, Superintendent |
| Nonpublic School/Agency/Related Service Provider | LEA |
| Action Supportive Care Services | Gold Trail Union School District |
| Address | Address |
| 7777 Greenback Lane, # 204 | 1575 Old Ranch Road |
| City State Zip | City State Zip |
| Citrus Heights, CA 95610 | Placerville, CA 95667 |
| Phone Fax | Phone Fax |
| 916-989-6420 Ext 8039 916-989-8635 | 530-626-3194 530-626-3199 |
| Email | Email |
| andrew@alwaysshomenursing.com | slyons@gtusd.org |

Additional LEA Notification
(Required if completed)

| |
|----------------|
| Name and Title |
| Address |
| City State Zip |
| Phone Fax |
| Email |

EXHIBIT A: 2017-2018 RATES

4.1 RATE SCHEDULE FOR CONTRACT YEAR

The CONTRACTOR: Action Supportive Care Services

The CONTRACTOR CDS NUMBER: _____

PER ED CODE 56366 – TEACHER-TO-PUPIL RATIO: _____

Maximum Contract Amount: \$3,000

Education service(s) offered by the CONTRACTOR and the charges for such service(s) during the term of this contract shall be as follows:

- 1) Daily Basic Education Rate: _____
- 2) Inclusive Education Program
(Includes Educational Counseling (not ed related mental health) services, Speech & Language services, Behavior Intervention Planning, and Occupational Therapy as specified on the student's IEP.) DAILY RATE: _____
- 3) Related Services

| <u>SERVICE</u> | <u>RATE</u> | <u>PERIOD</u> |
|---|------------------|-----------------------|
| <u>Intensive Individual Services (340)</u> | _____ | _____ |
| <u>Language and Speech (415)</u> | _____ | _____ |
| <u>Adapted Physical Education (425)</u> | _____ | _____ |
| <u>Health and Nursing: Specialized Physical Health Care (435)</u> | <u>\$65 hour</u> | <u>4 hour minimum</u> |
| <u>Health and Nursing: Other Services (436)</u> | _____ | _____ |
| <u>Assistive Technology Services (445)</u> | _____ | _____ |
| <u>Occupational Therapy (450)</u> | _____ | _____ |
| <u>Physical Therapy (460)</u> | _____ | _____ |
| <u>Individual Counseling (510)</u> | _____ | _____ |
| <u>Counseling and Guidance (515)</u> | _____ | _____ |
| <u>Parent Counseling (520)</u> | _____ | _____ |
| <u>Social Work Services (525)</u> | _____ | _____ |
| <u>Psychological Services (530)</u> | _____ | _____ |
| <u>Behavior Intervention Services (535)</u> | _____ | _____ |
| <u>Specialized Services for Low Incidence Disabilities (610)</u> | _____ | _____ |
| <u>Specialized Deaf and Hard of Hearing (710)</u> | _____ | _____ |
| <u>Interpreter Services (715)</u> | _____ | _____ |

| | | |
|---|---------|---------|
| <u>Audiological Services (720)</u> | <u></u> | <u></u> |
| <u>Specialized Vision Services (725)</u> | <u></u> | <u></u> |
| <u>Orientation and Mobility (730)</u> | <u></u> | <u></u> |
| <u>Specialized Orthopedic Services (740)</u> | <u></u> | <u></u> |
| <u>Reader Services (745)</u> | <u></u> | <u></u> |
| <u>Transcription Services (755)</u> | <u></u> | <u></u> |
| <u>Recreation Services, Including Therapeutic (760)</u> | <u></u> | <u></u> |
| <u>College Awareness (820)</u> | <u></u> | <u></u> |
| <u>Work Experience Education (850)</u> | <u></u> | <u></u> |
| <u>Job Coaching (855)</u> | <u></u> | <u></u> |
| <u>Mentoring (860)</u> | <u></u> | <u></u> |
| <u>Travel Training (870)</u> | <u></u> | <u></u> |
| <u>Other Transition Services (890)</u> | <u></u> | <u></u> |

| |
|--------------------------------------|
| AGENDA ITEM Consent |
|--------------------------------------|

10.6 Second Reading of Board Policies, Administrative Regulations and Board Bylaws

BACKGROUND

The following roster is brought forward with the California School Board Association's recommendations:

ATTACHMENTS

- BP 0400, Comprehensive Plans (BP revised)
- BP/AR 0460, Local Control and Accountability Plan (BP/AR revised)
- BP 0500, Accountability (BP revised)
- BP/AR 0520.2, Title I Program Improvement Schools (BP/AR both deleted)
- BP 0520.3, Title I Program Improvement Districts (BP deleted)
- BP/AR 1113, District and School Web Sites (BP/AR revised)
- BP 3280, Sale or Lease of District-Owned Real Property (BP revised)
- BP 3513.4, Drug and Alcohol Free Schools (BP NEW)
- AR 3515.6, Criminal Background Checks for Contractors (AR revised)
- BP 4140/4240/4340, Bargaining Units (BP revised)
- BP/AR 5113.1, Chronic Absence and Truancy (BP/AR revised)
- BP/AR 5117, Interdistrict Attendance (BP/AR revised)
- AR 5125.2, Withholding Grades, Diploma or Transcripts (AR revised)
- BP 5131.6, Alcohol and Other Drugs (BP revised)
- E 5131.63, Steroids (E deleted)
- BP/AR 6020, Parent Involvement (BP/AR revised)
- BP 6153, School-Sponsored Trips (BP revised)
- AR 6173.1, Education for Foster Youth (AR revised)
- BP/AR 6173.2, Education of Children of Military Families (BP/AR revised)

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will adopt the roster.

NOTES

If pulled from Consent

| | | |
|--|---------------|-----------------|
| ACTION | <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> | | |
| Vote | <i>Ayes</i> | <i>Noes</i> |
| | <i>Absent</i> | <i>Abstain</i> |

CSBA Sample

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0400(a)

COMPREHENSIVE PLANS

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

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

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

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

(cf. 1112 - Media Relations)

~~*(cf. 2140 - Evaluation of the Superintendent)*~~

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

(cf. 6171 - Title I Programs)

~~*(cf. 6190 - Evaluation of the Instructional Program)*~~

(cf. 7110 - Facilities Master Plan)

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

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

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 6020 - Parent Involvement)

(cf. 9130 - Board Committees)

COMPREHENSIVE PLANS (continued)

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

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

(cf. 0420 - School Plans/Site Councils)

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

Legal Reference:

EDUCATION CODE

32280-32289 School safety plans

35035 Powers and duties of the superintendent

35291 Rules (power of governing board)

39831.3 Transportation safety plan

52060-52077 Local control and accountability plan

56195-56195.10 Comprehensive local plans for special education

56205-56208 Requirements for special education plan

64001 Single school plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

560 Civil defense and disaster preparedness plans

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

(6/85 2/98) 10/17

Policy Reference UPDATE Service

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CSBA Sample

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

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

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

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

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

The Board shall adopt a districtwide local control and accountability plan (LCAP), **following based on** the template ~~provided in 5 CCR 15497.5~~ **adopted by the State Board of Education**, that addresses the state priorities in Education Code 52060 and any local

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

(cf. 3100 - Budget)

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

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

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

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

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

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6173 - Education for Homeless Children)

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

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

(cf. 0420 - School Plans/Site Councils)

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

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

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

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

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

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495 **as amended**, must include a majority of parents/guardians of English learners. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 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~~ **must not** adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

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

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

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

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Submission of Plan to County Superintendent of Schools

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

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

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

Monitoring Progress

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

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

(cf. 0500 - Accountability)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**Technical Assistance/Intervention**

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

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

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

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

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

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

1. Revision of the district's LCAP

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

Legal Reference:

EDUCATION CODE

305-306 English language education
17002 State School Building Lease-Purchase Law, including definition of good repair
33430-33436 Learning Communities for School Success Program; grants for LCAP implementation
41020 Audits
42127 Public hearing on budget adoption
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
48985 Parental notices in languages other than English
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52052 Academic Performance Index; nNumerically significant student subgroups
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning pilot program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
60811.3 Assessment of language development
64001 Single plan for student achievement
99300-99301 Early Assessment Program
CODE OF REGULATIONS, TITLE 5
~~15494-15497.5~~ **15497** Local control and accountability plan and spending requirements
UNITED STATES CODE, TITLE 20
6312 Local educational agency plan
6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016
LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

California School Dashboard

LCFF Frequently Asked Questions

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

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

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

California Career Technical Education Model Curriculum Standards, 2013

Management Resources continued: (see next page)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

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

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEB SITES

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

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

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

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

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

Goals and Actions Addressing State and Local Priorities

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

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

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

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6020 - Parent Involvement)

(cf. 6173.1 - Education for Foster Youth)

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

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

~~(5)~~ **(4)** The English learner reclassification rate

~~(6)~~ **(5)** The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher

~~(7)~~ **(6)** The percentage of students who participate in and demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

(cf. 0500 - Accountability)

(cf. 6141.5 - Advanced Placement)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6178 - Career Technical Education)

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

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

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

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

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

(cf. 5137 - Positive School Climate)

(cf. 5144 - Discipline)

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

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

- g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration **grant** funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

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

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

(cf. 0200 - Goals for the School District)

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

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

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

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

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on a school accountability report card. (Education Code 52060)

(cf. 0510 - School Accountability Report Card)

Increase or Improvement in Services for Unduplicated Students

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

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

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

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

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

Annual Updates

On or before July 1 of each year, the LCAP shall be updated using the template ~~in 5 CCR 15497.5 adopted by the SBE~~ and shall include all of the following: (Education Code 52061)

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

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

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

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

Availability of the Plan

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

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

(cf. 1113 - District and School Web Sites)

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Policy Reference UPDATE Service

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Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0500(a)

ACCOUNTABILITY

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

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 2140 - Evaluation of the Superintendent)

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

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9400 - Board Self-Evaluation)

Note: California's accountability system, **which** is based on both state and federal requirements, **including the calculation of an Academic Performance Index (API) pursuant to Education Code 52052.1 and a determination as to whether schools and districts make "adequate yearly progress" (AYP) pursuant to 20 USC 6311. Both the API and AYP incorporate multiple measures, including, but not limited to, student performance on statewide assessments. However, as amended by AB 484 (Ch. 489, Statutes of 2013), Education Code 52052 authorizes the State Board of Education to suspend the API in the 2013-14 and 2014-15 school years while the state assessment system is transitioning from the Standardized Testing and Reporting program to the California Measurement of Academic Performance and Progress. measures district and school performance on a variety of indicators of school success. 20 USC 6311, as amended by the Every Student Succeeds Act (P.L. 114-95), requires each state to have an accountability system that incorporates multiple measures, including, but not limited to, statewide assessment results for all students as well as numerically significant subgroups. The California Accountability and Continuous Improvement System consists of both state and local indicators to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the local control and accountability plan (LCAP). The degree to which districts and schools are meeting these criteria is reflected in the California School Dashboard, which is a color-coded chart that includes the status of performance on the indicators as well as the change in performance from year to year.**

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

ACCOUNTABILITY (continued)

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

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

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

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

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

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

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

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

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

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

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

ACCOUNTABILITY (continued)

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

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

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

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

~~(cf. 0460 - Local Control and Accountability Plan)~~
 (cf. 0510 - School Accountability Report Card)
 (cf. 1100 - Communication with the Public)
(cf. 1113 - District and School Web Sites)
 (cf. 1112 - Media Relations)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 6020 - Parent Involvement)

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

Pursuant to Education Code 52071, ~~as added by AB 97 (Ch. 47, Statutes of 2013),~~ a district will receive technical assistance whenever the County Superintendent of Schools does not approve the district's LCAP or annual update to the LCAP, the district fails to improve student achievement across more than one state priority identified in Education Code 52060, or the district requests technical assistance. ~~AB 97 also added~~ Education Code 52072 ~~which~~ provides that, under specified conditions, the Superintendent of Public Instruction may intervene to revise the district's LCAP or budget and/or to stay or rescind any district action, **not required by local collective bargaining agreement**, that is preventing the district from improving outcomes for all student subgroups ~~and is not required by a collective bargaining agreement~~. See BP/AR 0460 - Local Control and Accountability Plan.

