

# 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**  
Julie Bauer  
President  
Janet Barbieri  
Clerk  
Sue Hennike  
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 Meeting

Thursday, April 2, 2020

Sutter's Mill School Administration Building

### Agenda

On March 12, 2020, as part of a larger effort to address the COVID-19 outbreak, Governor Gavin Newsom issued an executive order allowing state and local legislative bodies to hold meetings via conference calls without violating the Brown Act. The public is invited to dial in using your phone.






United States: [+1 \(224\) 501-3412](tel:+1(224)501-3412)  
Access Code: 647-512-893

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

-  J. Bauer, President
-  J. Barbieri, Clerk
-  S. Hennike, 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 54954.3, Board Bylaw 9323*)

<b>PUBLIC HEARING/NOTICE</b>
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**5. PUBLIC HEARING: 2018-2021 Gold Trail Federation of Educators; Certificated Employees Collective Bargaining Agreement**

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to allow public comment regarding the 2018-2021 certificated employee bargaining unit agreement. The Board will take requisite action later in the agenda. The Board will entertain public comment at this time.

**6. PUBLIC HEARING: 2018-2021 Gold Trail Federation of Educators; Classified Employees Collective Bargaining Agreement**

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to allow public comment regarding the 2018-21 classified employee bargaining unit agreement. The Board will take requisite action later in the agenda. The Board will entertain public comment at this time.

**7. PUBLIC HEARING: 2019-2020 Unrepresented Confidential Employees Settlement**

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to allow public comment regarding the 2019-2020 unrepresented confidential salary schedule settlement. The Board will take requisite action later in the agenda. The Board will entertain public comment at this time.

**8. PUBLIC HEARING: 2019-2020 Unrepresented Administrative and Classified Management Employees Settlement**

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to allow public comment regarding the 2019-2020 unrepresented administrative and classified management salary schedule settlement. The Board will take requisite action later in the agenda. The Board will entertain public comment at this time.

<b>REPORTS</b>
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**9. REPORT: Student Council**

J. Romig, president, will report on Student Council activities.

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

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

**11. REPORT: Physical Fitness Test District and School Summary**

S. Lyons, superintendent, will report on the latest Physical Fitness test results.  
(Board Policy 6142.7)

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

S. Lyons, superintendent, will report on the condition and use of school libraries.  
(Board Policy 6163.1)

**13. REPORT: Local Control Accountability Plan (LCAP)**

S. Lyons, superintendent, will report on the current status of the District's 2020-2021 LCAP.  
(Board Policy 0640)

<b>CONSENT</b>
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**14. CONSENT**

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

**.1 Meeting Minutes (*Board Bylaw 9324*)****Regular Meeting of March 12, 2020**

The Board will take action to approve the minutes.

**.2 Warrants (*Board Policy 3314*)**

The Board will take action to approve the expenditures.

**.3 Personnel*****Hiring***

V. Gayman, Bus Driver, 4.0 hours per day, effective March 23, 2020

S. Sarmago, Liaison: McKinney Vento, effective 2019-2020 school year

***Resignation***

S. Babbes, Custodian, 0.5 hours per day, effective June 4, 2020

S. Babbes, Playground Monitor, 1.5 hours per day, effective June 4, 2020

L. Gavalya, Transportation Supervisor, 1.0 FTE, effective June 19, 2020

***Leave of Absence***

J. Garrett, Courier, 0.75 hours per day, effective March 1, 2020

The Board will take action to approve the personnel activity.

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

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

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

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

The Board will take action to approve the plans and the budget. (*Education Code 64001*)

<b>ACTION</b>
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**15. ACTION: 2018-2021 Gold Trail Federation of Educators: Certificated Employees Collective Bargaining Agreement**

Taking into consideration public comment, the Board will take action to ratify the agreement. (*AB 1200*)

**16. ACTION: 2018-2021 Gold Trail Federation of Educators: Classified Employees Collective Bargaining Agreement**

Taking into consideration public comment, the Board will take action to ratify the agreement. (*AB 1200*)

**17. ACTION: 2019-2020 Unrepresented Confidential Employees Settlement**

Taking into consideration public comment, the Board will take action to ratify the salary schedule settlement. (*AB 1200*)

**18. ACTION: 2019-2020 Unrepresented Administrative and Classified Management Employees Settlement**

Taking into consideration public comment, the Board will take action to ratify the salary schedule settlement. *(AB 1200)*

**19. ACTION: Resolution 2019-20:04-01, Reduction of Particular Kinds of Classified Service**

The Board will take action to reduce classified service time, effective June 30, 2020.

**20. ACTION: Resolution 2019-20:04-02: Declaring an Election Be Held in its Jurisdiction; Consolidation with Other Districts Requesting Election Services**

In order to proceed with Board member election in the November 3, 2020 General Election, action must be taken on subject Resolution.

**21. ACTION: Superintendent Evaluation Process (Annual)**

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

**22. ACTION: Board Self Evaluation Process (Annual)**

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

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

- **BP/AR 0420.4 - Charter School Authorization** (BP/AR revised)
- **BP/E 0420.41 - Charter School Oversight** (BP/E revised)
- **BP 0420.42 - Charter School Renewal** (BP revised)
- **BP 0420.43 - Charter School Revocation** (BP revised)
- **BP/AR 3551 - Food Service Operations/Cafeteria Fund** (BP/AR revised)
- **BP 4112.2 – Certification** (BP revised)
- **E 4112.9/4212.9/4312.9 - Employee Notifications** (E revised)
- **BP/AR 5141.52 - Suicide Prevention** (BP/AR revised)
- **BP/AR 5144.1 - Suspension and Expulsion/Due Process** (BP/AR revised)

<b>DISCUSSION ITEMS</b>
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**24. DISCUSSION: 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.

**25. FUTURE REGULAR MEETING SCHEDULE**

**Date: Thursday, May 14, 2020 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 (Monthly)

Board Self Evaluation (Annual)

Declaration of Need of Fully Qualified Educators (Annual)

Local Control Accountability Plan (LCAP) Update

Resolution: Temporary Transfer Agreement, If Applicable (Annual)

Resolution: Year End Balance Authorization (Annual)

Statement of Need: 30 Day Emergency Permits (Annual)

Superintendent Evaluation—Part One (Annual)

Third Interim Financial Report (Annual—If Needed)

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

<b>ADJOURNMENT</b>
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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](http://www.gtusd.org). Agendas will be posted at:

**Gold Trail School**

880 Cold Springs Road

Placerville, CA. 95667

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

4801 Luneman Road

Placerville, CA. 95667

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

## AGENDA ITEM






### Opening Business

On March 12, 2020, as part of a larger effort to address the COVID-19 outbreak, Governor Gavin Newsom issued an executive order allowing state and local legislative bodies to hold meetings via conference calls without violating the Brown Act. The public is invited to dial in using your phone.

United States: +1 (224) 501-3412

Access Code: 647-512-893

#### 1.0 CALL TO ORDER

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

#### 2.0 PUBLIC SESSION

##### .1 Flag Salute

#### 3.0 ACTION ITEM: Adoption of Agenda

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

<i><b>ACTION</b></i>	<i>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>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

#### 4.0 OPEN HEARING

(Education Code 35145.5, Government Code 54954.3, Board Bylaw 9323)

##### *President script:*

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.

Would any member of the audience like to address the Board?

**5. PUBLIC HEARING: 2018-2021 Gold Trail Federation of Educators; Certificated Employees Collective Bargaining Agreement**

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to allow public comment regarding the 2018-2021 certificated employee bargaining unit agreement. The Board will entertain public comment at this time. The Board will take requisite action later in the agenda.

**6. PUBLIC HEARING: 2018-21 Gold Trail Federation of Educators; Classified Employees Collective Bargaining Agreement**

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**8. PUBLIC HEARING: 2019-2020 Unrepresented Administrative and Classified Management Employees Settlement**

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to allow public comment regarding the 2019-2020 unrepresented administrative and classified management salary schedule settlement. The Board will entertain public comment at this time. The Board will take requisite action later in the agenda.

**NOTES**

<b>AGENDA ITEM 9.0</b> <b>REPORT: Student Council</b>
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**BACKGROUND**

Jason Romig, president, will report on Student Council activities.

**ATTACHMENTS**

➤ **None**

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**



<b>AGENDA ITEM 10.0</b> <b>REPORT: Gold Trail Federation of Educators</b>
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**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 11.0**

**REPORT: Physical Fitness Test District and School Summary**

**BACKGROUND**

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education to students in grades 5, 7, and 9. (*Education Code 60800; 5 CCR 1041*). The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. He/she shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity. (*Board Policy 6142.7*)

Scott Lyons, superintendent, will present the annual report and summary.

**ATTACHMENTS**

➤ None

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

**AGENDA ITEM 12.0**

**REPORT: Library Media Center Program Evaluation**

**BACKGROUND**

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

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

Scott Lyons, superintendent, will make the annual report to the Board. (*Board Policy 6163.1*)

**ATTACHMENTS**

➤ None

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

**AGENDA ITEM 13.0**

**REPORT: Local Control Accountability Plan (LCAP)**

**BACKGROUND**

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

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community (*Board Policy 0640*). Scott Lyons, superintendent, will report on the current status of the District's 2020-2021 LCAP.

**ATTACHMENTS**

➤ None

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

No action needed.

**NOTES**

**AGENDA ITEM 14.0**  
**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. *(Board Bylaw 9322)*

**.1 Meeting Minutes *(Board Bylaw 9324)***

**Regular Meeting of March 12, 2020**

The Board will take action to approve the minutes.

**.2 Warrants *(Board Policy 3314)***

The Board will take action to approve the expenditures.

**.3 Personnel**

***Hiring***

V. Gayman, Bus Driver, 4.0 hours per day, effective March 23, 2020

S. Sarmago, Liaison: McKinney Vento, effective 2019-2020 school year

***Resignation***

S. Babbes, Custodian, 0.5 hours per day, effective June 4, 2020

S. Babbes, Playground Monitor, 1.5 hours per day, effective June 4, 2020

L. Gavalya, Transportation Supervisor, 1.0 FTE, effective June 19, 2020

***Leave of Absence***

J. Garrett, Courier, 0.75 hours per day, effective March 1, 2020

The Board will take action to approve the personnel activity.

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

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

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

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

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

***President Script:***

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

**NOTES**

<b><i>ACTION</i></b>	<b><i>Moved</i></b>	<b><i>Seconded</i></b>
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>		
<i>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>

**AGENDA ITEM**  
**Consent**

**14.1 Meeting Minutes (Board Bylaw 9324)**  
**Regular Meeting of March 12, 2020**

**BACKGROUND**

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

**ATTACHMENTS**

➤ **Regular Meeting of March 12, 2020**

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to approve the Minutes.

**NOTES**

***If pulled from Consent***

Approved from Consent					
ACTION		Moved		Seconded	
<input type="checkbox"/> Approved as is					
<input type="checkbox"/> Not approved					
<input type="checkbox"/> Amended to read:					
Voted Aye	Bauer	Barbieri	Hennike	Howser	Lander
Voted Nay	Bauer	Barbieri	Hennike	Howser	Lander
Abstained	Bauer	Barbieri	Hennike	Howser	Lander
Absent	Bauer	Barbieri	Hennike	Howser	Lander

# Gold Trail Union School District



## District Office

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## Board of Trustees

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## BOARD OF TRUSTEES

### Regular and Closed Session Meeting

Thursday, March 12, 2020

### OPEN AND CLOSED SESSION MINUTES

#### 1. CALL TO ORDER

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

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

Members absent: None

#### 2. PUBLIC SESSION

Julie Bauer, president, led the flag salute.

#### 3. ACTION ITEM: Adoption of Agenda

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

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

*NOES: None*

*ABSENCES: None*

*ABSTENSIONS: None*

*MOTION CARRIED*

#### 4. OPEN HEARING

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

#### 5. DISCUSSION ITEM: Health and Safety in the District

The Board discussed strategies to uphold our focus on high quality instruction as we continue to monitor information relating to the Coronavirus 2019 (COVID – 19).

#### 6. REPORT: Student Council

Jason Romig, president, reported on Student Council activities.

#### 7. REPORT: Parent Teacher Organization

Kristy Romney, president, reported on PTO activities.

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

Debbi Matyac, president, reported on Federation activities

**9. REPORT: Facilities and Maintenance**

Brad Jackson, maintenance/custodian supervisor, reported on projects, future plans and goals of the facilities and maintenance department of the district.

**10. REPORT: English Learner Program Evaluation**

Jose Perez reported on the progress of English learners towards proficiency in English. (*Board Policy 6174*)

**11. REPORT: Local Control Accountability Plan (LCAP)**

Scott Lyons, superintendent, reported on the current status of the District's 2020-2021 LCAP. (*Board Policy 0640*)

**12. CONSENT ITEM**

**.1 Meeting Minutes (*Board Bylaw 9324*)**

**Regular Meeting of February 13, 2020**

**Special Meeting of February 25, 2020**

**.2 Warrants (*Board Policy 3314*)**

**.3 Personnel**

***Hiring***

C. Fanning, Administrative Assistant, 1.0 FTE, effective May 4, 2020

***Resignation***

C. Dirickx, Bus Driver, 4.0 hours per day, effective March 27, 2020

C. Fanning, Office Clerk, 0.5 hours per day, effective March 4, 2020

T. Orio, Administrative Assistant, 1.0 FTE, amendment to effective date, from June 30, 2020 to May 29, 2020.

**.4 Service Agreement with Paradigm Healthcare Services, LLC, for Medi-Cal billing**

**.5 AT&T Switched Ethernet Service Contract**

**.6 Surplus (*BP/AR 3270*)**

*MOTION WAS MADE by S. Hennike and duly seconded by J. Barbieri to adopt the consent agenda with no changes, and the vote was as follows:*

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

*NOES: None*

*ABSENCES: None*

*ABSTENSIONS: None*

*MOTION CARRIED*

**13. ACTION: 2019-20 Second Interim Financial Report**

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

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

*NOES: None*

*ABSENCES: None*

*ABSTENSIONS: None*

*MOTION CARRIED*

**14. ACTION: Annual Review of Board Policy/Administrative Regulation 6145 Extracurricular and Co-Curricular Activities**

*Policy and Regulation were reviewed. No changes were made and no action was taken.*



**15. DISCUSSION ITEM: Administrative Reports**

The Board members and administration reported on District activities.

**16. CLOSED SESSION OPEN HEARING**

The Board Clerk solicited comments on closed session agenda items in accordance with the Brown Act and Open Meeting laws. No one addressed the Board.

**17. CLOSED SESSION**

**.1 PERSONNEL**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**Title: Superintendent**

The Board adjourned to Closed Session at 7:23 p.m.

Closed session attendants: Board members and S. Lyons (superintendent)

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

The Board reconvened Public Session at 8:10 p.m.

**19. FUTURE REGULAR MEETING SCHEDULE**

**Date: Thursday, April 2, 2020 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 (Monthly)

District Fees Adjustment, If Applicable

Library Media Center Program Evaluation (Annual)

Local Control Accountability Plan (LCAP) Update

Physical Fitness Test District and School Summary (Annual)

Reduction of Classified Services, If Applicable

School Site Council Plans and Budgets (Annual)

Williams Act Uniform Complaint Procedures Quarterly Report

There being no further business to come before the Board, *MOTION WAS MADE by J. Bauer and duly seconded by J. Barbieri to adjourn the meeting at 8:11 p.m. and the vote was as follows:*

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

*NOES: None*

*ABSENCES: None*

*ABSTENSIONS: None*

*MOTION CARRIED*

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J. Bauer, President

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S. Lyons, Secretary

<b>AGENDA ITEM</b> <b>Consent</b>
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**14.2 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><b>ACTION</b></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>Voted Aye</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Voted Nay</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Abstained</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Absent</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/06/2020

03/06/20 PAGE 1

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0020 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
80666884	003740/	ACSA													
		PV-200352		01	0000	0-5300	0000	2700	003	0000	00	000		HOLLER ACSA DUES 3/20-6/20	302.51
														WARRANT TOTAL	\$302.51
80666885	100912/	BANK OF AMERICA													
		PV-200353		01	0000	0-4300	0000	2700	002	0000	00	000		SM YARD DUTY SUPPLIES	37.51
				01	0000	0-4300	0000	2700	003	0000	00	000		GT TONER CARTRIDGES	37.53
				01	0000	0-4300	0000	3140	000	0000	00	000		SM NURSE SUPPLIES	12.84
				01	0000	0-4300	0000	7100	000	0000	00	000		BOARD SUPPLIES	116.13
				01	0000	0-4300	0000	8100	000	0000	00	000		GT/SM MAINTENANCE SUPPLIES	176.19
				01	0000	0-4300	0000	8100	002	0000	00	000		SM MAINTENANCE SUPPLIES	302.97
				01	0000	0-4300	0000	8100	003	0000	00	000		GT EXIT LIGHT CAGES	250.06
				01	0000	0-4300	0000	8100	003	0000	00	000		GT MAINTENANCE SUPPLIES	38.81
				01	0000	0-4300	1110	1000	003	1210	00	000		GT LAPTOP CABLES	34.64
				01	0000	0-4370	0000	8100	000	0000	00	000		MAINTENANCE TRUCK FUEL	262.53
				01	0000	0-4400	0000	8100	002	0000	00	000		SHELVING SM PAPER ROOM	715.31
				01	0000	0-4400	1110	1000	003	0300	70	000		LULLA DISPLAY TV	133.80
				01	0000	0-5600	0000	3600	000	0000	00	000		NEW VEHICLE MECHANIC INSPECTN	51.50
				01	1100	0-4400	1110	1000	003	1210	00	000		LULLA DISPLAY TV	417.20
				13	5310	0-4300	0000	3700	000	0000	00	000		CAFE SUPPLIES	274.58
														WARRANT TOTAL	\$2,861.60
80666886	100513/	BUCKEYE UNION SCHOOL DISTRICT													
		205015	PO-200015	1.	01	0000	0-5600	0000	3600	000	0000	00	000	200120 BUS/MAINT REPAIRS	763.56
														WARRANT TOTAL	\$763.56
80666887	101302/	CDW GOVERNMENT													
		205101	PO-200101	1.	01	0000	0-4400	1110	1000	000	1210	00	000	WZH1249 LAPTOPS/DOCKING STATNS	4,124.76
														WARRANT TOTAL	\$4,124.76

03/06/20 PAGE 2

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	
REQ#	REFERENCE	LN	FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH	DESCRIPTION	AMOUNT	
80666888	011529/	THE DANIELSEN CO				
	205052	PO-200052	1. 13-5310-0-4700-0000-3700-000-0800-00-000	220619 LUNCH FOOD	1,137.63	
	205052		2. 13-5310-0-4700-0000-3700-000-0801-00-000	220619 BREAKFAST FOOD	367.03	
	205052		3. 13-5310-0-4700-0000-3700-000-0802-00-000	220619 ALA CARTE FOOD	8.29	
			WARRANT TOTAL		\$1,512.95	
80666889	100999/	DAWSON OIL COMPANY				
	205050	PO-200050	1. 01-0000-0-4370-0000-3600-000-0000-00-000	73191 FEB BUS FUEL	1,903.02	
			WARRANT TOTAL		\$1,903.02	
80666890	101618/	DE LAGE LANDEN				
	205002	PO-200002	1. 01-1100-0-5600-1110-1000-003-1210-00-000	67070975 GT COPIER LEASE	157.66	
		PV-200354	01-0000-0-4300-0000-7200-000-0000-00-000	67070975 FEE	7.89	
			WARRANT TOTAL		\$165.55	
80666891	100446/	EL DORADO COUNTY ACSA				
	205098	PO-200098	1. 01-0000-0-5200-0000-7100-000-0000-00-000	ACSA AWARDS BANQUET	200.00	
			WARRANT TOTAL		\$200.00	
80666892	000126/	EL DORADO COUNTY OFFICE				
		PV-200355	01-0000-0-5809-0000-7700-000-1210-00-000	200586 NETWRK SPRT SVCS DEC	193.50	
			01-0000-0-5809-0000-7700-000-1210-00-000	200641 SYSTM SPRT SVCS JAN	25.80	
			01-0000-0-5809-0000-7700-000-1210-00-000	200644 NETWRK SPRT SVCS JAN	96.75	
			WARRANT TOTAL		\$316.05	
80666893	000738/	EL DORADO DISPOSAL				
		PV-200356	01-0000-0-5560-0000-8100-002-0000-00-000	173393644 SM	540.60	
			01-0000-0-5560-0000-8100-003-0000-00-000	173393625 GT	540.60	
			WARRANT TOTAL		\$1,081.20	
80666894	101348/	DAN FARRELL				
		PV-200357	01-0000-0-5210-0000-7200-000-0000-00-000	COURIER MILEAGE FEB 2020	9.20	
			WARRANT TOTAL		\$9.20	

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/06/2020

03/06/20 PAGE 3

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0020 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
80666895	006357/	FLYING ACE T-SHIRTS INC														
		PV-200360		01	0600	0-4300	1110	1000	003	0600	03	000			9356 TSHIRTS BATTLE OF BOOKS	163.45
															WARRANT TOTAL	\$163.45
80666896	100356/	GOLD TRAIL FEDERATION OF														
		PV-200358		01	0000	0-9573	0000	0000	000	0000	00	000			AFT DUES FEBRUARY 2020	2,645.50
															WARRANT TOTAL	\$2,645.50
80666897	101623/	KATY MULLIGAN														
		PV-200361		01	0600	0-4300	1110	1000	003	0600	03	000			SAGE MAP CONTEST SUPPLIES	13.89
															WARRANT TOTAL	\$13.89
80666898	009356/	OFFICE DEPOT														
		PO-203071	1.	01	0000	0-4300	1110	1000	003	0300	77	000			436152478001 REPLACED ITEM	60.72
				01	0000	0-4300	1110	1000	003	0300	77	000			436150498001 RETURN ITEM	60.72
		PO-203073	1.	01	1100	0-4300	1110	1000	000	0000	00	000			432852878001 DIST COLOR PAPER	941.39
		PO-203074	1.	01	0000	0-4300	0000	7700	000	0000	00	000			434236899001 DIST FLASH DRIVES	79.92
			2.	01	0000	0-4300	0000	7700	003	0000	00	000			434236899001 GT FLASH DRIVES	98.66
		PO-203075	1.	01	0000	0-4300	1110	1000	003	0300	67	000			433459049001 GARCIA CLSRM SUPP	82.37
		PO-203076	1.	01	0000	0-4300	1110	1000	003	0300	62	000			433408311001 ROMIG CLSRM SUPPL	52.43
				01	0000	0-4300	1110	1000	003	0300	62	000			433407153001 ROMIG CLSRM SUPPL	15.92
		PO-203077	1.	13	5310	0-4300	0000	3700	000	0000	00	000			435057199001 CAFE SUPPLIES	50.79
				13	5310	0-4300	0000	3700	000	0000	00	000			435055790001 CAFE SUPPLIES	9.73
		PO-203078	1.	01	0000	0-4300	1110	1000	002	0300	58	000			434371211001 D LULLA CLS SUPPL	86.79
		PO-203079	1.	01	0000	0-4300	0000	7100	000	0000	00	000			437247930001 D O/BOARD SUPPLIE	41.95
				01	0000	0-4300	0000	7100	000	0000	00	000			437244591001 D O/BOARD SUPPLIE	13.74
		PO-203080	1.	01	0000	0-4300	0000	7200	000	0000	00	000			439667102001 D O FAX INK	128.62
		PO-203081	1.	01	0000	0-4300	1110	1000	003	0201	00	000			438649248001 MUSIC SUPPLIES	209.12
				01	0000	0-4300	1110	1000	003	0201	00	000			438638132001 MUSIC SUPPLIES	129.64

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0020 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
		PO-203083	1.	01	1100	0	4300	1110	1000	000	0000	00	000			439940193001 DIST CONSTR PAPER	2,183.94
			1.	01	1100	0	4300	1110	1000	000	0000	00	000			439941314001 DIST CONSTR PAPER	211.09
		PO-203084	1.	01	1100	0	4300	1110	1000	000	0000	00	000			439971071001 DIST CONSTR PAPER	1,453.26
			1.	01	1100	0	4300	1110	1000	000	0000	00	000			439956626001 DIST CONSTR PAPER	2,508.63
			1.	01	1100	0	4300	1110	1000	000	0000	00	000			439971650001 DIST CONSTR PAPER	144.58
		PO-203086	1.	01	1100	0	4300	1110	1000	000	0000	00	000			439975769001 DIST COLORED PAPE	221.70
		PO-203087	1.	01	0000	0	4300	0000	2700	003	0000	00	000			44037086001 GT OFC SUPPLIES	22.72
			1.	01	0000	0	4300	0000	2700	003	0000	00	000			440368773001 GT OFC SUPPLIES	143.30
		PO-203088	1.	01	0000	0	4300	1110	1000	003	0300	67	000			442804497001 GARCIA CLSRM SUPP	9.08
			1.	01	0000	0	4300	1110	1000	003	0300	67	000			442803879001 GARCIA CLSRM SUPP	38.75
			1.	01	0000	0	4300	1110	1000	003	0300	67	000			442804499001 GARCIA CLSRM SUPP	18.39
		PO-203089	1.	01	0000	0	4300	0000	2700	002	0000	00	000			444007551001 SM OFC SUPPLIES	72.52
		PO-203090	1.	01	0000	0	4300	1110	1000	002	0300	73	000			443995229001 SWANEY CLSRM SUPP	55.85
																WARRANT TOTAL	\$9,024.88
80666899	000232/	PACIFIC GAS & ELECTRIC COMPANY															
		PV-200359		01	0000	0	5540	0000	8100	000	0000	00	000			0991367996-6 EXT DAY	141.62
				01	0000	0	5540	0000	8100	002	0000	00	000			0991367996-6 SM	2,786.07
				01	0000	0	5540	0000	8100	003	0000	00	000			0991367996-6 GT	5,041.48
																WARRANT TOTAL	\$7,969.17
80666900	101615/	PARENT MUSIC COALITION															
		PV-200362		01	0000	0	5835	1110	1000	003	0600	03	000			GT HONOR BAND	100.00
																WARRANT TOTAL	\$100.00
80666901	102003/	POINT QUEST EDUCATION															
		PV-200363		01	6500	0	5811	5770	1120	000	0000	00	000			633731 NPS TUITION FEB 2020	2,898.00
				01	6500	0	5811	5770	3600	000	0000	00	000			633731 NPS TRANSP FEB 2020	630.00

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/06/2020

03/06/20 PAGE 5

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0020 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																	\$3,528.00
80666902	101569/	CHERYL ROMIG															
		PV-200364		01	0000	0	4300	1110	1000	003	0300	62	000			CLASSROOM SUPPLIES	193.82
WARRANT TOTAL																	\$193.82
80666903	101784/	S E TECHNOLOGIES INC															
		205007	PO-200007	1.	01	0000	0	5800	0000	8100	000	1210	00	000		6570 EXT DAY ALARM	195.00
		205008	PO-200008	1.	01	0000	0	5800	0000	8100	002	0000	00	000		6662 SM SCHL ALARM	210.00
		205009	PO-200009	1.	01	0000	0	5800	0000	8100	003	0000	00	000		6573 GT ALARM	210.00
WARRANT TOTAL																	\$615.00
80666904	101914/	SACRAMENTO REFRIGERATION INC															
		205095	PO-200095	1.	13	5310	0	5600	0000	3700	000	0000	00	000		14862 GT COOLER/FREEZER REPAIR	1,163.51
WARRANT TOTAL																	\$1,163.51
80666905	101128/	SCHOOLS INSURANCE AUTHORITY															
		PV-200365		01	0000	0	9587	0000	0000	000	0000	00	000			EMP VISION MAR 2020	1,597.32
				01	0000	0	9587	0000	0000	000	0000	00	000			RET VISION MAR 2020	523.26
WARRANT TOTAL																	\$2,120.58
80666906	101209/	SELF-INSURED SCHOOLS OF CALIF															
		PV-200366		01	0000	0	9570	0000	0000	000	0000	00	000			EMP MEDICAL MAR 2020	64,377.00
				01	0000	0	9570	0000	0000	000	0000	00	000			RET MEDICAL MAR 2020	3,402.00
				01	0000	0	9586	0000	0000	000	0000	00	000			EMP DENTAL MAR 2020	6,210.00
				01	0000	0	9586	0000	0000	000	0000	00	000			RET DENTAL MAR 2020	2,016.00
WARRANT TOTAL																	\$76,005.00
80666907	004234/	SKI AIR INCORPORATED															
		PV-200367		01	0000	0	5600	0000	8100	003	0000	00	000			SD882 GT GYM HVAC REPAIRS	875.83
				01	0000	0	5600	0000	8100	003	0000	00	000			SD891 GT RM 6 HVAC REPAIRS	400.95
WARRANT TOTAL																	\$1,276.78
80666908	101027/	MICHELE WAGSTROM															
		PV-200368		01	0000	0	5210	0000	7200	000	0000	00	000			MILEAGE FEBRUARY 2020	62.10

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/06/2020

03/06/20 PAGE 6

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0020 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		
WARRANT TOTAL						\$62.10
80666909	100090/	WELLS FARGO VENDOR FIN SERV				
205014	PO-200014	1.	01-0000-0-7439-0000-9100-000-1210-00-000	5009217615 D O COPIER		224.95
205014		2.	01-0000-0-7439-0000-9100-002-1210-00-000	5009217615 SM COPIER		124.25
205014		3.	01-1100-0-5600-1110-1000-002-1210-00-000	5009217615 COPY COSTS		698.67
	PV-200369		01-1100-0-5600-1110-1000-002-1210-00-000	5009217615 ANN PROP TAX		62.50
WARRANT TOTAL						\$1,110.37
***	BATCH TOTALS ***		TOTAL NUMBER OF CHECKS: 26	TOTAL AMOUNT OF CHECKS:		\$119,232.45*
			TOTAL ACH GENERATED: 0	TOTAL AMOUNT OF ACH:		\$ .00*
			TOTAL EFT GENERATED: 0	TOTAL AMOUNT OF EFT:		\$ .00*
			TOTAL PAYMENTS: 26	TOTAL AMOUNT:		\$119,232.45*
***	DISTRICT TOTALS ***		TOTAL NUMBER OF CHECKS: 26	TOTAL AMOUNT OF CHECKS:		\$119,232.45*
			TOTAL ACH GENERATED: 0	TOTAL AMOUNT OF ACH:		\$ .00*
			TOTAL EFT GENERATED: 0	TOTAL AMOUNT OF EFT:		\$ .00*
			TOTAL PAYMENTS: 26	TOTAL AMOUNT:		\$119,232.45*



DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0021 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			
80667952	100708/	AERIES SOFTWARE				
	205105	PO-200105	1. 01-0000-0-5875-0000-2700-002-1210-00-000	M&S-7119 SM SIS SFTWR SUPPORT		829.56
	205105		2. 01-0000-0-5875-0000-2700-003-1210-00-000	M&S-7119 GT SIS SFTWR SUPPORT		829.56
	205105		3. 01-0000-0-5875-0000-7200-000-1210-00-000	M&S-7119 DO SIS SFTWR SUPPORT		1,659.10
			WARRANT TOTAL			\$3,318.22
80667953	076475/	ALL STAR RENTS INC				
		PV-200370	01-0000-0-5600-0000-8100-000-0000-00-000	909678-6 LIFT/TRAILER RENTAL		763.09
			WARRANT TOTAL			\$763.09
80667954	007568/	AMERICAN FIDELITY ASSURANCE CO				
		PV-200371	01-0000-0-9582-0000-0000-000-0000-00-000	1816107A MARCH 2020		416.66
			WARRANT TOTAL			\$416.66
80667955	100716/	AT&T				
		PV-200372	01-0000-0-5901-0000-2700-003-1210-00-000	14400576 GT		14.55
			01-0000-0-5901-0000-7200-000-1210-00-000	14400575 D O		59.94
			WARRANT TOTAL			\$74.49
80667956	081546/	KATHLEEN AYRE				
		PV-200373	01-0000-0-4300-1110-1000-002-0300-45-000	AYRE CLASSROOM SUPPLIES		26.72
			01-0000-0-4300-1110-1000-002-0300-51-000	KINDER TEAM CLSRM SUPPLIES		45.23
			WARRANT TOTAL			\$71.95
80667957	005954/	DEPARTMENT OF JUSTICE				
		PV-200374	01-0000-0-5812-0000-7200-000-0000-00-000	437687 FINGERPRINTING FEB 2020		32.00
			WARRANT TOTAL			\$32.00
80667958	101677/02	DMV				
		PV-200375	01-0000-0-4300-0000-3600-000-0000-00-000	BUS #1 DUPLICATE TITLE FEE		22.00
			WARRANT TOTAL			\$22.00
80667959	000626/	EL DORADO IRRIGATION DISTRICT				
		PV-200381	01-0000-0-5520-0000-8100-000-0000-00-000	078351-001 EXT DAY		148.20
			01-0000-0-5520-0000-8100-002-0000-00-000	078350-001 SM		286.61

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/13/2020

03/13/20 PAGE 2

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0021 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		
			01-0000-0-5520-0000-8100-003-0000-00-000	052522-001 GT		360.15
			WARRANT TOTAL			\$794.96
80667960	101348/	DAN FARRELL				
		PV-200376	01-0000-0-4300-0000-7200-000-0000-00-000	CRAIG'S LIST FOCUS ADD		5.00
			01-0000-0-5210-1110-1000-003-0104-00-000	DRIVER LODGING 4TH GR FT		38.47
			WARRANT TOTAL			\$43.47
80667961	101346/	FERRELLGAS				
		PV-200377	01-0000-0-5530-0000-8100-000-0000-00-000	1110180659 EXT DAY		166.48
			01-0000-0-5530-0000-8100-002-0000-00-000	1110566938 SM		1,712.96
			WARRANT TOTAL			\$1,879.44
80667962	004556/	FRANCIS DISTRIBUTING INC				
		205053 PO-200053	1. 13-5310-0-4700-0000-3700-000-0800-00-000	0703GT GOLD TRAIL MILK		528.86
		205053	1. 13-5310-0-4700-0000-3700-000-0800-00-000	0703SM SUTTER'S MILL MILK		402.52
			WARRANT TOTAL			\$931.38
80667963	000960/	G & O BODY SHOP INC				
		PV-200378	01-0000-0-5600-0000-3600-000-0000-00-000	0057195 TOWING BUS #11		225.00
			WARRANT TOTAL			\$225.00
80667964	101115/	AMBER GARCIA				
		PV-200379	01-0000-0-4300-1110-1000-003-0300-67-000	CLASSROOM SUPPLIES		25.45
			WARRANT TOTAL			\$25.45
80667965	079952/	GOLD STAR FOODS				
		205054 PO-200054	1. 13-5310-0-4700-0000-3700-000-0800-00-000	3227274 STORAGE FEE		50.00
		205054	1. 13-5310-0-4700-0000-3700-000-0800-00-000	3198960 PROCESSING FEE		5.40
		205054	1. 13-5310-0-4700-0000-3700-000-0800-00-000	3125722 STORAGE FEES		107.50
			WARRANT TOTAL			\$162.90
80667966	101708/	GROWING HEALTHY CHILDREN				
		PV-200380	01-6500-0-5806-5770-1120-000-0000-00-000	GTUSD_2001 OT/PT JAN 2020		997.50