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

ACCOUNTABILITY (continued)

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0520.2 ~~Title I Program Improvement Schools~~)
(cf. 0520.3 ~~Title I Program Improvement Districts~~)
(cf. 4141/4241 - Collective Bargaining Agreement)

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability
33400-33407 California Department of Education evaluation of district programs
44660-44665 Evaluation of certificated employees
51041 Evaluation of the educational program
52052-52052.1 ~~Academic Performance Index~~ **Public school performance accountability program**
~~52055.57-52055.59 Districts identified or at risk of identification for program improvement~~
52060-52077 Local control and accountability plan
56366 Nonpublic, nonsectarian schools
60640-60649 California Assessment of Student Performance and Progress
CODE OF REGULATIONS, TITLE 5
1068-1074 Alternative schools accountability model, assessments
15440-~~15463~~ **15464** Standards and criteria for fiscal accountability
UNITED STATES CODE, TITLE 20
6311 Accountability, **adequate yearly progress state plan**
6312 Local educational agency plan
~~6316 School and district improvement~~
CODE OF FEDERAL REGULATIONS, TITLE 34
~~200.13-200.20 200.12-200.24 Adequate yearly progress~~ **State accountability system**
~~200.30-200.53 200.48 Program improvement~~ **State and LEA report cards and plans**

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>
California School Dashboard: <http://www.caschooldashboard.org>
U.S. Department of Education: <http://www.ed.gov>

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Policy Reference UPDATE Service

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Board Policy

Community Relations

BP 1113(a)

DISTRICT AND SCHOOL WEB SITES

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

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

(cf. 0000 - Vision)

(cf. 0440 - District Technology Plan)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

Design Standards

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

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

DISTRICT AND SCHOOL WEB SITES (continued)

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

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

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

Guidelines for Web Site Content

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

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

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

(cf. 1325 - Advertising and Promotion)

Privacy Rights

Note: Business and Professions Code 22580-22582 prohibit an operator of a web site from knowingly using, disclosing, compiling, or allowing a third party to use, disclose, or compile the personal information of a minor for the purpose of marketing or advertising specified types of products or services. Business and Professions Code 22584-22585 prohibit the operator of a web site that provides services to K-12 students from selling or disclosing specified student information or knowingly using that student information to engage in targeted advertising to students or parents/guardians or to amass a profile about a student. Business and Professions Code 22586, as added by AB 2799 (Ch. 620, Statutes of 2016), provides a similar prohibition for the operator of a web site used, designed, and marketed primarily for preschool or prekindergarten purposes from knowingly engaging in specified activities, including targeted advertising, selling or disclosing a student's information, and using specified information to amass a profile about a student except in furtherance of preschool or prekindergarten purposes. See BP 5125 - Student Records for further information regarding protection of student information.

DISTRICT AND SCHOOL WEB SITES (continued)

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

(cf. 1340 - Access to District Records)

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

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

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

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

(cf. 5125.1 - Release of Directory Information)

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

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

OPTION 2: ~~Because of the wide accessibility of the Internet and potential risk to students,~~ **Photographs of individual students shall not be published on district or school web sites with their names accompanied by the student's name** or other personally identifiable information without the prior written consent of the student's parent/guardian.

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

DISTRICT AND SCHOOL WEB SITES (continued)

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

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

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

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

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

(cf. 3515.3 - District Police/Security Department)

Legal Reference:

EDUCATION CODE

35182.5 Contracts for advertising
35258 Internet access to school accountability report cards
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos

BUSINESS AND PROFESSIONS CODE

22580-22582 Digital privacy
22584-22585 Student Online Personal Information Protection Act
22586 Preschool and prekindergarten privacy

Legal Reference continued: (see next page)

DISTRICT AND SCHOOL WEB SITES (continued)

Legal Reference: (continued)

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers

6254.21 Publishing addresses and telephone numbers of officials

6254.24 Definition of public safety official

11135 Nondiscrimination; accessibility to state web sites

PENAL CODE

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

UNITED STATES CODE, TITLE 17

~~101-1101 Federal copyright law~~

101-122 Subject matter and scope of copyright

504 Penalties for copyright infringement

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29

705 Definitions; Vocational Rehabilitation Act

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

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

104.1-104.61 Nondiscrimination on the basis of disability

COURT DECISIONS

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

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

Management Resources:

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

***Dear Colleague Letter*, May 26, 2011**

***Joint Dear Colleague Letter: Electronic Book Readers*, June 2010**

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

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

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

***Web Content Accessibility Guidelines*, December 2008**

WEB SITES

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

California Department of Education, Web Accessibility Standards:

<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

California School Public Relations Association: <http://www.calspra.org>

U.S. Department of Education, Office for Civil Rights: <https://www2.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Americans with Disabilities Act: <http://www.ada.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

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CSBA Sample

Administrative Regulation

Community Relations

AR 1113(a)

DISTRICT AND SCHOOL WEB SITES

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

Design Standards

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

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

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

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

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

Guidelines for Web Site Content

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

DISTRICT AND SCHOOL WEB SITES (continued)

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

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

(cf. 0440 - District Technology Plan)

(cf. 0510 - School Accountability Report Card)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 6020 - Parent Involvement)

(cf. 9322 - Agenda/Meeting Materials)

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

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

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

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

DISTRICT AND SCHOOL WEB SITES (continued)

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

The Superintendent or designee shall ensure that copyright laws are not violated in the use of materials on district and school web sites. If any copyrighted material is posted a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted. **Any copyrighted material to be posted on a district or school web site shall be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school web site if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When any copyrighted material is posted, the web site shall include a notice crediting the copyright owner and, as necessary, shall note that permission to reprint the material was granted.**

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

(cf. 6162.6 - Use of Copyrighted Materials)

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

Roles and Responsibilities

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

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

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

DISTRICT AND SCHOOL WEB SITES (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Security

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

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CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3280(a)

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY

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

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

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

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

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

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

(cf. 1330 - Use of School Facilities)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7160 - Charter School Facilities)

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

Education Code 17388 and 17391 establish exceptions from this requirement for rentals not exceeding 30 days and for the lease or rental of a district facility to a private educational institution

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

for the purpose of offering summer school. In addition, Education Code 17391, as amended by AB 1157 (Ch. 717, Statutes of 2017), provides that an advisory committee need not be appointed prior to the sale, lease, or rental of excess real property if it is to be used for teacher or other employee housing.

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

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

(cf. 1220 - Citizen Advisory Committees)

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

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

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

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

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

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

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

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

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

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

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regularly scheduled open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

(cf. 9320 - Meetings and Notices)

(cf. 9323.2 - Actions by the Board)

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

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

Acceptance/Rejection of Bids

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

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

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

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

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

(cf. 1431 - Waivers)

Use of Proceeds

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

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

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

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

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

Note: Pursuant to Education Code 17462, proceeds from the sale or lease with an option to purchase may be deposited in the district's general fund when the Board and SAB determine that the district has no

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements. Thus, districts may not apply to the state for new construction or modernization funding during that time period unless certain conditions specified in Education Code 17462 are satisfied.

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

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

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

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

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

~~1. The Board shall submit documents to the SAB certifying that:~~

- ~~a. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.~~
- ~~b. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.~~

~~*(cf. 7214 - General Obligation Bonds)*~~

- ~~e. The real property is not suitable to meet projected school construction needs for the next 10 years.~~

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

2. ~~The Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district.~~

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

~~17457.5 Offer to charter school~~

17462.3 State Allocation Board program to reclaim funds

~~17463.7 Proceeds for general fund purposes~~

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

50001-50002 Definitions

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

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

Management Resources: (see next page)

SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, ~~May 2008~~ December 2015

WEB SITES

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

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

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

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

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Policy Reference UPDATE Service

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CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3513.4(a)

DRUG AND ALCOHOL FREE SCHOOLS

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

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

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

The following substances are prohibited on all district property:

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

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

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

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

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

DRUG AND ALCOHOL FREE SCHOOLS (continued)

(cf. 1330 - Use of School Facilities)

(cf. 1330.1 - Joint Use Agreements)

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

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

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

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

Enforcement/Discipline

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

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

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

(cf. 5145.12 - Search and Seizure)

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

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

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

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

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

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

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

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

DRUG AND ALCOHOL FREE SCHOOLS (continued)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

44940 Compulsory leave of absence for certificated persons

44940.5 Procedures when employees are placed on compulsory leave of absence

45123 Employment after conviction of controlled substance offense

45304 Compulsory leave of absence for classified persons

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11362.1 Possession and use of cannabis, persons age 21 and over

11362.3 Limitations on possession and use of cannabis

11362.79 Limitations on medical use of cannabis

104559 Tobacco use prohibition

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

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

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances

844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

COURT DECISIONS

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

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3515.6(a)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

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

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

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

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

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

- 1. School and classroom janitorial services**
- 2. School site administrative services**
- 3. School site grounds and landscape maintenance services**
- 4. Student transportation services**

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

5. School site food-related services

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

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

(cf. 3540 - Transportation)

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

(cf. 3600 - Consultants)

(cf. 7140 - Architectural and Engineering Services)

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

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

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

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

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

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

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

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

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

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

(cf. 3515.3 - District Police/Security Department)

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

Other Facility Contractors

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

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

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

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

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

3.c. Surveillance of employees of the entity by school personnel.

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

Legal Reference:

EDUCATION CODE

41302.5 School districts, definition

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Criminal background checks for contractors

45125.2 Criminal background checks for construction

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

Management Resources:

WEB SITES

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

(10/97 10/98) 10/17

Policy Reference UPDATE Service

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CSBA Sample

Board Policy

All Personnel

BP 4140(a)

4240

BARGAINING UNITS

4340

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

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

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

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

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

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

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

BARGAINING UNITS (continued)

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

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

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

Formation of Bargaining Units

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

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

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

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4301 - Administrative Staff Organization)

(cf. 4312.1 - Contracts)

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

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

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

BARGAINING UNITS (continued)

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

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

Access to Employee Orientations and Contact Information

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

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

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

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

BARGAINING UNITS (continued)

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

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

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

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

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

BARGAINING UNITS (continued)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor shall he/she disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or any employees who provides written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee.

(Government Code **3558, 6207**, 6254.3)

(cf. 1340 - Access to District Records)

Payment of Dues or Service Fee

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

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

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

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

(cf. 3460 - Financial Reports and Accountability)

Legal Reference: (see next page)

BARGAINING UNITS (continued)

Legal Reference:

EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees
45100.5 Senior management positions
45104.5 Abolishment of senior classified management positions
45108.5 Definitions of senior classified management employees
45108.7 Waiver of provisions of 45108.5
45168 Deduction of fees from salary or wage payment, classified employees
45220-45320 Merit system, classified employees

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act, especially:
3540.1 Definitions
3543.4 Management position; representation
3545 Appropriateness of unit; basis
3550-3552 Prohibition on public employers deterring or discouraging union membership
3555-3559 Public employee communication, information and orientation
6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
6254.3 Disclosure of employee contact information to employee organization
6503.5 Joint powers agencies

53260-53264 Employment contracts

CODE OF REGULATIONS, TITLE 8

33015-33490 Recognition of exclusive representative; proceedings
33700-33710 Severance of established unit
34020 Petition to rescind organizational security arrangement
34055 Reinstatement of organizational security arrangement

COURT DECISIONS

Janus v. American Federation of State, County and Municipal Employees, Council 31, (7th Cir. 2017) 851 F.3d 746, cert granted Sept. 28, 2017, No. 16-1466
Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083
County of Los Angeles v. Service Employees International Union, Local 721, (2011), 192 Cal.App.4th 1409 (2013) 56 Cal. 4th 905
Aboud v. Detroit Board of Education, (1977) 431 U.S. 209

Management Resources:

CSBA PUBLICATIONS

Collective Bargaining DVD-ROM

Before the Strike: Planning Ahead in Difficult Negotiations, 1996

WEB SITES

CSBA: <http://www.csba.org>
Association of California School Administrators: <http://www.acsa.org>
California Federation of Teachers: <http://www.cft.org>
California School Employees Association: <http://www.csea.com>
California Teachers Association: <http://www.cta.org>
Public Employment Relations Board: <http://www.perb.ca.gov>

(3/07 11/11) 10/17

Policy Reference UPDATE Service

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CSBA Sample

Board Policy

Students

BP 5113.1(a)

CHRONIC ABSENCE AND TRUANCY

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

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.11 - Attendance Supervision)

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

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

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

(cf. 0400 - Comprehensive Plans)

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

CHRONIC ABSENCE AND TRUANCY (continued)

(cf. 0500 - Accountability)

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

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

(cf. 5126 - Awards for Achievement)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.6 - School Health Services)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

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

(cf. 1020 - Youth Services)

(cf. 5030 - Student Wellness)

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

(cf. 5147 - Dropout Prevention)

(cf. 6158 - Independent Study)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

CHRONIC ABSENCE AND TRUANCY (continued)

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

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

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

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

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

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

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

The Superintendent or designee shall periodically report to the Board regarding the district's progress in improving student attendance rates for all students and for each numerically significant student population. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to make changes as needed. As appropriate, the Superintendent or designee shall engage school staff in program evaluation and improvement and in **identification the determination** of how to best allocate available community resources.

[SECTION ON "SCHOOL ATTENDANCE REVIEW BOARD" DELETED]

CHRONIC ABSENCE AND TRUANCY (continued)

Legal Reference:

EDUCATION CODE

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

37223 Weekend classes

41601 ~~Reports of average daily attendance~~

46000 Records (attendance)

46010-46014 Absences

46110-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

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

48225.5 Work permits, entertainment and allied industries

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

48900 Suspension and expulsion

49067 Unexcused absences as cause of failing grade

52052 Academic Performance Index; numerically significant student subgroups

60901 Chronic absence

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

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

830.1 Peace officers

VEHICLE CODE

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

WELFARE AND INSTITUTIONS CODE

256-258 Juvenile hearing officer

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

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

15497.5 ~~Local control and accountability plan template~~

COURT DECISIONS

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

Management Resources:

CSBA PUBLICATIONS

Attendance Awareness Month, Fact Sheet, September 2014

ATTENDANCE WORKS PUBLICATIONS

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

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

Management Resources continued: (see next page)

CHRONIC ABSENCE AND TRUANCY (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

School Attendance Improvement Handbook, 2000

WEB SITES

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

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

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

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

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

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

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Students

AR 5113.1(a)

CHRONIC ABSENCE AND TRUANCY

Note: The following administrative regulation may be revised to reflect the district personnel responsible for duties related to attendance supervision and matters related to chronic absence and truancy. Pursuant to Education Code 48240-48246, the district may appoint an attendance supervisor, join a consortium of districts to employ an attendance supervisor, or contract with the County Superintendent of Schools to supervise the attendance of district students. See AR 5113.11 - Attendance Supervision.

Education Code 48273 mandates that the district adopt rules and regulations related to reports of district referrals to a school attendance review board (SARB). See the section on "Reports" below for language fulfilling this mandate.

Definitions

Note: The following definition of "chronic absentee" is provided in Education Code 60901 for purposes of reporting student attendance within the California Longitudinal Pupil Achievement Data System and in 5 CCR 15497.5, as added by Register 2015, No. 2, for reporting the chronic absence rate in the local control and accountability plan. This definition is also used in the template adopted by the State Board of Education to assist districts in completing the local control and accountability plan. Chronic absence includes absence for any reason (i.e., excused and/or unexcused absences).

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. (Education Code 60901; 5 CCR 15497.5)

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian after either of the two previous reports. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263, 48260.5, 48261, 48262, 48263, and 48291. (Education Code 48263.6)

CHRONIC ABSENCE AND TRUANCY (continued)

Note: As provided above, definitions of the various categories of truancy are based on the number of absences from school without a valid excuse. **As amended by AB 2616 (Ch. 432, Statutes of 2012)**, Education Code 48260 defines a "valid excuse," for purposes of classifying a student as a truant, as any of the reasons specified in Education Code 48205 (i.e., illness, quarantine, health services appointments, funeral service attendance, jury duty, illness or medical appointment of student's child, justifiable personal reasons, service on precinct board, time with family member called to active duty or on leave from active duty, and religious exercises), Education Code 48225.5 (i.e., entertainment or allied industries work permits and nonprofit organization performances), or other reasons at the discretion of school administrators. AR 5113 - Absences and Excuses reflects the reasons that students may be excused from school pursuant to Education Code 48205 and provides information about methods of verification of student absences.

For purposes of classifying a student as a truant, *valid excuse* includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5. A valid excuse **also** may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (Education Code 48260)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

Attendance Supervisor(s)

~~Note: The following **optional** section may be revised to reflect district practice. Pursuant to Education Code 48240-48246, the district may appoint an attendance supervisor, join a consortium of districts to employ an attendance supervisor, or, with approval of the County Board of Education, contract with the County Superintendent of Schools to supervise the attendance of district students. The following section may be revised to specify which duties will be assumed by the attendance supervisor.~~

~~The Superintendent or designee shall appoint or contract with a supervisor of attendance and assistant supervisors as necessary to supervise the attendance of district students. Such supervisors shall perform duties related to compulsory full time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent. (Education Code 48240, 48243, 48244)~~

Addressing Chronic Absence

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

For further information about strategies to address chronic absence, see CSBA's policy brief Improving Student Achievement by Addressing Chronic Absence and the California Department of Education's (CDE) School Attendance Improvement Handbook. Also see AR 5113 - Absences and Excuses for language requiring students with frequent absences due to illness to provide written verification from a health care practitioner.

CHRONIC ABSENCE AND TRUANCY (continued)

When a student is identified as a chronic absentee, the ~~attendance supervisor~~ **Superintendent or designee** shall communicate with the student and his/her parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

(cf. 5113.11 - Attendance Supervision)
(cf. 6020 - Parent Involvement)

The student may be referred to a student success team or school-site attendance review team to assist in evaluating his/her needs and identifying strategies and programs to assist him/her.

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

(cf. 6158 - Independent Study)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)

Whenever chronic absenteeism is linked to a health issue or nonschool condition, the ~~attendance supervisor~~ **Superintendent or designee** may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

(cf. 1020 - Youth Services)
(cf. 5141.6 - School Health Services)

Addressing Truancy

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may, as applicable, arrest or assume temporary custody during

CHRONIC ABSENCE AND TRUANCY (continued)

school hours of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

(cf. 3515.3 - District Police/Security Department)

The ~~attendance supervisor~~ **Superintendent or designee** shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant as defined above, the following steps shall be implemented based on the number of trancies he/she has committed:

1. Initial truancy

- a. The student shall be reported to the ~~attendance supervisor~~ **Superintendent or designee**. (Education Code 48260)

Note: When a student is classified as truant, Education Code 48260.5 requires notification of his/her parents/guardians by the most cost-effective method possible, which may include email or a telephone call. The CDE's web site and School Attendance Improvement Handbook provide sample letters.

- b. The student's parent/guardian shall be notified by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)
- (1) The student is truant.
 - (2) The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.
 - (3) Alternative educational programs are available in the district.
 - (4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
 - (5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator **or designee**, or attendance supervisor or ~~his/her~~ **designee** ~~under~~ **pursuant to**

CHRONIC ABSENCE AND TRUANCY (continued)

Education Code 48264 if found away from home and absent from school without a valid excuse.

- (6) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
- (7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

(cf. 5145.6 - Parental Notifications)

- c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

Note: AB 2616 (Ch. 432, Statutes of 2012) amended Education Code 48264.5 to add the following strategy for addressing initial truancy:

- d. The student and, as appropriate, his/her parent/guardian may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the student's attendance. (Education Code 48264.5)

Note: The following **optional** item is for use by districts in which there is no county **school attendance review board (SARB)** and the county's district attorney or probation officer has elected to participate in a truancy mediation program pursuant to Education Code 48260.6.