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0021 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		
			01-6500-0-5806-5770-1120-000-00-000	GTUSD_2002 OT/PT FEB 2020	866.25	
			WARRANT TOTAL		\$1,863.75	
80667967	100904/	HILLYARD/SACRAMENTO				
	205102	PO-200102	1. 01-0000-0-4300-0000-8100-000-000-00-000	603777685 CUSTODIAL SUPPLIES	2,608.14	
			WARRANT TOTAL		\$2,608.14	
80667968	004638/	MCKESSON MEDICAL-SURGICAL				
	PO-203095	1. 01-0000-0-4300-0000-3140-000-000-00-000	78611618 SM NURSE SUPPLIE	78.84		
			WARRANT TOTAL		\$78.84	
80667969	101623/	KATY MULLIGAN				
	PV-200382	01-0000-0-4300-1110-1000-003-0300-71-000	CLASSROOM SUPPLIES	317.52		
			WARRANT TOTAL		\$317.52	
80667970	020926/	PITNEY BOWES GLOBAL FINANCIAL				
	PV-200383	01-0000-0-5902-0000-2700-000-000-00-000	3103783554 PSTG MTR LEASE	307.78		
			WARRANT TOTAL		\$307.78	
80667971	077441/	PLACERVILLE GROCERY OUTLET				
	205055	PO-200055	1. 13-5310-0-4700-0000-3700-000-0800-00-000	LUNCH FOOD	34.33	
	205055	2. 13-5310-0-4700-0000-3700-000-0801-00-000	BREAKFAST FOOD	57.60		
			WARRANT TOTAL		\$91.93	
80667972	101988/	PLATT				
	PV-200384	01-0000-0-4300-0000-8100-002-0000-00-000	0E40355 SM MP ROOM LIGHTS	156.16		
		01-0000-0-4300-0000-8100-002-0000-00-000	0E41960 SM MP ROOM LIGHTS	259.96		
		01-0000-0-4300-0000-8100-003-0000-00-000	0E03156 GT MP ROOM LIGHTS	474.58		
		01-0000-0-4300-0000-8100-003-0000-00-000	0E19229 GT MP ROOM LIGHTS	158.19		
			WARRANT TOTAL		\$1,048.89	
80667973	101931/	PRODUCE EXPRESS				
	205056	PO-200056	1. 13-5310-0-4700-0000-3700-000-0800-00-000	GTRAIL GT PRODUCE	571.60	
	205056	1. 13-5310-0-4700-0000-3700-000-0800-00-000	SMILLS SM PRODUCE	431.45		

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EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/13/2020

03/13/20 PAGE 4

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0021 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		
WARRANT TOTAL						\$1,003.05
80667974	100735/	RIEBES AUTO PARTS				
	PV-200385	01-0000-0-4300-0000-3600-000-0000-00-000		318-258020	TRANSP SUPPLIES	55.15
		WARRANT TOTAL				\$55.15
80667975	101914/	SACRAMENTO REFRIGERATION INC				
	205072	PO-200072 1. 13-5310-0-5600-0000-3700-000-0000-00-000		14826	GT PLANNED	295.00
	205072	1. 13-5310-0-5600-0000-3700-000-0000-00-000		14858	SM PLANNED	325.00
		WARRANT TOTAL				\$620.00
80667976	000895/	SCHOOL SERVICES OF CALIFORNIA				
	205010	PO-200010 1. 01-0000-0-5800-0000-7200-000-0000-00-000		0124268-IN	BDGT SVCS MAR	92.00
		WARRANT TOTAL				\$92.00
80667977	003783/	SFS OF SACRAMENTO INC				
	205057	PO-200057 1. 13-5310-0-4700-0000-3700-000-0800-00-000		231689512	LUNCH FOOD	763.06
	205057	2. 13-5310-0-4700-0000-3700-000-0801-00-000		231689512	BREAKFAST FOOD	424.95
	205057	3. 13-5310-0-4700-0000-3700-000-0802-00-000		231689512	ALA CARTE FOOD	168.20
		WARRANT TOTAL				\$1,356.21
80667978	101607/	DAVE STRINGER				
	PV-200386	01-0000-0-4300-0000-8100-003-0000-00-000		GT	MAINTENANCE SUPPLIES	37.05
		WARRANT TOTAL				\$37.05
80667979	101911/	TAGUE MUSIC				
	205013	PO-200013 1. 01-0000-0-5600-1110-1000-003-0201-00-000		M819522	INSTRUMENT REPAIRS	209.25
	PV-200387	01-0000-0-4300-1110-1000-003-0201-00-000		820297	MUSIC SUPPLIES	146.45
		WARRANT TOTAL				\$355.70
80667980	101412/	TCG ADMINISTRATORS				
	PV-200388	01-0000-0-5800-0000-7200-000-0000-00-000		163054	JANUARY 2020	24.00
		WARRANT TOTAL				\$24.00
80667981	101843/	TIMBERLINE ELECTRONICS				
	PV-200389	01-0000-0-5600-0000-3600-000-0000-00-000		GT022820	SERVICE BUS RADIOS	318.05

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0021 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		
WARRANT TOTAL						\$318.05
80667982	101700/	DEBORAH VALLADON-HORNSBY				
	PV-200390	01-0000-0-4300-1110-1000-003-0104-00-000		4TH GR FT FOOD/MEALS		961.49
		01-0000-0-4300-1110-1000-003-0104-00-000		4TH GR FT SUPPLIES		47.58
		WARRANT TOTAL				\$1,009.07
80667983	100981/	VERIZON WIRELESS				
	PV-200391	01-0000-0-5901-0000-2700-002-1210-00-000		9849346319 SM		47.24
		01-0000-0-5901-0000-3140-000-1210-00-000		9849346319 NURSE		94.48
		01-0000-0-5901-0000-8100-000-1210-00-000		9849346319 MAINT		47.24
		WARRANT TOTAL				\$188.96
80667984	013563/	WALKER'S OFFICE SUPPLIES				
	PO-203097	1. 01-1100-0-4300-1110-1000-000-0000-00-000		2100149-0 DIST COPY PAPER		964.93
		WARRANT TOTAL				\$964.93
80667985	002823/	WAYNE'S LOCKSMITH INC				
	PV-200392	01-0000-0-5600-0000-8100-003-0000-00-000		I3429 GT LOCK SVC/REPAIRS		213.97
		WARRANT TOTAL				\$213.97
80667986	023212/	WEX BANK				
	PV-200393	01-0000-0-4370-0000-3600-000-0000-00-000		64320516 TRANSP FUEL		68.42
		WARRANT TOTAL				\$68.42
*** BATCH TOTALS ***			TOTAL NUMBER OF CHECKS:	35	TOTAL AMOUNT OF CHECKS:	\$21,384.42*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$ .00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$ .00*
			TOTAL PAYMENTS:	35	TOTAL AMOUNT:	\$21,384.42*
*** DISTRICT TOTALS ***			TOTAL NUMBER OF CHECKS:	35	TOTAL AMOUNT OF CHECKS:	\$21,384.42*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$ .00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$ .00*
			TOTAL PAYMENTS:	35	TOTAL AMOUNT:	\$21,384.42*

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0022 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
80668584	008233/	AMERICAN FIDELITY ASSURANCE													
		PV-200394		01	0000	0-9582	0000	0000	000	0000	00	000	D134733	MARCH 2020	1,456.24
		WARRANT TOTAL													\$1,456.24
80668585	007568/	AMERICAN FIDELITY ASSURANCE CO													
		PV-200397		01	0000	0-9582	0000	0000	000	0000	00	000	1816108A	APRIL 2020	416.66
		WARRANT TOTAL													\$416.66
80668586	081546/	KATHLEEN AYRE													
		PV-200395		01	0000	0-4300	1110	1000	002	0300	45	000	AYRE CLASSROOM SUPPLIES		20.47
				01	0000	0-4300	1110	1000	002	0300	51	000	KINDER TEAM CLASSROOM SUPPLIES		84.39
		WARRANT TOTAL													\$104.86
80668587	100513/	BUCKEYE UNION SCHOOL DISTRICT													
	205015	PO-200015	1.	01	0000	0-5600	0000	3600	000	0000	00	000	200129	BUS MAINT/REPAIRS	1,544.97
		WARRANT TOTAL													\$1,544.97
80668588	101472/	CHRISTY WHITE ASSOCIATES													
		PV-200396		01	0000	0-5824	0000	7100	000	0000	00	000	18/19	AUDIT 3RD PRGRSS BILL	4,320.00
				01	0000	0-5824	0000	7100	000	0000	00	000	19/20	AUDIT 1ST PRGRSS BILL	2,160.00
		WARRANT TOTAL													\$6,480.00
80668589	011529/	THE DANIELSEN CO													
	205052	PO-200052	1.	13	5310	0-4700	0000	3700	000	0800	00	000	222794	LUNCH FOOD	1,368.18
	205052		2.	13	5310	0-4700	0000	3700	000	0801	00	000	222794	BREAKFAST FOOD	501.82
	205052		3.	13	5310	0-4700	0000	3700	000	0802	00	000	222794	ALA CARTE FOOD	85.95
		WARRANT TOTAL													\$1,955.95
80668590	101730/	DANIELLE EDNEY													
		PV-200398		01	0000	0-4300	1110	1000	003	0300	54	000	CLASSROOM TABLE		75.05
				01	1100	0-4300	1110	1000	003	0000	00	000	PRINTER TABLE FOR CLASSROOM		40.74
		WARRANT TOTAL													\$115.79
80668591	101346/	FERRELLGAS													
		PV-200399		01	0000	0-5530	0000	8100	002	0000	00	000	1111050546	SM	1,478.49

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EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/26/2020

03/26/20 PAGE 2

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0022 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		
WARRANT TOTAL						\$1,478.49
80668592	101974/	LAURA GAVALYA				
		PV-200400	01-0000-0-5210-0000-3600-000-0000-00-000	TRANSPORTATION SUPPLIES		84.58
WARRANT TOTAL						\$84.58
80668593	102042/	ELLA HARM				
		PV-200401	01-1100-0-5807-1110-4200-003-1206-00-000	REF 2 BOYS' VOLLEYBALL GAMES		70.00
WARRANT TOTAL						\$70.00
80668594	100904/	HILLYARD/SACRAMENTO				
		205102 PO-200102	1. 01-0000-0-4300-0000-8100-000-0000-00-000	212338 CUSTODIAL SUPPLIES		90.39
		205106 PO-200106	1. 01-0000-0-4300-0000-8100-000-0000-00-000	212338 CUSTODIAL SUPPLIES		217.97
		205106	1. 01-0000-0-4300-0000-8100-000-0000-00-000	212338 CUSTODIAL SUPPLIES		369.80
WARRANT TOTAL						\$678.16
80668595	101149/	MARY JAMES				
		PV-200402	01-0000-0-4300-1110-1000-002-0300-56-000	CLASSROOM SUPPLIES		102.72
WARRANT TOTAL						\$102.72
80668596	100758/	LOZANO SMITH LLP				
		PV-200403	01-0000-0-5819-0000-7100-000-0000-00-000	2103450/2103451 GENERAL LEGAL		931.00
WARRANT TOTAL						\$931.00
80668597	102041/	JON LYONS TRUCK REPAIR				
		PV-200404	01-0000-0-5600-0000-3600-000-0000-00-000	INV-006018 SMOG 4 BUSES		160.00
WARRANT TOTAL						\$160.00
80668598	101623/	KATY MULLIGAN				
		PV-200405	01-7510-0-5200-1110-1000-003-0000-00-000	MULLIGAN CUE REGISTRATION		75.00
WARRANT TOTAL						\$75.00
80668599	101651/	MYBINDING.COM				
		PO-203101	1. 01-1100-0-4300-1110-1000-002-0000-00-000	404956 SM LAMINATING FILM		524.24
WARRANT TOTAL						\$524.24
80668600	000232/	PACIFIC GAS & ELECTRIC COMPANY				
		PV-200406	01-0000-0-5540-0000-8100-003-0000-00-000	1274317581-7 GT STREET LIGHTS		23.50

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EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/26/2020

03/26/20 PAGE 3

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0022 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		
WARRANT TOTAL						\$23.50
80668601	081131/	PITNEY BOWES				
	PV-200407		01-0000-0-5902-0000-2700-000-000-000	18005942 REFILL POSTAGE METER		600.00
			WARRANT TOTAL			\$600.00
80668602	101988/	PLATT				
	PV-200408		01-0000-0-4300-0000-8100-002-0000-00-000	0E73484 SM MP RM BALLASTS		101.99
			01-0000-0-4300-0000-8100-002-0000-00-000	0E82987 SM MP RM BALLASTS		101.99
			01-0000-0-4300-0000-8100-002-0000-00-000	0E83135 SM MP RM DIMMERS		22.49
			01-0000-0-4300-0000-8100-002-0000-00-000	0E93418 SM MP RM DIMMER		160.88
			WARRANT TOTAL			\$387.35
80668603	101931/	PRODUCE EXPRESS				
	205056	PO-200056	1. 13-5310-0-4700-0000-3700-000-0800-00-000	SMILLS SM PRODUCE		404.50
	205056		1. 13-5310-0-4700-0000-3700-000-0800-00-000	GTRAIL GT PRODUCE		495.30
			WARRANT TOTAL			\$899.80
80668604	101569/	CHERYL ROMIG				
	PV-200409		01-7510-0-5200-1110-1000-003-0000-00-000	ROMIG CUE CONF REG		75.00
			WARRANT TOTAL			\$75.00
80668605	003783/	SFS OF SACRAMENTO INC				
	205057	PO-200057	1. 13-5310-0-4700-0000-3700-000-0800-00-000	231701215 LUNCH FOOD		569.90
	205057		2. 13-5310-0-4700-0000-3700-000-0801-00-000	231701215 BREAKFAST FOOD		766.02
	205057		3. 13-5310-0-4700-0000-3700-000-0802-00-000	231701215 ALA CARTE FOOD		82.02
			WARRANT TOTAL			\$1,417.94
80668606	101394/	SIERRA WEST OFFICIALS ASSOC				
	PV-200410		01-1100-0-5807-1110-4200-003-1206-00-000	2020FALG-GTS REF 7 BSKTBL GAMS		630.00
			WARRANT TOTAL			\$630.00
80668607	100751/	SIGNATURE WIRELESS GROUP				
	205011	PO-200011	1. 01-0000-0-5800-0000-3600-000-0000-00-000	30993 SMR RPTR SVC APR		267.28



DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0022 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		
WARRANT TOTAL						\$267.28
80668608	101479/	JENNA STIGALL				
		PV-200411	01-0000-0-4300-1110-1000-002-0300-59-000	CLASSROOM SUPPLIES		42.32
			01-1100-0-4300-1110-1000-002-0000-00-000	STUDENT PACKET MATERIALS		84.14
			WARRANT TOTAL			\$126.46
80668609	101412/	TCG ADMINISTRATORS				
		PV-200412	01-0000-0-5800-0000-7200-000-0000-00-000	162685 DECEMBER 2019		24.00
			WARRANT TOTAL			\$24.00
80668610	101930/	CHAVON TOLBERT				
		PV-200413	01-0000-0-4300-0000-3140-000-0000-00-000	GT NURSE SUPPLIES		32.29
			WARRANT TOTAL			\$32.29
80668611	101830/	TPX COMMUNICATIONS				
		PV-200414	01-0000-0-5901-0000-7200-000-1210-00-000	127915101-0 PHONE		1,163.85
			01-0000-0-5901-0000-7700-000-1210-00-000	127915101-0 FIBER		1,492.71
			01-0000-0-5901-0000-7700-000-1210-00-000	127915101-0 W/O LATE FEES		0.61-
			WARRANT TOTAL			\$2,655.95
80668612	002823/	WAYNE'S LOCKSMITH INC				
		PV-200415	01-0000-0-4300-0000-2700-002-0000-00-000	13493 KEYS SM FILING CABINET		40.00
			WARRANT TOTAL			\$40.00
80668613	100090/	WELLS FARGO VENDOR FIN SERV				
	205014	PO-200014	1. 01-0000-0-7439-0000-9100-000-1210-00-000	5009616830 D O COPIER		224.95
	205014		2. 01-0000-0-7439-0000-9100-002-1210-00-000	5009616830 SM COPIER		124.25
	205014		3. 01-1100-0-5600-1110-1000-002-1210-00-000	5009616830 COPY COSTS		698.67
			WARRANT TOTAL			\$1,047.87
80668614	101636/	AMY YOST				
		PV-200416	01-0000-0-4300-1110-1000-003-0300-66-000	CLASSROOM SUPPLIES		153.90
			01-1100-0-4300-1110-1000-003-0000-00-000	CLASSROOM NOVELS		167.57

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION  
COMMERCIAL WARRANT REGISTER  
FOR WARRANTS DATED 03/26/2020

03/26/20 PAGE 5

DISTRICT: 005 Gold Trail Union School Dist  
BATCH: 0022 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		
-----						
WARRANT TOTAL						\$321.47
***	BATCH TOTALS ***		TOTAL NUMBER OF CHECKS:	31	TOTAL AMOUNT OF CHECKS:	\$24,727.57*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$ .00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$ .00*
			TOTAL PAYMENTS:	31	TOTAL AMOUNT:	\$24,727.57*
***	DISTRICT TOTALS ***		TOTAL NUMBER OF CHECKS:	31	TOTAL AMOUNT OF CHECKS:	\$24,727.57*
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$ .00*
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$ .00*
			TOTAL PAYMENTS:	31	TOTAL AMOUNT:	\$24,727.57*

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

### 14.3 Personnel

#### *Hiring*

V. Gayman, Bus Driver, 4.0 hours per day, effective March 23, 2020

S. Sarmago, Liaison: McKinney Vento, effective 2019-2020 school year

#### *Resignation*

S. Babbes, Custodian, 0.5 hours per day, effective June 4, 2020

S. Babbes, Playground Monitor, 1.5 hours per day, effective June 4, 2020

L. Gavalya, Transportation Supervisor, 1.0 FTE, effective June 19, 2020

#### *Leave of Absence*

J. Garrett, Courier, 0.75 hours per day, effective March 1, 2020

The Board will take action to approve the personnel activity.

### 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*

<b>ACTION</b>		<i>Moved</i>			<i>Seconded</i>	
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>						
<i>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	

**AGENDA ITEM**  
**Consent**

**14.4 Quarterly Report on Williams Uniform Complaints**

**BACKGROUND**

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

**ATTACHMENTS**

- **Quarterly Report on Williams Uniform Complaints**

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to approve the report.

**NOTES**

***If pulled from Consent***

<b><i>ACTION</i></b>		<i>Moved</i>		<i>Seconded</i>	
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>					
<i>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

## Quarterly Report on Williams Uniform Complaints

[Education Code § 35186]

To: Dr. Ed Manansala, Superintendent of Schools

District: Gold Trail Union School District

Person completing this form: Scott Lyons Title: Superintendent

Quarterly Report Submission Date: ☐ January 2020  
(check one) ☒ April 2019  
☐ July 2019  
☐ October 2019

Date for information to be reported publicly at governing board meeting: April 2, 2020

Please check the box that applies:

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

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

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Signature of District Superintendent

---

Date

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

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

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

**BACKGROUND**

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

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

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

**ATTACHMENTS**

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

**BUDGETED**

☐ NA      ☒ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to approve the Plans.

**NOTES**

***If pulled from Consent***

<b>ACTION</b>		<i>Moved</i>		<i>Seconded</i>	
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>					
<i>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

# School Plan for Student Achievement (SPSA) Template

The School Plan for Student Achievement (SPSA) is meant to consolidate all school-level planning efforts into one plan for programs funded through the consolidated application (ConApp), pursuant to the California Education Code (EC) Section 64001 and the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act (ESSA).

The purpose of the SPSA is to increase the overall effectiveness of the school program by crafting a strategic plan that maximizes the resources available to the school while minimizing duplication of effort with the ultimate goal of increasing student achievement.

The School Site Council (SSC) is required to develop and annually review the SPSA, establish an annual budget, and make modifications in the plan to reflect changing needs and priorities, as applicable, pursuant to EC 52853(b) and 52855.

California's ESSA State Plan significantly shifts the state's approach to the utilization of federal resources in support of underserved student groups. The SPSA provides schools with the opportunity to document their approach to maximizing the impact of federal investments in support of underserved students.

The implementation of ESSA in California presents an opportunity for schools to innovate with their federally-funded programs and align them with the priority goals of the school and the LEA that are being realized under the state's Local Control Funding Formula (LCFF).

LCFF provides schools and LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The SPSA planning process supports continuous cycles of action, reflection, and improvement.

<b>School Name</b>	Gold Trail School
<b>Address</b>	889 Cold Springs Rd. Placerville, CA 95667
<b>County-District-School (CDS) Code</b>	09618876005516
<b>Principal</b>	Boyd Holler
<b>District Name</b>	Gold Trail Union Elementary School District
<b>SPSA Revision Date</b>	March 2020
<b>Schoolsite Council (SSC) Approval Date</b>	
<b>Local Board Approval Date</b>	April 2nd, 2020

In the pages that follow, please describe the school's plan for making the best use of federal ESEA resources in alignment with other federal, state, and local programs.

# Table of Contents

SPSA Title Page .....	1
Table of Contents.....	2
School Vision and Mission .....	3
School Profile .....	3
Stakeholder Involvement .....	3
School and Student Performance Data .....	5
Student Enrollment.....	5
CAASPP Results.....	7
ELPAC Results .....	11
Student Population.....	13
Overall Performance .....	14
Academic Performance .....	15
Academic Engagement.....	21
Conditions & Climate.....	24
Goals, Strategies, & Proposed Expenditures.....	26
Goal 1.....	26
Goal 2.....	28
Goal 3.....	30
Annual Review and Update .....	33
Goal 1.....	33
Goal 2.....	34
Goal 3.....	36
Budget Summary and Consolidation .....	37
Budget Summary .....	37
Allocations by Funding Source.....	37
Expenditures by Funding Source .....	38
Expenditures by Budget Reference .....	39
Expenditures by Budget Reference and Funding Source .....	40
School Site Council Membership .....	41
Recommendations and Assurances .....	42
Addendum.....	43
Instructions: Linked Table of Contents.....	43
Appendix A: Plan Requirements for Schools Funded Through the ConApp.....	46
Appendix B: Select State and Federal Programs.....	48



# School Vision and Mission

Our District Vision: The vision for Gold Trail School District is to create and maintain an environment where every child receives a high quality education and comes to school feeling safe, cared for, and optimistic about his or her ability to learn. In addition,

Gold Trail School's mission is: We strive to make Gold Trail School a place where students, parents, and staff work together to provide a positive, caring, and safe place where each student can achieve his or her personal best.

## School Profile

Gold Trail School is located in a beautiful, rural setting three miles from Coloma, where gold was discovered in California. Gold Trail celebrated its 50th anniversary at the site in 2009-10. The school has a current student population of approximately 366 (CBEDS 2019) and serves grades four through eight.

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

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

Gold Trail School is one of two schools in the Gold Trail Union School District. The District has seen an increase in student mobility during the past several years. For Gold Trail, the unduplicated pupil counts including students qualifying for free and reduced lunches is 28%. Typically, the district community tends to be homogeneous in its language, ethnic and racial composition. The community is very supportive of its schools. Parents regularly volunteer in classrooms and participate in a variety of activities that are offered to promote family involvement in our students success. In addition, the school has an active and engaged Parent Teacher Organization that partners with the school to provide services and funding. The school maintains a website to provide easy access to information about our schools. Communication with families is supported by Parent Link and emails and our English Learner outreach coordinator.

The instructional program is rigorous and the site exceeds requirements for minutes per school year including Physical Education. There are 19 minimum days in the school year. Ten days are used for a week of parent conferencing in October and in March, while the other days are used for staff collaboration and training. The last day of school is also a minimum day. In addition, there are two staff development days scheduled in the calendar for staff training. In 2019-20 we reduced the number of minimum days to 16 in order to add additional instructional minutes due to losses as a result of PG&E Power Outage closure days.

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

## Stakeholder Involvement

How, when, and with whom did the school consult as part of the planning process for this SPSA/Annual Review and Update?

### **Involvement Process for the SPSA and Annual Review and Update**

Data and information for the School Plan for Student Achievement is reviewed and analyzed by the District Advisory Committee (DAC). This committee develops the SPSA goal areas based on the data and analysis that occurs. Recommendations for goal areas and action steps are made and implanted throughout the school year. Other organizations such as PTO, ASB, GTUSD School Board, the GTUSD staff, and other parent groups provide input that helps shape the SPSA.

# School and Student Performance Data

## Student Enrollment Enrollment By Student Group

Student Enrollment by Subgroup						
Student Group	Percent of Enrollment			Number of Students		
	16-17	17-18	18-19	16-17	17-18	18-19
American Indian	1.0%	1.25%	1.54%	4	5	6
African American	1.0%	0.75%	0.26%	4	3	1
Asian	0.5%	0.50%	0.51%	2	2	2
Filipino	0.3%	0.25%	%	1	1	
Hispanic/Latino	10.9%	12.10%	10.54%	43	49	41
Pacific Islander	0.3%	0.25%	0.77%	1	1	3
White	81.7%	81.4%	83.29%	324	345	324
Multiple/No Response	4.3%	3.50%	0.26%	17	14	1
Total Enrollment				396	420	389

## Student Enrollment Enrollment By Grade Level

Student Enrollment by Grade Level			
Grade	Number of Students		
	16-17	17-18	18-19
Grade 4	81	75	66
Grade 5	88	84	66
Grade 6	75	90	84
Grade 7	76	84	86
Grade 8	76	87	87
Total Enrollment	396	420	389

### Conclusions based on this data:

1. Gold Trail School has large classes in grades 7th and 8th. With smaller classes entering Gold Trail School in the coming years, reductions are being made to both certificated and classified staff.

# School and Student Performance Data

## Student Enrollment

English Learner (EL) Enrollment						
Student Group	Number of Students			Percent of Students		
	16-17	17-18	18-19	16-17	17-18	18-19
English Learners	11	16	7	2.8%	3.8%	1.8%
Fluent English Proficient (FEP)			10			2.6%
Reclassified Fluent English Proficient			7			43.8%

Conclusions based on this data:

1.

# School and Student Performance Data

## CAASPP Results English Language Arts/Literacy (All Students)

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with			% of Enrolled Students		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	81	75	68	80	71	67	80	71	67	98.8	94.7	98.5
Grade 5	85	84	68	84	82	67	84	82	67	98.8	97.6	98.5
Grade 6	77	86	85	74	82	83	74	82	83	96.1	95.3	97.6
Grade 7	81	83	86	80	82	86	80	82	86	98.8	98.8	100
Grade 8	75	81	86	72	78	86	72	78	86	96	96.3	100
All	399	409	393	390	395	389	390	395	389	97.7	96.6	99

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard			% Standard Met			% Standard Nearly			% Standard Not		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	2472.	2476.	2490.	31.25	32.39	37.31	18.75	23.94	19.40	22.50	16.90	22.39	27.50	26.76	20.90
Grade 5	2483.	2476.	2510.	20.24	18.29	25.37	22.62	26.83	34.33	21.43	20.73	16.42	35.71	34.15	23.88
Grade 6	2525.	2505.	2534.	14.86	17.07	20.48	39.19	24.39	33.73	24.32	24.39	30.12	21.62	34.15	15.66
Grade 7	2545.	2558.	2536.	13.75	17.07	17.44	35.00	39.02	27.91	31.25	23.17	25.58	20.00	20.73	29.07
Grade 8	2553.	2564.	2570.	15.28	12.82	19.77	30.56	42.31	30.23	25.00	23.08	24.42	29.17	21.79	25.58
All Grades	N/A	N/A	N/A	19.23	19.24	23.39	28.97	31.39	29.31	24.87	21.77	24.16	26.92	27.59	23.14

Reading Demonstrating understanding of literary and non-fictional texts									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	26.25	32.39	28.36	48.75	46.48	52.24	25.00	21.13	19.40
Grade 5	27.38	26.83	29.85	42.86	43.90	46.27	29.76	29.27	23.88
Grade 6	32.43	23.17	33.73	43.24	42.68	42.17	24.32	34.15	24.10
Grade 7	21.25	31.71	20.93	53.75	41.46	46.51	25.00	26.83	32.56
Grade 8	22.22	30.77	33.72	48.61	34.62	43.02	29.17	34.62	23.26
All Grades	25.90	28.86	29.31	47.44	41.77	45.76	26.67	29.37	24.94

<b>Writing</b> <b>Producing clear and purposeful writing</b>									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	36.25	30.99	26.87	35.00	39.44	52.24	28.75	29.58	20.90
Grade 5	29.76	18.29	34.33	36.90	46.34	44.78	33.33	35.37	20.90
Grade 6	20.27	18.29	16.87	50.00	39.02	60.24	29.73	42.68	22.89
Grade 7	28.75	31.71	27.91	46.25	48.78	43.02	25.00	19.51	29.07
Grade 8	22.22	20.51	26.74	43.06	55.13	51.16	34.72	24.36	22.09
All Grades	27.69	23.80	26.22	42.05	45.82	50.39	30.26	30.38	23.39

<b>Listening</b> <b>Demonstrating effective communication skills</b>									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	17.50	26.76	38.81	63.75	59.15	47.76	18.75	14.08	13.43
Grade 5	15.48	20.73	17.91	63.10	53.66	68.66	21.43	25.61	13.43
Grade 6	13.51	15.85	21.69	72.97	59.76	60.24	13.51	24.39	18.07
Grade 7	16.25	10.98	10.47	61.25	68.29	69.77	22.50	20.73	19.77
Grade 8	16.67	16.67	13.95	63.89	66.67	69.77	19.44	16.67	16.28
All Grades	15.90	17.97	19.79	64.87	61.52	63.75	19.23	20.51	16.45

<b>Research/Inquiry</b> <b>Investigating, analyzing, and presenting information</b>									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	26.25	30.99	26.87	52.50	47.89	55.22	21.25	21.13	17.91
Grade 5	14.29	19.51	23.88	46.43	43.90	56.72	39.29	36.59	19.40
Grade 6	25.68	23.17	25.30	45.95	52.44	65.06	28.38	24.39	9.64
Grade 7	27.50	30.49	24.42	50.00	46.34	45.35	22.50	23.17	30.23
Grade 8	18.06	28.21	23.26	55.56	46.15	52.33	26.39	25.64	24.42
All Grades	22.31	26.33	24.68	50.00	47.34	54.76	27.69	26.33	20.57

#### Conclusions based on this data:

1. Scores held steady overall for performance in English and Language Arts with minor increases in the percentage of students above, at or near standard.
2. Teachers need time to collaborate to more closely identify areas of weakness and to develop intervention strategies. We need to pay particular attention to our students communication skills and their ability to analyze and present information. Teachers are being provided release time to articulate their scope and sequence of curriculum delivery to better support students in their achievement.

# School and Student Performance Data

## CAASPP Results Mathematics (All Students)

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with			% of Enrolled Students		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	82	75	68	80	72	67	80	72	67	97.6	96	98.5
Grade 5	85	84	68	84	82	67	84	82	67	98.8	97.6	98.5
Grade 6	77	86	85	74	82	83	74	82	83	96.1	95.3	97.6
Grade 7	81	83	86	80	82	86	80	82	86	98.8	98.8	100
Grade 8	75	81	86	72	78	86	72	78	86	96	96.3	100
All	400	409	393	390	396	389	390	396	389	97.5	96.8	99

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard			% Standard Met			% Standard Nearly			% Standard Not		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	2475.	2477.	2510.	18.75	22.22	28.36	23.75	27.78	35.82	36.25	26.39	25.37	21.25	23.61	10.45
Grade 5	2481.	2498.	2466.	13.10	15.85	13.43	23.81	17.07	11.94	19.05	42.68	32.84	44.05	24.39	41.79
Grade 6	2531.	2520.	2548.	17.57	14.63	28.92	22.97	25.61	26.51	32.43	31.71	24.10	27.03	28.05	20.48
Grade 7	2507.	2535.	2506.	7.50	20.73	15.12	26.25	18.29	18.60	28.75	31.71	25.58	37.50	29.27	40.70
Grade 8	2564.	2550.	2558.	29.17	24.36	20.93	19.44	14.10	15.12	22.22	23.08	41.86	29.17	38.46	22.09
All Grades	N/A	N/A	N/A	16.92	19.44	21.34	23.33	20.45	21.34	27.69	31.31	30.08	32.05	28.79	27.25

Concepts & Procedures Applying mathematical concepts and procedures									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	27.50	36.11	41.79	37.50	29.17	41.79	35.00	34.72	16.42
Grade 5	21.43	24.39	16.42	25.00	37.80	23.88	53.57	37.80	59.70
Grade 6	27.03	19.51	38.55	37.84	41.46	31.33	35.14	39.02	30.12
Grade 7	18.75	26.83	15.12	30.00	32.93	33.72	51.25	40.24	51.16
Grade 8	33.33	30.77	25.58	30.56	33.33	33.72	36.11	35.90	40.70
All Grades	25.38	27.27	27.25	32.05	35.10	32.90	42.56	37.63	39.85

<b>Problem Solving &amp; Modeling/Data Analysis</b> <b>Using appropriate tools and strategies to solve real world and mathematical problems</b>									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	20.00	27.78	31.34	46.25	38.89	56.72	33.75	33.33	11.94
Grade 5	21.43	17.07	14.93	41.67	48.78	44.78	36.90	34.15	40.30
Grade 6	21.62	18.29	28.92	52.70	46.34	48.19	25.68	35.37	22.89
Grade 7	16.25	29.27	22.09	45.00	39.02	39.53	38.75	31.71	38.37
Grade 8	29.17	25.64	25.58	44.44	47.44	51.16	26.39	26.92	23.26
All Grades	21.54	23.48	24.68	45.90	44.19	47.81	32.56	32.32	27.51

<b>Communicating Reasoning</b> <b>Demonstrating ability to support mathematical conclusions</b>									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 4	28.75	33.33	34.33	48.75	38.89	55.22	22.50	27.78	10.45
Grade 5	13.10	13.41	8.96	45.24	54.88	41.79	41.67	31.71	49.25
Grade 6	18.92	14.63	26.51	50.00	47.56	48.19	31.08	37.80	25.30
Grade 7	12.50	20.73	13.95	56.25	53.66	51.16	31.25	25.61	34.88
Grade 8	27.78	20.51	20.93	47.22	53.85	61.63	25.00	25.64	17.44
All Grades	20.00	20.20	20.82	49.49	50.00	51.93	30.51	29.80	27.25

**Conclusions based on this data:**

1. Overall we see an increase in the number of students exceeding the standard and a significant increase in the number of students who are at or near standard.
2. We see an increase in the number of students both exceeding the standard and at or near standard in two of the three categories and remaining stable in the third category.
3. Teachers are involved through a collaboration of teachers through El Dorado County to develop teaching strategies and tools. The Rural Professional Learning Network meets regularly to work on improving strategies for mathematics instruction in classes.



# School and Student Performance Data

## ELPAC Results

ELPAC Summative Assessment Data Number of Students and Mean Scale Scores for All Students								
Grade Level	Overall		Oral Language		Written Language		Number of Students Tested	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
Grade 4	*		*		*		*	
Grade 5	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*
Grade 8		*		*		*		*
All Grades							*	6

Overall Language Percentage of Students at Each Performance Level for All Students										
Grade Level	Level 4		Level 3		Level 2		Level 1		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades		*	*	*	*	*	*	*	*	*

Oral Language Percentage of Students at Each Performance Level for All Students										
Grade Level	Level 4		Level 3		Level 2		Level 1		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades		*	*	*	*	*	*	*	*	*

Written Language Percentage of Students at Each Performance Level for All Students										
Grade Level	Level 4		Level 3		Level 2		Level 1		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades		*	*	*	*	*	*	*	*	*

Listening Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades	*	*	*	*	*	*	*	*

Speaking Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades		*	*	*	*	*	*	*

Reading Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades	*	*		*	*	*	*	*

Writing Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades		*	*	*	*	*	*	*

Conclusions based on this data:

1.

# School and Student Performance Data

## Student Population

This section provides information about the school's student population.

2018-19 Student Population			
Total Enrollment	Socioeconomically Disadvantaged	English Learners	Foster Youth
389	25.7	1.8	0
This is the total number of students enrolled.	This is the percent of students who are eligible for free or reduced priced meals; or have parents/guardians who did not receive a high school diploma.	This is the percent of students who are learning to communicate effectively in English, typically requiring instruction in both the English Language and in their academic courses.	This is the percent of students whose well-being is the responsibility of a court.

2018-19 Enrollment for All Students/Student Group		
Student Group	Total	Percentage
English Learners	7	1.8
Foster Youth	0	0
Homeless	4	1.0
Socioeconomically Disadvantaged	100	25.7
Students with Disabilities	57	14.7





Enrollment by Race/Ethnicity		
Student Group	Total	Percentage
African American	1	0.3
American Indian	6	1.5
Asian	2	0.5
Filipino	0	0
Hispanic	41	10.5
Two or More Races	11	2.8
Pacific Islander	3	0.8
White	324	83.3

Conclusions based on this data:

1.