- e. The **attendance supervisor Superintendent or designee** may notify the district attorney and/or probation officer of the student's name and the name and address of his/her parents/guardians. (Education Code 48260.6)

2. Second truancy

- a. Any student who has once been reported as a truant shall again be reported to the **attendance supervisor Superintendent or designee** as a truant if he/she is absent from school without a valid excuse one or more days or is tardy on one or more days during the school year. (Education Code 48261)
- b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
- c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)

CHRONIC ABSENCE AND TRUANCY (continued)

Note: Education Code 48262 provides that a student cannot be classified as a habitual truant (item #3 below) until the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian after the attendance supervisor has been notified of either the first or second truancy. Education Code 48262 defines "conscientious effort," for purposes of this section, as attempting to communicate with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. Thus, the following paragraph requires such communication in the event of the second truancy.

- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and his/her parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)

Note: As amended by AB 2616 (Ch. 432, Statutes of 2012), Education Code 48264.5 eliminated a written warning by a peace officer as a response to initial truancy and instead provides that the peace officer's warning may be a response to the second truancy, as provided below.

- e. The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

Note: The following **optional** item is for use by districts in which there is no county SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program. Pursuant to Education Code 48260.6, if the district notifies the district attorney and/or probation officer that a student continues to be classified as a truant after proper notification to the parents/guardians as described in **item** #1b above, the district attorney or probation officer may request a meeting with the student and his/her parents/guardians to discuss the possible legal consequences of the student's truancy.

- f. The ~~attendance supervisor~~ **Superintendent or designee** may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

3. Third truancy (habitual truancy)

Note: Education Code 48263 and 48264.5 authorize the district to refer habitual truants to a SARB, a county truancy mediation program, or a comparable program for services. The district should revise the following items to reflect the option(s) available in the district.

According to the CDE's School Attendance Improvement Handbook, prior to referring a truant student to a SARB or county truancy mediation program, some districts initiate an intermediate step, such as a school-site attendance review team or student success team. Districts that have established such an intermediate step may revise the following item accordingly.

CHRONIC ABSENCE AND TRUANCY (continued)

- a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the ~~district's attendance supervisor~~ **Superintendent or designee**. (Education Code 48263, 48264.5)

(cf. 5113.12 - District School Attendance Review Board)

- b. Upon making a referral to the SARB or the probation department, the ~~attendance supervisor~~ **Superintendent or designee** shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (Education Code 48263)
- c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)

Note: Pursuant to Education Code 48263, the SARB or probation officer may direct a student and/or the student's parents/guardians to make use of available community services and may require satisfactory evidence of participation. If the SARB or probation officer determines that available community resources cannot resolve the problem, or if the student and/or parents/guardians have failed to respond to the directives of the SARB or probation officer, the SARB may so notify the district attorney and/or probation officer, or the probation officer may notify the district attorney provided the district attorney or probation officer participates in a truancy mediation program. If the county has not established a SARB, the district may make this finding and notification.

The following paragraph is for use by districts in which the county has not established a SARB and the county's district attorney or probation officer has elected to participate in a truancy mediation program.

- d. If the ~~attendance supervisor~~ **Superintendent or designee** determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or his/her parents/guardians have failed to respond to the directives of the district or to services provided, the ~~attendance supervisor~~ **Superintendent or designee** may so notify the district attorney and/or the probation officer. (Education Code 48263)
4. Fourth truancy

CHRONIC ABSENCE AND TRUANCY (continued)

Note: AB 2616 (Ch. 432, Statutes of 2012) amended Education Code 48264.5 to authorize, rather than require, a student to be referred to the jurisdiction of the juvenile court upon the fourth truancy report.

- a. Upon his/her fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)

Note: Pursuant to Education Code 48264.5 and Welfare and Institutions Code 601, a student coming within the jurisdiction of the juvenile court may be adjudged a ward of the court and required to perform community service, pay a fine, attend a court-approved truancy prevention program, and/or lose driving privileges. AB 2616 (Ch. 432, Statutes of 2012) amended Education Code 48264.5 to lower the maximum amount of the fine that can be imposed from \$100 to \$50.

In L.A. v. Superior Court of San Diego County, a court of appeal held that juvenile court judges have the authority to imprison a truant as a last resort if the student commits an egregious violation of a court order, less restrictive alternatives have proved ineffective, and the student is confined separately from youths held for criminal violations.

- b. If a student has been adjudged by the county juvenile court to be a habitual truant, the ~~attendance supervisor~~ **Superintendent or designee** shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

Note: Item #5 below is for use by districts that offer any of grades K-8. Penal Code 270.1 states that a parent/guardian of a "chronic truant" who is at least **age 6 years six years old** and is in any of grades K-8 is guilty of a misdemeanor punishable by a fine and/or imprisonment if he/she has failed to reasonably supervise and encourage the student's school attendance and has been offered language-accessible support services to address the student's truancy. Pursuant to Penal Code 270.1, a parent/guardian found guilty of a misdemeanor may participate in a program established by a superior court, if available, which includes periodic meetings with district representatives and service referrals.

5. **Chronic truancy (unexcused aA**bsence for 10 percent of school days **(chronic truancy)**

- a. The ~~attendance supervisor~~ **Superintendent or designee** shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
- b. If a chronically truant student is at least age six years and is in any of grades K-8, the ~~attendance supervisor~~ **Superintendent or designee** shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

CHRONIC ABSENCE AND TRUANCY (continued)

Records

Note: The following **optional** paragraph may be revised to reflect district practice. The CDE's School Attendance Review Board Handbook cautions that it is important to keep accurate and complete records of any violations of compulsory school attendance laws because such records may ultimately be introduced as evidence in a trial for truancy.

The Superintendent or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

(cf. 5125 - Student Records)

Note: Education Code 48273 **mandates** that the district adopt rules and regulations for the purpose of gathering data and making a report to the County Superintendent of Schools regarding SARB referrals. The CDE's web site provides a model annual summary report form.

The Superintendent or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

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CSBA Sample Board Policy

Students

BP 5117(a)

INTERDISTRICT ATTENDANCE

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

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

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

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

(cf. 5111.1 - District Residency)

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

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

OPTION 1: Interdistrict Attendance Permits

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

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

Note: Education Code 46600 requires that the interdistrict attendance agreement specify the terms and conditions under which individual permits may be granted or denied. In addition, pursuant to Education Code 46600, **students who have been granted an interdistrict attendance permit must be allowed to continue**

INTERDISTRICT ATTENDANCE (continued)

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

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

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

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

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

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

(cf. 9324 Minutes and Recordings)

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

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

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

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

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

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

(cf. 3460 Financial Reports and Accountability)

Transportation

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

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

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

INTERDISTRICT ATTENDANCE (continued)

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

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

48350-48361 Open Enrollment Act

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

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

CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

ATTORNEY GENERAL OPINIONS

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

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

COURT DECISIONS

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

Cal.App.4th 234

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

Management Resources:

CSBA PUBLICATIONS

~~Transfer Law Comparison, Fact Sheet, March 2011~~

WEB SITES

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

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

(7/12 12/15) 10/17

Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Students

AR 5117(a)

INTERDISTRICT ATTENDANCE

OPTION 1: Interdistrict Attendance Permits

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

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

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

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

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

(cf. 5131.2 - Bullying)

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

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

(cf. 5148 - Child Care and Development)

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

INTERDISTRICT ATTENDANCE (continued)

(cf. 6159 - Individualized Education Program)

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

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

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

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| <p>Note: In 84 <u>Ops.Cal.Atty.Gen.</u> 198 (2001), the Attorney General opined that a lack of school facilities is a justifiable reason for denial of the interdistrict attendance permit request. However, according to the Attorney General, once the student is admitted, the district may not later deny the student continued attendance at a district school because of overcrowding. Although Attorney General opinions are not binding on the courts, they are generally afforded deference in the court when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.</p> |
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The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level,

INTERDISTRICT ATTENDANCE (continued)

or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

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

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

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

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

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

(cf. 5145.6 - Parental Notifications)

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

Note: Pursuant to Education Code 46600, once an interdistrict permit is granted and the student is enrolled in the new school, the district of enrollment (1) may not require the student to reapply; (2) must allow the student to continue to attend the school, unless the permit contains specific standards for reapplication; and (3) along with the district of residence, may not revoke the student's existing permit if he/she is entering

INTERDISTRICT ATTENDANCE (continued)

grade 11 or 12. Therefore, even if an interdistrict attendance agreement between the two districts has expired, the student may be allowed to continue attending the school to which he/she has transferred, unless the agreement contains specific language requiring reapplication.

Once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

OPTION 2: School District of Choice Program

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

(cf. 1113—District and School Web Sites)

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

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

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

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

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

1. First priority shall be given The district shall give priority for attendance to siblings of students already in attendance in the district. (Education Code 48306)

2. Second priority shall be given to students eligible for free or reduced-price meals.

(cf. 3553—Free and Reduced Price Meals)

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

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

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

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

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

a. A court-ordered desegregation plan

b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31

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

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

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

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

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

~~(cf. 9324—Minutes and Recordings)~~

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

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| Note: The following paragraph is optional . |
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~~The Superintendent or designee shall notify the student's district of residence of the district's decision.~~

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

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

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

~~(cf. 5111.1—District Residency)~~

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

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

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| Note: The following paragraph is for use by districts maintaining may be revised by districts that do not maintain high schools. |
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INTERDISTRICT ATTENDANCE (continued)

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

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

(cf. 6146.3 Reciprocity of Academic Credit)

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

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

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

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

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

(cf. 3100 - Budget)

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

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

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

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

INTERDISTRICT ATTENDANCE (continued)

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

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

(11/10 7/12) 10/17

CSBA Sample

Administrative Regulation

Students

AR 5125.2(a)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS

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

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

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

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

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

(cf. 5145.6 - Parental Notifications)

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

(cf. 5131.5 - Vandalism and Graffiti)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

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

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

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

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

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

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

When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared. Upon receiving notice that a student whose grades, diploma, and/or transcripts have been withheld by the district has transferred to another district in California, the Superintendent or designee shall provide the student's records to the new district and notify the new district that the student's grades, diploma, and/or transcripts are being withheld from the student and parents/guardians pursuant to Education Code 48904.

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

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

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

~~(cf. 5125—Student Records)~~

Legal Reference:

EDUCATION CODE

48904 *Liability of parent*

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

48911 *Suspension by principal, designee or superintendent*

49069 *Absolute right to access*

(12/91) 10/17

Policy Reference UPDATE Service

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CSBA Sample

Board Policy

Students

BP 5131.6(a)

ALCOHOL AND OTHER DRUGS

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

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5137 - Positive School Climate)

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

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

The following paragraph may be revised to reflect district practice.