# School and Student Performance Data

## Overall Performance

2019 Fall Dashboard Overall Performance for All Students		
Academic Performance	Academic Engagement	Conditions & Climate
<div>English Language Arts</div> <div></div> <div>Green</div>	<div>Chronic Absenteeism</div> <div></div> <div>Yellow</div>	<div>Suspension Rate</div> <div></div> <div>Green</div>
<div>Mathematics</div> <div></div> <div>Yellow</div>		

**Conclusions based on this data:**

1. Dashboard data shows that Suspension Rates show a positive reflection for school climate. Dashboard data shows that English Language Arts academic indicator as well as Chronic Absenteeism need to be an area of focus for Gold Trail. Focusing on relaying the importance for student attendance to families and working with teachers to strengthen our English and Language Arts programs are needed to improve these outcomes.

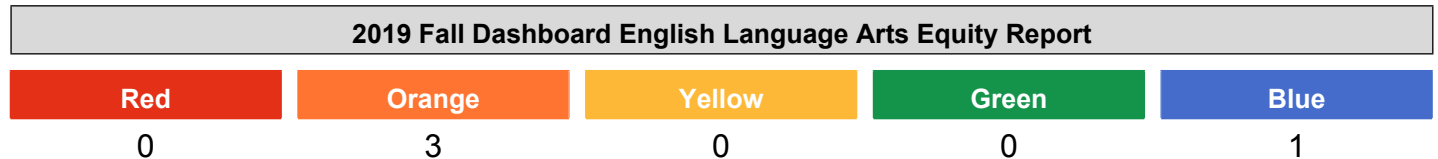
# School and Student Performance Data

## Academic Performance English Language Arts






The performance levels are color-coded and range from lowest-to-highest performance in the following order:










This section provides number of student groups in each color.



This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the English Language Arts assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

2019 Fall Dashboard English Language Arts Performance for All Students/Student Group		
All Students	English Learners	Foster Youth
 Green 4.5 points above standard Increased ++13.5 points 372	 No Performance Color 81.6 points below standard Maintained -0.6 points 14	
Homeless	Socioeconomically Disadvantaged	Students with Disabilities
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 3	 Orange 51 points below standard Declined -3.8 points 104	 Orange 94.3 points below standard Increased Significantly ++30.6 points 59

### 2019 Fall Dashboard English Language Arts Performance by Race/Ethnicity

African American	American Indian	Asian	Filipino
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 5	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	
Hispanic	Two or More Races	Pacific Islander	White
 Orange 36 points below standard Maintained -1.4 points 40	 No Performance Color 76.4 points above standard Increased Significantly ++17.9 points 11	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 3	 Blue 10.4 points above standard Increased Significantly ++15.9 points 309

This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the English Language Arts assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

### 2019 Fall Dashboard English Language Arts Data Comparisons for English Learners

Current English Learner	Reclassified English Learners	English Only
Less than 11 Students - Data Not Displayed for Privacy 6	Less than 11 Students - Data Not Displayed for Privacy 8	7.5 points above standard Increased ++13.6 points 356

#### Conclusions based on this data:

1. Student group in most areas maintained or increased their achievement in the 2018-19 school year.
2. The student group of Students With Disabilities needs to be an area of focus to ensure those students are supported to achieve maximum progress.

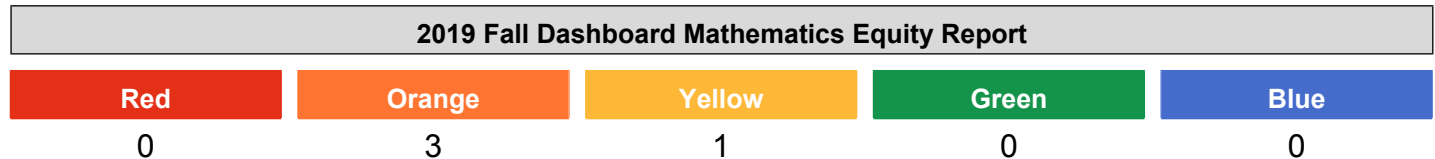
# School and Student Performance Data

## Academic Performance Mathematics






The performance levels are color-coded and range from lowest-to-highest performance in the following order:










This section provides number of student groups in each color.



This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the Mathematics assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

2019 Fall Dashboard Mathematics Performance for All Students/Student Group		
<b>All Students</b>  Yellow 23.9 points below standard Maintained ++2.3 points 372	<b>English Learners</b>  No Performance Color 141 points below standard Declined Significantly -28.1 points 14	<b>Foster Youth</b>
<b>Homeless</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 3	<b>Socioeconomically Disadvantaged</b>  Orange 80.1 points below standard Declined Significantly -21.7 points 104	<b>Students with Disabilities</b>  Orange 109.7 points below standard Increased ++11.7 points 59

### 2019 Fall Dashboard Mathematics Performance by Race/Ethnicity

African American	American Indian	Asian	Filipino
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 5	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	
Hispanic	Two or More Races	Pacific Islander	White
 Orange 71.9 points below standard Declined -3.5 points 40	 No Performance Color 37.9 points above standard Increased Significantly ++46.9 points 11	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 3	 Yellow 17.1 points below standard Maintained ++1.5 points 309

This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the Mathematics assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

### 2019 Fall Dashboard Mathematics Data Comparisons for English Learners

Current English Learner	Reclassified English Learners	English Only
Less than 11 Students - Data Not Displayed for Privacy 6	Less than 11 Students - Data Not Displayed for Privacy 8	19.8 points below standard Maintained ++2.9 points 356

#### Conclusions based on this data:

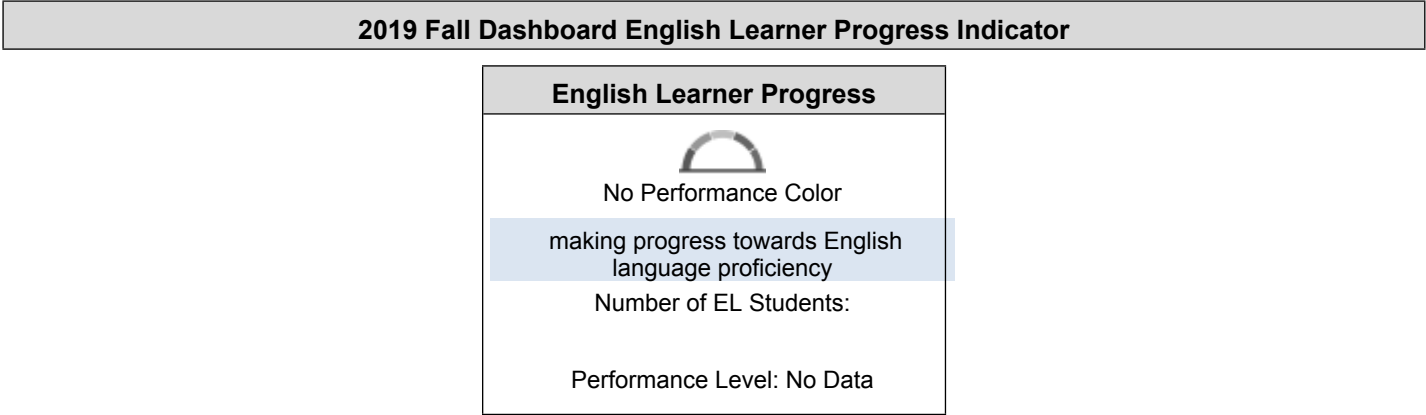
- Students in most student groups increased their levels of achievement in the 2018-19 school year.
- Students who are English Language learners declined in their progress towards mathematics achievement.
- Students With Disabilities are achieving below the standard but increased their success from the year before. Continued efforts with these students needs to continue to continue this growth.



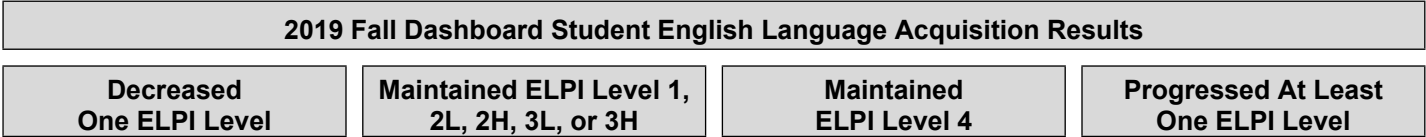
# School and Student Performance Data

## Academic Performance English Learner Progress

This section provides a view of the percentage of current EL students making progress towards English language proficiency or maintaining the highest level.



This section provides a view of the percentage of current EL students who progressed at least one ELPI level, maintained ELPI level 4, maintained lower ELPI levels (i.e, levels 1, 2L, 2H, 3L, or 3H), or decreased at least one ELPI Level.



Conclusions based on this data:

1.

# School and Student Performance Data

## Academic Performance College/Career

The performance levels are color-coded and range from lowest-to-highest performance in the following order:

Lowest Performance      Red      Orange      Yellow      Green      Blue      Highest Performance

This section provides number of student groups in each color.

2019 Fall Dashboard College/Career Equity Report				
Red	Orange	Yellow	Green	Blue

This section provides information on the percentage of high school graduates who are placed in the "Prepared" level on the College/Career Indicator.

2019 Fall Dashboard College/Career for All Students/Student Group		
All Students	English Learners	Foster Youth
Homeless	Socioeconomically Disadvantaged	Students with Disabilities

2019 Fall Dashboard College/Career by Race/Ethnicity			
African American	American Indian	Asian	Filipino
Hispanic	Two or More Races	Pacific Islander	White

This section provides a view of the percent of students per year that qualify as Not Prepared, Approaching Prepared, and Prepared.

2019 Fall Dashboard College/Career 3-Year Performance		
Class of 2017	Class of 2018	Class of 2019
Prepared	Prepared	Prepared
Approaching Prepared	Approaching Prepared	Approaching Prepared
Not Prepared	Not Prepared	Not Prepared

Conclusions based on this data:

1.

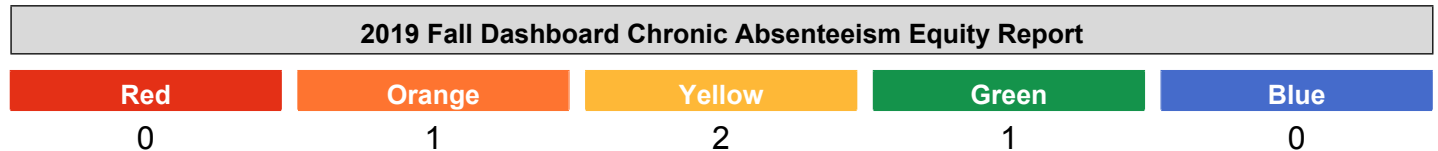
# School and Student Performance Data

## Academic Engagement Chronic Absenteeism







The performance levels are color-coded and range from lowest-to-highest performance in the following order:











This section provides number of student groups in each color.



This section provides information about the percentage of students in kindergarten through grade 8 who are absent 10 percent or more of the instructional days they were enrolled.

2019 Fall Dashboard Chronic Absenteeism for All Students/Student Group		
<b>All Students</b>  Yellow 10.1 Declined -1.1 406	<b>English Learners</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 8	<b>Foster Youth</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2
<b>Homeless</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 5	<b>Socioeconomically Disadvantaged</b>  Yellow 15.8 Declined -6.3 120	<b>Students with Disabilities</b>  Yellow 14.3 Declined -1.3 63

## 2019 Fall Dashboard Chronic Absenteeism by Race/Ethnicity

<b>African American</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	<b>American Indian</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 6	<b>Asian</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 4	<b>Filipino</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 0
<b>Hispanic</b>  Green 9.1 Declined -16.4 44	<b>Two or More Races</b>  No Performance Color 0 Declined -14.3 13	<b>Pacific Islander</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 3	<b>White</b>  Orange 9.9 Increased +0.9 334

### Conclusions based on this data:

1. Students With Disabilities decreased in the number who were chronically absent.
2. Students that are Socioeconomically Disadvantaged increased. Students in this group need to have barriers removed for their attendance in school to be improved.
3. Other student groups maintained the numbers that were chronically absent.

# School and Student Performance Data

## Academic Engagement Graduation Rate

The performance levels are color-coded and range from lowest-to-highest performance in the following order:

Lowest Performance      Red      Orange      Yellow      Green      Blue      Highest Performance

This section provides number of student groups in each color.

2019 Fall Dashboard Graduation Rate Equity Report				
Red	Orange	Yellow	Green	Blue

This section provides information about students completing high school, which includes students who receive a standard high school diploma or complete their graduation requirements at an alternative school.

2019 Fall Dashboard Graduation Rate for All Students/Student Group		
All Students	English Learners	Foster Youth
Homeless	Socioeconomically Disadvantaged	Students with Disabilities

2019 Fall Dashboard Graduation Rate by Race/Ethnicity			
African American	American Indian	Asian	Filipino
Hispanic	Two or More Races	Pacific Islander	White

This section provides a view of the percentage of students who received a high school diploma within four years of entering ninth grade or complete their graduation requirements at an alternative school.

2019 Fall Dashboard Graduation Rate by Year	
2018	2019

Conclusions based on this data:

1.

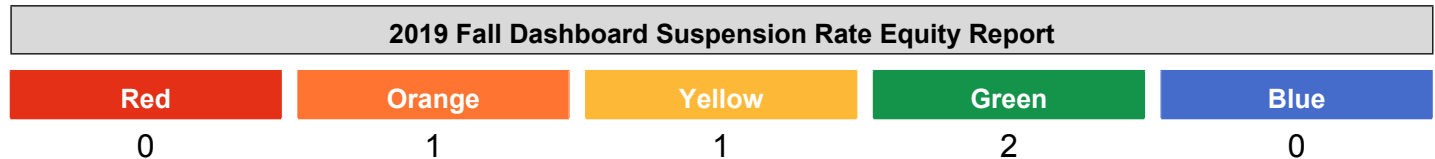
# School and Student Performance Data

## Conditions & Climate Suspension Rate







The performance levels are color-coded and range from lowest-to-highest performance in the following order:










This section provides number of student groups in each color.



This section provides information about the percentage of students in kindergarten through grade 12 who have been suspended at least once in a given school year. Students who are suspended multiple times are only counted once.

2019 Fall Dashboard Suspension Rate for All Students/Student Group		
<b>All Students</b>  Green 1.2 Maintained 0 413	<b>English Learners</b>  No Performance Color Less than 11 Students - Data Not 8	<b>Foster Youth</b>  No Performance Color Less than 11 Students - Data Not 3
<b>Homeless</b>  No Performance Color Less than 11 Students - Data Not 5	<b>Socioeconomically Disadvantaged</b>  Green 1.6 Declined -0.7 123	<b>Students with Disabilities</b>  Yellow 1.6 Increased +1.6 64

### 2019 Fall Dashboard Suspension Rate by Race/Ethnicity

African American	American Indian	Asian	Filipino
 No Performance Color Less than 11 Students - Data 2	 No Performance Color Less than 11 Students - Data 6	 No Performance Color Less than 11 Students - Data 4	
Hispanic	Two or More Races	Pacific Islander	White
 Orange 2.3 Increased +2.3 44	 No Performance Color 0 Maintained 0 13	 No Performance Color Less than 11 Students - Data 3	 Green 1.2 Declined -0.3 341

This section provides a view of the percentage of students who were suspended.

### 2019 Fall Dashboard Suspension Rate by Year

2017	2018	2019
	1.2	1.2

#### Conclusions based on this data:

- Students in student groups with English Language Learners and Students With Disabilities both declined. Continued support for students in these groups should continue to help these students be successful.
- Students in student groups with Socioeconomically Disadvantaged youth increased. Support for these student be successful will help these numbers decrease.

# Goals, Strategies, & Proposed Expenditures

## Goal 1

### Subject

Academic Programs

### Goal Statement

Gold Trail School will provide academic programs that will lead to high achievement by implementing academic content and performance standards adopted by the state board for all pupils, including English learners by appropriately assigning highly qualified teachers, and providing all students access to standards-aligned instructional materials.

### LCAP Goal

All students will demonstrate growth in language arts.  
All students will demonstrate growth in mathematics.

### Basis for this Goal

The 18-19 CAASPP results show that there are steps that can be made to increase growth. Local measures will be used to determine progress during the year. These measures may include student work samples and district approved assessments. The district is in the process of refining longitudinal math assessments to monitor student progress. A data tool to track academic growth for students at all grade levels remains a concern.

### Expected Annual Measurable Outcomes

Metric/Indicator	Baseline	Expected Outcome
CAASPP Academic Data	CAASPP data reported from the current school year.	Increased achievement from current school year.
Student Access to Standards Aligned Instructional Materials	All students currently have access to standards aligned materials.	All students will continue to have access to standards aligned materials.
Teachers will all be fully credentialed by the California Commission on Teacher Credentialing	All teachers are fully credentialed by the California Commission on Teacher Credentialing	All teachers will continue to be fully credentialed by the California Commission on Teacher Credentialing

### Planned Strategies/Activities

#### Strategy/Activity 1

Academic programs in all academic areas will be facilitated using teachers with credentials provided by the California Commission on Teacher Credentialing, utilizing curriculum in alignment with the California Common Core State Standards. Classes such as study skills, resources specialists, Student Success Teams, and enrichment activities will help support and enhance student learning beyond core academic areas.

#### Students to be Served by this Strategy/Activity

All Students

#### Timeline

2019-20



**Person(s) Responsible**

Gold Trail School Staff

**Proposed Expenditures for this Strategy/Activity**

<b>Amount</b>	1,318,406.00
<b>Source</b>	LCFF
<b>Budget Reference</b>	1000-1999: Certificated Personnel Salaries
<b>Description</b>	Certificated Teachers 19.50 FTE

**Strategy/Activity 2**

Teachers will use technology for curriculum delivery and will provide tools to use in the classroom. The district will continue to update technology equipment and provide access and training to improve technology skills.

**Students to be Served by this Strategy/Activity**

All Students

**Timeline**

2019-20

**Person(s) Responsible**

IT and Library Staff

**Proposed Expenditures for this Strategy/Activity**

<b>Amount</b>	27,525.00
<b>Source</b>	Unrestricted
<b>Budget Reference</b>	2000-2999: Classified Personnel Salaries
<b>Description</b>	Technology Support staff, 0.25 FTE, Technology Equipment for the classroom, 0.44 FTE Library Tech

# Goals, Strategies, & Proposed Expenditures

## Goal 2

### Subject

Course of Study

### Goal Statement

Find creative ways to provide a broad course of study and facilitating professional development allowing for a more enriched and broad educational experience accounting for all student demographic groups including homeless youth, Foster youth, English learners and socio-economically disadvantaged youth.

### LCAP Goal

All students will have access to a quality education that ensures college and career readiness in the 21st century.

### Basis for this Goal

All students need a broad course of student taught by qualified teachers to succeed in college and career readiness for the 21st Century.

### Expected Annual Measurable Outcomes

Metric/Indicator	Baseline	Expected Outcome
CAASPP data for unduplicated students.	Current school year CAASPP data for unduplicated students.	Students show an increase in their achievement.
Professional development opportunities for teachers	Current professional development opportunities for teachers	Continue providing professional development opportunities for teachers to improve instruction
Support programs for unduplicated student groups and students with disabilities	Current levels of support programs for unduplicated student groups and students with disabilities	Continue providing support programs and be active in response to the changes in needs

### Planned Strategies/Activities

#### Strategy/Activity 1

Supports shall be provided to all students to assist them in their academic success. Strategies such as study skills classes, resource specialist teachers, Student Success Teams, and other activities shall be implemented to achieve student progress supporting unduplicated students and students with disabilities. Gold Trail School will continually monitor instruction and programs to ensure they are responsive to student needs.

#### Students to be Served by this Strategy/Activity

All Students

#### Timeline

2019-20

#### Person(s) Responsible

Gold Trail Staff

### Proposed Expenditures for this Strategy/Activity

<b>Amount</b>	19,800.00
<b>Source</b>	Special Education
<b>Budget Reference</b>	2000-2999: Classified Personnel Salaries
<b>Description</b>	0.265 Educationally Related Health Care Counselor

### Strategy/Activity 2

Professional Development will be supported to build capacity in staff to support student achievement. This includes District and site trainings, County Office of Education offerings, and other approved courses, workshops, and trainings.

### Students to be Served by this Strategy/Activity

All Students

### Timeline

2019-20

### Person(s) Responsible

Gold Trail Staff

### Proposed Expenditures for this Strategy/Activity

<b>Amount</b>	9,573.00
<b>Source</b>	Title II Part A: Improving Teacher Quality
<b>Budget Reference</b>	1000-1999: Certificated Personnel Salaries
<b>Description</b>	Training opportunities, release time, supplies

# Goals, Strategies, & Proposed Expenditures

## Goal 3

### Subject

School Climate and Culture

### Goal Statement

Provide a physically and emotionally safe environment for the school community by keeping facilities in good repair, engaging stakeholder groups in decision-making, and encourage connectedness through participation in school programs.

### LCAP Goal

Involve parents, family and community stakeholders as direct partners in education.

We will provide a physically and emotionally safe environment culturally responsible to all students.

### Basis for this Goal

Students will learn best in a physically and emotionally safe environment where the school and the community work conjunctively to enhance student learning and achievement. Student opportunities for learning in such an environment will allow them to see the greater impact of education on the world.

### Expected Annual Measurable Outcomes

Metric/Indicator	Baseline	Expected Outcome
Facilities Inspection Tool Report	Current Facilities Inspection Tool	Maintain and Improve Facilities
California Healthy Kids Survey	Current measure of California Healthy Kids Survey	Improved measures on the California Healthy Kids Survey

### Planned Strategies/Activities

#### Strategy/Activity 1

Improve facilities functions through improvements in maintenance infrastructure and other facilities improvements.

#### Students to be Served by this Strategy/Activity

All Students

#### Timeline

2019-2020

#### Person(s) Responsible

Administration/Maintenance

#### Proposed Expenditures for this Strategy/Activity

Amount

57,055.00

<b>Source</b>	LCFF
<b>Budget Reference</b>	2000-2999: Classified Personnel Salaries
<b>Description</b>	0.5 FTE Site Maintenance Coordinator, 0.5 FTE Maintenance Supervisor

## Strategy/Activity 2

Use school functions such as performing arts performances, field trips, PTO events such as the Harvest Festival, and events such as graduation to enhance community interaction at Gold Trail School. Use positive behavior strategies to improve student behavior and improve school climate.

### Students to be Served by this Strategy/Activity

All Students

### Timeline

2019-2020

### Person(s) Responsible

All Staff

### Proposed Expenditures for this Strategy/Activity

<b>Amount</b>	5,000.00
<b>Source</b>	LCFF
<b>Budget Reference</b>	4000-4999: Books And Supplies
<b>Description</b>	Learning software, English Language Learner Parent nights, Technology Night for Parents

## Strategy/Activity 3

Personnel to support students in classroom behavior and associated skills through their day.

### Students to be Served by this Strategy/Activity

All Students

### Timeline

2019-2020

### Person(s) Responsible

Administration

### Proposed Expenditures for this Strategy/Activity

<b>Amount</b>	50,000.00
<b>Source</b>	Special Education
<b>Budget Reference</b>	2000-2999: Classified Personnel Salaries
<b>Description</b>	0.25 FTE Behavioral Interventionist, Teacher Associates

Strategy/Activity 4

Students will be identified, provided materials and services, and monitored for progress throughout the year that qualify under the McKinney Vento program, limited English proficient students, and students that immigrate into the country.

Students to be Served by this Strategy/Activity

Students identified under the McKinney Vento program, limited English proficient students, and students that immigrate into the country

Timeline

2019-2020

Person(s) Responsible

Administration

Proposed Expenditures for this Strategy/Activity

Amount	1,000.00
Source	Other
Budget Reference	4000-4999: Books And Supplies
Description	School Supplies, snacks, staff professional development, Physical Education clothing, Liaison officer

# Annual Review and Update

**SPSA Year Reviewed: 2018-19**

## Goal 1

Students will make satisfactory academic progress based on local assessments. Students not making satisfactory progress will be referred to a Student Success Team.

## Annual Measurable Outcomes

**Metric/Indicator**

**Expected Outcomes**

**Actual Outcomes**

## Strategies/Activities for Goal 1

Planned Actions/Services	Actual Actions/Services	Proposed Expenditures	Estimated Actual Expenditures
Actions taken to support this goal are funded by other sources and will be discussed in the LCAP. The limited funding reauthorized as ESSA (formerly ESEA/NCLB) has been used to support other goals in this plan.	Actions taken were funded by sources as planned.	Certificated Teachers 21.3 FTE 1000-1999: Certificated Personnel Salaries LCFF 1,282,367.30	Certificated Teachers 21.3 FTE 1000-1999: Certificated Personnel Salaries LCFF 1,269,082.00

## Analysis

Describe the overall implementation of the strategies/activities to achieve the articulated goal.

Actions were taken to support this goal such as augmentation to response to intervention strategies, continued support of After School Academy for struggling students, and increased support for students with resource needs.

Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.

Students with special needs were served by the increased support from resource specialists. Referrals for IEPs decreased showing that changes to response to intervention strategies is being effective.

Explain any material differences between the Proposed Expenditures and Estimated Actual Expenditures.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

This goal will be changed and aligned more closely with the district vision. Actions and services will reflect the needs in the realignment.

# Annual Review and Update

**SPSA Year Reviewed: 2018-19**

## Goal 2

Students at risk of failure will be provided support through a multi-tiered approach to improve student performance.

## Annual Measurable Outcomes

**Metric/Indicator**

**Expected Outcomes**

**Actual Outcomes**

## Strategies/Activities for Goal 2

<b>Planned Actions/Services</b>	<b>Actual Actions/Services</b>	<b>Proposed Expenditures</b>	<b>Estimated Actual Expenditures</b>
Learning software and increased access to technology in the classroom, labs and at home.	Learning software was purchased to support student learning. 30 new Chromebooks and increased iPads were provided	Learning software 4000-4999: Books And Supplies General Fund 4,500.00	Learning Software 4000-4999: Books And Supplies Lottery: Instructional Materials 10,000.00
Response to intervention, additional school tutorial services and After School Academy on Friday's for students at risk of failing are delivered using LCFF supplemental funding and the actions are included in the Local Control Accountability Plan.	Services were provided as planned	Educationally Related Health Care Counselor 2000-2999: Classified Personnel Salaries Special Education 17,500.00	Educationally Related Health Care Counselor 2000-2999: Classified Personnel Salaries Special Education 23,878.00

## Analysis

Describe the overall implementation of the strategies/activities to achieve the articulated goal.

Overall implementation for these actions and services was successful.

Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.

The strategies and activities were effective in promoting student achievement and promoting student success.

Explain any material differences between the Proposed Expenditures and Estimated Actual Expenditures.

No material expenditure differences.



Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

This goal will be changed and aligned more closely with the district vision. Actions and services will reflect the needs in the realignment.

# Annual Review and Update

SPSA Year Reviewed: 2018-19

## Goal 3

The staff will receive high quality on-going instruction and professional development.

## Annual Measurable Outcomes

Metric/Indicator

Expected Outcomes

Actual Outcomes

## Strategies/Activities for Goal 3

Planned Actions/Services	Actual Actions/Services	Proposed Expenditures	Estimated Actual Expenditures
Teacher Training	Teachers attended training and professional development	Extra Duty Stipend 1000-1999: Certificated Personnel Salaries Title II Part A: Improving Teacher Quality 4,000.00	Extra Duty Stipend 1000-1999: Certificated Personnel Salaries Title II Part A: Improving Teacher Quality 2,580.00

## Analysis

Describe the overall implementation of the strategies/activities to achieve the articulated goal.

Teacher professional development was implemented as planned.

Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.

Professional development was effective in increasing teacher skills and effectiveness in providing instruction and behavior intervention strategies in the classroom.

Explain any material differences between the Proposed Expenditures and Estimated Actual Expenditures.

No material differences experienced.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

This goal will be changed and aligned more closely with the district vision. Actions and services will reflect the needs in the realignment.

## Budget Summary and Consolidation

The Budget Summary is required for schools funded through the ConApp. The Consolidation of Funds is required for a school receiving funds allocated through the ConApp and consolidating those funds as part of a schoolwide program.

## Budget Summary

Description	Amount
Total Funds Provided to the School Through the Consolidated Application	16,608.00
Total Funds Budgeted for Strategies to Meet the Goals in the SPSA	1,488,359.00

## Allocations by Funding Source

Funding Source	Amount	Balance
----------------	--------	---------

## Expenditures by Funding Source

Funding Source	Amount
LCFF	1,380,461.00
Other	1,000.00
Special Education	69,800.00
Title II Part A: Improving Teacher Quality	9,573.00
Unrestricted	27,525.00

## Expenditures by Budget Reference

Budget Reference	Amount
1000-1999: Certificated Personnel Salaries	1,327,979.00
2000-2999: Classified Personnel Salaries	154,380.00
4000-4999: Books And Supplies	6,000.00

## Expenditures by Budget Reference and Funding Source

Budget Reference	Funding Source	Amount
1000-1999: Certificated Personnel Salaries	LCFF	1,318,406.00
2000-2999: Classified Personnel Salaries	LCFF	57,055.00
4000-4999: Books And Supplies	LCFF	5,000.00
4000-4999: Books And Supplies	Other	1,000.00
2000-2999: Classified Personnel Salaries	Special Education	69,800.00
1000-1999: Certificated Personnel Salaries	Title II Part A: Improving Teacher Quality	9,573.00
2000-2999: Classified Personnel Salaries	Unrestricted	27,525.00

# School Site Council Membership

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

1 School Principal

3 Classroom Teachers

4 Parent or Community Members

Name of Members	Role
Jason Hanks	Parent or Community Member
Danielle Edney	Classroom Teacher
Carl Geil	Parent or Community Member
Marta Harris	Classroom Teacher
Keven Dunn	Classroom Teacher
Boyd Holler	Principal

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

# Recommendations and Assurances

The School Site Council (SSC) recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.

The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the School Plan for Student Achievement (SPSA) requiring board approval.

The SSC sought and considered all recommendations from the following groups or committees before adopting this plan:

**Signature**

**Committee or Advisory Group Name**

Other: District Advisory Committee

The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.

This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.

This SPSA was adopted by the SSC at a public meeting on March 19,2020.

Attested:

Principal, Boyd Holler on

SSC Chairperson, Boyd Holler on



# Addendum

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For questions related to specific sections of the template, please see instructions below:

## Instructions: Linked Table of Contents

Stakeholder Involvement

Goals, Strategies, & Proposed Expenditures

Planned Strategies/Activities

Annual Review and Update

Budget Summary and Consolidation

Appendix A: Plan Requirements for Schools Funded Through the ConApp

Appendix B: Select State and Federal Programs

For additional questions or technical assistance related to completion of the SPSA template, please contact the Local Educational Agency, or the CDE's Title I Policy and Program Guidance Office at [TITLEI@cde.ca.gov](mailto:TITLEI@cde.ca.gov).

## Stakeholder Involvement

Meaningful involvement of parents, students, and other stakeholders is critical to the development of the SPSA and the budget process. As such, the SPSA should be shared with, and schools should request input from, school site-level advisory groups, as applicable (e.g., English Learner Advisory Councils, student advisory groups, etc.).

Describe the process used to involve advisory committees, parents, students, school faculty and staff, and the community in the development of the SPSA and the annual review and update.

Goals, Strategies, & Proposed Expenditures

In this section a school provides a description of the annual goals to be achieved by the school. This section also includes descriptions of the specific planned strategies/activities a school will take to meet the identified goals, and a description of the expenditures required to implement the specific strategies and activities.

## Goal

State the goal. A goal is a broad statement that describes the desired result to which all strategies/activities are directed. A goal answers the question: What is the school seeking to achieve? A school may number the goals using the "Goal #" for ease of reference.

## Basis for this Goal

Describe the basis for establishing the goal. The goal should be based upon an analysis of verifiable state data, including state indicator data from the California School Dashboard (Dashboard) and data from the School Accountability Report Card, and may include any data voluntarily developed by districts to measure pupil achievement.

## Expected Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that the school will use as a means of evaluating progress toward accomplishing the goal. A school may identify metrics for specific student groups. Include in the baseline column the most recent data associated with the metric or indicator available at the time of adoption of the SPSA. The most recent data associated with a metric or indicator includes data reported in the annual update of the SPSA. In the subsequent Expected Outcome column, identify the progress the school intends to be make in the coming year.

## Planned Strategies/Activities

Describe the strategies and activities being provided to meet the described goal. Strategies and activities that are implemented to achieve the identified goal may be grouped together. A school may number the strategy/activity using the "Strategy/Activity #" for ease of reference.

A school receiving funds allocated through the ConApp is required to describe in their strategies and activities how they will address specific state and federal requirements. A list of these requirements may be found in Appendix A: Plan Requirements for Schools Funded Through the ConApp. At a minimum a school receiving funds allocated through the ConApp must address these requirements; however, a school may describe additional strategies/activities as well.

## **Students to be Served by this Strategy/Activity**

Indicate in this box which students will benefit from the strategies/activities by indicating “All Students” or listing one or more specific student group(s) to be served.

## **Proposed Expenditures for this Strategy/Activity**

For each strategy/activity, list and describe the proposed expenditures for the school year to implement these strategies/activities, including where those expenditures can be found in the school’s budget. The school should reference all fund sources for each proposed expenditure and should provide budget references as an object code or an object code description.

Proposed expenditures that are included more than once in a SPSA should be indicated as a duplicated expenditure and include a reference to the goal and strategy/activity where the expenditure first appears in the SPSA.

## **Annual Review and Update**

The planned goals, expected outcomes, planned strategies/activities, and proposed expenditures must be copied verbatim from the previous year’s approved SPSA. Minor typographical errors may be corrected.

### **Annual Measurable Outcomes**

For each goal in the prior year, provide the metric/indicators, the expected outcomes, and the actual outcomes; review the actual outcomes as compared to the expected outcomes identified in the prior year for the goal.

### **Strategies/Activities**

Identify the planned strategies/activities and the proposed expenditures to implement these strategies/activities toward achieving the described goal, then identify the actual strategies/activities implemented to meet the described goal and the estimated actual expenditures to implement the strategies/activities. As applicable, identify any changes to the student groups served.

## **Analysis**

Using actual outcome data, including state indicator data from the Dashboard, analyze whether the planned strategies/activities were effective in achieving the goal. Respond to the prompts as instructed.

- Describe the overall implementation of the strategies/activities to achieve the articulated goal. Include a discussion of relevant challenges and successes experienced with the implementation process.
- Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.
- Explain any material differences between Proposed Expenditures and Estimated Actual Expenditures. Minor variances in expenditures or a dollar-for-dollar accounting is not required.
- Describe any changes that will be made to the goal, expected annual measureable outcomes, metrics/indicators, or strategies/activities to achieve this goal as a result of this analysis and analysis of the data provided in the Dashboard, as applicable. Identify where those changes can be found in the SPSA.

## **Budget Summary and Consolidation**

In this section a school provides a brief summary of the funding allocated to the school through the ConApp and/or other funding sources as well as the total amount of funds for proposed expenditures described in the SPSA. The Budget Summary is required for schools funded through the ConApp. The Consolidation of Funds is required for a school receiving funds allocated through the ConApp and consolidating those funds as part of a schoolwide program.

### **Budget Summary**

A school receiving funds allocated through the ConApp should complete the Budget Summary as follows:

- **Total Funds Provided to the School Through the Consolidated Application:** This amount is the total amount of funding provided to the school through the ConApp for the school year. The school year means the fiscal year for which a SPSA is adopted or updated.
- **Total Funds Budgeted for Strategies to Meet the Goals in the SPSA:** This amount is the total of the proposed expenditures from all sources of funds associated with the strategies/activities reflected in the SPSA. To the extent strategies/activities and/or proposed expenditures are listed in the SPSA under more than one goal, the expenditures should be counted only once.

A school may include additional information or more detail.

### **Consolidation of Funds**

A school receiving funds allocated through the ConApp and consolidating those funds as part of a schoolwide program is required to include a list of state and local programs and other federal programs that the school will consolidate in the schoolwide program. A list of commonly consolidated state and federal programs is provided in Appendix B: Select State and Federal Programs. List the federal funding source(s) and the amount(s) being consolidated in the schoolwide program, then list the state and/or local funding source(s) and the amount(s). Adjust the table as needed.

# **Appendix A: Plan Requirements for Schools Funded Through the ConApp**

## **Basic Plan Requirements**

A school receiving funds allocated through the ConApp is required to develop a SPSA. The content of a SPSA must be aligned with school goals for improving student achievement. School goals must be based upon an analysis of verifiable state data and may include any data voluntarily developed by districts to measure student achievement.