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

ALCOHOL AND OTHER DRUGS (continued)

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

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

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

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

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

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

(cf. 5131.62 - Tobacco)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 5141.6 - School Health Services)

ALCOHOL AND OTHER DRUGS (continued)

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

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

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

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

(cf. 5131.61 Drug Testing)

(cf. 5131.62 Tobacco)

(cf. 5131.63 Steroids)

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

(cf. 5137 Positive School Climate)

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

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

(cf. 1220 Citizen Advisory Committees)

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

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

ALCOHOL AND OTHER DRUGS (continued)

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

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

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

Instruction

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

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

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

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

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

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

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

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

Intervention, Referral, and Student Assistance Programs

Note: Pursuant to 20 USC ~~7415~~ **7118**, as amended by P.L. 114-95, programs which may be funded under the Safe and Drug-Free Schools and Communities Act- **Student Support and Academic Enrichment Grants program** include programs of counseling, mentoring, referral services, and other student assistance programs. The following section may be revised to reflect district practice.

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

ALCOHOL AND OTHER DRUGS (continued)

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

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

(cf. 5141.52 - Suicide Prevention)

Enforcement/Discipline

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

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131 - Conduct)

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

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

(cf. 5145.12 - Search and Seizure)

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

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

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

ALCOHOL AND OTHER DRUGS (continued)

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

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

(cf. 5144 - Discipline)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

Program Evaluation

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

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

(cf. 0500 - Accountability)

Legal Reference: (see next page)

ALCOHOL AND OTHER DRUGS (continued)

Legal Reference:

EDUCATION CODE

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

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs and marijuana
11053-11058 Standards and schedules
11353.6 Juvenile Drug Trafficking and Schoolyard Act
11357 Unauthorized possession of marijuana; possession in school or on school grounds
11361.5 Destruction of arrest or conviction records
11372.7 Drug program fund; uses
11802 Joint school-community alcohol abuse primary education and prevention program
~~11965-11969 The School-Community Primary Prevention Program~~
~~11998-11998.3 Drug and Alcohol Abuse Master Plans~~
11999-11999.3 Alcohol and drug program funding; no unlawful use
124175-124200 Adolescent family life program

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

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

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors
828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals
~~7101-7184 Safe and Drug Free Schools and Communities Act~~
~~7101-7122 Student Support and Academic Enrichment Grants~~

Management Resources: (see next page)

ALCOHOL AND OTHER DRUGS (continued)

Management Resources:

WEB SITES

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

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

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

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

(2/96 7/04) 10/17

CSBA Sample Board Policy

Instruction

BP 6020(a)

PARENT INVOLVEMENT

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

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

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

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

(cf. 0420 - School Plans/Site Councils)

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

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

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

(cf. 5020 - Parent Rights and Responsibilities)

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

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

PARENT INVOLVEMENT (continued)

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

(cf. 0460 - Local Control and Accountability Plan)

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

(cf. 0500 - Accountability)

Title I Schools

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

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

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

(cf. 6171—Title I Programs)

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

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained

PARENT INVOLVEMENT (continued)

in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

(cf. 6171 - Title I Programs)

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

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

(cf. 3100 - Budget)

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

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

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

PARENT INVOLVEMENT (continued)

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

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

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

Non-Title I Schools

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

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

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

52060-52077 Local control and accountability plan

Legal Reference continued: (see next page)

PARENT INVOLVEMENT (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6311 ~~Parental notice of teacher qualifications and student achievement~~ **State plan**

6312 Local educational agency plan

6314 Schoolwide programs

~~6316 School improvement~~

6318 Parent ~~involvement~~ **and family engagement**

6631 Teacher and school leader incentive program, purposes and definitions

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CSBA PUBLICATIONS

~~Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006~~

STATE BOARD OF EDUCATION POLICIES

~~89-01 Parent Involvement in the Education of Their Children, rev. 1994~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Title I School-Level Parental Involvement Policy

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

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS NON-REGULATORY GUIDANCE

Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

~~No Child Left Behind: <http://www.ed.gov/nclb>~~

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

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

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Instruction

AR 6020(a)

PARENT INVOLVEMENT

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

District Strategies for Title I Schools

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

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

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

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6171 - Title I Programs)

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

PARENT INVOLVEMENT (continued)

The Superintendent or designee may:

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

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

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

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

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

PARENT INVOLVEMENT (continued)

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

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

The Superintendent or designee shall: (20 USC 6318)

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

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

- b. Provide **parents/guardians with** materials and training, such as literacy training and using technology (**including education about the harms of copyright piracy**), as appropriate, to help **parents/guardians them** work with their children to improve their children's achievement, ~~such as literacy training and using technology, as appropriate, to foster parent involvement~~
- c. **With the assistance of parents/guardians, e**ducate teachers, **student services specialized instructional support** personnel, principals **and other school**

PARENT INVOLVEMENT (continued)

leaders, and other staff, ~~with the assistance of parents/guardians~~, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

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

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

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

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

PARENT INVOLVEMENT (continued)

In addition, the Superintendent or designee may:

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

(cf. 1020 - Youth Services)

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

PARENT INVOLVEMENT (continued)

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

(cf. 1230 - School-Connected Organizations)

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

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

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

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

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

(cf. 5148.3 - Preschool/Early Childhood Education)

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

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements

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

(cf. 2230 - Representative and Deliberative Groups)

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

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

- b. Involve district and school site representatives from other programs to assist in identifying specific population needs
- c. Schedule joint meetings with representatives from related programs and share data and information across programs
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals

- 5. 4.** Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement involvement policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)

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

PARENT INVOLVEMENT (continued)

~~The Superintendent or designee shall:~~

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

(cf. 0500 - Accountability)

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

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

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

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

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

The Superintendent or designee may:

PARENT INVOLVEMENT (continued)

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

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

The Superintendent or designee may:

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

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

PARENT INVOLVEMENT (continued)

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

(cf. 5145.6 - Parental Notifications)

School-Level Policies for Title I Schools

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

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

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

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

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

PARENT INVOLVEMENT (continued)

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

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

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

(cf. 5123 - Promotion/Acceleration/Retention)

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

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

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

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's **student challenging** academic achievement standards

PARENT INVOLVEMENT (continued)

- b. Ways in which parents/guardians will be responsible for supporting their children's learning, **such as monitoring attendance, homework completion, and television viewing;** volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5113 - Absences and Excuses)

(cf. 6145 - Extracurricular/Cocurricular Activities)

(cf. 6154 - Homework/Makeup Work)

- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - (2) Frequent reports to parents/guardians on their children's progress
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
 - (4) Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand**

- 7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the **required** activities described in ~~items #3a-h~~ **item #2** in the section "District Strategies for Title I Schools" above
- 8. To the extent practicable, provide ~~full~~ opportunities for the **informed** participation of parents/guardians **and family members (including parents/guardians and family members** with limited English proficiency, parents/guardians **and family members** with disabilities, and parents/guardians **and family members** of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

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

PARENT INVOLVEMENT (continued)

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

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

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/**guardian and family engagement involvement** policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

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

District Strategies for Non-Title I Schools

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

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

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

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

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education

PARENT INVOLVEMENT (continued)

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

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

The Superintendent or designee may:

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

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

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
- b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom

PARENT INVOLVEMENT (continued)

- c. Provide information about parent/**guardian and family engagement involvement** opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
 - e. Develop mechanisms to encourage parent/guardian input on district and school issues
 - f. Identify barriers to parent/guardian **and family** participation in school activities, including parents/guardians **and family members** who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)

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

The Superintendent or designee may:

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

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

The Superintendent or designee may:

PARENT INVOLVEMENT (continued)

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

(8/06) 10/17

CSBA Sample

Board Policy

Instruction

BP 6153(a)

SCHOOL-SPONSORED TRIPS

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

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

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

(cf. 0460 - Local Control and Accountability Plan)

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

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

(cf. 6143 - Courses of Study)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

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

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

(cf. 3312.2 - Educational Travel Program Contracts)

SCHOOL-SPONSORED TRIPS (continued)

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

(cf. 3530 - Risk Management/Insurance)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

(cf. 5144 - Discipline)

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

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

(cf. 1230 - School-Connected Organizations)

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

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

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

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

Legal Reference: (see next page)

SCHOOL-SPONSORED TRIPS (continued)

Legal Reference:

EDUCATION CODE

8760 *Authorization of outdoor science and conservation programs*

32040-32044 *First aid equipment: field trips*

35330 *Excursions and field trips*

35331 *Provision for medical or hospital service for pupils (on field trips)*

35332 *Transportation by chartered airline*

35350 *Transportation of students*

44808 *Liability when pupils not on school property*

48908 *Duties of pupils; authority of teachers*

BUSINESS AND PROFESSIONS CODE

17540 Travel promoters

17550-17550.9 *Sellers of travel*

17552-17556.5 *Educational travel organizations*

Management Resources:

WEB SITES

American Red Cross: <http://www.redcross.org>

California Association of Directors of Activities: <http://www.cada1.org>

U.S. Department of Homeland Security: <http://www.dhs.gov>

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Instruction

AR 6173.1(a)

EDUCATION FOR FOSTER YOUTH

Definitions

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

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

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

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

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

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

Best interest means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, **the proximity to the school at the time of placement, appropriateness of the educational setting,** educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; **20 USC 6311**)

EDUCATION FOR FOSTER YOUTH (continued)

District Liaison

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

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

Superintendent
(position or title)
1575 Old Ranch Road, Placerville, CA. 95667
(address)
(530) 626-3194
(phone number)
(first initial of first name plus full last name) @gtusd.org
(email)

(cf. 6173 - Education for Homeless Children)

The liaison for foster youth shall:

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

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

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

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

(cf. 5125 - Student Records)

(cf. 6146.3 - Reciprocity of Academic Credit)

EDUCATION FOR FOSTER YOUTH (continued)

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

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

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

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

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

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

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

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

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

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

(cf. 5141.6 - School Health Services)

(cf. 5148.2 - Before/After School Programs)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

EDUCATION FOR FOSTER YOUTH (continued)

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

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

(cf. 1020 - Youth Services)

(cf. 5113.1 - Chronic Absence and Truancy)

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

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

(cf. 0460 - Local Control and Accountability Plan)

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

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

Enrollment

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

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

EDUCATION FOR FOSTER YOUTH (continued)

(cf. 6159 - Individualized Education Program)

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

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

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

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

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

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

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

EDUCATION FOR FOSTER YOUTH (continued)

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

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

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

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

Note: Pursuant to Education Code 48853.5, a district is required to immediately enroll any foster youth transferring into the district even when the foster youth has outstanding fees or fines due to the last school attended or the district has not received the foster youth's academic and medical records, as listed in items #1-3 below. However, pursuant to Health and Safety Code 120341, if a district does not receive a foster youth's immunization records prior to enrolling him/her, the district must take steps, after the foster youth is enrolled, to obtain his/her immunization records or ensure that he/she is properly immunized. See BP/AR 5141.31 - Immunizations.