The SSC is required to develop the SPSA, which must address each of the following, as applicable:

1. A description of curricula, instructional strategies and materials responsive to the individual needs and learning styles of each student (described in the Strategies/Activities).
2. A description of instructional and auxiliary services to meet the special needs of non-English-speaking or limited-English-speaking students, including instruction in a language these students understand; educationally disadvantaged students; gifted and talented students; and students with exceptional needs (described in the Strategies/Activities).
3. A description of a staff development program for teachers, other school personnel, paraprofessionals, and volunteers, including those participating in special programs (described in the Strategies/Activities).
4. An identification of the schools' means of evaluating progress toward accomplishing its goals (described in the Expected Annual Measurable Outcomes) and an ongoing evaluation of the educational program of the school (described in the Annual Review and Update).
5. A description of how funds provided to the school through the ConApp will be used to improve the academic performance of all pupils to the level of state performance goals (described in the Proposed Expenditures for Strategies/Activities).
6. The proposed expenditures of funds available to the school through the programs described in EC Section 52851. For purposes of this subdivision, proposed expenditures of funds available to the school must include, but not be limited to, salaries and staff benefits for persons providing services for those programs (described in the Proposed Expenditures for Strategies/Activities).
7. The proposed expenditure of funds available to the school through the federal Improving America's Schools Act of 1994 and its amendments. If the school operates a state-approved schoolwide program in a manner consistent with the expenditure of funds available to the school pursuant to EC Section 52851, employees of the schoolwide program may be deemed funded by a single cost objective.
8. A description of how state and federal law governing programs identified in EC Section 64000 will be implemented, as applicable (described in the Strategies/Activities).
9. A description of any other activities and objectives as established by the SSC (described in the Strategies/Activities).

The SPSA, including proposed expenditures of funds allocated to the school through the ConApp, must be reviewed annually and updated by the SSC.

Authority cited: EC sections 64001(f)-(g) and 52853(a)(1)-(7).

## Schoolwide Program Requirements

A school receiving funds allocated through the ConApp and operating a schoolwide program (SWP) must describe how the school will carry out each of the following components:

1. A description of the strategies that the school will be implementing to address school needs, including a description of how such strategies will
  - a. provide opportunities for all students, including socioeconomically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and English learners, to meet the challenging state academic standards.
  - b. use effective methods and instructional strategies based on scientifically based research that
    - i. strengthen the core academic program in the school;
    - ii. provide an enriched and accelerated curriculum;
    - iii. increase the amount and quality of learning time;
    - iv. include strategies for meeting the educational needs of historically underserved populations;
    - v. help provide an enriched and accelerated curriculum; and
    - vi. are consistent with, and are designed to implement, state and local improvement plans, if any.
  - c. address the needs of all students in the school, but particularly the needs of those at risk of not meeting the challenging state academic standards, through activities which may include the following:
    - i. strategies to improve students' skills outside the academic subject areas;
    - ii. preparation for and awareness of opportunities for postsecondary education and the workforce;
    - iii. implementation of a schoolwide tiered model to prevent and address problem behavior;
    - iv. professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data; and
    - v. strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.
2. A description of how the school will determine if school needs have been met (described in the Expected Annual Measurable Outcomes and the Annual Review and Update).
3. A description of how the school will ensure instruction by highly qualified teachers and provide ongoing professional development, including
  - a. strategies to attract highly qualified teachers;
  - b. providing high-quality and ongoing professional development that is aligned with the state's academic standards for teachers, principals, paraprofessionals and, if appropriate, pupil services personnel, parents, and other staff, to enable all students in the school to meet the state's academic standards;
  - c. the devotion of sufficient resources to effectively carry out professional development activities; and
  - d. the inclusion of teachers in professional development activities regarding the use of academic assessments to enable them to provide information on, and to improve, the achievement of individual students and the overall instructional program.
4. A description of how the school will ensure parental involvement in the planning, review, and improvement of the schoolwide program plan (described in Stakeholder Involvement and/or Strategies/Activities).
5. A description of the activities the school will include to ensure that students who experience difficulty attaining proficient or advanced levels of academic achievement standards will be provided with effective, timely additional support, including measures to
  - a. Ensure that those students' difficulties are identified on a timely basis; and
  - b. Provide sufficient information on which to base effective assistance to those students.
6. For an elementary school, a description of how the school will assist preschool students in the successful transition from early childhood programs to the school.
7. A description of how the school will use resources to carry out these components (described in the Proposed Expenditures for Strategies/Activities).

Authority Cited: Title 34 of the Code of Federal Regulations (34 CFR) sections 200.27(a)(3)(i)-(iii) and 200.28 and section 1114(b)(7)(A)(i)-(iii) and 1118(b) of the ESEA.

## **Appendix B: Select State and Federal Programs**

### **Federal Programs**

Title I, Part A: School Allocation  
Title I, Part A: School Parent and Family Engagement Allocation  
Title I, Part A: Targeted Support and Improvement Allocation  
Title I, Part C: Education of Migratory Children  
Title II, Part A: Supporting Effective Instruction  
Title III, Part A: Language Instruction for English Learners and Immigrate Youth  
Title IV Part A: Student Support and Academic Enrichment Grants  
Title IV Part B: 21st Century Community Learning Centers  
Title V, Part B: Rural Education Initiative  
Title VI, Part A: Indian, Native Hawaiian, and Alaska Native Education

### **State or Local Programs**

After School Education and Safety Program  
American Indian Education  
Child Development Programs  
Economic Impact Aid/State Compensatory Education (carryover funds)  
Economic Impact Aid/Limited English Proficient (carryover funds)  
California Foster Youth Services  
California Partnership Academies  
California Tobacco-Use Prevention Education Program

# School Plan for Student Achievement (SPSA) Template

The School Plan for Student Achievement (SPSA) is meant to consolidate all school-level planning efforts into one plan for programs funded through the consolidated application (ConApp), pursuant to the California Education Code (EC) Section 64001 and the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act (ESSA).

The purpose of the SPSA is to increase the overall effectiveness of the school program by crafting a strategic plan that maximizes the resources available to the school while minimizing duplication of effort with the ultimate goal of increasing student achievement.

The School Site Council (SSC) is required to develop and annually review the SPSA, establish an annual budget, and make modifications in the plan to reflect changing needs and priorities, as applicable, pursuant to EC 52853(b) and 52855.

California's ESSA State Plan significantly shifts the state's approach to the utilization of federal resources in support of underserved student groups. The SPSA provides schools with the opportunity to document their approach to maximizing the impact of federal investments in support of underserved students.

The implementation of ESSA in California presents an opportunity for schools to innovate with their federally-funded programs and align them with the priority goals of the school and the LEA that are being realized under the state's Local Control Funding Formula (LCFF).

LCFF provides schools and LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The SPSA planning process supports continuous cycles of action, reflection, and improvement.

<b>School Name</b>	Sutter's Mill School
<b>Address</b>	4801 Luneman Rd. Placerville, CA 95667
<b>County-District-School (CDS) Code</b>	09618876110167
<b>Principal</b>	Scott Lyons
<b>District Name</b>	Gold Trail Union School District
<b>SPSA Revision Date</b>	March 2020
<b>Schoolsite Council (SSC) Approval Date</b>	March 19th, 2020
<b>Local Board Approval Date</b>	April 2nd, 2020

In the pages that follow, please describe the school's plan for making the best use of federal ESEA resources in alignment with other federal, state, and local programs.

# Table of Contents

SPSA Title Page .....	1
Table of Contents.....	2
School Vision and Mission .....	3
School Profile .....	3
Stakeholder Involvement .....	3
School and Student Performance Data .....	4
Student Enrollment.....	4
CAASPP Results.....	6
ELPAC Results .....	9
Student Population.....	11
Overall Performance .....	12
Academic Performance .....	13
Academic Engagement.....	19
Conditions & Climate.....	22
Goals, Strategies, & Proposed Expenditures.....	24
Goal 1.....	24
Goal 2.....	27
Goal 3.....	29
Annual Review and Update .....	32
Goal 1.....	32
Goal 2.....	34
Goal 3.....	36
Budget Summary and Consolidation .....	38
Budget Summary .....	38
Allocations by Funding Source.....	38
Expenditures by Funding Source .....	39
Expenditures by Budget Reference .....	40
Expenditures by Budget Reference and Funding Source .....	41
School Site Council Membership .....	42
Recommendations and Assurances .....	43
Addendum.....	44
Instructions: Linked Table of Contents.....	44
Appendix A: Plan Requirements for Schools Funded Through the ConApp.....	47
Appendix B: Select State and Federal Programs.....	49



# School Vision and Mission

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

Uncompromising Principles:

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

## School Profile

Sutter's Mill School is located in a beautiful, rural setting three miles from Coloma, the California Gold Discovery Site. Sutter's Mill (SM) was dedicated on October 26, 1989. The school opened with temporary facilities in September 1991 and permanent construction was completed in September 1992. SM School currently serves 285 students (Oct 2019 CBEDS) in transitional kindergarten through third. Campus facilities feature 14 classrooms, a library and a large multi-purpose room. The school has wireless access throughout the campus and currently provides technology devices, (iPads and Chromebooks), available for student use at a ratio of one device per two students. School programs include a dynamic physical education program, speech and language services, a Title I intervention program for at-risk students, classroom aides to assist students with specific needs, supplemental services for Limited English Learners and homeless students, a garden program with prepared teacher lessons, a Resource Specialist Program (special education) and a behaviorist.

Students meet the state physical education requirement (200 minutes within ten days) by participating in physical education with a Physical Education Specialist. There are 19 minimum days in the school year. Ten days are used for parent conferencing in October and March and seven minimum days are used for staff collaboration and training. In addition, there are two scheduled staff development days for training. In 2019-20 we reduced the amount of minimum days to 16 in order to increase instructional time to make up for losses on account of the PSPS closure days.

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

## Stakeholder Involvement

How, when, and with whom did the school consult as part of the planning process for this SPSA/Annual Review and Update?

### Involvement Process for the SPSA and Annual Review and Update

Data and information for the School Plan for Student Achievement is reviewed and analyzed by the District Advisory Committee (DAC). This committee develops the SPSA goal areas based on the data and analysis that occurs. Recommendations for goal areas and action steps are made and implemented throughout the school year. Other organizations such as ASB, PTO, the GTUSD Board, GTUSD Staff, and other parent groups provide input that helps shape the SPSA.

# School and Student Performance Data

## Student Enrollment Enrollment By Student Group

Student Enrollment by Subgroup						
Student Group	Percent of Enrollment			Number of Students		
	16-17	17-18	18-19	16-17	17-18	18-19
American Indian	1.9%	1.9%	2.21%	6	6	6
African American	.75%	.75%	0.74%	1	2	2
Asian	%	%	0.37%			1
Filipino	%	%	0.37%			1
Hispanic/Latino	11.50%	11.25%	13.6%	34	32	37
Pacific Islander	1.0%	1.25%	1.1%	3	4	3
White	83.10%	83.10%	80.15%	240	240	218
Multiple/No Response	1.75%	1.75%	1.1%	5	5	3
Total Enrollment				289	289	272

## Student Enrollment Enrollment By Grade Level

Student Enrollment by Grade Level			
Grade	Number of Students		
	16-17	17-18	18-19
Kindergarten	87	90	89
Grade 1	61	67	58
Grade 2	69	62	63
Grade3	72	70	62
Total Enrollment	289	289	272

### Conclusions based on this data:

1. Sutter's Mill enrollment has remained fairly consistent over the last three years.

# School and Student Performance Data

## Student Enrollment

English Learner (EL) Enrollment						
Student Group	Number of Students			Percent of Students		
	16-17	17-18	18-19	16-17	17-18	18-19
English Learners	8	7	9	2.8%	2.4%	3.3%
Fluent English Proficient (FEP)			0			0.0%
Reclassified Fluent English Proficient			0			0.0%

### Conclusions based on this data:

1. Statistically insignificant numbers make drawing conclusions difficult.

# School and Student Performance Data

## CAASPP Results English Language Arts/Literacy (All Students)

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with			% of Enrolled Students		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	74	74	61	69	69	60	69	69	60	93.2	93.2	98.4
All	74	74	61	69	69	60	69	69	60	93.2	93.2	98.4

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard			% Standard Met			% Standard Nearly			% Standard Not		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	2435.	2450.	2447.	33.33	27.54	35.00	17.39	30.43	26.67	24.64	31.88	16.67	24.64	10.14	21.67
All Grades	N/A	N/A	N/A	33.33	27.54	35.00	17.39	30.43	26.67	24.64	31.88	16.67	24.64	10.14	21.67

Reading Demonstrating understanding of literary and non-fictional texts									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	30.43	28.99	31.67	42.03	59.42	50.00	27.54	11.59	18.33
All Grades	30.43	28.99	31.67	42.03	59.42	50.00	27.54	11.59	18.33

Writing Producing clear and purposeful writing									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	24.64	18.84	30.00	42.03	62.32	43.33	33.33	18.84	26.67
All Grades	24.64	18.84	30.00	42.03	62.32	43.33	33.33	18.84	26.67

Listening Demonstrating effective communication skills									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	27.54	26.09	20.00	62.32	66.67	70.00	10.14	7.25	10.00
All Grades	27.54	26.09	20.00	62.32	66.67	70.00	10.14	7.25	10.00

Research/Inquiry Investigating, analyzing, and presenting information									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	26.09	28.99	30.00	49.28	63.77	46.67	24.64	7.25	23.33
All Grades	26.09	28.99	30.00	49.28	63.77	46.67	24.64	7.25	23.33

**Conclusions based on this data:**

1. Drawing conclusions from a small sample size can be difficult and we need to monitor our participation rate. Participation rate increased to 98% last year.
2. Overall achievement shows a consistent number of % Above Average over the three years. This past year seems to illustrate results showing a "polarization" of achievement levels. Generally "Above Standard" percentages increased as did "Below Standard" percentages.
3. Significant changes saw a drop in Above Standard Listening percentages and an increase in Below Standard Research/Inquiry percentages.

# School and Student Performance Data

## CAASPP Results Mathematics (All Students)

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with			% of Enrolled Students		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	74	74	62	68	69	61	68	69	61	91.9	93.2	98.4
All	74	74	62	68	69	61	68	69	61	91.9	93.2	98.4

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard			% Standard Met			% Standard Nearly			% Standard Not		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	2441.	2451.	2442.	16.18	20.29	21.31	42.65	33.33	36.07	20.59	37.68	27.87	20.59	8.70	14.75
All Grades	N/A	N/A	N/A	16.18	20.29	21.31	42.65	33.33	36.07	20.59	37.68	27.87	20.59	8.70	14.75

Concepts & Procedures Applying mathematical concepts and procedures									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	36.76	40.58	32.79	39.71	33.33	45.90	23.53	26.09	21.31
All Grades	36.76	40.58	32.79	39.71	33.33	45.90	23.53	26.09	21.31

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	27.94	28.99	22.95	57.35	50.72	59.02	14.71	20.29	18.03
All Grades	27.94	28.99	22.95	57.35	50.72	59.02	14.71	20.29	18.03

Communicating Reasoning Demonstrating ability to support mathematical conclusions									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	16-17	17-18	18-19	16-17	17-18	18-19	16-17	17-18	18-19
Grade 3	30.88	36.23	31.15	54.41	47.83	49.18	14.71	15.94	19.67
All Grades	30.88	36.23	31.15	54.41	47.83	49.18	14.71	15.94	19.67

### Conclusions based on this data:

1. A general trend is an uptick in the percentage of students achieving in the "middle" ranges.
2. Individual claims are difficult to draw conclusions from.

# School and Student Performance Data

## ELPAC Results

ELPAC Summative Assessment Data Number of Students and Mean Scale Scores for All Students								
Grade Level	Overall		Oral Language		Written Language		Number of Students Tested	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
Grade K	*	*	*	*	*	*	*	*
Grade 1	*	*	*	*	*	*	*	*
Grade 2	*	*	*	*	*	*	*	*
Grade 3		*		*		*		*
All Grades							*	9

Overall Language Percentage of Students at Each Performance Level for All Students										
Grade Level	Level 4		Level 3		Level 2		Level 1		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
K		*		*	*	*	*	*	*	*
1	*	*		*		*	*	*	*	*
All Grades	*	*	*	*	*	*	*	*	*	*

Oral Language Percentage of Students at Each Performance Level for All Students										
Grade Level	Level 4		Level 3		Level 2		Level 1		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
K		*		*	*	*	*	*	*	*
1	*	*	*	*		*	*	*	*	*
All Grades	*	*	*	*	*	*	*	*	*	*

Written Language Percentage of Students at Each Performance Level for All Students										
Grade Level	Level 4		Level 3		Level 2		Level 1		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
K		*		*	*	*	*	*	*	*
1	*	*		*		*	*	*	*	*
All Grades	*	*		*	*	*	*	*	*	*

Listening Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades	*	*	*	*		*	*	*

Speaking Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
1	*	*	*	*	*	*	*	*
All Grades	*	*	*	*	*	*	*	*

Reading Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades	*	*	*	*	*	*	*	*

Writing Domain Percentage of Students by Domain Performance Level for All Students								
Grade Level	Well Developed		Somewhat/Moderately		Beginning		Total Number of Students	
	17-18	18-19	17-18	18-19	17-18	18-19	17-18	18-19
All Grades		*	*	*	*	*	*	*

Conclusions based on this data:

1. Statistically insignificant numbers.



# School and Student Performance Data

## Student Population

This section provides information about the school's student population.

2018-19 Student Population			
Total Enrollment	Socioeconomically Disadvantaged	English Learners	Foster Youth
272	29.4	3.3	0.4
This is the total number of students enrolled.	This is the percent of students who are eligible for free or reduced priced meals; or have parents/guardians who did not receive a high school diploma.	This is the percent of students who are learning to communicate effectively in English, typically requiring instruction in both the English Language and in their academic courses.	This is the percent of students whose well-being is the responsibility of a court.

2018-19 Enrollment for All Students/Student Group		
Student Group	Total	Percentage
English Learners	9	3.3
Foster Youth	1	0.4
Homeless	10	3.7
Socioeconomically Disadvantaged	80	29.4
Students with Disabilities	37	13.6





Enrollment by Race/Ethnicity		
Student Group	Total	Percentage
African American	2	0.7
American Indian	6	2.2
Asian	1	0.4
Filipino	1	0.4
Hispanic	37	13.6
Two or More Races	1	0.4
Pacific Islander	3	1.1
White	218	80.1

### Conclusions based on this data:

1. We have limited diversity.
2. Nearly one third of our students are socioeconomically disadvantaged.

# School and Student Performance Data

## Overall Performance

2019 Fall Dashboard Overall Performance for All Students		
Academic Performance	Academic Engagement	Conditions & Climate
<div>English Language Arts</div> <div></div> <div>Green</div>	<div>Chronic Absenteeism</div> <div></div> <div>Yellow</div>	<div>Suspension Rate</div> <div></div> <div>Green</div>
<div>Mathematics</div> <div></div> <div>Green</div>		

**Conclusions based on this data:**

1. Limited numbers make conclusions at this level mere speculation.

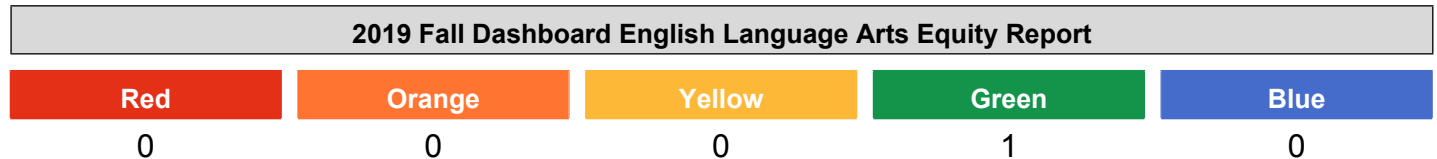
# School and Student Performance Data

## Academic Performance English Language Arts






The performance levels are color-coded and range from lowest-to-highest performance in the following order:








This section provides number of student groups in each color.



This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the English Language Arts assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

2019 Fall Dashboard English Language Arts Performance for All Students/Student Group		
All Students	English Learners	Foster Youth
 Green 16.7 points above standard Declined -3.3 points 58	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	
Homeless	Socioeconomically Disadvantaged	Students with Disabilities
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	 No Performance Color 0.2 points below standard Increased Significantly ++15.9 points 17	 No Performance Color 17.8 points below standard 13

### 2019 Fall Dashboard English Language Arts Performance by Race/Ethnicity

African American	American Indian	Asian	Filipino
	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1		
Hispanic	Two or More Races	Pacific Islander	White
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 10	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	 Green 20 points above standard Maintained ++0.7 points 45

This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the English Language Arts assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

### 2019 Fall Dashboard English Language Arts Data Comparisons for English Learners

Current English Learner	Reclassified English Learners	English Only
Less than 11 Students - Data Not Displayed for Privacy 2		19.8 points above standard Maintained -0.2 points 56

#### Conclusions based on this data:

1. Statistically insignificant numbers of students in all but one demographic group make conclusions difficult.
2. Our largest demographic group scored above standard, although scores did decline slightly.
3. Our socioeconomically disadvantaged students showed an increase but are still below standard.

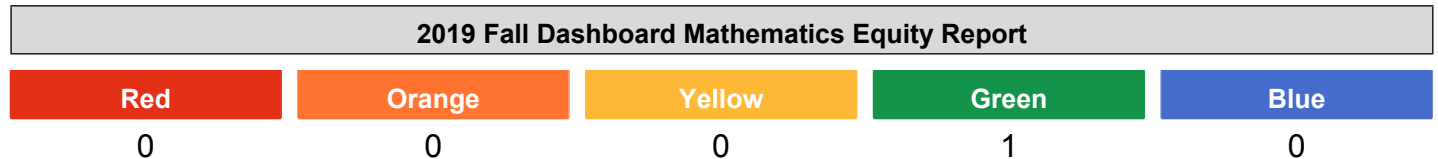
# School and Student Performance Data

## Academic Performance Mathematics






The performance levels are color-coded and range from lowest-to-highest performance in the following order:








This section provides number of student groups in each color.



This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the Mathematics assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

2019 Fall Dashboard Mathematics Performance for All Students/Student Group		
All Students	English Learners	Foster Youth
 Green 9 points above standard Declined -6.9 points 58	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	
Homeless	Socioeconomically Disadvantaged	Students with Disabilities
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	 No Performance Color 1.8 points below standard Increased ++4.6 points 17	 No Performance Color 10.5 points below standard 13

### 2019 Fall Dashboard Mathematics Performance by Race/Ethnicity

African American	American Indian	Asian	Filipino
	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1		
Hispanic	Two or More Races	Pacific Islander	White
 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 10	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	 No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	 Green 8.8 points above standard Declined -6.9 points 45

This section provides a view of Student Assessment Results and other aspects of this school's performance, specifically how well students are meeting grade-level standards on the Mathematics assessment. This measure is based on student performance on the Smarter Balanced Summative Assessment, which is taken annually by students in grades 3–8 and grade 11.

### 2019 Fall Dashboard Mathematics Data Comparisons for English Learners

Current English Learner	Reclassified English Learners	English Only
Less than 11 Students - Data Not Displayed for Privacy 2		11.5 points above standard Declined -4.3 points 56

#### Conclusions based on this data:

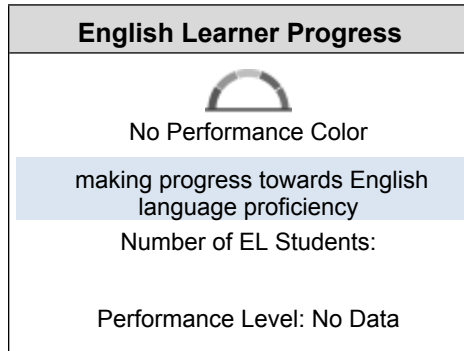
1. Statistically insignificant numbers of students in all but one demographic group make conclusions difficult.
2. Our largest demographic group scored above standard, although their scores did decline slightly.
3. Our socioeconomically disadvantaged students showed an increase but are still below standard.

# School and Student Performance Data

## Academic Performance English Learner Progress

This section provides a view of the percentage of current EL students making progress towards English language proficiency or maintaining the highest level.

### 2019 Fall Dashboard English Learner Progress Indicator



This section provides a view of the percentage of current EL students who progressed at least one ELPI level, maintained ELPI level 4, maintained lower ELPI levels (i.e, levels 1, 2L, 2H, 3L, or 3H), or decreased at least one ELPI Level.

### 2019 Fall Dashboard Student English Language Acquisition Results

Decreased  
One ELPI Level

Maintained ELPI Level 1,  
2L, 2H, 3L, or 3H

Maintained  
ELPI Level 4

Progressed At Least  
One ELPI Level

Conclusions based on this data:

1.

# School and Student Performance Data

## Academic Performance College/Career

The performance levels are color-coded and range from lowest-to-highest performance in the following order:

Lowest Performance      Red      Orange      Yellow      Green      Blue      Highest Performance

This section provides number of student groups in each color.

2019 Fall Dashboard College/Career Equity Report				
Red	Orange	Yellow	Green	Blue

This section provides information on the percentage of high school graduates who are placed in the "Prepared" level on the College/Career Indicator.

2019 Fall Dashboard College/Career for All Students/Student Group		
All Students	English Learners	Foster Youth
Homeless	Socioeconomically Disadvantaged	Students with Disabilities

2019 Fall Dashboard College/Career by Race/Ethnicity			
African American	American Indian	Asian	Filipino
Hispanic	Two or More Races	Pacific Islander	White

This section provides a view of the percent of students per year that qualify as Not Prepared, Approaching Prepared, and Prepared.

2019 Fall Dashboard College/Career 3-Year Performance		
Class of 2017	Class of 2018	Class of 2019
Prepared	Prepared	Prepared
Approaching Prepared	Approaching Prepared	Approaching Prepared
Not Prepared	Not Prepared	Not Prepared

Conclusions based on this data:

1.



# School and Student Performance Data

## Academic Engagement Chronic Absenteeism







The performance levels are color-coded and range from lowest-to-highest performance in the following order:











This section provides number of student groups in each color.

2019 Fall Dashboard Chronic Absenteeism Equity Report				
<b>Red</b>	<b>Orange</b>	<b>Yellow</b>	<b>Green</b>	<b>Blue</b>
1	0	3	0	0

This section provides information about the percentage of students in kindergarten through grade 8 who are absent 10 percent or more of the instructional days they were enrolled.

2019 Fall Dashboard Chronic Absenteeism for All Students/Student Group		
<b>All Students</b>  Yellow 13.2 Declined Significantly -3.2 288	<b>English Learners</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 10	<b>Foster Youth</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1
<b>Homeless</b>  No Performance Color 46.2 Declined -3.8 13	<b>Socioeconomically Disadvantaged</b>  Red 24 Maintained +0.2 96	<b>Students with Disabilities</b>  Yellow 14 Declined -8.2 50

## 2019 Fall Dashboard Chronic Absenteeism by Race/Ethnicity

<b>African American</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 2	<b>American Indian</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 7	<b>Asian</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1	<b>Filipino</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 1
<b>Hispanic</b>  Yellow 18.4 Declined -12.3 38	<b>Two or More Races</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 4	<b>Pacific Islander</b>  No Performance Color Less than 11 Students - Data Not Displayed for Privacy 5	<b>White</b>  Yellow 10.4 Declined -2.9 230

### Conclusions based on this data:

- Our chronic absenteeism rates show a trend of slight improvement. All groups still have rates that are higher than desired.
- Socioeconomically disadvantaged students are still absent at high rates.

# School and Student Performance Data

## Academic Engagement Graduation Rate

The performance levels are color-coded and range from lowest-to-highest performance in the following order:

Lowest Performance      Red      Orange      Yellow      Green      Blue      Highest Performance

This section provides number of student groups in each color.

### 2019 Fall Dashboard Graduation Rate Equity Report

Red

Orange

Yellow

Green

Blue

This section provides information about students completing high school, which includes students who receive a standard high school diploma or complete their graduation requirements at an alternative school.

### 2019 Fall Dashboard Graduation Rate for All Students/Student Group

All Students

English Learners

Foster Youth

Homeless

Socioeconomically Disadvantaged

Students with Disabilities

### 2019 Fall Dashboard Graduation Rate by Race/Ethnicity

African American

American Indian

Asian

Filipino

Hispanic

Two or More Races

Pacific Islander

White

This section provides a view of the percentage of students who received a high school diploma within four years of entering ninth grade or complete their graduation requirements at an alternative school.

### 2019 Fall Dashboard Graduation Rate by Year

2018

2019

Conclusions based on this data:

1.

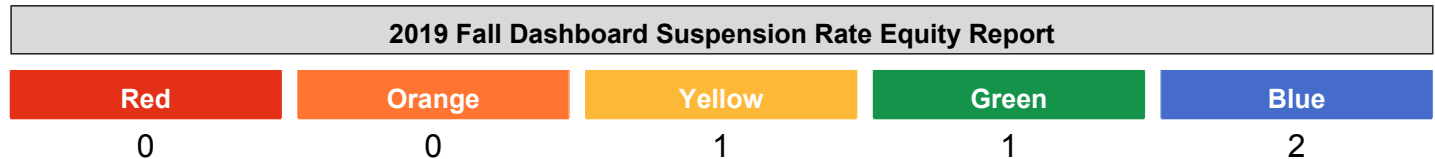
# School and Student Performance Data

## Conditions & Climate Suspension Rate







The performance levels are color-coded and range from lowest-to-highest performance in the following order:











This section provides number of student groups in each color.



This section provides information about the percentage of students in kindergarten through grade 12 who have been suspended at least once in a given school year. Students who are suspended multiple times are only counted once.

2019 Fall Dashboard Suspension Rate for All Students/Student Group		
<b>All Students</b>  Green 0.7 Maintained +0.1 293	<b>English Learners</b>  No Performance Color Less than 11 Students - Data Not 10	<b>Foster Youth</b>  No Performance Color Less than 11 Students - Data Not 1
<b>Homeless</b>  No Performance Color 0 Maintained 0 14	<b>Socioeconomically Disadvantaged</b>  Blue 0 Declined -1.7 99	<b>Students with Disabilities</b>  Green 1.9 Declined -0.3 52

### 2019 Fall Dashboard Suspension Rate by Race/Ethnicity

<b>African American</b>  No Performance Color Less than 11 Students - Data 3	<b>American Indian</b>  No Performance Color Less than 11 Students - Data 7	<b>Asian</b>  No Performance Color Less than 11 Students - Data 1	<b>Filipino</b>  No Performance Color Less than 11 Students - Data 1
<b>Hispanic</b>  Blue 0 Declined -2.6 38	<b>Two or More Races</b>  No Performance Color Less than 11 Students - Data 5	<b>Pacific Islander</b>  No Performance Color Less than 11 Students - Data 5	<b>White</b>  Yellow 0.9 Increased +0.5 233

This section provides a view of the percentage of students who were suspended.

### 2019 Fall Dashboard Suspension Rate by Year

2017	2018	2019
	0.6	0.7

#### Conclusions based on this data:

- Although the overall number of suspensions is small, the results can appear very dramatic depending on the student's profile.

# Goals, Strategies, & Proposed Expenditures

## Goal 1

### Subject

Academic Programs

### Goal Statement

Sutter's Mill School will provide academic programs that will lead to high achievement by implementing academic content and performance standards adopted by the state board for all pupils, including English learners by appropriately assigning highly qualified teachers, and providing all students access to standards-aligned instructional materials.

### LCAP Goal

Overall achievement in meeting grade level standards for English Language Arts and Math will increase.

### Basis for this Goal

The 18-19 CAASPP results show that there are steps that can be made to increase growth. Local measures will be used to determine progress during the year. These measures may include student work samples and district approved assessments

### Expected Annual Measurable Outcomes

Metric/Indicator	Baseline	Expected Outcome
District approved assessments and CAASPP data	CAASPP scores from current year	One year's growth and improved CAASPP scores
Student Access to Standards Aligned Instructional Materials	All students currently have access to standards aligned materials.	All students will continue to have access to standards aligned materials.
Teachers will all be fully credentialed by the California Commission on Teacher Credentialing	All teachers are fully credentialed by the California Commission on Teacher Credentialing	All teachers will continue to be fully credentialed by the California Commission on Teacher Credentialing

### Planned Strategies/Activities

#### Strategy/Activity 1

Academic programs in all academic areas will be facilitated using teachers with credentials provided by the California Commission on Teacher Credentialing, utilizing curriculum in alignment with the California Common Core State Standards. Academic interventions, resources specialists, Student Success Teams, and enrichment activities will help support and enhance student learning both in and beyond core academic areas.

#### Students to be Served by this Strategy/Activity

All Students

#### Timeline

2019-20

**Person(s) Responsible**

Principal, Teachers & Staff

**Proposed Expenditures for this Strategy/Activity**

Amount	983,083.00
Source	LCFF
Budget Reference	1000-1999: Certificated Personnel Salaries
Description	Certificated Teachers 13.7 FTE

**Strategy/Activity 2**

Teachers will use technology for curriculum delivery and will provide tools to use in the classroom. The district will continue to update technology equipment and provide access and training to improve technology skills.

**Students to be Served by this Strategy/Activity**

All Students

**Timeline**

2019-20

**Person(s) Responsible**

Sutter's Mill Staff

**Proposed Expenditures for this Strategy/Activity**

Amount	19,761.00
Source	Unrestricted
Budget Reference	5000-5999: Services And Other Operating Expenditures
Description	Technology Support staff, 0.25 FTE, Technology Equipment for the classroom,

**Strategy/Activity 3**

Continue to support school site libraries and staffing to provide student access.

**Students to be Served by this Strategy/Activity**

All Students

**Timeline**

18/19

**Person(s) Responsible**

Sutter's Mill Staff

**Proposed Expenditures for this Strategy/Activity**

Amount	12,763.00
Source	Unrestricted

**Budget Reference**

2000-2999: Classified Personnel Salaries

**Description**

0.44 FTE Library Tech



# Goals, Strategies, & Proposed Expenditures

## Goal 2

### Subject

Course of Study

### Goal Statement

Find creative ways to provide a broad course of study and facilitating professional development allowing for a more enriched and broad educational experience accounting for all student demographic groups including homeless youth, Foster youth, English learners and socio-economically disadvantaged youth.

### LCAP Goal

All students will have access to a high quality education that ensures college and career readiness in the 21st Century.

### Basis for this Goal

All students need a broad course of student taught by qualified teachers to succeed in college and career readiness for the 21st Century.

### Expected Annual Measurable Outcomes

Metric/Indicator	Baseline	Expected Outcome
CAASPP data for unduplicated students.	Current school year CAASPP data for unduplicated students.	Students show an increase in their achievement.
Professional development opportunities for teachers	Current professional development opportunities for teachers	Continue providing professional development opportunities for teachers to improve instruction
Support programs for unduplicated student groups and students with disabilities	Current levels of support programs for unduplicated student groups and students with disabilities	Continue providing support programs and be active in response to the changes in needs

### Planned Strategies/Activities

#### Strategy/Activity 1

Supports shall be provided to all students to assist them in their academic success. Strategies such as intervention programs, resource specialists, Student Success Teams, and other activities shall be implemented to achieve student progress supporting unduplicated students and students with disabilities. Sutter's Mill School will continually monitor instruction and programs to ensure they are responsive to student needs.

#### Students to be Served by this Strategy/Activity

All Students

#### Timeline

2019-20

#### Person(s) Responsible

Sutter's Mill Staff

### Proposed Expenditures for this Strategy/Activity

Amount	19,800.00
Source	Special Education
Budget Reference	2000-2999: Classified Personnel Salaries
Description	0.265 Educationally Related Health Care Counselor

### Strategy/Activity 2

Professional Development will be supported to build capacity in staff to support student achievement. This includes District and site trainings, County Office of Education offerings, and other approved courses, workshops, and trainings.

### Students to be Served by this Strategy/Activity

All Students

### Timeline

2019-20

### Person(s) Responsible

Sutter's Mill Staff

### Proposed Expenditures for this Strategy/Activity

Amount	2,437.00
Source	Title II Part A: Improving Teacher Quality
Budget Reference	1000-1999: Certificated Personnel Salaries
Description	Training opportunities, release time and supplies

# Goals, Strategies, & Proposed Expenditures

## Goal 3

### Subject

School Environment

### Goal Statement

Provide a physically and emotionally safe environment for the school community by keeping facilities in good repair, engaging stakeholder groups in decision-making, and encourage connectedness through participation in school programs.