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

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

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

EDUCATION FOR FOSTER YOUTH (continued)

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

(cf. 5132 - Dress and Grooming)

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

(cf. 5111.1 - District Residency)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

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

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

(cf. 9320 - Meetings and Notices)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Transportation

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

EDUCATION FOR FOSTER YOUTH (continued)

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

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

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

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

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school
2. A verified court appearance or related court-ordered activity

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

Transfer of Coursework and Credits

Note: The following section is for use by districts maintaining high schools. Education Code 51225.2 addresses the transferability of coursework and credits completed by foster youth, as provided below.

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

EDUCATION FOR FOSTER YOUTH (continued)

If the foster youth did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Note: Although Education Code 51225.2 requires districts to award partial credits to foster youth who transfer from school to school, there is no uniform system for calculating and awarding partial credits. To ensure consistency in the treatment of foster youth, the California Child Welfare Council (CCWC), in its Partial Credit Model Policy and Practice Recommendations available on its web site, recommends the approach specified in the following **optional** paragraph, which may be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

Applicability of Graduation Requirements

Note: The following section is for use by districts maintaining high schools. Also see BP 6146.1 - High School Graduation Requirements.

~~Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), provides that the administration of the California High School Exit Examination and the requirement that each student completing grade 12 successfully pass the exam as a condition of receiving a diploma or a condition from graduation from high school are suspended for the 2015-16, 2016-17, and 2017-18 school years.~~

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

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

EDUCATION FOR FOSTER YOUTH (continued)

Note: Education Code 51225.1 exempts any foster youth who transfers into the district or between district schools any time after completion of the student's second year of high school from locally established high school graduation requirements. The district is required to notify the student, the person holding rights to make educational decisions for the student, and the district liaison of the availability of this exemption and whether the student qualifies for it. As amended by AB 1166 (Ch. 171, Statutes of 2015), Education Code 51225.1 provides that, if the district fails to provide this notification, the student will be eligible for the exemption once he/she is notified, even if that notification is received after the student is no longer under the court's jurisdiction, if the student otherwise qualifies for the exemption.

However, when a foster youth who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth. (Education Code 51225.1, 60851)

To determine whether a foster youth is in his/her third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any foster youth who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the foster youth's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a foster youth or any person acting on behalf of a foster youth. (Education Code 51225.1)

If a foster youth is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while he/she is still enrolled in school or if he/she transfers to another school or school district. (Education Code 51225.1)

EDUCATION FOR FOSTER YOUTH (continued)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within his/her fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for him/her of the foster youth's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if he/she is under 18 years of age, the person holding the right to make educational decisions for him/her, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

Note: Education Code 48850 provides that, when a foster youth's residence changes pursuant to a court order or decision of a child welfare worker, the student shall be immediately deemed to meet all residency requirements for participation in extracurricular activities and interscholastic sports. For additional information about eligibility requirements, see BP 6145 - Extracurricular and Cocurricular Activities.

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Note: ~~As amended by AB 379 (Ch. 772, Statutes of 2015),~~ Education Code 48853, 49069.5, 51225.1, and 51225.2 require that the district's annual uniform complaint procedures notification include specified information regarding the educational rights of foster youth. See AR 1312.3 - Uniform Complaint Procedures for further information regarding this notification. Education Code 48853.5, ~~as amended by AB 379,~~ requires the California Department of Education (CDE), in consultation with the California Foster Youth Education Task Force, to develop a standardized notice of the educational rights of foster youth and to post that notice on its web site.

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

EDUCATION FOR FOSTER YOUTH (continued)

(cf. 5145.6 - Parental Notifications)

Note: ~~AB 379 (Ch. 772, Statutes of 2015) amended~~ Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2 to provide that complaints of noncompliance with specified requirements related to the education of foster youth may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint **alleging** that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 1312.3 - Uniform Complaint Procedures)

(12/13 12/15) 10/17

CSBA Sample

Administrative Regulation

Instruction

AR 6173.2(a)

EDUCATION OF CHILDREN OF MILITARY FAMILIES

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

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

Definitions

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

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

Enrollment

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

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

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

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

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

(cf. 5111.1 - District Residency)

When a child of a military family is transferring into the district, the Superintendent or designee may enroll the child based on the child's placement in the previous district, pending receipt of the child's records. Upon enrollment, the Superintendent or designee shall immediately request the student's records from the student's previous district. The Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

(cf. 5141- Health Care and Emergencies)

(cf. 5141.31- Immunizations)

Note: Pursuant to Education Code ~~48301-48307~~, as amended by AB 99 (Ch. 15, Statutes of 2017), as amended by AB 306 (Ch. 771, Statutes of 2015), a district must not deny a student whose parent/guardian is on active military duty from transferring out of the district to a "school district of choice." **any other district. In addition, Education Code 46600, as amended by AB 2659 (Ch. 186, Statutes of 2016), provides that districts must not prohibit the transfer of such a student out of the district to any other district that approves the transfer, regardless of whether or not an interdistrict transfer agreement exists or a permit is issued.** Also see BP 5117 - Interdistrict Attendance.

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district ~~to any district that has declared itself to be a "school district of choice"~~ pursuant to Education Code ~~48300-48316~~, if the ~~other~~ school district **of proposed enrollment** approves the application for transfer. (Education Code ~~48301-48307~~ **46600**)

(cf. 5117 - Interdistrict Attendance)

When a child of a military family is transferring out of the district, the Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

Placement and Attendance

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 51251, the district may provide pretranscript evaluations, as described below, in order to address the needs of children of military families.

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Whenever a student's parent/guardian is serving on active duty or has been discharged from military service within the last year and the student transfers to a new school as the direct result of the military transfer or discharge, the Superintendent or designee may, prior to the receipt of official transcript(s) or the arrival of the student, review the student's coursework to date, including any unofficial transcript(s), to determine the appropriate placement of the student in classes. The evaluation shall also include communication with school counselors and teachers at the former school by videoconferencing, email, and/or telephone calls. (Education Code 51251)

The Superintendent or designee shall initially honor the placement of any child of a military family in educational courses and programs based on the child's enrollment and/or assessment in his/her previous school. The Superintendent or designee may, to the extent permitted by Board policy, waive course or program prerequisites, preconditions, and/or application deadlines when making decisions regarding placement of children of military families and their eligibility for extracurricular academic, athletic, and social activities. (Education Code 49701)

(cf. 6141.5 - Advanced Placement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

Note: Pursuant to Education Code 49701, the district is required to provide a child of a military family who has been identified as a student with a disability eligible for services under the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act (29 USC 794) with services based on his/her current individualized education program or Section 504 plan, as appropriate. See BP/AR 6159 - Individualized Education Program and BP/AR 6164.6 - Identification and Education Under Section 504.

When a child of a military family transferring into the district has been identified as an individual with a disability pursuant to 20 USC 1400-1482, the Superintendent or designee shall provide comparable services to the student based on his/her current individualized education program. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(cf. 6159 - Individualized Education Program)

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

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

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Transfer of Coursework and Credits

Note: The following section is for use by districts maintaining high schools. Education Code 51225.2, as amended by AB 365 (Ch. 739, Statutes of 2017), requires districts to issue credit for coursework satisfactorily completed at another school, as provided below.

When a child of a military family transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a nonpublic, nonsectarian school or agency, or a juvenile court school and shall not require the student to retake the course. (Education Code 51225.2)

(cf. 6146.3 - Reciprocity of Academic Credit)

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

If the student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take only the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the student's parent/guardian, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued, the student shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Note: Although Education Code 51225.2 requires districts to award partial credits to children of military families who transfer from school to school, there is no uniform system for calculating and awarding partial credits. A recommendation for how to award partial credit is available in the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and should be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.

In no event shall the district prevent a child of a military family from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

Absences

Note: The California Department of Education's (CDE) Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, available on its web site, contains a sample letter that may be provided to parents/guardians to report deployment-related absences.

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

When a student's parent/guardian is an active duty member and is called to duty **for**, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the Superintendent or designee may grant additional excused absences to the student to visit with his/her parent/guardian. (Education Code 49701)

(cf. 5113 - Absences and Excuses)

Graduation

~~The Superintendent or designee may also waive specific district course requirements for graduation if similar coursework has been satisfactorily completed by the student in his/her previous school. (Education Code 49701)~~

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

~~(cf. 6179 - Supplemental Instruction)~~

~~The Superintendent or designee shall facilitate the on-time graduation of children of military families by providing supplemental instruction to incoming students as necessary to enable them to meet the district's graduation requirements. (Education Code 49701)~~

~~If after considering all alternatives, the Superintendent or designee believes that a student who has transferred into the district in grade 12 will not be able to satisfy the district's graduation requirements in time to graduate with his/her class, the Superintendent or designee shall work with the sending district to have the sending district issue the student its diploma, provided the student satisfies that sending district's graduation requirements. (Education Code 49701)~~

Note: The following paragraph is **optional**.

~~Upon request of a school district to which a former district student has transferred, the Superintendent or designee shall issue the district's diploma of graduation to the former student, provided the student has satisfactorily completed the district's graduation requirements, including the passage of the high school exit examination.~~

Graduation Requirements

Note: The following section is for use by districts maintaining high schools. Education Code 51225.1, as amended by AB 365 (Ch. 739, Statutes of 2017), exempts children of military families from district-established graduation requirements, under certain conditions, when they transfer after completing two years of high school. Also see BP 6146.1 - High School Graduation Requirements.

To obtain a high school diploma, a child of a military family shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

(cf. 6146.1 - High School Graduation Requirements)

However, when a child of a military family who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student and his/her parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a child of a military family pursuant to Education Code 49701. (Education Code 51225.1)

To determine whether a child of a military family is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any child of a military family who is granted an exemption and his/her parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or his/her parent/guardian shall be permitted to request a transfer solely to qualify for an exemption. (Education Code 51225.1)

If a child of a military family is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a child of a military family or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a child of a military family is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

- 1. Inform the student and, if under 18 years of age, his/her parent/guardian of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution**
- 2. Provide information to the student about transfer opportunities available through the California Community Colleges**
- 3. Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements**

Notification and Complaints

Note: Education Code 51225.1 and 51225.2, as amended by AB 365 (Ch. 739, Statutes of 2017), provide that complaints of noncompliance with specified requirements related to the educational rights of children of military families may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of children of military families, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of children of military families, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(11/09 3/16) 10/17

CSBA Sample

Board Policy

Instruction

BP 6173.2(a)

EDUCATION OF CHILDREN OF MILITARY FAMILIES

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

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

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

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

In making decisions about children of military families, including decisions regarding their enrollment, placement, eligibility for extracurricular activities, or waiver of any graduation requirement, the Superintendent or designee shall be flexible to the extent permitted by law and district policy. The Superintendent or designee may waive district policies or rules when necessary to facilitate the enrollment, placement, advancement, eligibility for extracurricular activities, or on-time graduation of children of military families, in accordance with the Interstate Compact on Educational Opportunity for Military Children as ratified in Education Code 49700-49704.