### LCAP Goal

Involve parents, family and community stakeholders as direct partners in education.

We will provide a physically and emotionally safe environment culturally responsible to all students.

### Basis for this Goal

Students will learn best in a physically and emotionally safe environment where the school and the community work conjunctively to enhance student learning and achievement. Student opportunities for learning in such an environment will allow them to see the greater impact of education on the world.

### Expected Annual Measurable Outcomes

Metric/Indicator	Baseline	Expected Outcome
Facilities Inspection Tool Report	Current Facilities Inspection Tool	Maintain and Improve Facilities
California Healthy Kids Survey	Current measure of California Healthy Kids Survey	Improved measures on the California Healthy Kids Survey

### Planned Strategies/Activities

#### Strategy/Activity 1

Improve facilities functions through improvements in maintenance infrastructure and other facilities improvements.

#### Students to be Served by this Strategy/Activity

All Students

#### Timeline

2019-20

#### Person(s) Responsible

Administration, Maintenance

#### Proposed Expenditures for this Strategy/Activity

Amount

57,055.00

<b>Source</b>	LCFF
<b>Budget Reference</b>	2000-2999: Classified Personnel Salaries
<b>Description</b>	0.5 FTE Site Maintenance Coordinator, 0.5 FTE Maintenance Supervisor

## Strategy/Activity 2

Use school functions such as performing arts events, field trips, PTO events such as the Harvest Festival, and other social opportunities to enhance community interaction at Sutter's Mill School. Use positive behavior strategies to improve student behavior and improve school climate.

### Students to be Served by this Strategy/Activity

All Students

### Timeline

2019-20

### Person(s) Responsible

All Staff

### Proposed Expenditures for this Strategy/Activity

<b>Amount</b>	2,000.00
<b>Source</b>	LCFF
<b>Budget Reference</b>	4000-4999: Books And Supplies
<b>Description</b>	Learning software, English Language Learner Parent nights, Technology Night for Parents

## Strategy/Activity 3

Support a behaviorist or behaviorist associate position.

### Students to be Served by this Strategy/Activity

All Students

### Timeline

2019-20

### Person(s) Responsible

Administration

### Proposed Expenditures for this Strategy/Activity

<b>Amount</b>	31,374.00
<b>Source</b>	Title I
<b>Budget Reference</b>	2000-2999: Classified Personnel Salaries
<b>Description</b>	0.75 FTE Behavioral Interventionist, Teacher Associates

Strategy/Activity 4

Students will be identified, provided supplemental materials and other support, and will be monitored during the year.

Students to be Served by this Strategy/Activity

Students identified under the McKinney-Vento program, Limited English Proficient students, and Immigrant students

Timeline

2019-20

Person(s) Responsible

Administration

Proposed Expenditures for this Strategy/Activity

Amount	1,200.00
Source	Local Categorical
Budget Reference	4000-4999: Books And Supplies
Description	School Supplies, snacks, staff professional development, Physical Education clothing

# Annual Review and Update

**SPSA Year Reviewed: 2018-19**

## Goal 1

Students will make one year's growth in language arts and math based on local assessments. Students not making satisfactory progress will be referred to the Student Success Team.

## Annual Measurable Outcomes

Metric/Indicator	Expected Outcomes	Actual Outcomes
District approved assessments and CAASPP data	One year's growth and improved CAASPP scores	Improved CAASPP scores

## Strategies/Activities for Goal 1

Planned Actions/Services	Actual Actions/Services	Proposed Expenditures	Estimated Actual Expenditures
Academic programs in all academic areas will be facilitated using teachers with credentials provided by the California Commission on Teacher Credentialing, utilizing curriculum in alignment with the California Common Core State Standards. Academic interventions, resources specialists, Student Success Teams, and enrichment activities will help support and enhance student learning both in and beyond core academic areas.	Actions taken were funded by sources as planned.	Certificated Teachers 11.7 FTE 1000-1999: Certificated Personnel Salaries Title I Part A: Parent Involvement 851,665.00	Certificated Teachers 13.7 FTE 2000-2999: Classified Personnel Salaries Title I 992,848.00

## Analysis

Describe the overall implementation of the strategies/activities to achieve the articulated goal.

Actions were taken to support this goal such as augmentation to response to intervention strategies, and increased support for students with resource needs.

Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.

Student Success Team meetings were held for students identified as underperforming. Students with special needs were served by the increased support from resource specialists.

Explain any material differences between the Proposed Expenditures and Estimated Actual Expenditures.

No material differences experienced.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

This goal will be changed and aligned more closely with the district vision. Actions and services will reflect the needs in the realignment.

# Annual Review and Update

**SPSA Year Reviewed: 2018-19**

## Goal 2

Find creative ways to provide a broad course of study and facilitating professional development allowing for a more enriched and broad educational experience accounting for all student demographic groups including homeless youth, Foster youth, English learners and socio-economically disadvantaged youth.

## Annual Measurable Outcomes

Metric/Indicator	Expected Outcomes	Actual Outcomes
CAASPP data for unduplicated students.	Students show an increase in their achievement.	Students have increased their achievement

## Strategies/Activities for Goal 2

Planned Actions/Services	Actual Actions/Services	Proposed Expenditures	Estimated Actual Expenditures
Supports shall be provided to all students to assist them in their academic success. Strategies such as intervention programs, resource specialists, Student Success Teams, and other activities shall be implemented to achieve student progress supporting unduplicated students and students with disabilities. Sutter's Mill School will continually monitor instruction and programs to ensure they are responsive to student needs.	Actions taken were funded by sources as planned.	0.25 Educationally Related Health Care Counselor 2000-2999: Classified Personnel Salaries Special Education 17,500.00	0.25 Educationally Related Health Care Counselor 2000-2999: Classified Personnel Salaries Special Education 23,870.00
Professional Development will be supported to build capacity in staff to support student achievement. This includes District and site trainings, County Office of Education offerings, and other approved courses, workshops, and trainings.	Actions taken were funded by sources as planned.	Training Opportunities, release time and supplies 1000-1999: Certificated Personnel Salaries Title II Part A: Improving Teacher Quality 6,494.00	Training Opportunities, release time and supplies 1000-1999: Certificated Personnel Salaries Title II Part A: Improving Teacher Quality 2,437.00



## Analysis

Describe the overall implementation of the strategies/activities to achieve the articulated goal.

Strategies and activities implemented as planned, although there was no Beginning Teacher at Sutter's Mill

Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.

Implementation of strategies and activities to achieve the goal were completed as planned.

Explain any material differences between the Proposed Expenditures and Estimated Actual Expenditures.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

This goal will be changed and aligned more closely with the district vision. Actions and services will reflect the needs in the realignment.

# Annual Review and Update

**SPSA Year Reviewed: 2018-19**

## Goal 3

Provide a physically and emotionally safe environment for the school community by keeping facilities in good repair, engaging stakeholder groups in decision-making, and encourage connectedness through participation in school programs.

## Annual Measurable Outcomes

Metric/Indicator	Expected Outcomes	Actual Outcomes
Facilities Inspection Tool Report	Maintain and Improve Facilities	Maintain and Improve Facilities

## Strategies/Activities for Goal 3

Planned Actions/Services	Actual Actions/Services	Proposed Expenditures	Estimated Actual Expenditures
Improve facilities functions through improvements in maintenance infrastructure and other facilities improvements.	Actions and services provided as planned	0.5 FTE Site Maintenance Coordinator, 0.5 FTE Maintenance Supervisor 2000-2999: Classified Personnel Salaries LCFF 42,000.00	0.5 FTE Site Maintenance Coordinator, 0.5 FTE Maintenance Supervisor 2000-2999: Classified Personnel Salaries LCFF 55,000.00
Use school functions such as performing arts events, field trips, PTO events such as the Harvest Festival, and other social opportunities to enhance community interaction at Sutter's Mill School. Use positive behavior strategies to improve student behavior and improve school climate.	Actions and services provided as planned.	Learning software, English Language Learner Parent nights, Technology Night for Parents 5000-5999: Services And Other Operating Expenditures LCFF 2,000.00	Learning software, English Language Learner Parent nights, Technology Night for Parents 5000-5999: Services And Other Operating Expenditures LCFF 2,000.00
Support a behaviorist or behaviorist associate position.	Actions and services provided as planned.	0.25 FTE Behavioral Interventionist, Teacher Associates 2000-2999: Classified Personnel Salaries Title I 31,548.00	0.25 FTE Behavioral Interventionist, Teacher Associates 2000-2999: Classified Personnel Salaries Title I 32,399.00
Students will be identified, provided supplemental materials and other support, and will be monitored during the year.	Actions and services provided as planned.	School Supplies, snacks, staff professional development, Physical Education clothing 4000-4999: Books And Supplies Local Categorical 1,200.00	School Supplies, snacks, staff professional development, Physical Education clothing 4000-4999: Books And Supplies Local Categorical 1,500.00

## Analysis

Describe the overall implementation of the strategies/activities to achieve the articulated goal.

Strategies and activities implemented as planned.

Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.

Implementation of strategies and activities to achieve the goal were completed as planned.

Explain any material differences between the Proposed Expenditures and Estimated Actual Expenditures.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

This goal will be changed and aligned more closely with the district vision. Actions and services will reflect the needs in the realignment.

## Budget Summary and Consolidation

The Budget Summary is required for schools funded through the ConApp. The Consolidation of Funds is required for a school receiving funds allocated through the ConApp and consolidating those funds as part of a schoolwide program.

## Budget Summary

Description	Amount
Total Funds Provided to the School Through the Consolidated Application	59,443.00
Total Funds Budgeted for Strategies to Meet the Goals in the SPSA	1,129,473.00

## Allocations by Funding Source

Funding Source	Amount	Balance
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## Expenditures by Funding Source

Funding Source	Amount
LCFF	1,042,138.00
Local Categorical	1,200.00
Special Education	19,800.00
Title I	31,374.00
Title II Part A: Improving Teacher Quality	2,437.00
Unrestricted	32,524.00

## Expenditures by Budget Reference

Budget Reference	Amount
1000-1999: Certificated Personnel Salaries	985,520.00
2000-2999: Classified Personnel Salaries	120,992.00
4000-4999: Books And Supplies	3,200.00
5000-5999: Services And Other Operating Expenditures	19,761.00

## Expenditures by Budget Reference and Funding Source

Budget Reference	Funding Source	Amount
1000-1999: Certificated Personnel Salaries	LCFF	983,083.00
2000-2999: Classified Personnel Salaries	LCFF	57,055.00
4000-4999: Books And Supplies	LCFF	2,000.00
4000-4999: Books And Supplies	Local Categorical	1,200.00
2000-2999: Classified Personnel Salaries	Special Education	19,800.00
2000-2999: Classified Personnel Salaries	Title I	31,374.00
1000-1999: Certificated Personnel Salaries	Title II Part A: Improving Teacher Quality	2,437.00
2000-2999: Classified Personnel Salaries	Unrestricted	12,763.00
5000-5999: Services And Other Operating Expenditures	Unrestricted	19,761.00

# School Site Council Membership

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

1 School Principal

3 Classroom Teachers

Other School Staff

4 Parent or Community Members

Name of Members	Role
Barbara Wagner	Classroom Teacher
Mike Lenau	Parent or Community Member
Diana Still	Parent or Community Member
Aidan Harte	Parent or Community Member
Amanda Butler	Classroom Teacher
Kathleen Ayre	Classroom Teacher
Scott Lyons	Principal

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



# Recommendations and Assurances

The School Site Council (SSC) recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.

The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the School Plan for Student Achievement (SPSA) requiring board approval.

The SSC sought and considered all recommendations from the following groups or committees before adopting this plan:

**Signature**

**Committee or Advisory Group Name**

Other: District Advisory Committee

The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.

This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.

This SPSA was adopted by the SSC at a public meeting on March 19, 2020.

Attested:

Principal, Scott Lyons on

SSC Chairperson, Scott Lyons on

# Addendum

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For questions related to specific sections of the template, please see instructions below:

## Instructions: Linked Table of Contents

Stakeholder Involvement

Goals, Strategies, & Proposed Expenditures

Planned Strategies/Activities

Annual Review and Update

Budget Summary and Consolidation

Appendix A: Plan Requirements for Schools Funded Through the ConApp

Appendix B: Select State and Federal Programs

For additional questions or technical assistance related to completion of the SPSA template, please contact the Local Educational Agency, or the CDE's Title I Policy and Program Guidance Office at [TITLEI@cde.ca.gov](mailto:TITLEI@cde.ca.gov).

## Stakeholder Involvement

Meaningful involvement of parents, students, and other stakeholders is critical to the development of the SPSA and the budget process. As such, the SPSA should be shared with, and schools should request input from, school site-level advisory groups, as applicable (e.g., English Learner Advisory Councils, student advisory groups, etc.).

Describe the process used to involve advisory committees, parents, students, school faculty and staff, and the community in the development of the SPSA and the annual review and update.

Goals, Strategies, & Proposed Expenditures

In this section a school provides a description of the annual goals to be achieved by the school. This section also includes descriptions of the specific planned strategies/activities a school will take to meet the identified goals, and a description of the expenditures required to implement the specific strategies and activities.

## Goal

State the goal. A goal is a broad statement that describes the desired result to which all strategies/activities are directed. A goal answers the question: What is the school seeking to achieve? A school may number the goals using the "Goal #" for ease of reference.

## Basis for this Goal

Describe the basis for establishing the goal. The goal should be based upon an analysis of verifiable state data, including state indicator data from the California School Dashboard (Dashboard) and data from the School Accountability Report Card, and may include any data voluntarily developed by districts to measure pupil achievement.

## Expected Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that the school will use as a means of evaluating progress toward accomplishing the goal. A school may identify metrics for specific student groups. Include in the baseline column the most recent data associated with the metric or indicator available at the time of adoption of the SPSA. The most recent data associated with a metric or indicator includes data reported in the annual update of the SPSA. In the subsequent Expected Outcome column, identify the progress the school intends to be make in the coming year.

## Planned Strategies/Activities

Describe the strategies and activities being provided to meet the described goal. Strategies and activities that are implemented to achieve the identified goal may be grouped together. A school may number the strategy/activity using the "Strategy/Activity #" for ease of reference.

A school receiving funds allocated through the ConApp is required to describe in their strategies and activities how they will address specific state and federal requirements. A list of these requirements may be found in Appendix A: Plan Requirements for Schools Funded Through the ConApp. At a minimum a school receiving funds allocated through the ConApp must address these requirements; however, a school may describe additional strategies/activities as well.

## **Students to be Served by this Strategy/Activity**

Indicate in this box which students will benefit from the strategies/activities by indicating “All Students” or listing one or more specific student group(s) to be served.

## **Proposed Expenditures for this Strategy/Activity**

For each strategy/activity, list and describe the proposed expenditures for the school year to implement these strategies/activities, including where those expenditures can be found in the school’s budget. The school should reference all fund sources for each proposed expenditure and should provide budget references as an object code or an object code description.

Proposed expenditures that are included more than once in a SPSA should be indicated as a duplicated expenditure and include a reference to the goal and strategy/activity where the expenditure first appears in the SPSA.

## **Annual Review and Update**

The planned goals, expected outcomes, planned strategies/activities, and proposed expenditures must be copied verbatim from the previous year’s approved SPSA. Minor typographical errors may be corrected.

### **Annual Measurable Outcomes**

For each goal in the prior year, provide the metric/indicators, the expected outcomes, and the actual outcomes; review the actual outcomes as compared to the expected outcomes identified in the prior year for the goal.

### **Strategies/Activities**

Identify the planned strategies/activities and the proposed expenditures to implement these strategies/activities toward achieving the described goal, then identify the actual strategies/activities implemented to meet the described goal and the estimated actual expenditures to implement the strategies/activities. As applicable, identify any changes to the student groups served.

## **Analysis**

Using actual outcome data, including state indicator data from the Dashboard, analyze whether the planned strategies/activities were effective in achieving the goal. Respond to the prompts as instructed.

- Describe the overall implementation of the strategies/activities to achieve the articulated goal. Include a discussion of relevant challenges and successes experienced with the implementation process.
- Describe the overall effectiveness of the strategies/activities to achieve the articulated goal as measured by the school.
- Explain any material differences between Proposed Expenditures and Estimated Actual Expenditures. Minor variances in expenditures or a dollar-for-dollar accounting is not required.
- Describe any changes that will be made to the goal, expected annual measurable outcomes, metrics/indicators, or strategies/activities to achieve this goal as a result of this analysis and analysis of the data provided in the Dashboard, as applicable. Identify where those changes can be found in the SPSA.

## Budget Summary and Consolidation

In this section a school provides a brief summary of the funding allocated to the school through the ConApp and/or other funding sources as well as the total amount of funds for proposed expenditures described in the SPSA. The Budget Summary is required for schools funded through the ConApp. The Consolidation of Funds is required for a school receiving funds allocated through the ConApp and consolidating those funds as part of a schoolwide program.

### Budget Summary

A school receiving funds allocated through the ConApp should complete the Budget Summary as follows:

- **Total Funds Provided to the School Through the Consolidated Application:** This amount is the total amount of funding provided to the school through the ConApp for the school year. The school year means the fiscal year for which a SPSA is adopted or updated.
- **Total Funds Budgeted for Strategies to Meet the Goals in the SPSA:** This amount is the total of the proposed expenditures from all sources of funds associated with the strategies/activities reflected in the SPSA. To the extent strategies/activities and/or proposed expenditures are listed in the SPSA under more than one goal, the expenditures should be counted only once.

A school may include additional information or more detail.

### Consolidation of Funds

A school receiving funds allocated through the ConApp and consolidating those funds as part of a schoolwide program is required to include a list of state and local programs and other federal programs that the school will consolidate in the schoolwide program. A list of commonly consolidated state and federal programs is provided in Appendix B: Select State and Federal Programs. List the federal funding source(s) and the amount(s) being consolidated in the schoolwide program, then list the state and/or local funding source(s) and the amount(s). Adjust the table as needed.

# **Appendix A: Plan Requirements for Schools Funded Through the ConApp**

## **Basic Plan Requirements**

A school receiving funds allocated through the ConApp is required to develop a SPSA. The content of a SPSA must be aligned with school goals for improving student achievement. School goals must be based upon an analysis of verifiable state data and may include any data voluntarily developed by districts to measure student achievement.

The SSC is required to develop the SPSA, which must address each of the following, as applicable:

1. A description of curricula, instructional strategies and materials responsive to the individual needs and learning styles of each student (described in the Strategies/Activities).
2. A description of instructional and auxiliary services to meet the special needs of non-English-speaking or limited-English-speaking students, including instruction in a language these students understand; educationally disadvantaged students; gifted and talented students; and students with exceptional needs (described in the Strategies/Activities).
3. A description of a staff development program for teachers, other school personnel, paraprofessionals, and volunteers, including those participating in special programs (described in the Strategies/Activities).
4. An identification of the schools' means of evaluating progress toward accomplishing its goals (described in the Expected Annual Measurable Outcomes) and an ongoing evaluation of the educational program of the school (described in the Annual Review and Update).
5. A description of how funds provided to the school through the ConApp will be used to improve the academic performance of all pupils to the level of state performance goals (described in the Proposed Expenditures for Strategies/Activities).
6. The proposed expenditures of funds available to the school through the programs described in EC Section 52851. For purposes of this subdivision, proposed expenditures of funds available to the school must include, but not be limited to, salaries and staff benefits for persons providing services for those programs (described in the Proposed Expenditures for Strategies/Activities).
7. The proposed expenditure of funds available to the school through the federal Improving America's Schools Act of 1994 and its amendments. If the school operates a state-approved schoolwide program in a manner consistent with the expenditure of funds available to the school pursuant to EC Section 52851, employees of the schoolwide program may be deemed funded by a single cost objective.
8. A description of how state and federal law governing programs identified in EC Section 64000 will be implemented, as applicable (described in the Strategies/Activities).
9. A description of any other activities and objectives as established by the SSC (described in the Strategies/Activities).

The SPSA, including proposed expenditures of funds allocated to the school through the ConApp, must be reviewed annually and updated by the SSC.

Authority cited: EC sections 64001(f)-(g) and 52853(a)(1)-(7).

## Schoolwide Program Requirements

A school receiving funds allocated through the ConApp and operating a schoolwide program (SWP) must describe how the school will carry out each of the following components:

1. A description of the strategies that the school will be implementing to address school needs, including a description of how such strategies will
  - a. provide opportunities for all students, including socioeconomically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and English learners, to meet the challenging state academic standards.
  - b. use effective methods and instructional strategies based on scientifically based research that
    - i. strengthen the core academic program in the school;
    - ii. provide an enriched and accelerated curriculum;
    - iii. increase the amount and quality of learning time;
    - iv. include strategies for meeting the educational needs of historically underserved populations;
    - v. help provide an enriched and accelerated curriculum; and
    - vi. are consistent with, and are designed to implement, state and local improvement plans, if any.
  - c. address the needs of all students in the school, but particularly the needs of those at risk of not meeting the challenging state academic standards, through activities which may include the following:
    - i. strategies to improve students' skills outside the academic subject areas;
    - ii. preparation for and awareness of opportunities for postsecondary education and the workforce;
    - iii. implementation of a schoolwide tiered model to prevent and address problem behavior;
    - iv. professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data; and
    - v. strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.
2. A description of how the school will determine if school needs have been met (described in the Expected Annual Measurable Outcomes and the Annual Review and Update).
3. A description of how the school will ensure instruction by highly qualified teachers and provide ongoing professional development, including
  - a. strategies to attract highly qualified teachers;
  - b. providing high-quality and ongoing professional development that is aligned with the state's academic standards for teachers, principals, paraprofessionals and, if appropriate, pupil services personnel, parents, and other staff, to enable all students in the school to meet the state's academic standards;
  - c. the devotion of sufficient resources to effectively carry out professional development activities; and
  - d. the inclusion of teachers in professional development activities regarding the use of academic assessments to enable them to provide information on, and to improve, the achievement of individual students and the overall instructional program.
4. A description of how the school will ensure parental involvement in the planning, review, and improvement of the schoolwide program plan (described in Stakeholder Involvement and/or Strategies/Activities).
5. A description of the activities the school will include to ensure that students who experience difficulty attaining proficient or advanced levels of academic achievement standards will be provided with effective, timely additional support, including measures to
  - a. Ensure that those students' difficulties are identified on a timely basis; and
  - b. Provide sufficient information on which to base effective assistance to those students.
6. For an elementary school, a description of how the school will assist preschool students in the successful transition from early childhood programs to the school.
7. A description of how the school will use resources to carry out these components (described in the Proposed Expenditures for Strategies/Activities).

Authority Cited: Title 34 of the Code of Federal Regulations (34 CFR) sections 200.27(a)(3)(i)-(iii) and 200.28 and section 1114(b)(7)(A)(i)-(iii) and 1118(b) of the ESEA.

## **Appendix B: Select State and Federal Programs**

### **Federal Programs**

Title I, Part A: School Allocation  
Title I, Part A: School Parent and Family Engagement Allocation  
Title I, Part A: Targeted Support and Improvement Allocation  
Title I, Part C: Education of Migratory Children  
Title II, Part A: Supporting Effective Instruction  
Title III, Part A: Language Instruction for English Learners and Immigrate Youth  
Title IV Part A: Student Support and Academic Enrichment Grants  
Title IV Part B: 21st Century Community Learning Centers  
Title V, Part B: Rural Education Initiative  
Title VI, Part A: Indian, Native Hawaiian, and Alaska Native Education

### **State or Local Programs**

After School Education and Safety Program  
American Indian Education  
Child Development Programs  
Economic Impact Aid/State Compensatory Education (carryover funds)  
Economic Impact Aid/Limited English Proficient (carryover funds)  
California Foster Youth Services  
California Partnership Academies  
California Tobacco-Use Prevention Education Program

**AGENDA ITEM 15**

**ACTION: 2018-2021 Gold Trail Federation of Educators: Certificated Employees Collective Bargaining Agreement**

**BACKGROUND**

Before the Board approves any agreement, the Superintendent and chief business official shall certify in writing that any costs incurred by the district under the agreement can be met by the district during the term of the agreement. The certification shall itemize any budget revision necessary to meet the costs of the agreement in each year of its term. (*Government Code 3547.5, BP4143.1*) The District will ratify the collective bargaining agreement.

**ATTACHMENTS**

- AB 1200 Disclosure
- 2018-2021
- Certificated Agreement

**BUDGETED**

☐ NA      ☒ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

Taking into consideration public comment, the Board will take action to ratify the agreement,

**NOTES**

<i><b>ACTION</b></i>		<i>Moved</i>		<i>Seconded</i>	
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>					
<i>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>



**DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT**  
**In Accordance with AB1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5; CCR, Title V, Section 15449**

**SELECT DISTRICT HERE:**

**Gold Trail School District**

The proposed agreement is a 1 year agreement that covers the period beginning 7/1/2019 and ending 6/30/2020, and will be acted upon by the Governing Board at its meeting on April 2nd, 2020. The General Fund is impacted as follows. Impact on other funds is addressed in the narrative.

Bargaining Unit Group	Check one by marking with "X"	Cost of 1% *
Certificated	X	\$ 30,322
Classified	X	\$ 11,542
Confidential/Management	X	\$ 10,443
Other		\$ -

\* includes salary and related benefits, e.g. STRS, PERS, Workers Compensation, Unemployment

**A. Proposed Change in Compensation**

	Compensation	\$ Fiscal Impact of Proposed Agreement			%		
		Year 1 FY -	Year 2 FY -	Year 3 FY -	Year 1 FY -	Year 2 FY -	Year 3 FY -
1	Salary Schedule - Increase(Decrease)	39,858	38,460	38,460	Cost of 1%:	\$ 52,307	
2	Step and Column - Increase (Decrease) due to movement plus any changes due to settlement	-	-	-	0.76%	0.74%	0.74%
3	Other Compensation (complete description below)	14,393	-	-	0.00%	0.00%	0.00%
4	Statutory Benefits - Increase (Decrease) in STRS, PERS, FICA, WC, UI, Medicare, etc. (may be included in costs above or shown separately)	-	4.31%	1.88%	0.28%	0.00%	0.00%
5	Health/Welfare Benefits - Increase (Decrease)	15,227	15,883	16,168	0.00%	0.00%	0.00%
6	Total Compensation	69,478	54,343	54,628	0.29%	0.30%	0.31%
7	Total Number of Represented Employees	80	77	77	1.33%	1.04%	1.04%
8	Total Compensation Average Cost per Employee - Increase (Decrease)	866	706	709			

9 **Other Compensation - Increase (Decrease)**  
**(Stipends, Bonuses, etc.) Provide Description Below**

We agreed to a 1.1% increase ongoing on the salary schedule for each unit. We then are issuing a 0.3% onetime payment for each certificated teacher on steps 1 through 19, all columns, split evenly among all teachers, \$328 each. A one-time payment of \$100 for each certificated employee which equals \$3,700.00. A 0.3% of their current salary, one-time payment for each confidential and administration employee.

- 10 **Were any additional steps, columns, or ranges added to the schedules?** **YES** **NO**  
*If YES, please explain below*

- 11 **Does this bargaining group have a negotiated cap for Health and Welfare benefits?** **YES** **NO**  
*If YES, please indicate the cap amount.*

\$9,288.00 annually
\$7,827.00 annually

Certificated/Management/Confidential  
Classified

- A. Proposed change in compensation.** Provide a brief narrative of the proposed change in compensation, including percentage change(s), effective date(s), and comments and explanations as necessary

There is a 1.1% increase ongoing on the salary schedule for all teachers on steps 1 through 24 spread evenly, \$800 per annum for each teacher, no increase for teachers on steps 25 and 26. There is a onetime payment for all teachers on steps 1 through 19, the equivalent of 0.5% of their individual salaries, divided evenly among each teacher for a total of \$328 each. There is a 1.1% increase for all classified employees split evenly over the entire salary schedule resulting in a \$0.23 increase on every step. Each classified employee is also receiving a \$100 onetime payment. There is a 1.1% increase on the

- B. Proposed negotiated changes in non-compensation items** (e.g. class size adjustments, staff development days, teacher prep time, etc.)

Class size: Although the District has established class size maximum of 24 students in TK, 29 students in K-3 (excluding Physical Education and Performing Arts), and 35 students in 4-8 (excluding Physical Education and Performing Arts), the goal of the District is to keep class sizes at or below the following student/teacher ratios:

20:1 TK

26:1 K- 3

- C. What are the specific impacts on instructional and support programs to accommodate the settlement?** Include the impact of non-negotiated changes such as staff reductions and program reductions/eliminations.

We are not budgeting for any reductions in programs. We are budgeting for a reduction of 1.0 Certificated FTE in 2020-21 and 1.0 classified FTE in 2020-21. We have had four employees accept a retirement incentive, we are only replacing three of those teachers. We plan for a reduction of at least 1 FTE in classified.

- D. What contingency language is included in the proposed agreement?** Include specific areas identified for reopeners, applicable fiscal years, and specific contingency language.

1. This Agreement shall constitute the entire agreement for the 2019-2021 contract years and thereafter until a successor agreement is negotiated.

2. For the 2020-21 school year, the parties shall reopen each year on salary and benefits and up to additional two (2) articles selected by each party.

- E. Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.**

- F. Will this agreement create, or increase an operating deficit in the current or subsequent year(s)?** An operating deficit is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If yes, explain the amounts and justification for doing so.

No, it will not create a deficit in this year or 2020-21 fiscal year. The district has made corresponding offsets to afford the salary increases and avoid creating a deficit in those two years. We will remain in a qualified status as we are unable to meet our obligations in the third year, however we have reduced that deficit as a result of reduction in FTE and the likelihood that we will have major reduction in our salary costs due to certificated and classified retirements at the end of this school year.

- G. Source of funding for proposed agreement.**

Current year:

We have increased on enrollment in 2019-20 from projections at adopted budget by 20 students. We are also projecting an increase in LCFF funding for FY 2020-21.

How will ongoing cost of the proposed agreement be funded in future years?

General fund

If multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in future years? (Remember to include compounding effects in meeting obligations).

I am using the assumptions from our 2019-20 2nd interim report. COLA 3.26%, GAP funding rate of 100% and ADA of 627.00

For multi-year agreements, please provide a multi-year financial projection covering the term of the agreement. Include all assumptions used in the projections enrollment growth, COLA, deficits, etc.

- H. Describe the financial impact on other funds affected by the proposed settlement - consider Cafeteria, Adult Education, Deferred Maintenance**

**I. Impact of Proposed Agreement on Current Year Unrestricted Reserves**

## 1. State Reserve Standard (after impact of Proposed Agreement)

a. Total expenditures, transfers out, and uses (including cost of proposal)	\$ 6,890,598
b. State Standard Minimum EUR Percentage for this district	4.00%
c. State Standard Minimum EUR amount for this district	\$ 275,624
<i>(greater of line 1-c or \$65,000 for districts w/less than 100 ADA)</i>	

2. Budgeted Unrestricted reserve (after impact of Proposed Agreement)

a. General Fund budgeted Unrestricted EUR	\$ 284,000.00
b. General Fund budgeted Unrestricted Unappropriated amount	\$ 64,437
c. Special Reserve Fund budgeted EUR	\$ -
d. Special Reserve Fund budgeted Unappropriated amount	\$ 61,989
<b>e. Total District budgeted Unrestricted reserves</b>	<b>\$ 410,426</b>

## 3. Do Unrestricted reserves meet the state minimum standard amount?

Yes

☒

No

☐

**IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**

In accordance with E.C. 42142

Date of governing board approval of budget revisions in Col. 2 March 12th 2020

If the board approved revisions are different from the proposed revisions in Col. 2, provide an updated report upon approval of the district governing board.

**IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS**

In accordance with E.C. 42142

	<b>Current Year 1: 2019-20</b>				<b>Year 2: 2020-21</b>				<b>Year 3: 2021-22</b>			
	(Col. 1) Latest Board- approved budget before settlement (as of 1st Interim)	(Col. 2) Revisions Necessary as a result of proposed settlement	(Col. 3) Other Revisions	(Col. 4) Total impact on budget (col. 1+2+3)	(Col. 5) Latest Board- approved MYP before settlement	(Col. 6) Revisions Necessary as a result of proposed settlement	(Col. 7) Other Revisions	(Col. 8) Total impact on budget (col. 5+6+7)	(Col. 9) Latest Board- approved MYP before settlement	(Col. 10) Revisions Necessary as a result of proposed settlement	(Col. 11) Other Revisions	(Col. 12) Total impact on budget (col. 9+10+11)
<b>REVENUES</b>												
LCFF Sources (8010-8099)	5,665,623		6,431	\$ 5,672,054	\$ 5,740,814		34315	\$ 5,775,129.00	\$ 5,666,245		718	\$ 5,666,963.00
Remaining Revenues (8100-8799)	893,211		(8,977)	\$ 884,234	\$ 869,383		26914	\$ 896,297.00	\$ 859,627		37649	\$ 897,276.00
<b>TOTAL REVENUES</b>	<b>6,558,834</b>	<b>-</b>	<b>(2,546)</b>	<b>\$ 6,556,288</b>	<b>6,610,197</b>	<b>-</b>	<b>61,229</b>	<b>\$ 6,671,426.00</b>	<b>6,525,872</b>	<b>-</b>	<b>38,367</b>	<b>\$ 6,564,239.00</b>
<b>EXPENDITURES</b>												
1000 Certificated Salaries	2,644,654	32,322	17,514	\$ 2,694,490	\$ 2,614,238	\$ 21,760	-91176	\$ 2,544,822.00	\$ 2,536,429	\$ 21,760	48888	\$ 2,607,077.00
2000 Classified Salaries	1,357,653	21,929	(23,547)	\$ 1,356,035	\$ 1,356,981	\$ 16,700	-65874	\$ 1,307,807.00	\$ 1,343,336	\$ 16,700	-39381	\$ 1,320,655.00
3000 Employee Benefits	1,740,269	15,227	203,233	\$ 1,958,729	\$ 1,769,482	\$ 15,883	-31681	\$ 1,753,684.00	\$ 1,752,302	\$ 16,168	3388	\$ 1,771,858.00
4000 Books and Supplies	316,866	-	-	\$ 316,866	\$ 334,089	\$ -	-2419	\$ 331,670.00	\$ 350,444	\$ -	-2786	\$ 347,658.00
5000 Services and Operating Expenses	650,679	-	-	\$ 650,679	\$ 670,199	\$ -	-4619	\$ 665,580.00	\$ 688,965	\$ -	-5348	\$ 683,617.00
6000 Capital Outlay	30,820	-	-	\$ 30,820	\$ 20,000	\$ -	0	\$ 20,000.00	\$ 20,000	\$ -	0	\$ 20,000.00
7000 Other	35,179	-	-	\$ 35,179	\$ 35,089	\$ -	0	\$ 35,089.00	\$ 35,089	\$ -	-85000	\$ (49,911.00)
<b>TOTAL EXPENDITURES</b>	<b>6,776,120</b>	<b>69,478</b>	<b>197,200</b>	<b>\$ 7,042,798</b>	<b>6,800,078.00</b>	<b>54,343.00</b>	<b>(195,769.00)</b>	<b>\$ 6,658,652.00</b>	<b>6,726,565.00</b>	<b>54,628.00</b>	<b>(80,239.00)</b>	<b>\$ 6,700,954.00</b>
<b>OPERATING SURPLUS (DEFICIT)</b>	<b>(217,286)</b>	<b>(69,478)</b>	<b>(199,746)</b>	<b>\$ (486,510)</b>	<b>(189,881.00)</b>	<b>(54,343.00)</b>	<b>256,998.00</b>	<b>\$ 12,774.00</b>	<b>(200,693.00)</b>	<b>(54,628.00)</b>	<b>118,606.00</b>	<b>\$ (136,715.00)</b>
Other Sources and Transfers In	-	-	-	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -	0	\$ -
Other Uses and Transfers Out	45,000	-	-	\$ 45,000	\$ 40,000	\$ -	0	\$ 40,000.00	\$ 40,000	\$ -	0	\$ 40,000.00
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>
	<b>(262,286)</b>	<b>(69,478)</b>	<b>(199,746)</b>	<b>\$ (531,510)</b>	<b>(229,881)</b>	<b>(54,343)</b>	<b>256,998</b>	<b>\$ (27,226.00)</b>	<b>\$ (240,693)</b>	<b>\$ (54,628)</b>	<b>118,606</b>	<b>\$ (176,715.00)</b>
<b>BEGINNING BALANCE</b>	<b>\$ 1,009,188</b>	<b>0</b>	<b>0</b>	<b>\$ 1,009,188</b>	<b>\$ 747,002</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 477,678.00</b>	<b>\$ 517,121</b>	<b>\$ -</b>	<b>0</b>	<b>\$ 450,452.00</b>
<b>ENDING BALANCE</b>	<b>\$ 746,902</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 477,678</b>	<b>\$ 517,121</b>	<b>\$ -</b>	<b>0</b>	<b>\$ 450,452.00</b>	<b>\$ 276,428</b>	<b>\$ -</b>	<b>0</b>	<b>\$ 273,737.00</b>

**Certification No. 1**

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Business Officer of \_\_\_\_\_ Gold Trail School District \_\_\_\_\_, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the Gold Trail Federation of Educators \_\_\_\_\_ Bargaining Unit, during the term of the agreement from \_\_\_\_\_ 7/1/2019 to \_\_\_\_\_ 6/30/2020 \_\_\_\_\_.

- ☒ The budget revisions necessary to meet the costs of the agreement in year of its term are reflected on pages 5 & 6 of this document.
- ☐ N/A - No budget revisions necessary.

\_\_\_\_\_  
District Superintendent (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Business Official (Signature)

\_\_\_\_\_  
Date

**Certification #2**

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the *Public Disclosure of Proposed Bargaining Agreement* in accordance with the requirement of AB 1200 and Government Code Section 3547.5.

\_\_\_\_\_  
District Superintendent or Designee (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
Phone

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on \_\_\_\_\_ April 2nd 2020 \_\_\_\_\_, took action to approve the proposed agreement with the Bargaining Unit.

\_\_\_\_\_  
President (or Clerk), Governing Board (Signature)

\_\_\_\_\_  
Date

# **Collective Bargaining Agreement**

**Between the**

**Board of Trustees  
Gold Trail Union School District**

**and the**

**Gold Trail Federation of Educators  
Certificated Employees  
AFT Local 4911**



## **Effective Dates**

**- July 1, 2018 through June 30, 2021 -**

**Ratified by GTFE: March 13, 2020**

**Adopted by the Board of Trustees: April 2, 2020**

## TABLE OF CONTENTS

	Page
Article I, Recognition .....	1
Article II, Savings .....	2
Article III, Effect of Agreement .....	3
Article IV, Non-Discrimination .....	4
Article V, Federation Rights .....	5
Article VI, District Rights .....	6
Article VII, Professional Dues and Payroll Deductions .....	7
Article VIII, Assignment and Transfers.....	8
Article IX, Evaluation.....	12
Article X, Employee Rights .....	14
Article XI, Hours of Employment.....	16
Article XII, Class Size/Working Conditions .....	18
Article XIII, Safety and Health .....	21
Article XIV, Leaves.....	22
Article XV, Salary and Benefits .....	29
Article XVI, Early Retirement Programs.....	31
Article XVII, Teacher Induction Program .....	33
Article XVIII, Peer Assistance and Review .....	34
Article XIX, Shared Contracts .....	41
Article XX, Grievance Procedure .....	44
Article XXI, Term of Agreement .....	47
Appendix A –2018-19 Certificated Salary Schedule	
Appendix B –Special Assignment Stipends	
Appendix C –Health Insurance Benefits	
Appendix D –Grievance Form	



## **Article I**

### **RECOGNITION**

The Board of Trustees of the Gold Trail Union School District (District) hereby recognizes the Gold Trail Federation of Educators, AFT Local 4911, AFL-CIO (Federation) as the exclusive representative of all certificated employees, excluding all management, supervisory, confidential, and short-term substitute employees.

## **Article II**

### **SAVINGS**

In the event that any provision of this Agreement is, or at any time shall be contrary to law or is deemed invalid as determined by a court of competent jurisdiction, legislative action or determination by the Public Employment Relations Board, all other provisions of the Agreement shall continue in effect. Such invalidation of a part or portion of this Agreement shall not invalidate any remaining portions. The District and the Federation shall meet upon request to discuss the invalidation and negotiate a replacement clause if necessary

### **Article III**

#### **EFFECT OF AGREEMENT**

It is understood and agreed that the specific provisions contained in this Agreement shall prevail over District practices and procedures and over State laws to the extent permitted by State law.

## **Article IV**

### **NON-DISCRIMINATION**

The District shall not discriminate against any certificated employee with respect to assignments, transfers, wages, hours, leaves or discipline on the basis of race, color, religion, national origin, gender, marital status, sexual orientation, pregnancy, lifestyle, political affiliation, or membership or participation in a teacher organization.

## **Article V**

### **FEDERATION RIGHTS**

The District recognizes the rights of employees to form, join, and participate in the lawful activities of the Federation.

The Federation or its designated representative shall have the right to meet with the District, at the request of either party, to consult on matters of educational objectives, determination of the content of courses and curriculum, selection of textbooks, as well as matters relating to the implementation of this Agreement.

The Federation may appear on the Board agenda in accordance with normally established Board procedure and speak on any issues of said agenda before a vote is taken on such issues. Two copies of all Board materials will be provided to the Federation by the Secretary of the Board at the same time it is made available to the members of the Board. The Federation will receive a copy of the minutes after the meeting of the Board.

The Agreement is available in its entirety on the web at [www.gtusd.org](http://www.gtusd.org), hardcopy in the Staff Rooms and school offices and e-mailed to every unit member.

The Federation shall have the right to use District facilities during non-instructional hours when there is no conflicting previously scheduled use. The use of a teacher's classroom for meetings shall not require any advance notice.

The Federation shall have the right to use the intra-district mail system and/or mailboxes for the purpose of communicating with teachers.

The Federation shall have the right to bulletin board space for communicating union business.

The District agrees to provide release time without loss of compensation for up to five (5) representatives for the Federation for the purpose of negotiations.

#### **Orientation**

1. For this subsection only, a 'day' is defined as one calendar day.
2. Orientations shall be held during the workday.
3. The District shall provide the Federation written notice of any new employee orientations in whatever form they may take at least forty eight (48) hours prior to orientation.
  - a. Representatives of the Federation shall be permitted to make a presentation of up to sixty (60) minutes and present written materials to any employee participating in such orientation. During this time, District representative shall not be present.
  - b. Federation representatives shall have release time without loss of compensation to attend new employee orientations and/or deliver presentations.

#### **Information**

1. The District shall provide the Federation the following information within seventy two (72) hours of hiring: (a) name; (b) job title, (c) department, (d) work location; (e) work phone number and extension; (f) work email address.
  - a. The District shall provide by the first day of school the same information outlined above for all employees, and then again as requested.

## **Article VI**

### **DISTRICT RIGHTS**

The Board of Trustees hereby retains and reserves unto themselves all rights, powers, authority, duties and responsibilities conferred upon it by law.

The exercise of those rights, powers, authority, duties, and responsibilities, and the adoption of such rules, regulations, and policies as it deems necessary in the management, direction, and administration of operations and activities of the District shall be limited only by the specific and express terms of this Agreement and by law.

## **Article VII**

### **PROFESSIONAL DUES AND PAYROLL DEDUCTIONS**

The District shall deduct monthly dues from the regular salary check of each teacher who is a member of the Federation. The District agrees to remit such monies, whether for dues or other fees, by the 15<sup>th</sup> of each month to the Federation accompanied by an alphabetical list of employees for whom such deductions have been made.

Upon appropriate written authorization, the District shall deduct from the salary of any employee and make appropriate remittance for annuities, credit union, or any other programs jointly approved by the Federation and the Board.

#### **Maintenance of Dues Authorizations**

Any unit member who is paying dues may stop making those payments by giving written notice to the Federation during the period not less than thirty (30) and not more than forty-five (45) days before 1) the annual anniversary date of the unit member's authorization or 2) the date of termination of this contract, whichever occurs sooner. The District will honor the unit member's written authorizations unless they are revoked in writing during the window period, irrespective of the employee's membership in the Federation.

## **Article VIII**

### **ASSIGNMENT AND TRANSFERS**

#### **1. Definitions**

- a. Assignment: The placement of an employee in a specific grade level, subject or program area.
- b. Reassignment: The movement of an employee within a school from one (1) grade level, subject, program area, to another grade level, subject or program area.
  - i. Voluntary: Employee initiated.
  - ii. Involuntary: District initiated.
- c. Transfer: The movement of an employee from one (1) site to another site.
  - i. Voluntary: Employee initiated.
  - ii. Involuntary: District initiated.
- d. Displacement: A reassignment or transfer based on a change in enrollment relocation of program or configuration due to program needs.
- e. Vacancy: An unfilled certificated position created by death, resignation, retirement, termination, transfer, reassignment, expansion of program, or increase in enrollment.

#### **2. General Provisions**

- a. Assignment
  - i. Unit members shall be assigned only within the scope of their teaching certificates and/or his/her major fields of study.
  - ii. The Site Administrator shall prepare a tentative schedule indicating the number of classes at each grade level and subject. Tentative assignments will be posted and distributed no later than May 1.
  - iii. Should a current certificated employee be interested in pursuing a certificate or credential vacant in the District and the District has a compelling need, the District will pay registration fees for all coursework and credentialing costs only. Completed units may be used for column moves.
  - iv. Should a current certificated employee be interested in pursuing an English Language certificate, the District will pay registration fees for all coursework and credentialing costs only. Completed units purchased by the employee may be used for column moves.



b. Notification

- i. All postings will be sent by e-mail to all unit members. The District and the unit will also designate specific areas for the posting of available positions. These areas will be located at the District Office, Sutter's Mill School, and Gold Trail School. Openings will be posted for a minimum of five (5) calendar days. Should an opening become available during any school recess, unless otherwise requested, every effort will be made to notify unit members via their personal email account.

c. Voluntary Transfer or Reassignment

- i. A unit member may request a transfer to another site or reassignment by submitting a written request prior to March 1 to the District Office. In evaluating such a request, the District will consider the following in descending order of importance:
  - a. The requirements of State and Federal guidelines and the credentials, qualifications, and experience of the unit member.
  - b. Seniority
- ii. A unit member shall be given preference over a new applicant.
- iii. Transfer or reassignment is contingent upon interview and approval by the Site Administrator.
- iv. Specific reason(s) for transfer or reassignment denial will be given to the unit member by the Superintendent or designee. This written response will occur within two (2) weeks of the request.

- d. Involuntary Transfer or Reassignment
- i. Any unit member administratively transferred or reassigned under this section will be notified in writing by the Superintendent of the specific reason prior to the publication of the transfer or reassignment and may request, in writing, a conference with the Superintendent.
  - ii. A teacher reassigned to a different grade level or subject at the same site shall be given, upon request, two (2) self-directed work days without other responsibilities to prepare for the new assignment; a teacher transferred to a different site shall be given, upon request, three (3) self-directed work days to prepare for the new assignment.
  - iii. Any unit member who is involuntarily assigned to a different grade level shall not be involuntarily assigned to a different grade level again for at least two (2) years without the consent of the unit member, except when the assignment is caused by declining or changing enrollment, elimination or institution of programs, or compliance with law.
  - iv. Reasons for Involuntary Transfer or Reassignment:
    - a. A transfer may be made to meet State compliance requirements and/or because a specialized credential is required.
    - b. Displacement
    - c. Involuntary transfer or reassignment may include transfer or reassignment as a means of providing a new teaching setting for a unit member on a teacher assistance plan.
  - v. Selecting Unit Members for Involuntary Transfer and Reassignment:

In selecting a unit member to be transferred or reassigned in order to meet State and Federal compliance requirements, or because of displacement, the administration will choose the least senior teacher at the site who meets the requirements of state and local guidelines, including proper credentialing.
  - vi. Under special circumstances, the Superintendent reserves the right to administratively assign teachers to positions more suited to their strengths and expertise. The Superintendent's determination shall be based on concrete and supportable reasons, including but not limited to:
    - a. To better utilize a curricular or instructional strength of the unit member;
    - b. To better utilize experience/background and/or other leadership capabilities of the unit member;
    - c. To place a unit member in a position that better serves the needs of the students in the school or assignment to which the transfer or reassignment is made;
    - d. To enable the District to place a teacher returning from leave in an assignment for which that teacher is appropriately credentialed and qualified.

The burden of proof shall rest with the Superintendent.

The reasons for the transfer shall be placed in writing and given to the effected unit member(s) and the Federation prior to the involuntary transfer. The Superintendent shall consult with the Federation prior to his/her determination.

Should the Federation or the grievant disagree with the transfer, the grievant's appeal shall commence at Step 3 of Article XIX, Grievance Procedure.

- vii. Unit members will not be transferred or reassigned as a punitive measure. Similarly, unit members will not be denied transfer or reassignment as a punitive measure.
- viii. Self-contained combination classes will be assigned to teachers using the following guidelines:
  - A. Site Administrators will ask for volunteers to teach combinations classes prior to any involuntary reassignment. Should there be more volunteers than positions available, the most senior volunteers shall be granted the combination classes.
  - B. General Education teachers in grades one through eight shall receive an additional \$4000 for teaching a combination class.
  - C. Should there not be sufficient volunteers, the teachers with the least seniority at that school site within the two-year grade level span of the proposed combination class (cohort) will be assigned for that school year only. Specific exceptions to this policy are listed in subsections (D), (E) or (F) below. Should subsections (D), (E) or (F) below apply the next least senior teacher in the cohort shall be involuntarily reassigned to a combination class.
  - D. A teacher in the cohort will not be reassigned to a combination class until every teacher in the cohort has been assigned to a combination class.
  - E. A teacher who is involuntarily reassigned to a combination class will have single grade assignment priority for the subsequent year. The most senior of the cohort will have first selection of grade level.
  - F. Unless specifically hired to teach a combination class, a teacher in his or her first two (2) years with the District shall not be assigned to teach a combination class.

**Article IX**  
**EVALUATION**

**1. Types of Evaluation**

The teacher evaluation shall be based on the California Standards for the Teaching Profession and Education Code Sections 44662 et seq. and shall consist of two (2) options: a professional learning community option and an administrative option.

Employees who transfer shall take his/her evaluation option with them.

**ADMINISTRATIVE OPTION**

*Mandatory for Teachers with Two Years or Less in the District*

*Optional for Teachers with More Than Two Years in the District*

**PROFESSIONAL LEARNING COMMUNITY OPTION**

*Optional for Teachers with Two Years or More in the District*

**2. Frequency of Evaluation**

Probationary and temporary employees shall be given one (1) written performance evaluation each year.

Permanent employees shall be evaluated on a continual basis once every other year.

**3. Evaluation Responsibilities**

- a. Employees shall be furnished a copy of the evaluation procedures and advised of the criteria upon which the evaluation is to be based within thirty (30) teaching days of the beginning of the year.
- b. Observations shall be arranged in advance by an Administrator with the employee.
- c. Should the Administrative option be applied, evaluations shall be based on at least two (2) formal classroom observations of not less than thirty (30) minutes each, with post-observation conferences scheduled within five (5) school days of observation.
- d. Copies of the observation report shall be provided to employees during his/her post-observation conference.
- e. Evaluations shall be completed and summarized in writing so that each teacher shall receive his/her evaluation no later than thirty (30) calendar days prior to the last day of school.

**4. Assistance Plan**

An Assistance Plan is only required for an individual who receives an unsatisfactory evaluation. Article XVII, Peer Assistance Review (PAR), governs the Assistance Plan that shall be provided.

**Gold Trail Union School District  
EVALUATION**

	<b><i>P.L.C. Option*</i></b>	<b><i>Administrative Option</i></b>
<b><i>Eligibility</i></b>	Optional for teachers with more than two (2) years in the District.	Optional for teachers with more than two (2) years in the District.
<b><i>Professional Focus</i></b>	Show evidence of progress of students toward established academic standards	Show evidence of progress of students toward established academic standards
<b><i>Planning Conference</i></b>	Teacher and evaluator meet within first thirty (30) teaching days of each school year to discuss terms and conditions of this option.	Teacher & evaluator meet within first thirty (30) teaching days of each school year. Teacher meets with evaluator to present, discuss and agree upon goals.
<b><i>Observation and Conference</i></b>	Book to be chosen by administrator with input from the teachers and paid for by the District, or a project to be proposed in writing by a teacher or group of teachers with the approval of administration. Teacher & evaluator meet three (3) times per year for one (1) hour after school. If a meeting is missed, the teacher will make up the meeting with the principal or superintendent.	Two conference cycles consisting of two (2) administrative observations followed by a post-observation with evaluator.
<b><i>Summative Meeting</i></b>		Teacher & evaluator meet; evaluator writes evaluation.
<b><i>Evaluation Period</i></b>	Biannual  Participant must cycle into the administrative option once every five (5) years.	Biannual

\*The P.L.C. will be open to all teachers and may be used for two (2) in house units of professional development per year. The teacher will write a paper (1-2 pages in length) on how to implement the ideas from the book into their classroom and will attend a fourth meeting to discuss these ideas.

## **Article X**

### **EMPLOYEE RIGHTS**

#### **1. Employee Files**

- a. No material derogatory to an employee's conduct, service, character, or personality shall be placed in the employee's personnel files unless the employee has had an opportunity to read the material prior to it being added to his/her file.
- b. The employee shall have the right to respond to any material filed and his/her answer shall be attached to the file copy.
- c. Upon request, the employee shall have the right to see and reproduce all documents not prohibited by statute in his/her personnel file.
- d. The District shall have only one (1) personnel file per employee and it shall be maintained at the District Office.

#### **2. Prior Notice of Right to Representation**

The employee shall be informed by the District of the purpose of any meeting called for discipline or evaluation purposes. The employee shall be told of the right to have representation by the Gold Trail Federation of Teachers, the exclusive representative, either before the meeting or at the point in the meeting when an adverse effect related to the employee's status might result from the proceedings.

#### **3. Public Charges**

- a. If parents, other employees, or community members have a complaint against a unit member, the District will request the complainant to communicate directly with the person against whom the complaint is lodged. The District will encourage the complainant to try to resolve concerns with the unit member personally.
- b. If the complaint is not resolved informally by the complainant and the unit member, the complainant may submit the complaint in writing, signed by the complainant, to the Site Administrator or immediate supervisor. The unit member shall be given a copy of the written complaint and shall have the right to respond orally or in writing within ten (10) work days after receipt of the complaint. Any written response made by the unit member will be attached to any report of the complaint placed in the unit member's personnel file.— If the complaint is not put in writing, the District will advise the complainant that it cannot proceed with the investigation. If the complaint is not put in writing, the complaint cannot be used in an evaluation of the unit member. Nothing in this Section shall prevent the District from proceeding with an independent investigation should the alleged complaint rise to the level of charges enumerated in Education Code Section 44932. Neither the District nor the Federation waives any rights that the District, the Federation, or the unit member has under State or Federal law.
- c. The Site Administrator or immediate supervisor shall be responsible for investigating the written complaint to be investigated. Any investigation shall include an interview with the unit member against whom the complaint has been made. The Site Administrator or immediate

supervisor will attempt to resolve the complaint after making, or after having caused to be made, an investigation of the alleged facts and circumstances.

- d. Once the complaint has been put in writing and is signed by the complainant, the unit member may be represented by a Federation representative at any meeting regarding the complaint.
- e. If the complaint remains unresolved after the Site Administrator or immediate supervisor's review and investigation, the complaint shall be referred to the Superintendent, along with the supervisor's report, a copy of which shall be provided to the unit member. The Superintendent shall issue a written decision. The complainant shall consider the Superintendent's decision as final; however, the complainant or the employee may appeal the matter to the Governing Board.
- f. Any appeal to the Board must be filed in writing with the Board within ten (10) working days following receipt of the decision by the Superintendent.
- g. Should the employee appeal to the Governing Board, the Superintendent shall prepare a report, a copy of which shall be provided to the employee. The Superintendent's report shall contain the following:
  - i. The name of the employee and complainant.
  - ii. A brief summary of the facts.
  - iii. A copy of the original complaint.
  - iv. A summary of the action taken by the Superintendent.
- h. The Board shall address the appeal. All parties to the complaint may be asked to meet with the Board in closed session. All complaints or public charges concerning a unit member shall be discussed in closed session unless the employee requests that the issue charges be addressed in open session. All parties to the complaint may be asked to meet with the Board in closed session. A unit member has the right to a Federation representative at such a hearing in closed session meeting before the Board. The Board shall render a written decision to the parties within ten (10) working days, which shall either sustain, modify or overrule the decision reached by the Superintendent.
- i. The Federation may utilize the grievance procedure, commencing with Step 5, should it disagree with the Board's decision by requesting a hearing before an arbitrator within fifteen (15) working days of the decision.
- j. Complaints which are unsubstantiated or proven false shall not be included in the unit member's personnel file.

## **Article XI**

### **HOURS OF EMPLOYMENT**

**1. Calendar**

The District and the Federation shall work together to develop a calendar for the subsequent school year.

**2. Work Year**

This will include one (1) employee work days and two (2) staff development days, at least ten (10) minimum days for the purpose of parent conferences, and one (1) minimum day at the end of the school year for check-out.

**3. Instructional Day/Minutes**

The instructional day shall be defined as required by Education Code 46201.

**4. Duty Day and Lunch Period**

Unless otherwise set forth in this Agreement, the duty day for full-time employees shall be seven and a half (7.5) hours per day, including a thirty (30) minute duty-free lunch period. The lunch period shall be exclusive of any time required to escort students to lunch lines and passing time, for which up to ten (10) minutes shall be provided. The thirty (30) minute lunch period shall be an uninterrupted period of time.

**5. Preparation Time**

- a. One (1) period, or equivalent, within the duty day for 4 - 8 grade teachers shall be for planning and preparation time. A preparation period is defined as that period of time which is used by the employee to prepare for instruction programs.
- b. Classroom teachers in the regular education K - 3 grades shall be provided a minimum of ninety (90) minutes of preparation time per week. This time shall be provided on a scheduled basis within the teacher's duty day.
- c. Preemption of preparation time shall be on a voluntary basis.

**6. Traveling Employees**

- a. During the normal duty day, employees traveling to another campus shall be allowed a reasonable amount of time to travel between work assignments. Employees shall not be required to travel during his/her lunch or preparation periods.
- b. Traveling employees shall have no more classes and meetings than if they taught at one (1) site.

**7. Staff Meetings**

Staff meetings will be held with a maximum of 180 minutes per month, not to exceed 90 minutes per meeting.



**8. Part-Time Employment**

- a. A part-time employee is defined as an employee who works less than 100 percent. The proportion of a full-time assignment shall be based upon a work day of seven and one-half (7.5) hours, less the 30 minutes duty-free lunch period.
- b. Employees in part-time service shall have all rights and privileges afforded full-time employees under this Agreement, except where specifically abridged.
- c. The salary and health and welfare benefits paid a part-time employee shall be a proportional ratio of the salary and benefits he/she would have earned as a full-time employee. The employee may elect to pay the balance of the cost in order to obtain full health and welfare benefit coverage.
- d. Sick leave is accrued based on the prorated normal rate.
- e. Worker's compensation insurance is based on the employee's actual salary.
- f. The part-time teacher is required to take an active part in District and school inservice, staff and other meetings, parent conferences, bus duty and other duties as required on a prorated basis, unless remunerated at their current rate. Attendance at all other inservice days and community relations/adjunct duties will be on a prorated basis. The part-time teacher will meet with his/her school Site Administrator to establish a duty schedule.
- g. A request for part-time teaching shall be made in writing through the Site Administrator to the District Office by February 15. Receipt of the request shall be promptly acknowledged. The District shall notify the employee as soon as possible, but no later than June 1, whether or not his/her request has been granted by the Board.
- h. Where a part-time request shall involve a transfer or reassignment, it shall be processed in accordance with the Transfer Article of this Agreement.
- i. Teachers who are granted a reduction from full-time to part-time teaching shall be granted a leave without pay or resign for the remainder of his/her full-time assignment.

## Article XII

### CLASS SIZE/WORKING CONDITIONS

#### 1. Class Size

Although the District has established class size maximum of 24 students in TK, 29 students in K-3 (excluding Physical Education and Performing Arts), and 35 students in 4-8 (excluding Physical Education and Performing Arts), the goal of the District is to keep class sizes at or below the following student/teacher ratios:

20:1 TK

26:1 K – 3

32:1 4 – 8

When class sizes exceed the goal amounts listed above, upon request of the affected teacher, the District will meet and confer with Federation representatives to discuss a mutually agreeable solution that considers District Financial status, staffing, enrollment trends, student needs and other relevant factors that may impact a proposed solution. Examples of acceptable solutions may include, but are not limited to, a teacher stipend, aide time, additional preparation time, adding another teacher, and/or an increase to the classroom fund.

- a. In all cases, County Office assigned students will be counted in the scheduled class size.
- b. At the K-3 level, the maximum number of students per staff member for a Physical Education class shall be 60. No more than 60 students shall be scheduled in a single period. When class size exceeds 40 an aide shall be provided.
- c. At the 4-6 level, the maximum number of students per staff member for a Physical Education class shall be 45. No more than 90 students shall be scheduled to take Physical Education during a single period.
- d. At the 7-8 level, the maximum number of students per teacher member for a Physical Education class shall be 45. No more than 90 students shall be scheduled to take Physical Education during a single period. For every student over 45 during a single class, the program shall receive \$100.00 for the school year.
- i. Limit the Jr. High elective class sizes to prevent a negative impact on class size as reflected in this agreement.
- j. Class size in the same subject area will be numerically balanced to the extent reasonable after the first two (2) weeks following the start of the semester/trimester.

## **2. Working Conditions**

- a. Classroom interruptions shall be kept to a minimum.
- b. Each employee shall be provided a storage space which shall be capable of being locked. The District shall provide locks and keys, if requested, at no cost to employees. Necessary keys provided to employees shall be retained by the employee until the end of the assignment, or as agreed to by the administrator.
- c. No junior high regular education teacher who teaches greater than 50% of their day in core academic classes (math, science, history, and language arts) shall have more than three preparations a day, unless mutually agreed upon. Upon mutual agreement, the teacher will receive \$4000 in additional remuneration.
- d. Sufficient and appropriate space and privacy shall be provided to employees to facilitate conferences with other professionals and/or parents.
- e. All teachers shall be provided with a desk, chair, and filing cabinet. All classrooms shall have a phone or an intercom system. Every effort shall be made to provide each teacher his/her own room when appropriate and grant access to that room during non-school days. For maintenance that will restrict classroom access, each teacher shall receive a maintenance schedule specific to their classroom with updates as necessary. After the end of the year check-out, new maintenance requests shall not be considered until after August 1<sup>st</sup>.

## **3. Special Education**

- a. Special Education classes/Resource Specialist Program (RSP) shall not exceed the pupil-teacher ratio as set down by the Education Code concerning these areas. In accordance with California Education Code 56195.8(c), the maximum class size/caseload for an RSP teacher shall be twenty-eight (28). When caseloads exceed twenty-eight (28), the teacher shall receive:  
  
\$10.00 stipend per day per child over twenty-eight (28). The District shall submit a waiver to the California Department Education for up to thirty-two (32) students.
- b. Caseloads for RSP teachers shall be divided as equally as possible.
- c. Caseloads for part-time/shared contract RSP teachers shall be either reduced at the same ratio as his/her assignment, or replaced with other duties as agreed upon (i.e., testing, Special Education Local Planning Area (SELPA), etc.).
- d. All RSP teachers, site and District administrators shall meet prior to the first day of school and throughout the school year to adjust assignments, caseloads, and duties as needed.
- e. When a Special Education student is assigned, the classroom teacher of record shall be notified and informed of Individual Education Plan (IEP) goals and details as soon as they are available.
- f. Regular Education Teachers shall have the opportunity to seek assistance from Special Education Teachers to help modify instruction for students identified with special needs.

- g. Regular classroom teachers who have responsibility for the implementation of any portion of an IEP for a Special Education student shall receive a copy of the IEP goals and objectives and all updates.
- h. Because the classroom teacher(s) of record is a member of the Individual Education Plan Team (IEPT), classroom coverage will be provided if the IEPT meeting is held during an instructional period.
- i. As much as possible, students with identified learning problems shall be equitably distributed among the teachers and the classes of the same subjects. This distribution shall not exceed a maximum of seven (7) Special Education students per regular education teacher, subject and/or class. Exceptions to this may be agreed upon by all teachers involved and the administration.
- j. Special Education placement in a regular education classroom shall be decided after consultation with the teacher(s) and administration, and prior to the student's placement in the regular education class. A temporary placement may be necessary until a final placement is agreed upon. The District will provide any additional background or training that will facilitate the student's successful placement.
- k. On an as needed basis as determined by the Special Education teacher, up to one (1) day per school month release time for assessment, reporting and consultation shall be granted.

## **Article XIII**

### **SAFETY AND HEALTH**

#### **1. Work Site Safety**

- a. The District shall maintain safe working conditions and protect employees against health and safety hazards in accordance with State, Federal, and Local regulations.
- b. Employees shall not be required to perform duties under conditions which pose an immediate threat to the safety of themselves or his/her students.
- c. Employees shall report existing or potentially unsafe conditions to his/her Site Administrators as soon as practicable. If steps to correct the hazardous conditions have not been taken within 24 hours and the threat of potential danger continues, the District shall provide an alternate work station.
- d. The District shall maintain a Safety Committee. The Committee will consist of equitable representation from employee groups. The duty of the Safety Committee will be to review all applicable safety regulations and to make recommendations for the maintenance of proper safety conditions as required by law.

#### **2. Personal Safety**

- a. Employees shall be provided with, consistent with the safeguarding of private information, the names of pupils known to be afflicted or suffering from physical and/or emotional problems that may constitute a safety or health hazard, as soon as they're available. The District will provide any additional background or training that will enable the employee to address said problems.
- b. Employees, acting within the scope of his/her duties and responsibilities, may utilize the amount of physical control necessary to maintain order and protect themselves, property, and the health and safety of students.
- c. As soon as practical, any assault upon an employee, by either students or adults shall be immediately reported to his/her Site Administrator who shall promptly report the same to the appropriate law enforcement authorities. The District shall provide legal and other related assistance in accordance with applicable law for any assault upon an employee, while fulfilling assigned duties.
- d. The District shall reimburse employees for actual out-of-pocket expenses for the cost of medical, surgical, or hospital services incurred as the result of any injury or assault, as well as for any associated loss, damage, or destruction of clothing or personal property sustained in the proper performance of job duties and course of employment.

## **Article XIV**

### **LEAVES**

#### **1. Sick Leave**

- a. All employees covered by this Agreement shall be granted a total of ten (10) days sick leave at full compensation for each contract year which shall be cumulative for the term of his/her employment.
- b. A newly employed teacher will accrue the ten (10) days for the first contract year immediately.

#### **2. Extended Sick Leave**

- a. After all available sick leave is exhausted, when an employee is absent from duty due to illness or injury for a period of 100 working days or less, the amount deducted from the salary due to the employee for that month in which the absence occurs shall not exceed the sum actually paid a substitute employee employed to fill the position during the absence; or, if no substitute was employed, the amount which would have been paid to the substitute.
- b. Payments under this section shall be in conformance with the established procedures of the Education Code.

#### **3. Industrial Accident Leave**

- a. In the case of industrial accident or illness, allowable leave shall be for not less than sixty (60) days. During this period, the unit member shall be paid a salary which, when added to his/her temporary disability indemnity, will result in payment of his/her full salary. "Illness" includes a contagious disease which the Workers' Compensation Board determines to be an industrial illness.
- b. After using all of his/her industrial accident or illness leave, he/she is entitled to all other benefits for which he/she is eligible. These benefits include his/her current sick leave, accumulated sick leave, catastrophic sick leave, and the five (5) month period of accumulated sick leave and differential pay. The absence shall be deemed to commence on the first day following the termination of the industrial accident or illness leave. If the unit member continues to receive his/her temporary disability indemnity, he/she may use as much of his/her sick leave as necessary to result in a payment of his/her full salary.
- c. Provisions of this leave are provided in Education Code.

**4. Pregnancy Disability Leave**

A leave of absence for pregnancy disability purposes; and sick leave for pregnancy disability purposes may be taken as follows:

- a. Pregnancy Disability Leave provides up to one (1) year of unpaid leave for pregnancy disability. Disability is determined by an employee's physician if paid sick leave is to be used. The physician must certify that the employee is physically and mentally capable of returning to employment. Such leave shall not constitute a break in service but will count towards advancement only if the employee is on paid status for at least 50% of the school year.
- b. Use of sick leave for pregnancy disability purposes: an employee may apply for paid sick leave due to pregnancy disability when:
  - i. Verified by a physician that she is no longer able to work due to the condition of pregnancy or recovery from childbirth.
  - ii. That at the time of her release by the physician she shall return to normal duties.
- c. Sick leave for pregnancy disability purposes shall begin on the date the physician decides that the continued fulfillment of her duties would be detrimental to her health and shall terminate on the date her physician decides she can return to her normal job responsibilities.

**5. Paternity/Maternity Leave**

The District shall grant, upon request, five (5) days of paternity/maternity leave. This leave shall be used at the discretion of the employee for the birth or adoption of a child, and/or the discharge of family members from the hospital. This shall be deducted from sick leave.

**6. Family and Medical Leave**

- a. Unit members who have been continuously employed at least twelve (12) months are eligible under Federal and State laws for unpaid family and medical leave. Leaves may be granted for up to twelve (12) weeks in a 12 (twelve) month period (26 weeks for qualifying illnesses and injuries incurred during active duty military service).
- b. Unpaid leave is permitted for the following reasons: serious health condition of the employee; serious health condition of the employee's child, parent, or spouse; birth of a child, or placement of a child in the family for adoption or foster care; serious illness or injury sustained in the line of duty on active duty by a military service member who is the spouse, child, parent, or next of kin of the employee; or qualifying exigency arising out of the fact that a spouse, child or parent of the employee is a covered servicemember on covered active duty or has been notified of an impending call or order to covered active military duty.
- c. Leave does not constitute a break in service for the purposes of longevity, seniority, and/or sick leave. The unit member and dependent benefit coverage as provided in Appendix D shall continue.

**7. Personal Necessity Leave**

- a. Employee shall be granted up to a total of seven (7) days of personal necessity leave at full compensation during each year of his/her employment. Such leave will not be cumulative and will be deducted from the employee's sick leave.
- b. The purpose of this leave is to enable the employee to take care of urgent personal necessities that would normally require him/her to be absent from duty and, therefore, suffer loss of pay as a result. Personal necessity leave is not for personal convenience, recreation, or other employment.
- c. Leave forms shall be provided at the school site. Employees shall indicate the reason for the leave on the leave form

**8. Bereavement Leave**

- a. An employee who is absent because of the death of a member of his/her immediate family shall be granted three (3) days of bereavement leave unless travel in excess of three hundred (300) miles, one-way, is required, for which five (5) days shall be granted.
- b. No deduction in salary or sick leave shall be taken from an employee using bereavement leave.
- c. Immediate family of employee or spouse means, husband, wife, mother, mother-in-law, father, father-in-law, grandmother, grandfather, grandchild, son, son-in-law, daughter, daughter-in-law, brother, sister, aunt, uncle, niece, nephew or any person living in the immediate household of the employee.

**9. Trial and Inquest Jury Duty and Court Appearance Leave**

- a. An employee absent from school because they have been selected for jury duty or been subpoenaed shall be paid by the District their regular salary. An employee shall not waive jury duty stipends, but will turn over the stipend to the District upon receipt.
- b. Such items as subsistence, travel, or other expense allowance paid shall not be included in determining pay received from the District.
- c. Such time shall not be deducted from sick leave accumulation or personal necessity leave.