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

(cf. 5117 - Interdistrict Attendance)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.3 - Reciprocity of Academic Credit)

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

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

(cf. 1020 - Youth Services)

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

(cf. 6020 - Parent Involvement)

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

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

(cf. 0500 - Accountability)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

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

Legal Reference:

EDUCATION CODE

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

UNITED STATES CODE, TITLE 10

101 Definitions

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

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6311 State plan

UNITED STATES CODE, TITLE 29

794 Section 504 of the federal Rehabilitation Act

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS TASK FORCE REPORT TO THE LEGISLATURE

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

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

WEB SITES

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

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

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

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

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Policy Reference UPDATE Service

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AGENDA ITEM 11.0
ACTION ITEM: 2017-2018 First Interim

BACKGROUND

The Board of Trustees is committed to ensuring public accountability and the fiscal health of the district. The Board shall adopt sound fiscal policies, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement. (*Board Policy 3460*) The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall be made available by the district for public review. (Education Code 42130) Within 45 days after the close of the period reported, the Board shall approve the interim report and certify, on the basis of the interim report and any additional financial information known by the Board, whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years.

The interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464) (*Administrative Regulation 3460*)

Aidan Harte, Chief Business Officer, will present data and insights received while compiling the First Interim Report.

ATTACHMENTS

- **None.** The 2017-18 First Interim Report shall be available for public inspection both online via the business office link on the district website at www.gtusd.org, and in hard copy at the Gold Trail Union School District Office in the Sutter's Mill School administration building, 4801 Luneman Road, Placerville, CA. 95667, at least 72 hours prior to the meeting.

BUDGETED

☐ NA ☒ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to accept the report for the period ending October 31, 2017.

NOTES

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

AGENDA ITEM 12.0

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

- CSBA Guide-sheet
- AR 6112, School Day (AR revised)
- BP 6170.1, Transitional Kindergarten (BP revised)

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

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

NOTES

| | | | | |
|--|--------------|-----------------|---------------|----------------|
| ACTION | <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> |

POLICY GUIDE SHEET

December 2017

Page 1 of 1

AR 6112 - School Day

(AR revised)

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

BP 6170.1 - Transitional Kindergarten

(BP revised)

Policy updated to reflect **NEW LAW (AB 99, 2017)** which permits districts to maintain transitional kindergarten classes for different lengths of time during the school day, either at the same or different school sites, provided that the length of the school day complies with legal requirements related to the minimum and maximum length of the school day. The CSBA revisions **are highlighted in yellow in the accompanying sample**. The transitional kindergarten teacher requested revisions **are highlighted in blue in the accompanying sample**.

CSBA Sample

Administrative Regulation

Instruction

AR 6112(a)

SCHOOL DAY

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

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

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

Kindergarten/Transitional Kindergarten

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

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

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

Except as otherwise **provided permitted** by law, the average school day established for kindergarten **and TK** students shall be at least three hours, including recesses but excluding noon intermissions, but no longer than four hours, excluding recesses. (Education Code 46111, 46114, 46115, 46117)

SCHOOL DAY (continued)

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

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

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

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

(cf. 6117 - Year-Round Schedules)

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

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

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

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

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

SCHOOL DAY (continued)

Grades 1-8

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

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

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

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

Grades 9-12

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

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

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

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

1. Continuation high school or classes (Education Code 46141, 46170)
2. Opportunity school or classes (Education Code 46141, 46180)
3. Regional occupational center (Education Code 46141, 52325)

(cf. 6184 - Continuation Education)

(cf. 6178.2 - Regional Occupational Center/Program)

SCHOOL DAY (continued)

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

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

(cf. 6178.1 - Work-Based Learning)

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

(cf. 6172.1 - Concurrent Enrollment in College Classes)

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

6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with item #5 above (Education Code 46141, 46146.5)
7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)

(cf. 6178 - Career Technical Education)

8. Adult education classes (Education Code 46190)

(cf. 6200 - Adult Education)

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

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

SCHOOL DAY (continued)

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

(cf. 6158 - *Independent Study*)

(cf. 6159 - *Individualized Education Program*)

Alternative Block Schedule for Secondary Schools

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

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

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

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

(11/06 4/13) 10/17

CSBA Sample

Board Policy

Instruction TRANSITIONAL KINDERGARTEN

BP 6170.1(a)

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

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

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

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

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

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

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Eligibility

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

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

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

TRANSITIONAL KINDERGARTEN (continued)

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

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

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

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

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

~~The district may admit into the TK program a~~ **A** child whose fifth birthday is after December 2, and before February 1 **may be admitted to the TK program beginning on the first school day in January of the current school year. The child will be placed on a waitlist and notified by November 30 of January TK classroom availability.** ~~provided the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest. The district may also admit into the TK program a child whose fifth birthday is after February 1, provided the Superintendent or designee determines that enrollment is in the child's best interest. Before making that determination, however,~~ **Prior to enrollment,** the kindergarten teachers will assess the child to determine the kindergarten readiness of the child. Any student who turns five after December 2, can be denied admittance to the TK program if the Superintendent or designee determines that the admittance of an additional student would unfavorably impact the size of the class. Prior to enrollment of a child whose fifth birthday is after December 2 **and before February 1,** the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

Curriculum and Instruction

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

(cf. 6141 - Curriculum Development and Evaluation)

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

TRANSITIONAL KINDERGARTEN (continued)

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

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

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

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

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

The Board shall ~~fix~~ **establish** the length(s) of the school day in the district's TK program, ~~which TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is~~ **shall be** at least three hours but no more than four hours. **The Superintendent or designee shall annually report to the California**

Department of Education as to whether the district's TK programs are offered full day, part day, or both. (Education Code 37202, 46111, 46117, 48003)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

TRANSITIONAL KINDERGARTEN (continued)

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

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

Staffing

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

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

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

(cf. 4112.2 - Certification)

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

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

(cf. 4131 - Staff Development)

Continuation to Kindergarten

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

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

TRANSITIONAL KINDERGARTEN (continued)

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

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

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

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

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

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

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

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference: (see next page)

TRANSITIONAL KINDERGARTEN (continued)

Legal Reference:

EDUCATION CODE

- 8973 *Extended-day kindergarten*
- 37202 *School calendar; equivalency of instructional minutes*
- 44258.9 *Assignment monitoring by county superintendent of schools*
- 46111 *Kindergarten, hours of attendance*
- 46114-46119 *Minimum school day, kindergarten*
- 46300 *Computation of ADA, inclusion of kindergarten and transitional kindergarten*
- 48000 *Age of admission, kindergarten and transitional kindergarten*
- 48002 *Evidence of minimum age required to enter kindergarten or first grade*
- 48003 *Kindergarten annual report***
- 48200 *Compulsory education, starting at age six*

Management Resources:

CSBA PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

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

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

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

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

Transitional Kindergarten California: <http://www.tkcalifornia.org>

(4/15 10/15) 10/17

Policy Reference UPDATE Service

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AGENDA ITEM 13.0

ACTION ITEM: Review of Board of Trustees and Superintendent Protocols

BACKGROUND

The Governing Board believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

At a Board Workshop conducted on August 20, 2005, the Board developed a set of protocols to provide a basic set of professional standards by which the Governing Board and the Superintendent are to function as a team. The Board annually reviews the subject protocols for accuracy.

ATTACHMENTS

➤ **Adopted Protocols**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

Expand discussion and make changes or updates if needed.

NOTES

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

BOARD AND SUPERINTENDENT PROTOCOLS

The purpose of these protocols is to provide a basic set of professional standards by which the Governing Board and the Superintendent are to function as a team. There is no intention to abridge the rights and obligations of Board members to oversee the operation of the District, not to interfere with the Superintendent with his/her role as the Chief Executive Officer of the District.

1. All Board members will define and understand the difference between Administration and policy-making, and respect the roles of each other.
2. When interacting with the public at a meeting, Board members will not make statements that could be interpreted as having full team concurrence.
3. All conversations taking place in Closed Sessions will remain absolutely confidential. The Board members will comply with the Brown Act and refrain from discussing anything in Closed Session that has not been placed on the agenda.
4. Each member of the team is dedicated to making all other members of the team successful.
5. Never will a matter be brought to a public meeting that is a surprise to the Superintendent or the Board.
6. No individual Board member will make or appear to make a decision, which appropriately should be made by the entire Board.
7. All Board members are to be apprised in a timely manner of any incident to which they may be called upon to answer or explain.
8. Each member of the team is to be treated with dignity and respect.
9. Board meeting attendance is to be given the highest priority.
10. Questions and clarification of Board agenda items are to be communicated to the Superintendent prior to the Board meeting whenever possible.
11. Individual requests for reports, surveys, projects, etc. will be directed only to the Superintendent.
12. Every member of the team is honorable, honest, and dedicated to the success of the students and staff of the District.
13. Promotional appointments are made by the Superintendent, but only in consultation with the Board.
14. Personnel changes are to be recommended by the Superintendent. Board input will include only significant and relevant data – never the “pushing” or “pushing out” of individuals.
15. Unsubstantiated rumor, innuendo, and information from anonymous sources are not to be pursued unless the Superintendent chooses to do so.

16. Any complaint made to a Board member by the community is to be referred directly to the Superintendent.
17. Irritations will not be allowed to fester.
18. No individual Board member is to come between the Superintendent and his/her staff and other Board members.
19. All substantive contacts between a Board member and District personnel are to be reported to the Superintendent as soon as possible.
20. Never is a team member to discuss confidential personnel or negotiations matters with members of the Bargaining Unit.
21. Any concern reported to the Superintendent by a Board member is to receive the highest priority, with the disposition of the matter communicated to all of the team.
22. No individual team member will ever use the media as a forum.
23. Loyalty to the entire team involves:
 - Giving one's opinion on all issues.
 - Not bad-mouthing other team members in public.
 - Respecting each individual's opinion.
 - Accepting and living with the action of the team.
24. All significant administrative actions are to be communicated regularly to all Board members.
25. Never is dirty linen to be aired outside the team.
26. Unintentional mistakes may occur and should not be attributed to unwillingness to be a team member.
27. Dredging up the past is to be avoided.
28. Every action by a member of the team should be directed toward improving the educational program for students. If not, it is not to be taken.
29. Board members, as their time permits, are encouraged to visit school sites and attend school functions, but will avoid interrupting instruction or interrupting employees at work.