**10. Long/Short Term Leaves - Including Study Leave**

- a. The District may grant a permanent teacher a long/short term leave of absence with or without pay, for a period not to exceed one (1) year.
- b. This long/short term leave may be granted for the following reasons:
  - i. Study
  - ii. Travel
  - iii. Disabilities in the immediate family
  - iv. Fulfilling parenting responsibilities
  - v. Other reasons approved by the Board upon the recommendation of the Superintendent
- c. An employee granted long-term leave shall inform the District, in writing, by February 15 of the following year of his/her intention to return; otherwise it will be assumed he/she is terminating.
- d. At the expiration of the leave of absence, unless he/she agrees otherwise, the employee shall be reinstated in a similar assignment to that held by him/her at the time of the granting of the leave of absence as such assignments are open and available. Should the employee be granted an additional one (1) year's leave of absence, he/she will be returned to a position for which he/she is credentialed.
- e. Unless otherwise provided in this Article, an employee on long-term leave may pay his/her own health and welfare benefits if he/she so chooses.
- f. The District may limit the number of such leaves in any given year. Disabilities in the immediate family or to the employee shall be an exception to this policy.
- g. For any leave granted which requires a replacement teacher, the District shall hire from the reemployment list if such exists. If not, if the assignment would exceed 75% of the days taught in the school year, the District shall hire a teacher as a replacement. For less than 75 percent, a long-term substitute may be retained. If there is no reemployment list, the teacher may recommend his/her own substitute.
- h. Special conditions related to long-term leave for study
  - i. An employee shall have served at least six (6) consecutive years in the District prior to the request for a long-term leave with any type of remuneration.
  - ii. A long-term leave for study may be granted to any certificated employee for the purpose of study by the employee concerned which will benefit the schools and pupils of the District. This leave shall not exceed one (1) year and not more than one (1) leave per person may be granted in any single seven-year period.
  - iii. Employees on long-term leave for study shall perform such services as shall be agreed upon by the employee concerned and the Board, with the approval of the Superintendent. This agreement shall be in writing and shall be submitted to the Board at least four (4) months prior to the commencement of the leave.

- iv. The employee shall receive as compensation the difference between the salary of the employee on leave and the salary of a substitute in the position which the employee held prior to the granting of leave, less the cost of fringe benefits for the substitute. The employee on leave shall, in addition, receive District paid fringe benefits.
- v. Every employee, as a condition of being granted a long-term leave for study, shall agree in writing to render a period of service in the employ of the District twice the period of the leave. The compensation shall be paid to the employee while on the leave of absence in the same manner as if the employee were working in the District, upon the furnishing by the employee of a suitable bond indemnifying the District against loss in the event that the employee fails to render the agreed-upon period of service in the employ of the District following the return of the employee from the leave of absence. The bond shall be exonerated in the event the failure of the employee to return and render the agreed-upon period is caused by death or the physical or mental disability of the employee. The cost of the bond will be borne by the District. If the employee defaults on the bond for reasons other than death, medical, or disability, the employee shall reimburse the District for the cost of the bond.
- vi. The employee who is granted a leave under these provisions shall submit a comprehensive report within one (1) month of his/her return to the District, which shall be accompanied by grade cards, and any other documents required by the Superintendent.
- vii. Applications for long-term leave for study shall be submitted on a District prescribed form and shall include an outline of planned activities. The application shall be submitted to the Superintendent at least six (6) months prior to the commencement of the leave or prior to February 15<sup>th</sup> of the preceding year, whichever is earliest. Anyone granted a study leave will not be granted another study leave until first completing an additional six (6) consecutive years of service in the District following the first study leave.
- viii. The number of employees on long-term leave for study shall not exceed five percent (5%) of the employees in any given year. If there are applications from more than five percent (5%) of the employees and all of the above conditions have been met by each, the final candidate will be selected on the basis of benefit to the District. The final candidate or candidates will be recommended to the Board for the final determination.
- ix. The Board of Trustees shall make its final determination based on the merits of the application and the fiscal condition of the District.

## 11. **Catastrophic Leave**

- a. Catastrophic illness or injury is defined as an illness or injury that is expected to incapacitate an employee or member of his/her immediate family for an extended period of time, and taking extended period of time off work creates a financial hardship for the employee because he/she has exhausted all of his/her sick leave and other paid leave.
- b. Days in the Catastrophic Leave Bank shall accumulate from year to year. By the second Monday in November all participating employees shall be notified in writing as to the number of hours in the Bank, hours used the previous year through the Bank, and a list of current Committee members and the chairperson.
- c. Immediate family member for the purposes of Catastrophic Leave means the employee's spouse, mother, father, grandmother, grandfather, son, son-in-law, daughter, daughter-in-law, brother, sister, aunt, uncle or any person living in the immediate household of the employee.
- d. The Catastrophic Leave Bank shall be administered by a committee comprised of two (2) members from the certificated unit, two (2) members from the classified unit, and one (1) member from the unrepresented employees. A representative from the Payroll Department will attend to provide information only. Committee members must be participants in the program. The members of the Committee shall elect their own chairperson in October of every even numbered year. The chairperson shall convene the committee within two weeks of receiving a request and shall provide copies of the documentation required to each Committee member. In the absence of a Chairperson, the Superintendent will convene the Committee. A written response granting, denying or modifying the request shall be sent to the applicant within one week indicating the committee's decision.
- e. Eligibility and Contributions
  - i. All employees on active duty with the District are eligible to contribute to the Catastrophic Leave Bank one (1) day of accrued sick leave. Such time shall be donated in one (1) day increments from the employee's accrued sick leave. A window period will commence each year, running from July 1<sup>st</sup> through October 31<sup>st</sup> during which time employees may opt to participate in the leave bank. Those employees joining the Catastrophic Leave Bank for the first time, those returning from leave, or newly hired unit members who wish to contribute to the Bank shall be required to contribute one (1) day to the Bank. The District will provide information to new employees.
  - ii. Participation is voluntary, but requires contribution to the bank. Only contributors will be permitted to withdraw from the bank
  - iii. All transfers of accumulated sick leave are irrevocable and binding.
  - iv. An additional eight (8) hours of contribution will be required of participants if the number of hours in the Bank falls below two hundred and forty (240). Leave Bank participants who are drawing from the Bank at the time of the assessment will not be required to contribute to remain eligible, nor shall participants who have exhausted his/her accumulated and annual sick leave. Should the leave bank run out of hours, the program shall be discontinued.

- f. Employees applying to withdraw from the Bank will be required to submit to the Chairperson of the Catastrophic Leave Committee a letter of request for use of days of catastrophic leave, to which is attached a doctor's statement indicating the nature of the illness or injury and the probable length of absence. Employees will also be required to sign a form authorizing release of necessary medical information. Information regarding the nature of the illness will be kept confidential.
- g. No employee shall withdraw more than eight hundred (800) hours from the Bank for any one (1) illness or injury.
- h. Withdrawals from the Bank may not be denied on the basis of the type of illness or injury.
- i. Denial of a withdrawal from the Bank shall not be subject to the grievance procedure.

**12. Federation Leave**

Voluntary Absence for Federation Purposes: A maximum of twelve (12) days per work year shall be granted for voluntary absences for those unit members designated by the Federation to conduct Federation business. The Federation shall notify the Superintendent and/or designee as soon as practicable, but not later than two (2) business days prior the commencement of the leave. The Federation shall pay the District for all costs of the substitute, including statutory benefits costs, or the amount which would have been paid if a substitute had been employed. This leave shall not be used for the purpose of or for conducting any concerted activity or litigation against the District.

**13. Personal Leave**

Employees shall be granted up to three (3) days of personal leave for each full year of his/her employment. Such leave will not be cumulative and will be deducted from the employee's sick leave. The employee shall be permitted to take all three (3) personal leave days for any reason other than concerted activities against the District.

## Article XV

### SALARY AND BENEFITS

#### 1. Salary Schedule and Compensation

- a. Placement on the salary schedule should be made based on professional preparation and experience. Experience outside the District will be granted on a year-for-year basis with a maximum of eleven (11) years' experience accepted.
- b. Movement on the salary schedule will occur based on verification of professional growth work completed. The District will inquire as to column movement in writing by May 1. It is the employee's responsibility to provide the Superintendent official transcripts, grade cards, or other approved verification which may be submitted between August 1 and October 1 for credit. If not received by October 1, the units may not be submitted until the following year.
- c. A "unit" is equated with fifteen (15) hours of in-class work. A "quarter unit" is equal to two-thirds (2/3) of a semester unit.
- d. Employees will be paid on the last working day of each month. Employees may request deferred pay for the month(s) in which they are not contracted to work. This decision must be made at the beginning of each school year by August 10 or within ten (10) days of the employee's initial employment as a certificated employee with the District, whichever comes first, and cannot be changed during the fiscal year.
- e. Stipends for extra duty will be paid on the tenth of the month following the completion of duties. Exceptions will be for those extra duty assignments that extend through the school year. These stipends shall be paid at fifty percent (50%) immediately prior to winter break and fifty percent (50%) at the completion of the assignment.
  - i. An individual may request assignment to a stipend position by submitting written request prior to the first day of school to the district office or designee. In evaluating such a request, the district shall first consider the individual who held the position in the prior year considering successful completion of requested position.
- f. Master's degree stipend of \$ 1,250 per year shall be prorated on full-time equivalent and paid as part of the salary.
- g. There shall be a wellness incentive for unit members who on October 1 of each school year are employed in a position for at least .5 FTE hours per week. This only applies to sick leave earned during the then current fiscal year.
  - No sick leave or personal necessity days used - \$250.00
  - Use any portion of annual sick leave/personal necessity earned up to and including 10% - \$150.00.
- h. The Certificated Salary Schedule is seen as Appendix A in this Agreement.

- i. The Certificated Special Assignment Stipend is seen as Appendix B of this Agreement.
- j. Effective July 1, 2019, the monthly medical cap shall be \$631.47. The District shall continue to provide full dental and vision coverage.
- k. If the carrier agrees, retirees shall have the option to purchase medical, dental and vision insurance through the school's health benefit program until age 65.
- l. The parties shall form a joint medical benefits committee, including two (2) certificated representatives and two (2) classified representatives appointed by the Federation, and District representatives, whose purpose will be to explore medical plans. The committee shall meet upon request of either party. The parties shall work cooperatively to identify available medical plans (including plans that permit employees to decline District coverage in exchange for an opt-out payment), options, and premiums for plan years that begin on or after July 1, 2020. Any changes shall be by mutual agreement between the parties.

## **2. Reimbursement of Expenses**

- a. Employees will be reimbursed for approved job-related expenses. Prior approval by the Superintendent's designee is required for reimbursement on purchases exceeding \$100. Should an employee exceed his/her budget, it will become the employee's fiscal responsibility to cover the bill for said purchase within thirty (30) days of receipt of the bill.
- b. Employees approved to travel are required to use a District vehicle if one is available. District vehicles are to be used for school business only and may only be driven by employees. Employees must possess a valid California driver's license and carry appropriate insurance in accordance with District Policy to operate a District vehicle.
- c. If a District vehicle is not available, an employee may use a private vehicle provided it is in safe operating condition. Mileage expenses will be reimbursed at the IRS allowable rate. No reimbursement will be made for mileage to and from the employee's residence and the work site.
- d. Employees who are assigned to two (2) school sites as part of his/her assignment will be reimbursed for mileage to and from each site.

## Article XVI

### EARLY RETIREMENT PROGRAMS

#### 1. Options Available

It is the intent of the District to provide early retirement options for unit member. Such options shall include the Work for Benefits Program and the One-Time certificated Early Retirement Incentive.

#### 2. Work for Benefits Program

##### a. General Provisions

- i. Currently employed certificated personnel of the District are eligible for application to the Early Retirement Work for Benefits Program:
  - a) At age 55, or over, if they have completed a minimum of ten (10) years of service with the District within the last ten (10) years, the last of which has been the year immediately preceding retirement.
  - b) Have retired under the STRS system and are no longer contributing to STRS.
  - c) Have resigned from the District.
  - d) Have agreed to work as a resource person.
- ii. Impact on Retirement Allowance  
Any certificated employee interested in Early Retirement Work for Benefits Program shall be required to contact STRS to determine if early retirement or resignation may have a serious impact on his/her retirement allowance that is to be paid by STRS. Said employee must seek advice from a representative of STRS prior to submitting an application for the Early Retirement Work for Benefits Program and verify in writing that a meeting was held.

- b. An employee will be eligible for the program for a maximum of five (5) years or to age 65, whichever comes first. The program is for one (1) year and an employee must reapply each year, up to five (5) years. The retiree has the right to terminate the contract at any time and either discontinue the benefits or continue paying for the benefits on his/her own per State and Federal requirements.

The District will work with American Fidelity to determine if this benefit can be provided under the pre-tax rules of Internal Revenue Code, Section 125. If so, it will be made available to eligible employees.

- c. An employee must be enrolled in the District's benefit program three (3) years prior to retirement to qualify for this Early Retirement Work for Benefits Program.
- d. An employee who was considered less than full-time will be eligible for medical benefits on the same prorated basis as his/her level of benefits at the time of retirement.
- e. All applicants for the Work for Benefits Program shall apply annually by February 15<sup>th</sup> to the Board of Trustees, who may approve or decline the application.

f. Contract

- i. The retiree will perform services during the fiscal year in activities mutually agreed upon by the retiree and the District. If activities cannot be agreed upon, then the contract with the retiree will be terminated. Such services, by definition, shall be in the best interest of the District and within the retiree's classification or that which he or she is qualified to perform. Such projects may include, but shall not be limited to:
  - a) Substituting.
  - b) Working on staff development and inservice programs.
  - c) Assisting in testing program.
  - d) Supervising student activities.
  - e) Providing aid to new teachers.
  - f) Curriculum development.
- ii. A contract will be executed which delineates the duties, responsibilities, and specific days to be worked.
- iii. The agreement is not renewable beyond the five (5) years or age 65. The District reserves the right to request a doctor's verification of an incapacitating condition. If the retiree is unable to perform the duties mutually agreed to in the contract, the contract will be terminated. If the contract is terminated, the retiree will be able to maintain the benefits at his/her own cost per State and Federal regulations.

g. Benefits

- i. Health and Welfare Benefits (medical, vision and dental) will continue at the level contracted for certificated District employees and subject to any maximum District contribution thereon.
- ii. In order to determine the number of days to be worked, the value of the retiree's contribution will be based on the daily rate of Step 10, Column IV of the date the employee retired.



## **Article XVII**

### **TEACHER INDUCTION PROGRAMS**

#### **1. California Commission on Teacher Credentialing Induction Program**

- a. This program is to help teachers who hold a preliminary teaching credential fulfill the requirements to clear their credential through an induction program approved by the state.
- b. The District will assist a teacher who holds a preliminary teaching credential with enrolling in an induction program. The District will pay for the cost to participate in the program, up to the amount charged by the El Dorado County Office of Education Teacher Induction Program.
- c. Teacher support providers will be required to follow induction program guidelines and requirements. The District will provide release time for the teacher and his/her teacher support provider to meet the requirements of the program for observations and trainings.
- d. With superintendent concurrence, a teacher support provider maybe assigned to more than one new teacher.

#### **2. District Induction Program**

- a. For teachers' first year of assignment to a campus where they have not previously taught, teachers possessing a California Clear Teaching Credential, and teachers transferred to another site, will be assigned a teacher support provider from the same campus. The purpose of the teacher support provider is to mentor the newly assigned teacher with school procedures (including safety procedures), school culture, curriculum, and technology (e.g. phone, email, student information systems, etc.).
- b. Newly assigned teachers and their support providers will meet a minimum of four (4) times throughout the year.
- c. With superintendent concurrence, a teacher support provider may be assigned to more than one newly assigned teacher.

## **Article XVIII**

### **PEER ASSISTANCE AND REVIEW**

The Peer Assistance and Review (PAR) program is a cooperative effort by Gold Trail Union School District and Gold Trail Federation of Teachers to assist new and veteran teachers in need of or desirous of development in subject matter knowledge or teaching strategies for the purpose of improving instruction and student performance. PAR is a major step in expanding the authority and responsibility of teachers in managing the profession by utilizing his/her expertise together with that of management to provide collegial support, assistance and review.

The purpose of the PAR Program is to provide professional assistance to teachers as well as sufficient and continuous staff development to teachers in need of or seeking development in teaching strategies or the subject matter knowledge needed to improve student performance. The program will focus on a teacher's classroom performance as it relates to his or her ability to engage students in learning, create an effective environment, organize subject matter, planning instruction, assess learning, and develop as a professional, as it relates to the Gold Trail Teaching standards.

The Peer Review Panel (from here on referred to as Panel) shall have the following governance structure: three (3) certificated teachers and two (2) administrators.

Teachers seeking a position on the Panel will submit a letter of application to the Federation's Executive Council. The certificated members of the Panel shall be selected, from those submitting applications, by a majority vote of the Federation's Executive Council with the understanding that each school site shall have representation. Certificated Panel members shall not be considered management under the Education Employment Relations Act (EERA).

The administrative representatives to the Panel shall be appointed by the Superintendent and approved by the Board. Should a conflict of interest exist between an administrator and a participating teacher, another administrator shall be appointed.

Each year there will be a non-voting facilitator for the Panel. The facilitator position will alternate between the District's Superintendent and the President of the Federation.

Decisions will be made by consensus if possible. Should a vote be required, a decision will be made by a majority of three (3).

#### **1. Duties and Responsibilities of PAR Panel**

- a. Select and evaluate Consulting Teachers:
  - i. To review participants referred by administrative evaluation and beginning teachers.
  - ii. To recommend teachers to participate in the program that volunteer for assistance.
  - iii. To recommend retention or dismissal of mandated program participants to the Board.
  - iv. To conduct classroom observation of potential Consulting Teachers.

- v. To meet at least four (4) times annually to review the work of the Consulting Teachers (CT) and his/her caseloads should any participant be a PT, and three (3) times annually should no participants be PT's.
  - vi. To approve a timeline for the summer and the ensuing year for the assistance to be received by each participant no later than May 15.
  - vii. To recommend a budget for the next year.
  - viii. To evaluate the impact of the PAR Program in order to improve the program.
  - ix. To submit recommendations to the Federation and the Board for improvement of the program.
  - x. To appoint subject area specialists as necessary.
- b. Teacher members shall receive a stipend of \$50.00 per hour, not to exceed a total of \$900 per year, for their participation on the PAR panel.

## **2. Qualifications of the CT**

- a. Experience
  - i. Demonstrated exemplary teaching ability.
  - ii. Full-time permanent employee.
  - iii. Substantial recent classroom experience of at least five (5) years in the District.
  - iv. Prefer breadth of experience.
- b. Knowledge of
  - i. A range of current teaching strategies and methods;
  - ii. How to meet the needs of pupils in different contexts;
  - iii. Effective classroom management strategies;
  - iv. Counseling and coaching strategies; and,
  - v. PAR Program for Teachers.
- c. Abilities and Skills
  - i. To communicate effectively and tactfully in both oral and written form,
  - ii. To counsel and assist peers;
  - iii. To assess and prescribe appropriate instructional strategies;
  - iv. To demonstrate effective instructional strategies;
  - v. To make recommendations to the Panel; and,
  - vi. To organize an effective plan of assistance for each participating teacher.
- d. Professional Status
  - i. Exemplary teaching ability.
  - ii. High level of respect.
  - iii. Professional involvement.

- e. Training
  - i. In evaluating procedures;
  - ii. In classroom management and specific techniques;
  - iii. In curriculum design; and
  - iv. In instructional strategies.

### 3. **Procedure for Selection of CTs and Length of Service**

- a. Each certificated teacher who applies for the position of CT will:
  - i. Submit an application;
  - ii. Be observed in the classroom by at least two (2) members of the Panel; and
  - iii. Interview with the Panel.
- b. Length of service of a CT
  - i. Shall be a minimum of two (2) years, unless the CT and Panel agree to extend the service a third consecutive year;
  - ii. CTs will agree not to pursue an administrative position during his/her term as a CT, nor the semester following his/her final term; and
  - iii. Will provide one (1) year of classroom service after serving as CT.
- c. Compensation
  - i. During the initial year of the program, the CT will be compensated \$2000.00 per caseload. This amount will count as credit for STRS. The Federation and the District agree to meet and re-evaluate salary issues at the end of the first year of the program.
  - ii. Subject matter specialists may be hired at a rate of \$150 for the first three (3) hours or fraction thereof, and \$50 per hour thereafter.
- d. Duties of the CT
 

CTs shall have the primary responsibility for assistance and review of program participants to whom they are assigned. It is expected that there will be frequent conversations, scheduled and non-scheduled, between the CT and the Site Administrator regarding the program participant. The CT will inform the Site Administrator of the progress being made by each program participant. Each CT will be required to:

  - i. Assist in writing clear performance goals with the participant, consistent with District teacher standards;
  - ii. Recommend in writing appropriate staff development timeline of activities that are available to improve the skills and knowledge of each participant;
  - iii. Provide assistance that may include help such as developing, providing or arranging for classroom materials, reviewing curriculum, suggesting and discussing of teaching and classroom arrangement techniques, record-keeping requirements, demonstrating teaching techniques, arranging for observations of other teachers, and planning instruction;
  - iv. Conduct multiple observations of each participant;
  - v. Provide a written post-observation report to each participant within five (5) days after each observation;
  - vi. Provide a joint summative evaluation with the administration documenting areas of growth or areas of needed improvement;

- vii. Send copies of observation reports to the site administration and the Panel;
- viii. Maintain a log for each Participant showing dates and time of contacts, including a summary of conversations, observations, and other form of assistance provided;
- ix. Inform the Panel of program participants who are not making satisfactory progress and devise intensive assistance plan; and
- x. Recommend retention or continued assistance or dismissal from the District.

#### **4. Participating Teachers**

A Participating Teacher is a unit member who receives assistance and coaching to improve instructional skills, classroom management, knowledge of subject, and related aspects of teaching performance. There are two (2) categories of participating Teachers:

- a. First priority of service shall be permanent teacher intervention.
- b. Second shall be voluntary teachers.

Once a teacher has been selected by the Panel to participate in the PAR Program all recommendations for conferences and staff development activities, as well as evaluations, shall be the sole responsibility of the CT, except as specifically modified in this article. A participating teacher shall not have multiple evaluators or CTs.

Should a participating teacher be required to attend a workshop, seminar or lecture that is outside of his/her contractual day, the participating teacher shall be reimbursed at his/her per diem rate of pay, or at the hourly equivalent, whichever is applicable. Such remuneration shall only apply on days a regular full-time employee is contracted to work.

- d. Permanent Teacher Participants (PT)
  - i. The purpose of this Program is to assist and offer remediation to PTs whose performance has been evaluated as “unsatisfactory” in one (1) or more of the Gold Trail Teaching Standards by the Site Administrator. In addition, it shall be the obligation of the Panel to report the results of this intervention to the Board of Education of the school district. The written documentation in the evaluation report shall become a part of the PT’s personnel file.
  - ii. The prime focus of this Program is to provide assistance and renew quality teaching.
  - iii. Assistance and remedial efforts and activities shall be intense and multifaceted and shall be preceded by a conference in the spring of the year when the teacher receives the “unsatisfactory” evaluation. The conference shall involve the teacher and the CT to begin the development of an Individual Learning Plan. If the PT so desires, the Federation shall provide representation in this meeting.
  - iv. During the period of assistance, the PT’s evaluation shall be the joint responsibility of the CT and the administrator. It is the intent of the parties that this process serve as the sole evaluation process for the PT and that it be based on the PT’s adherence to the Gold Trail Teaching Standards and Article X (Evaluation) of this Agreement.
  - v. The assistance shall be provided by the CT under this article and shall be closely monitored by the Panel.
  - vi. Communication and consultation with the Site Administrator shall be ongoing.

- vii. Nothing in this article precludes the Site Administrator or District from doing informal observations nor from notifying the teacher verbally and/or in writing regarding incidents or events related to the teacher's fulfillment of his/her professional obligations.
  - a. Should the Site Administrator deem it necessary to communicate with a teacher in this intervention program in a manner that relates to progressive discipline; i.e., letter of warning, reprimand, etc., he/she may send a copy to the CT who shall report the same to the Panel.
- viii. The CT will share all written and verbal evaluation reports during a conference with the participating teacher at least once every six (6) weeks. Copies of the written reports will be provided to the Site Administrator and the Panel.
- ix. The CT will provide an oral report and all written documentation regarding the progress of the PT in a timely manner; minimally by the conclusion of each trimester.
  - a. The teacher and Site Administrator may be present for the CT's presentation and will be given an opportunity to respond to the report.
  - b. However, none of these individuals in section 9. a. may be present during deliberations of the Panel, which are confidential. The Panel may request additional follow-up information from any of these individuals.
- x. The course of assistance shall include one (1) or more of the following:
  - a. Multiple classroom observations by the CT;
  - b. Assistance specific to the Standard which has been evaluated to be "unsatisfactory;" and other areas deemed in need of assistance by the CT during the period of assistance;
  - c. Opportunities for the teacher receiving assistance to observe exemplary practice either by the CT or other exemplary teacher;
  - d. District provided professional development opportunities;
  - e. Conference attendance, often in the company of the CT to facilitate reflection on how this experience fits into the Individual Learning Plan;
  - f. Other forms of assistance which the CT and the Panel may provide; and
  - g. The parties understand that every possible subject matter competency may not be available within the corps of CTs, and therefore, it shall occasionally be necessary to secure additional assistance to fully address identified deficiencies. In such cases, the CT shall maintain prime responsibility for the Individual Learning Plan.
- xi. At the conclusion of the year of remediation, the Panel shall report to the PT, the Site Administrator, and the Board of Trustees of the School District that:
  - a. Either the PT is now "proficient" in the Gold Trail Teaching Standards, and the Site Administrator shall evaluate the unit member using the administrative evaluation option; or
  - b. Notwithstanding xi above, and while the term of this assistance shall normally be for one (1) school year, the intervention shall be extended to a second year if the Panel believes progress is being made although the PT may not have returned to a "proficient" level of performance; or
  - c. The Panel and CT do not consider that further assistance and remediation will be successful with reasons in support of this conclusion. The District

may then initiate dismissal proceedings or may send the member back to the Site Administrator for evaluation the next year.

- xii. The deliberations of the Panel shall be closed and confidential; his/her decisions shall be based on the information provided by the CT, the Site Administrator, the PT and/or the Federation representative who is assigned. The report of the vote shall only include the number of Panel members voting on each side of any question before the Panel.
  - xiii. The decision of the Panel shall be reported to the teacher, the CT, and the Site Administrator in conference with the Superintendent and a representative of the Federation.
- e. Volunteer Teacher Participants (VT)
- i. A permanent unit member who seeks to improve his/her teaching performance may request the PAR Panel to assign a CT to provide peer assistance. It is understood that the purpose of such participation is to provide peer assistance, and that the CT will play no role in the valuation of the teaching performance of a Volunteer Teacher Participant. The VT must participate in the PAR Program minimally 50% of the school year. Request by the VT for withdrawal from the PAR Program must be received in writing not later than the end of the first trimester.
  - ii. Unless requested by the VT, information obtained by the CT while working with the VT cannot be utilized in the VT's evaluation; nor shall it be placed in the VT's personnel file.
  - iii. The plan of assistance shall be the same as shown in x above.
  - iv. VTs shall be paid a stipend of \$250 per semester.

## **5. Teacher Due Process Rights**

- a. The teacher shall be entitled to review all reports generated by the CT prior to his/her submission to the Panel and to have affixed thereto his/her comments. To effectuate this right, the CT shall provide the PT being reviewed with copies of such reports at least five (5) working days prior to any such meeting.
- b. The teacher shall have a right to be represented by Gold Trail Federation of Teachers in any meetings of the Panel to which they are called and shall be given a reasonable opportunity to present his/her point of view concerning any report being made.
- c. The decision to refer a PT for intervention through this Program shall not be subject to the grievance procedure.
- d. The teacher shall have the right to timely reports of progress being made.
- e. The record of this intervention may be sealed within the personnel file after four (4) years of satisfactory evaluations. The summative evaluation shall remain unsealed.
- f. This Program in no manner diminishes the legal rights of bargaining unit members.

## **6. Miscellaneous Provisions**

- a. A teacher shall not have access to the grievance process to challenge the contents of reports, evaluations, or decisions of the Panel, but may file responses which shall become part of the official record of the intervention.
- b. At the conclusion of each fiscal year, if revenue exceeds expenditures, the Panels shall meet to determine the allocation of the surplus. Issues under scope shall be brought to the table for negotiations.
- c. Funds shall also be set aside to allow the consulting teachers funds to provide for release days and/or conferences as developmental tools with the teacher assigned to the Program.
- d. The cost of releasing consulting teachers for service in the program shall be computed on the sub rate.
- e. The PAR Program shall be reviewed annually.
- f. The District shall hold harmless the members of the PAR Panel and the CTs for any liability arising out of their participation in this Program as provided in Education Code Section 4503c.
- g. Confidentiality: All proceedings and materials related to the administration of this article shall be strictly confidential. Therefore, panel members and consulting teacher may disclose such information only as necessary to administer this article.



## **Article XIX**

### **SHARED CONTRACTS**

1. The purpose Article XVIII is to provide options for certificated employees to reduce his/her workloads by sharing the responsibility for a full-time position with another employee. It is the responsibility of the District, with the approval of the employee, to identify a suitable teaching partner.
2. Certificated employees may, subject to District approval, elect to reduce his/her workload from full-time to part-time under the following conditions:
  - a. A shared contract may be granted after three (3) years of service.
  - b. An employee who accepts an assignment under this Article shall receive a salary equal to a pro rata share of what his/her salary would be under a regular full-time contract.
  - c. If the employee is at least a .5 FTE employee and contributes additional monies to purchase full health benefit coverage, the District shall contribute toward the cost of health benefit coverage an amount equal to a pro rata share of the District's contribution for a full-time employee.
  - d. The employee's and the District's contribution to the retirement system will be based on the actual salary paid. The employee will receive only the pro rata service credits toward years of experience as computed by the State Teachers Retirement System.
  - e. Sick leave benefits are accrued based on the prorated normal rate.
  - f. For less-than-full-day scheduled work assignments, preparation periods will be factored in the proration; accommodating entitled preparation time.

3. Substitutes

When a teacher in the shared contract uses a day of sick leave, the person sharing the contract with that individual will, whenever possible, trade with the partner. When this occurs, there will be no deduction of sick leave. However, there will be a pay-back day charged to that individual. Pay-back days are defined as those days when the certificated partner substituted. If pay-back days do not equal out between sharing individuals at the end of the year, sick days shall be deducted and the teaching partner paid for the extra days as follows:

- a. For the first three (3) extra days the teaching partner shall be paid at his/her prevailing rate of pay.
- b. For any days beyond the first three (3) extra days, the teaching partner shall be paid at the substitute rate of pay.
- c. Both members of the team are to assume full responsibility for the total classroom and instructional program planning. They will:
  - Develop lesson plans together, which will present a cohesive, well-coordinated curriculum adhering to the District's goals and objectives.
  - Establish classroom discipline standards and expectations, which will be consistently applied and clearly defined.
  - Establish consistent and well-defined student achievement evaluation practices.
  - Develop an appropriate plan with a calendar which clearly states who will be responsible for the teaching and learning. Should the plan be modified, the District shall be notified before the change occurs.
  - Confer to mutually prepare for all parent conferences on each child's progress as is expected of teachers on full-time contracts.
  - Actively participate in school and faculty activities and meetings on a pro rata basis.

4. Both members of a team are required to take an active part in all District and school in-service, staff and other meetings, parent conferences, yard duties and other duties. If such do not occur on his/her workdays, they shall be paid pursuant to Article XI.

5. If one (1) partner does not continue for the full period of the assignment, and if the remaining partner's most recent evaluation was satisfactory and the partner is on leave from a full-time position, that partner may opt to assume the full-time position or may request that the District assist in obtaining a replacement partner.

6. If the assignment is terminated by either the District or the employee at the end of the first school year, then the employee shall be returned to the assignment he/she held prior to the shared contract, if the assignment exists. If the assignment is terminated by the District or the employee at the end of the second year or beyond, the employee will be offered a position for which he/she is credentialed, as provided by law and the collective bargaining agreement. An employee who is on leave from a full-time position shall notify the District by February 15 of his/her intention to return to a position for the upcoming school year.

## **Article XX**

### **GRIEVANCE PROCEDURE**

#### **Definitions**

A “grievance” is an allegation by an employee of the adverse effect of a misapplication, misrepresentation, or violation of a specific provision of this Agreement.

A “grievant” is any party covered by the terms of this Agreement and/or the Federation.

#### **Step One: Informal Level**

An alleged grievance shall be presented for informal discussion with the Site Administrator within twenty (20) work days after the grievant knew or reasonably should have known of the condition upon which the grievance is based. The Site Administrator shall respond to the grievant within ten (10) work days with his/her decision.

#### **Step Two: Formal Written**

In the event the matter is not resolved informally, a written grievance shall be filed within ten (10) work days of the Site Administrator’s response at the informal level. The grievant shall inform the Site Administrator of the specific section (s) of the Agreement which gave rise to the grievance, and the circumstances involved; and the specific remedy sought. Within ten (10) work days, the Site Administrator shall communicate in writing to the grievant his/her decision together with supporting reasons.

#### **Step Three: Formal Written**

If the grievance is not resolved to the satisfaction of the grievant, the grievant may appeal the decision in writing to the Superintendent within ten (10) work days after receiving the Step Two decision.

Within ten (10) work days from the date of receiving the grievance, the Superintendent shall communicate his/her decision to the grievant in writing. At the request of either party, a meeting shall be held including all parties before the issuance of a decision.

#### **Step Four: Mediation**

Within ten (10) work days from the date of receiving the Superintendent’s Step Three decision, the Federation may appeal to mediation to assist the parties in resolving the issue. A mediator from the California Mediation and Conciliation Service shall be used.

#### **Step Five: Arbitration**

If the grievant is not satisfied with the disposition of the grievance at Step Four, the Federation may request a hearing before an arbitrator within fifteen (15) work days.

Upon receiving the request for arbitration, the Superintendent shall request a list of arbitrators from the California Mediation and Conciliation Service. As soon as possible after receiving the list of names from the Service, representatives of the District and the Federation shall alternately strike a name until one (1) name remains. The person named shall serve as arbitrator.

- a. The arbitrator shall conduct a hearing at which both parties may present witnesses and evidence. The arbitrator shall render a decision on the issue(s) submitted.
- b. After a hearing, and after both parties have had an opportunity to make oral and written arguments, the arbitrator shall submit in writing to the parties his/her decision. The decision of the arbitrator shall be final and binding upon the parties.
- c. Each party shall bear the cost of preparing and presenting its own case in arbitration. All fees and expenses of the arbitrator and the arbitration process shall be shared equally by the parties. The grievant, the grievant's representative, and the grievant's witnesses shall be compensated at the regular rate and provided a substitute if the arbitration hearing is held during scheduled class time.

### **Handling of Grievance Documents**

All documents, communications, and records pertaining to a grievance shall be placed in a separate grievance file in the GTUSD District Office. Any document or record removed from a personnel file or any other file for use in a grievance shall be returned to the original file.

After the informal step, all grievances shall be processed on the *Gold Trail Grievance* form (Appendix E). Grievance forms shall be available for unit members at each site.

### **No Reprisals**

No reprisals of any kind shall be taken by the Board or by any member of the administration against anyone by reason of participation in the grievance procedure or support of any participant thereto.

### **Time Limits**

Failure by the District at any step of this procedure to communicate the decision on a grievance within the specified time limits shall result in an automatic appeal to the next step of the procedure. Failure by the grievant to conform to timelines will result in the grievance being settled. The specified time limits in this procedure may be extended by mutual agreement, in writing, between the parties.

### **Other Procedures or Remedies**

The grievance procedure provided in this Agreement shall be supplementary to, rather than exclusive of, any procedures or remedies afforded to an employee by law.

**Representation**

Either party may be accompanied by a representative of his/her own choosing at any level of the procedure. However, nothing in this Agreement shall be construed as limiting the right of any employee having a grievance to discuss the matter with any appropriate member of the administration, and to have the grievance resolved without intervention of the Federation - provided, however, that the resolution of the grievance is consistent with this Agreement and that prior to any agreement on the resolution of a grievance, the Federation has received a copy of the grievance and the proposed resolution. Such resolution shall not be precedent setting.

**Pending Grievances**

While a grievance is pending, the grievant shall continue the assigned functions until the resolution of the grievance is final.

**Release Time**

Insofar as possible, the processing of the grievance shall take place outside of class time. However, the grievant and his/her representative shall be provided a reasonable amount of release time to process the grievance.

The grievant, representative, and any necessary witnesses shall be granted paid release time to attend any hearing required by this grievance process.