Element 1: Areas of Responsibility

The Role and Function of the Board and Superintendent

The Governing Board can adopt policy that has the impact of state law.

The Superintendent and staff should be held accountable for the implementation of all Board policies.

Failure to follow or overlapping of these responsibilities results in ineffective management and waste.

Confusion and misunderstanding between Board members, the Superintendent, staff, and community most often result from a lack of understanding regarding the role and function of the Board and Superintendent.

Element 2: Meaningful Conversation

The greatest problem in communication is the illusion that it has been accomplished.

The cornerstone of a strong Board-Superintendent relationship is dependent upon openness in all matters by the members of the Board and the Superintendent.

No decision by the Board is any better than the amount and kind of information it is provided.

There is a need for a willingness to inform and to be informed by individuals throughout the District.

Communication is the cement that holds an organization together.

Element 3: Conflict of Ideas v. Personal Conflict

If everyone thinks alike, no one is doing much thinking.

Conflict of ideas does not mean there is an absence of mutual support.

Both the Board and Superintendent need support from each other. A strong partnership is strengthened when Board members support the Superintendent from unjust criticism and when the Superintendent defends the Board members from unwarranted accusations.

Constructive criticism should be welcomed, but destructive criticism and unjust criticism should be exposed. The former is necessary for survival; the latter makes survival impossible.

Element 4: Careful Planning

No one enjoys surprises; careful planning will avoid most of them.

Planning begins with the Board involved in at least yearly and quarterly planning for the District.

Basically, both the Superintendent and the Board must be headed in the same direction.

The Board reserves judgment on all matters until it hears the recommendation of the Superintendent and discusses the matter in a duly authorized meeting.

The Superintendent's plan must be tentative until reviewed and approved by the Board.

Element 5: A Clear Understanding of the Decision-Making Process

Before major decisions are made:

- Alternatives should be considered.
- Background information should be studied.
- Ramifications for decisions should be examined.
- As much input as feasible is considered.
- The decision is made by the people closest to the problem wherever possible.
- People are informed not only of the decision, but the reason for the decision.
- Authority can be delegated – accountability cannot.

Before casting a vote, a Board member should ask himself or herself two questions:

- Am I voting solely on the merit of the issue and not being influenced by vested interest groups or listening to the most vocal?
- Whatever the outcome, will I abide by and support the decision of the Board knowing that each member of the Board is obligated to abide by and uphold the adopted policies of the Board whether that individual voted for the adoption or not.

Element 6: Periodic Evaluation

The objective of evaluation should be improvement.

The Board and Superintendent should evaluate the work of the District regularly.

Expectations of both the Board and Superintendent should be considered.

The Board should evaluate the Superintendent, based upon the result of his/her goals.

The Board should do a self-evaluation of its performance at least yearly.

Evaluating people is always difficult, but an honest, open discussion is far better than a sudden conflict between the Board and Superintendent.

Element 7: Able Leadership

A Superintendent is employed to lead. He/she considers the significance of the following tangibles:

- Trust level.
- Sensitivity.
- Caring.
- Vision.
- Pride.
- Motivation.
- Human skills.
- Honesty.

A strong Board-Superintendent partnership gives direction, stability, and confidence to the total staff and community.

Where this exists, morale is high, people work effectively and efficiently, and most important good things happen for kids.

Originally Adopted by the Board of Trustees: September 8, 2005

Last Reviewed: December 8, 2016

AGENDA ITEM 14.0
ACTION ITEM: District Vision

BACKGROUND

In order to provide a clear focus for district programs, activities and operations, the Board of Trustees shall adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve. This vision may be incorporated in various documents, including the district's mission or purpose statement, philosophy, long-term goals, short-term objectives and/or comprehensive plans. The Board shall review the district vision statements at least every three years or whenever a new Board member or Superintendent joins the district. Following these reviews the Board may revise or reaffirm the direction it has established for the district. (*Board Policy 0000*)

The current District Vision statement reads as follows:

Our vision 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.

ATTACHMENTS

➤ None

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will review, and possibly revise, the District's vision statement.

NOTES

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

| |
|---|
| AGENDA ITEM 15.0 DISCUSSION ITEM: Administrative Reports |
|---|

BACKGROUND

S. Lyons, superintendent, will report on activities relevant to District and Sutter's Mill School business.

B. Holler, principal, will report on activities relevant to Gold Trail School business.

Aidan Harte, CBO, will be available to answer question relevant to financial business.

Board members will report on activities relevant to District business.

ATTACHMENTS

➤ **Enrollment Report**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

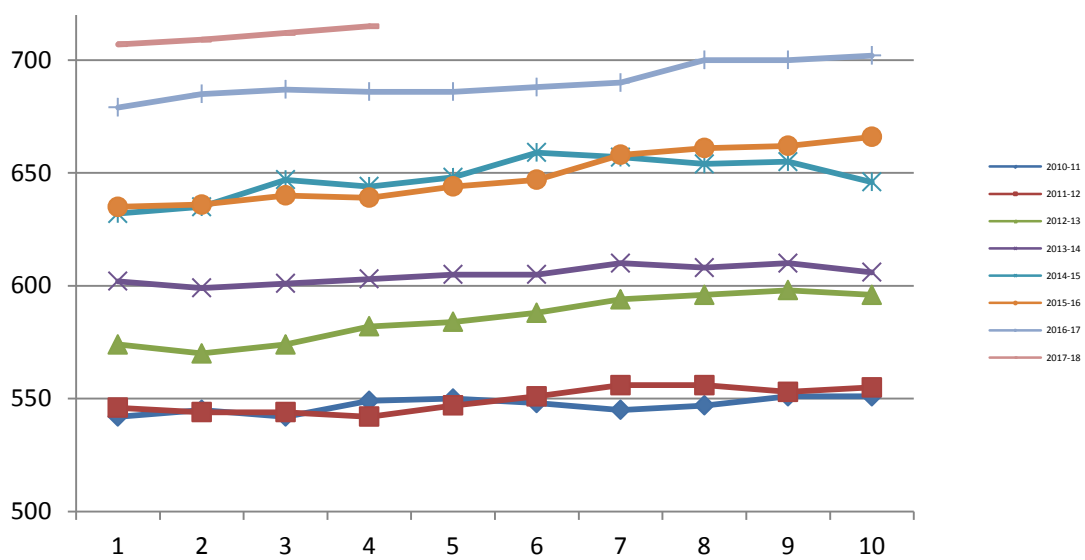
No action needed.

NOTES

Enrollment Report

Historical, Current Projection

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 1995-96 | 666 | 663 | 666 | 666 | 668 | 663 | 657 | 658 | 657 | 656 |
| 1996-97 | 694 | 695 | 694 | 696 | 695 | 691 | 695 | 694 | 700 | 698 |
| 1997-98 | 702 | 698 | 700 | 703 | 710 | 712 | 709 | 707 | 703 | 705 |
| 1998-99 | 662 | 655 | 663 | 661 | 656 | 650 | 660 | 658 | 668 | 667 |
| 1999-00 | 650 | 655 | 663 | 652 | 651 | 653 | 669 | 670 | 664 | 667 |
| 2000-01 | 652 | 659 | 656 | 654 | 656 | 663 | 665 | 664 | 664 | 662 |
| 2001-02 | 644 | 648 | 645 | 654 | 649 | 651 | 653 | 649 | 652 | 649 |
| 2002-03 | 635 | 645 | 648 | 662 | 659 | 651 | 653 | 658 | 659 | 665 |
| 2003-04 | 604 | 608 | 608 | 608 | 603 | 602 | 602 | 606 | 607 | 606 |
| 2004-05 | 550 | 555 | 556 | 552 | 555 | 553 | 553 | 557 | 557 | 557 |
| 2005-06 | 538 | 545 | 543 | 549 | 557 | 551 | 554 | 554 | 556 | 556 |
| 2006-07 | 552 | 549 | 541 | 546 | 546 | 546 | 546 | 542 | 542 | 540 |
| 2007-08 | 538 | 543 | 552 | 557 | 558 | 563 | 561 | 561 | 566 | 558 |
| 2008-09 | 544 | 547 | 543 | 540 | 537 | 539 | 551 | 550 | 550 | 553 |
| 2009-10 | 545 | 543 | 539 | 538 | 540 | 546 | 549 | 548 | 551 | 551 |
| 2010-11 | 542 | 545 | 542 | 549 | 550 | 548 | 545 | 547 | 551 | 551 |
| 2011-12 | 546 | 544 | 544 | 542 | 547 | 551 | 556 | 556 | 553 | 555 |
| 2012-13 | 574 | 570 | 574 | 582 | 584 | 588 | 594 | 596 | 598 | 596 |
| 2013-14 | 602 | 599 | 601 | 603 | 605 | 605 | 610 | 608 | 610 | 606 |
| 2014-15 | 632 | 635 | 647 | 644 | 648 | 659 | 657 | 654 | 655 | 646 |
| 2015-16 | 635 | 636 | 640 | 639 | 644 | 647 | 658 | 661 | 662 | 666 |
| 2016-17 | 679 | 685 | 687 | 686 | 686 | 688 | 690 | 700 | 700 | 702 |
| 2017-18 | 707 | 709 | 712 | 715 | | | | | | |



| | | | | | | | | | | |
|--|--|--|--|--|--|--------------------------------------|-----|--|-------|-----|
| | | | | | | | | | | |
| | | | | | | 2017-18 Enrollment this month | | | | |
| | | | | | | TK | 27 | | 4 | 76 |
| | | | | | | K | 66 | | 5 | 84 |
| | | | | | | 1 | 67 | | 6 | 88 |
| | | | | | | 2 | 63 | | 7 | 85 |
| | | | | | | 3 | 73 | | 8 | 86 |
| | | | | | | Total | 296 | | Total | 419 |
| | | | | | | District Total Enrollment | | | | 715 |

AGENDA ITEM:
Closed Session

16. CLOSED SESSION OPEN HEARING

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

17. 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*

AGENDA ITEM 18.0

Reconvene Public Session and Closed Session Disclosure

If Vote Taken in Closed Session

| | | | | |
|--|--------------|-----------------|---------------|----------------|
| ACTION | <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 19.0

Future Meetings

Date: TBA **Time:** TBA **Location:** TBA

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

AGENDA ITEM:

Adjournment

| | | | | |
|--|--------------|-----------------|---------------|----------------|
| ACTION | <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> |