## **Article XXI**

### **TERM OF AGREEMENT**

3. This Agreement shall constitute the entire agreement for the 2018-2021 contract years and thereafter until a successor agreement is negotiated.
4. For the 2020-2021 school year, the parties shall reopen on salary and benefits and up to two (2) articles selected by each party.
5. The parties agree to commence negotiations no later than October of 2020.

Agreed to and ratified by both parties as of this 2<sup>nd</sup> day of April, 2020, in Placerville, California.

For the Federation:

For the District:

*On File*

*On File*

DEBBI MATYAC, President  
Gold Trail Federation of Teachers

SCOTT LYONS, Superintendent  
Gold Trail Union School District

**APPENDIX A**  
**CERTIFICATED SALARY SCHEDULE**  
**2019-2020**  
**183 Days**

	Column I	Column II	Column III	Column IV	Column V
	BA/BS + 15	BA/BS + 30	BA/BS + 45	BA/BS + 60	BA/BS + 75
Step	Annual Contract	Annual Contract	Annual Contract	Annual Contract	Annual Contract
1	<b>43,753</b>	<b>48,903</b>	<b>49,409</b>	<b>49,920</b>	<b>50,431</b>
2	<b>44,237</b>	<b>49,409</b>	<b>49,920</b>	<b>50,431</b>	<b>50,937</b>
3	<b>44,721</b>	<b>49,920</b>	<b>50,431</b>	<b>50,937</b>	<b>55,197</b>
4	<b>45,202</b>	<b>50,431</b>	<b>50,937</b>	<b>55,197</b>	<b>56,968</b>
5	<b>45,686</b>	<b>50,937</b>	<b>55,197</b>	<b>56,968</b>	<b>58,793</b>
6	<b>46,170</b>	<b>55,197</b>	<b>56,968</b>	<b>58,793</b>	<b>60,676</b>
7		<b>56,968</b>	<b>58,653</b>	<b>60,676</b>	<b>62,623</b>
8			<b>60,388</b>	<b>62,623</b>	<b>64,633</b>
9			<b>62,175</b>	<b>64,633</b>	<b>66,706</b>
10			<b>64,017</b>	<b>66,706</b>	<b>68,849</b>
11				<b>68,175</b>	<b>71,061</b>
12				<b>68,899</b>	<b>72,625</b>
13				<b>69,328</b>	<b>73,409</b>
14				<b>70,145</b>	<b>74,224</b>
15				<b>70,725</b>	<b>74,836</b>
16				<b>71,675</b>	<b>75,547</b>
17				<b>72,491</b>	<b>76,265</b>
18				<b>73,306</b>	<b>76,985</b>
19				<b>74,234</b>	<b>77,623</b>
20				<b>74,938</b>	<b>78,507</b>
21				<b>75,856</b>	<b>79,765</b>
22				<b>76,469</b>	<b>80,762</b>
23				<b>77,222</b>	<b>81,703</b>
24				<b>78,171</b>	<b>83,503</b>
25				<b>78,219</b>	<b>84,947</b>
26				<b>79,136</b>	<b>88,247</b>



Additional Information:

- Ø Placement on the salary schedule shall be made based on professional preparation and experience. Experience outside the District will be granted on a year basis with a maximum of eleven (11) years experience accepted for initial placement.
- Ø Every employee of the District will be eligible for the District's family medical, dental, and vision insurance plans, as negotiated annually by the respective employee representatives and the Board of Trustees.
- Ø Part-time employees who are 0.50 FTE or greater shall be eligible for District Certificated Cap on a pro-rated basis.
- Ø The District offers a wellness incentive stipend program.
- Ø Master's degree stipend of \$ 1,250 per year shall be prorated on full-time equivalent and paid as part of the salary.
- Ø Combination class stipend of \$4,000 per year shall be prorated on full-time equivalent and paid as part of the salary.

**APPENDIX B**  
**SPECIAL ASSIGNMENT STIPENDS**  
**2019-2020**  
**Compensation Addendum**

Position	Compensation
Advisor: Living History Junior Docents	\$1,800
Advisor: CJSF	\$500
Advisor: Student Activities	\$1,800
Advisor: Yearbook	\$1,200
Athletic Coach: 7 Boys Basketball (Per 15 Students)	\$1,200
Athletic Coach: 7 Boys Volleyball (Per 18 Students)	\$1,200
Athletic Coach: 7 Football (Per 27 Students)	\$1,200
Athletic Coach: 7 Girls Basketball (Per 15 Students)	\$1,200
Athletic Coach: 7 Girls Volleyball (Per 18 Students)	\$1,200
Athletic Coach: 8 Boys Basketball (Per 15 Students)	\$1,200
Athletic Coach: 8 Boys Volleyball (Per 18 Students)	\$1,200
Athletic Coach: 8 Football (Per 27 Students)	\$1,200
Athletic Coach: 8 Girls Basketball (Per 15 Students)	\$1,200
Athletic Coach: 8 Girls Volleyball (Per 18 Students)	\$1,200
Athletic Coach: Cross Country (Per 25 students with a 75 student team max*)	\$1,200
Athletic Coach: Track (Per 25 students with a 50 student team max*)	\$1,200
Athletic Coach: Wrestling (Per 18 students with a 36 student team max*)	\$1,200
California Commission Induction Program Support Provider (per teacher, per year)	\$2,000
Consultant: GATE (\$25 per hour: 80 hours of service)	\$25/Hr
Coordinator: 8th Grade Activities	\$1,000
Coordinator: Book Club	\$200
Coordinator: Field Trip (Overnight)	\$300
Coordinator: Special Curriculum Projects	\$25/Hr
Director: Athletic	\$2,500
Director: Honor Band	\$400
Director: Jazz Band	\$2,500
Director: Special Education Services	\$2,500
District Induction Program Support Provider (per teacher)	\$200
Independent Study Administrator/Monitor	\$40/Hr
Instructor: Enrichment (\$600. Maximum Proposal)**	\$25/Hr
Instructor: Tutorial***	\$40/Hr
Support: Bilingual Instructional Aide/Translator	\$25/Hr
Teacher in Charge	\$500
<p>** May include but not limited to Enrichment activities such as  Math Olympiad, Spelling Bee, Nature Bowl, Choir.</p>	
<p>*** May include but not limited to tutorial activities such as  home/hospital, Friday/Saturday school, After School Tutorial.</p>	

## **APPENDIX C**

### **HEALTH INSURANCE BENEFITS**

Group medical, dental, and vision insurance coverage is available to all full-time employees of the bargaining unit in accordance with the terms of the health insurance provider.

All unit members who work at least half time are eligible for medical benefits. Vision and dental premiums are covered at District expense, and medical insurance premiums are covered at the amounts listed below on a pro-rata basis.

Employee share of benefit premiums will be deducted from his/her pay warrants.

All full-time unit members are eligible for a cash differential in his/her medical premiums for the difference in the actual cost of the premium and the District certificated cap of \$631.47 per month.

Part time unit members working at least .5 FTE shall receive a pro rated amount of health and welfare benefits and/or cash differential of the District cap based upon a 1.0 FTE per day full time position.

Employees are responsible for the amount of the medical benefits premium that is over the District certificated cap of \$631.47.

Current information is available at the District Office.

Vision and Dental insurance premiums are provided by the District.

**APPENDIX D**  
**GRIEVANCE FORM: STEP TWO - FORMAL WRITTEN**  
*In Accordance with Article XIX*

*In the event the matter is not resolved informally, a written grievance shall be filed within ten (10) work days of the Site Administrator's response at the informal level. The grievant shall inform the Site Administrator of the specific section (s) of the Agreement which gave rise to the grievance, and the circumstances involved; and the specific remedy sought. Within ten (10) work days, the Site Administrator shall communicate in writing to the grievant his/her decision together with supporting reasons.*

All portions of this section must be completed by the grievant.

Employee Name	Work Location	Date of Informal (Step 1) Meeting
---------------	---------------	-----------------------------------

Statement of Grievance	
Specific Section of Contract Alleged to have been Violated	
Specific Remedy Sought	
Date	Signature

*Upon completion of this section, grievant shall retain one copy and give one copy to immediate supervisor.*

-----

Immediate Supervisor's Response	
Date	Signature

*Upon completion of this section, immediate supervisor shall retain one copy and send copies to grievant, Superintendent, and the Federation.*

**APPENDIX D (continued)**  
**GRIEVANCE FORM: STEP THREE - FORMAL WRITTEN**  
*In Accordance with Article XIX*

*Appeal to the Superintendent*

*If the grievance is not resolved to the satisfaction of the grievant, the grievant may appeal the decision in writing to the Superintendent within ten (10) work days after receiving the Step Two decision.*

*Within ten (10) work days from the date of receiving the grievance, the Superintendent shall communicate his/her decision to the grievant in writing. At the request of either party, a meeting shall be held including all parties before the issuance of a decision.*

All portions of this section must be completed by the grievant. Response at Step Two must be attached.

Employee Name	
Reason for Appeal	
Remedy Sought	
Date	Signature

*Upon completion of this section, grievant shall retain one copy and give one copy to Superintendent.*

-----

Superintendent's Response	
Date	Signature

*Upon completion of this section, Superintendent shall retain original and forward copies to grievant, immediate supervisor, and the Federation.*

**AGENDA ITEM 16**

**ACTION: 2018-2021 Gold Trail Federation of Educators: Classified Employees  
 Collective Bargaining Agreement**

**BACKGROUND**

Before the Board approves any agreement, the Superintendent and chief business official shall certify in writing that any costs incurred by the district under the agreement can be met by the district during the term of the agreement. The certification shall itemize any budget revision necessary to meet the costs of the agreement in each year of its term. (*Government Code 3547.5, BP4143.1*)

**ATTACHMENTS**

- **AB 1200 Disclosure**
- **2018-21 Classified Agreement**

**BUDGETED**

☐ NA      ☒ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

Taking into consideration public comment, the Board will take action to ratify the agreement.

**NOTES**

<i><b>ACTION</b></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>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

# **Collective Bargaining Agreement**

**Between the**

**Board of Trustees  
Gold Trail Union School District**

**and the**

**Gold Trail Federation of Educators (GTFE),  
Classified Chapter, Local 4911,**

**California Federation of Teachers (CFT),  
American Federation of Teachers (AFT),  
American Federation of Labor-Congress of Industrial  
Organizations (AFL-CIO)**



**July 1, 2018 - June 30, 2021**

Ratified by GTFE: March 13, 2020  
Adopted by Board of Trustees: April 2, 2020

## TABLE OF CONTENTS

ARTICLE I: AGREEMENT .....	3
ARTICLE II: RECOGNITION .....	4
ARTICLE III: NON-DISCRIMINATION .....	5
ARTICLE IV: EMPLOYMENT CATEGORIES .....	6
Permanent Unit Members	
Probationary Unit Members	
Substitute Unit Members	
ARTICLE V: UNION RIGHTS AND PAYROLL DEDUCTIONS .....	7
ARTICLE VI: DISTRICT RIGHTS .....	9
ARTICLE VII: HOURS .....	10
ARTICLE VIII: PERSONNEL FILES .....	12
ARTICLE IX: EVALUATIONS .....	13
ARTICLE X: PUBLIC CHARGES.....	14
ARTICLE XI: LEAVES .....	16
Sick Leave	
Extended Sick Leave	
Industrial Accident Leave	
Pregnancy Disability Leave	
Paternity/Maternity Leave	
Family and Medical Leave	
Personal Necessity Leave	
Bereavement Leave	
Jury Duty and Court Appearance Leave	
Catastrophic Leave	
Federation Leave	
Leave Without Pay	
ARTICLE XII: DISTRICT VACANCIES .....	23
Posting	
Transfers	
Promotions	
ARTICLE XIII: VACATION AND HOLIDAYS .....	25
Vacation Procedure	
Holidays	
ARTICLE XIV: TRANSPORTATION .....	27
Hours	
Reimbursement for Certification	
Joint Transportation Committee	
ARTICLE XV: GRIEVANCE PROCEDURE .....	29
Definitions	
Step One: Informal Level	
Step Two: Formal Written	
Step Three: Formal Written	
Step Four: Mediation	
Step Five: Arbitration	
Handling of Grievance Documents	
No Reprisals	
Time Limits	



Other Procedures or Remedies	
Representation	
Pending Grievances	
Release Time	
ARTICLE XVI: SALARY AND RATE OF PAY .....	32
Degree Recognition Program	
Skill Enhancement Program	
ARTICLE XVII: BENEFITS .....	34
Work for Benefits Program	
ARTICLE XVIII: DISCIPLINE LESS THAN DISCHARGE .....	36
ARTICLE XIX: HEALTH AND SAFETY .....	39
ARTICLE XX: LAYOFF: PROCEDURES, EFFECTS AND REEMPLOYMENT FROM LAYOFF .....	42
Definitions	
Order of Layoff	
Layoff in Lieu of Bumping	
Equal Seniority	
Reemployment Rights	
Voluntary Demotion or Voluntary Reduction in Hours in Lieu of Layoff	
Offer of Reemployment	
When Layoff of Classified Unit Members is Anticipated by the Administration	
Effects of Layoff	
Procedure	
Retirement in Lieu of Layoff	
ARTICLE XXI: JOB CLASSIFICATIONS .....	45
Job Descriptions	
Working Out of Classification	
ARTICLE XXII: EFFECT OF AGREEMENT .....	46
Complete Understanding	
Savings Clause	
ARTICLE XXIII: TERM OF AGREEMENT .....	47
APPENDIX A: BARGAINING UNIT CLASSIFICATIONS	
APPENDIX B: CLASSIFIED SALARY SCHEDULE (2018-2019)	
APPENDIX C: HEALTH INSURANCE BENEFITS	
APPENDIX D: GRIEVANCE FORM	
APPENDIX E: EVALUATION MODEL	

## **ARTICLE I**

### **AGREEMENT**

This Agreement is made and entered into this first day of July, 2001 between the Gold Trail Union School District School District (hereinafter referred to as the "District") and the Gold Trail Federation of Educators (GTFE), Classified Chapter, Local 4911, California Federation of Teachers (CFT), American Federation of Teachers (AFT), American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), (hereinafter referred to as the "Federation").

## ARTICLE II

### RECOGNITION

1. The District recognizes the Gold Trail Federation of Educators (GTFE) – Classified Chapter, Local 4911, California Federation of Teachers (CFT), American Federation of Teachers (AFT), American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), (hereinafter referred to as the "Federation") as the exclusive representative of the classified unit as described in Appendix A, attached hereto and incorporated by reference as part of this Agreement.
2. Newly created or retitled classified positions which are not management, confidential or supervisory shall be added to Appendix A upon mutual agreement of the parties. If the parties do not agree to the classification of a newly created or retitled position, and the Federation believes that the position should be a part of the classified unit, the matter shall be submitted to the Public Employment Relations Board for resolution.

### **ARTICLE III**

#### **NON-DISCRIMINATION**

Neither the District nor the Federation shall discriminate against any employee of the District on the basis of race, color, creed, age, sex, national origin, religion, political affiliation, domicile, marital status, sexual orientation, physical or mental impairment, or for membership or participation in the activities of a unit member organization.

## ARTICLE IV

### EMPLOYMENT CATEGORIES

#### 1. **Permanent Unit Members**

Unit members hired to fill permanent positions shall be classified as permanent unit members after an initial probationary period of nine (9) calendar months. They shall be recognized as members of the classified members' bargaining unit upon their date of hire. They are entitled to all employee benefits authorized by this Agreement and the Education Code. A permanent employee who is serving a probationary period as a result of a transfer or promotion and who is found unsatisfactory in the new position shall be reinstated in permanent status in his/her former position.

#### 2. **Probationary Unit Members**

Unit members hired to fill authorized permanent positions will be classified as probationary unit members during the first six (6) calendar months or 130 days of paid service, whichever is longer. After this probationary period, the unit member shall become a permanent employee. Probationary unit members are entitled to all employee benefits authorized by this Agreement and the Education Code.

#### 3. **Substitute Unit Members**

Substitute shall not be used to fill a vacant position for longer than sixty (60) calendar days.

## ARTICLE V

### UNION RIGHTS AND PAYROLL DEDUCTIONS

1. The District recognizes the right of unit members to form, join, and participate in the lawful activities of the Federation.
2. The Federation or its designated representative shall have the right to meet with the District at the request of either party, to consult on matters relating to the implementation of this Agreement.
3. The Federation may appear on the Board agenda in accordance with normally established Board procedure and speak on any issue of said agenda before a vote is taken on such issue. A copy of the Board agenda and public supporting information will be provided to the Federation by the Secretary of the Board at the same time it is made available to the members of the Board.
4. A copy of this Agreement shall be distributed by the District to each employee covered by this Agreement.
5. The Federation shall have the right to use District facilities during non-instructional hours when there is no conflicting previously scheduled use for the purpose of transacting lawful Federation business. The use of a teacher's classroom or the staff lounge shall not require any advance notice providing the teacher is in concurrence with the use of his/her classroom.
6. The Federation shall have the right to use the intra-District mail system and/or mailboxes for the purpose of communicating with unit members.
7. The Federation shall have the right to bulletin board space for communicating union business
8. The District agrees to provide release time without loss of compensation for up to four (4) representatives of the Federation for the purpose of negotiations.
9. The District shall not contract out any work customarily and routinely performed by bargaining unit members.
10. The District will deduct and forward from the monthly paycheck of each unit member Federation dues and other voluntary deductions to the Federation as authorized in writing by the unit member on a mutually accepted form. All Federation dues collected by the District as a result of deductions shall be remitted to the Federation together with a printout of each payee's name.

The District shall not be obligated to put into effect any new, changed or discontinued deduction until the pay period commencing no less than fifteen (15) days after submission of the form to the designated representative of the District.

11. Any unit member who is paying dues may stop making those payments by giving written notice to the Federation during the period not less than thirty (30) and not more than forty-five (45) days before 1) the annual anniversary date of the unit member's authorization or 2) the date of termination of this contract, whichever occurs sooner. The District will honor the unit member's written authorizations unless they are revoked in writing during the window period, irrespective of the employee's membership in the Federation.
12. The Federation shall indemnify and hold harmless the District from any claims made of any nature and against any lawsuit instituted against the District arising from the deduction of dues, insurance or benefit programs of the Federation.

## **ARTICLE VI**

### **DISTRICT RIGHTS**

The Board of Trustees hereby retains and reserves unto themselves all rights, powers, authority, duties and responsibilities conferred upon it by law.

The exercise of those rights, powers, authority, duties, and responsibilities, and the adoption of such rules, regulations, and policies as it deems necessary in the management, direction, and administration of operations and activities of the District shall be limited only by the specific and express terms of this Agreement and by law.



## ARTICLE VII

### HOURS

1. A regular work schedule shall consist of not more than five (5) consecutive working days, Monday through Friday, of eight (8) hours per day and/or forty (40) hours per week. . Additional work hours shall be approved by a supervisor in advance. Additional work hours shall be assigned according to the following priorities in descending order:
  - a. Maintaining regular functions and operations of the district.
  - b. Completion of employee schedules to work an 8 hour workday.
  - c. Equitable distribution of additional work hours will be based on the bidding by seniority process.

Assignment of additional work hours according to these priorities does not include the assignment of overnight field trips, day field trips, and sports trips. This Article shall not restrict the extension of the regular workday or work week on an overtime basis when such is necessary to carry on the business of the District.

2. Unit members working their regular classification during the summer shall be compensated at their regular rate of pay and shall accrue holidays, vacation and sick leave in accordance with the regular school year schedule, as specified in this Agreement.

Unit members working at a lower classification during the summer shall be compensated at their regular rate of pay, and shall accrue holidays, vacation and sick leave in accordance with the regular school year schedule, as specified in this Agreement.

Unit members working at a higher classification during the summer shall be placed at the step in the new classification that provides them at least a 5% increase over their regular compensation and shall accrue holidays, vacation and sick leave in accordance with the regular school year schedule, as specified in this Agreement.

A unit member performing summer work outside of the unit member's classification shall not accrue seniority or retreat rights from this summer work.

3. Unit members may request flexible or alternative work hours, including a 10-hour day, four days a week work schedule, subject to agreement by the unit member, the District and Federation.
4. Unit members who render service of at least six (6) consecutive hours per work day shall be entitled to an uninterrupted lunch period. The length of the lunch period shall not be less than one-half hour and shall normally be scheduled at/or about the midpoint of each work shift.
5. Unit members shall be granted a ten (10) minute rest period at the mid-point in each four (4) hours worked. Rest periods are counted as hours worked for which there shall be no deduction from wages.
6. The District shall make available to unit members, on a non-exclusive basis, lunchroom, restroom and lavatory facilities at each site.

7. Overtime shall be approved in advance, with the exception of regularly scheduled bus routes. Overtime shall be equitably distributed pursuant to a rotation list among unit members within each classification at each work site. Overtime is defined to include any time worked in excess of eight (8) hours in any one day or in excess of forty (40) hours in any calendar week and shall be compensated at one and one-half (1-1/2) times the regular rate of pay of the employee. The employee shall decide whether to receive overtime pay or the equivalent in compensatory time at the time that the overtime is assigned. The employee shall receive payment for any compensatory time that remains on the books at the end of the fiscal year, or, at the employee's option, may roll over up to 80 hours of overtime into the next fiscal year. Employees who work hours beyond their hourly schedule, but are not subject to overtime because they work less than eight (8) hours per day or forty (40) hours per week, shall have the option of receiving regular pay or compensatory time for the additional time that they work. They may also request in writing to roll up to 80 hours of regular time into the next fiscal year. Unit members who have accumulated over 80 hours at the end of the 2015-16 school year have the option to carryover up to 120 hours into the next fiscal year(s) forward.
8. When unit members are required to work on paid holidays, the District shall pay the employee at the rate of two and one-half (2-1/2) times the employee's regular hourly rate.
9. Each employee shall be assigned a regular number of hours to be completed in a fixed shift.
10. Unit members called back to work after completion of their regular assignment shall be compensated for not less than two (2) hours of overtime at the current overtime rate.
11. Unit members required to attend work related activities which extend beyond their normal workday shall be compensated at the appropriate hourly rate of pay for such work. Unit members who work field trips shall be compensated for all on duty hours at the appropriate hourly rate of pay for such work.
12. The school year for unit members shall begin on July 1 and end on June 30<sup>th</sup> the following year.

## **ARTICLE VIII**

### **PERSONNEL FILES**

1. The District shall maintain personnel files for each unit member. The files shall be maintained in the District Office.
2. The file of an individual unit member is confidential information and shall be available only to authorized District personnel, the unit member, and any individual authorized by the unit member.
3. Every unit member shall have the right to inspect his/her personnel file. If the unit member is not present, anyone designated must have a signed statement from the unit member authorizing file access.
4. Information of a derogatory nature shall not be entered or filed in the unit member's personnel file until ten days after the employee is given a copy of the information. This shall be considered notice and an opportunity to review the information and comment upon it.
5. No material ascribed to any anonymous source shall be placed in a unit member's personnel file.
6. Any document, item or material in a unit member's personnel file which has been proven to be false or unsubstantiated shall be sealed.
7. The unit member shall have the right to attach a response to any material filed. No such answer, reply, clarification or explanation shall constitute a waiver of the employee's right to file a grievance in accordance with Article 14 of this Agreement.

## ARTICLE IX

### EVALUATIONS

1. The primary purpose of employee evaluation shall be to recognize accomplishments and offer support for the improvement of performance.
2. The District retains sole responsibility for the evaluation and assessment of the performance of each employee, subject to the following procedural requirements:
  - a. The parties agree a supervisor shall have supervised a unit member's work for no less than three (3) months prior to an evaluation.
  - b. A unit member in the bargaining unit shall not evaluate another employee in the bargaining unit.
  - c. Unit members shall be provided with a current job description and shall be informed as to the evaluative standards, objectives, and criteria that have been established during negotiations.
3. Evaluations shall be completed and summarized in writing so that each employee shall receive his/her evaluation no later than thirty (30) calendar days prior to the last day of school. The evaluation model will be found in Appendix E.
4. The immediate supervisor shall prepare a formal evaluation for probationary unit members prior to the end of the third (3<sup>rd</sup>) month of service and prior to the completion of the eighth (8<sup>th</sup>) month of service. Promotional or reclassified unit members shall be evaluated by their immediate supervisor prior to the end of the third (3<sup>rd</sup>) month after promotion or reclassification.
5. The signature of a unit member on the evaluation reflects only that the employee has read the evaluation.
6. A unit member may be accompanied by a representative of the employee's choice at any conference which may lead to discipline or an adverse effect on the unit member's employment status. The employee shall be informed by the District of the purpose of any meeting called for discipline or formal evaluation purposes. The employee shall be told of the right to have representation by the Gold Trail Federation of Educators, the exclusive representative, either before the meeting or at the point in the meeting when an adverse effect related to the employee's status might result from the proceedings.

## ARTICLE X

### PUBLIC CHARGES

#### 1. Public Charges

- a. If parents, other employees, or community members have a complaint against a unit member, the District will direct the complainant to communicate directly with the person against whom the complaint is lodged. The District will encourage the complainant to try to resolve concerns with the unit member personally.
- b. If the complaint is not resolved informally by the complainant and the unit member, the complainant may submit the complaint in writing, signed by the complainant, to the Site Administrator or immediate supervisor. The unit member shall be given a copy of the written complaint and shall have the right to respond orally or in writing within ten (10) work days after receipt of the complaint. Any written response made by the unit member will be attached to any report of the complaint placed in the unit member's personnel file. If the complaint is not put in writing, the District will advise the complainant that it cannot proceed with the investigation. If the complaint is not put in writing, the complaint cannot be used in an evaluation of the unit member. Nothing herein shall limit the District from proceeding with the investigation and otherwise processing the complaint.
- c. The Site Administrator or immediate supervisor shall be responsible for investigating the written complaint to be investigated. Any investigation shall include an interview with the unit member against whom the complaint has been made. The Site Administrator or immediate supervisor will attempt to resolve the complaint after making, or after having caused to be made, an investigation of the alleged facts and circumstances.
- d. Once the complaint has been put in writing and is signed by the complainant, the unit member may be represented by a Federation representative at any meeting regarding the complaint.
- e. If the complaint remains unresolved after the Site Administrator or immediate supervisor's review and investigation, the complaint shall be referred to the Superintendent, along with the supervisor's report, a copy of which shall be provided to the unit member. The Superintendent shall issue a written decision. The complainant shall consider the Superintendent's decision as final; however, the complainant or the employee may appeal the matter to the Governing Board.
- f. Any appeal to the Board must be filed in writing with the Board within ten (10) working days following receipt of the decision by the Superintendent.
- g. Should the employee appeal to the Governing Board, the Superintendent shall prepare a report, a copy of which shall be provided to the employee. The Superintendent's report shall contain the following:
  - i. The name of the employee and complainant.
  - ii. A brief summary of the facts.
  - iii. A copy of the original complaint.
  - iv. A summary of the action taken by the Superintendent.

- h. The Board shall address the appeal. All parties to the complaint may be asked to meet with the Board in closed session. All complaints or public charges concerning a unit member shall be discussed in closed session unless the employee requests that the issue charges be addressed in open session. All parties to the complaint may be asked to meet with the Board in closed session. A unit member has the right to a Federation representative at such a hearing in closed session meeting before the Board. The decision of the Board regarding the appeal following the hearing shall be final.
- i. The Federation may utilize the grievance procedure, commencing with Step 5, should it disagree with the Board's decision by requesting a hearing before an arbitrator within fifteen (15) working days of the decision.
- j. Complaints which are unsubstantiated or proven false shall not be included in the unit member's personnel file.

## ARTICLE XI

### LEAVES

An employee shall notify his/her immediate supervisor of his/her need to be absent as soon as such need is known.

#### 1. Sick Leave

- a. All 10-month unit members covered by this Agreement shall be granted a total of ten (10) days sick leave at full compensation for each contract year which shall be cumulative for the term of their employment. All 11-month unit members covered by this Agreement shall be granted a total of eleven (11) days sick leave at full compensation for each contract year which shall be cumulative for the term of their employment. All 12-month unit members covered by this Agreement shall be granted a total of twelve (12) days sick leave at full compensation for each contract year which shall be cumulative for the term of their employment.
- b. Sick leaves shall be credited at the beginning of the school year. Unit members who do not complete a full year of service will be charged for any unearned sick leaves used as of the date of termination. However, new unit members of the District shall not be eligible to take more than six (6) days of sick leave until six (6) months active service has been completed with the District.
- c. If a unit member does not utilize the full amount of sick leave authorized in any one school year, it shall be accumulated without limit from year to year. Upon retirement, unused accumulated sick leave may be included in PERS service retirement, as allowable under then current law.
- d. There shall be a wellness incentive bonus for unit members who on October 1 of each school year are employed in a position for at least 20 hours per week. This only applies to sick leave earned during the then current fiscal year.
  - i. 10 and 11-month unit members who use no sick leave or personal necessity leave shall be paid an incentive of \$250.00 for the year.
  - ii. 10 and 11-month unit members who use one day or less of sick leave or personal necessity leave shall be paid an incentive of \$150.00 for the year.
  - iii. 12-month unit members who use no sick leave or personal necessity leave shall be paid an incentive of \$300.00 for the year.
  - iv. 12-month unit members who use one day or less of sick leave or personal necessity leave shall be paid an incentive of \$250.00 for the year.

## **2. Extended Sick Leave**

- a. After all available sick leave is exhausted, when a unit member is absent from duty due to illness or injury for a period of five (5) months or less, the amount deducted from the salary due to the unit member for that month in which the absence occurs shall not exceed the sum actually paid a substitute employed to fill the position during the absence who must be hired specifically for the position from outside the district.
- b. Payments under this section shall be in conformance with the established procedures of the Education Code.

## **3. Industrial Accident Leave**

- a. In the case of industrial accident or illness, allowable leave shall be for not less than sixty (60) days. During this period, the unit member shall be paid a salary which, when added to his/her temporary disability indemnity, will result in payment of his/her full salary. "Illness" includes a contagious disease which the Workers' Compensation Board determines to be an industrial illness.
- b. After using all of his/her industrial accident or illness leave, he/she is entitled to all other benefits for which he/she is eligible. These benefits include his/her current sick leave, accumulated sick leave, catastrophic sick leave, and the five (5) month period of accumulated sick leave and differential pay (See applicable sections in this Article). The absence shall be deemed to commence on the first day following the termination of the industrial accident or illness leave. If the unit member continues to receive his/her temporary disability indemnity, he/she may use as much of his/her sick leave as necessary to result in a payment of his/her full salary.
- c. The provisions for this leave are contained in the Education Code: the current Code section is 45192.

## **4. Pregnancy Disability Leave**

Leave for pregnancy disability purposes may be taken as follows:

- a. A leave of absence for pregnancy disability purposes; and
- b. Sick leave for pregnancy disability purposes.
  - i. Pregnancy Disability Leave provides up to one (1) year of unpaid leave for pregnancy disability. Disability is determined by a unit member's physician if paid sick leave is to be used. The physician must certify that the unit member is medically capable of returning to employment. Such leave shall not constitute a break in service but will count towards advancement only if the unit member is on paid status for at least 50% of the year.



- ii. Use of sick leave for pregnancy disability purposes: a unit member may apply for paid sick leave due to pregnancy disability when verified by a physician that she is no longer able to work due to the condition of pregnancy or recovery from childbirth. At the time of her release by the physician she shall return to normal duties.
- c. Sick leave for pregnancy disability purposes shall begin on the date the physician decides that the continued fulfillment of her duties would be detrimental to her health and shall terminate on the date her physician decides she can return to her normal job responsibilities.

## **5. Paternity/Maternity Leave**

The District shall grant, upon request, five (5) days of paternity/maternity leave. This leave shall be used at the discretion of the unit member for the birth or adoption of a child, and/or the discharge of family members from the hospital. This shall be deducted from sick leave.

## **6. Family and Medical Leave**

- a. Unit members who have been continuously employed at least twelve (12) months are eligible under Federal and State laws for unpaid family and medical leave. Leaves may be granted for up to twelve (12) weeks in a twelve (12) month period (26 weeks for qualifying illnesses and injuries incurred during active duty military service).
- b. Unpaid leave is permitted for the following reasons: serious health condition of the employee; serious health condition of the employee's child, parent, or spouse; birth of a child, or placement of a child in the family for adoption or foster care; serious illness or injury sustained in the line of duty on active duty by a military service member who is the spouse, child, parent, or next of kin of the employee; or qualifying exigency arising out of the fact that a spouse, child or parent of the employee is a covered service member on covered active duty or has been notified of an impending call or order to covered active military duty.
- c. Leave does not constitute a break in service for the purposes of longevity, seniority, and/or sick leave. The unit member and dependent benefit coverage as provided in Appendix D shall continue.

## **7. Personal Necessity Leave**

- a. Unit member shall be granted up to a total of seven (7) days of personal necessity leave at full compensation during each year of their employment. Such leave will not be cumulative and will be deducted from the unit member's sick leave.
- b. The purpose of this leave is to enable the unit member to take care of urgent personal business that would normally require him/her to be absent from duty and, therefore, suffer loss of pay as a result. Personal necessity leave is not for personal convenience, recreation, or other employment.

- c. Leave forms shall be provided at the school site. Unit members may use personal necessity leave for the following reasons:
  - i. Serious illness of a member of immediate family.
  - ii. Accident involving person or property of unit member or a member of unit member's immediate family.
  - iii. Extension of bereavement leave.
  - iv. Bereavement not covered by bereavement leave.
  - v. Appearance in court as a litigant or as a witness under subpoena.
  - vi. Inability to get to assigned place of duty because of circumstances beyond unit member's control, such time being not less than one full day of leave.
- d. For purposes of this section, members of the immediate family are: mother, father, mother-in-law, father-in-law, spouse, domestic partner, son, daughter, son-in-law, daughter-in-law, step-parents, step-children, grandmother, grandfather, grandchild, brother or sister of the employee, brothers-in-law, sisters-in-law, aunts, uncles, cousins, nieces, nephews, or any person in the immediate household of the unit member.
- e. No personal necessity leave shall be granted for purposes of personal convenience, for the extension of a holiday or vacation period, or for matters that can be taken care of outside of working hours. The District may authorize the use of personal necessity leave for purposes not specifically listed in this section.
- f. The unit members shall request permission in advance for personal necessity leave, except in urgent situations such as a death or serious illness of a member of the immediate family or accident involving the employee's person or property.
- g. After an absence due to personal necessity the employee shall verify the absence by submitting a completed and signed absence form to his/her immediate supervisor.

## **8. Bereavement Leave**

- a. An unit member who is absent because of the death of a member of his/her immediate family shall be granted three (3) days of bereavement leave unless travel in excess of three hundred (300) miles, one-way, is required, for which five (5) days shall be granted.
- b. No deduction in salary or sick leave shall be taken from a unit member using bereavement leave.

- c. At the unit member's request, bereavement leave may be extended under the personal necessity leave provisions contained in this Article. At its discretion, the District may grant additional bereavement leave.
- d. For purposes of this section, members of the immediate family are: mother, father, mother-in-law, father-in-law, spouse, domestic partner, son, daughter, son-in-law, daughter-in-law, step-parents, step-children, grandmother, grandfather, grandchild, brother or sister of the employee, brothers-in-law, sisters-in-law, aunts, uncles, cousins, nieces, nephews, or any person in the immediate household of the unit member.

## **9. Jury Duty and Court Appearance Leave**

- a. A unit member absent from school because he/she has been selected for jury duty or been subpoenaed shall be paid by the District their regular salary. Unit members shall not waive jury duty stipends, but will turn over the stipend to the District upon receipt.
- b. Such items as subsistence, travel, or other expense allowance paid shall not be included in determining pay received from the District.
- c. Such time shall not be deducted from sick leave accumulation or personal necessity leave.

## **10. Catastrophic Leave**

- a. Catastrophic illness or injury is defined as an illness or injury that is expected to incapacitate a unit member or member of his/her immediate family for an extended period of time, and taking extended period of time off work creates a financial hardship for the unit member because he/she has exhausted all of his/her sick leave and other paid leave.
- b. Days in the Catastrophic Leave Bank shall accumulate from year to year.
- c. Immediate family member for the purposes of Catastrophic Leave means the unit member's spouse, domestic partner, mother, father, grandmother, grandfather, son, son-in-law, daughter, daughter-in-law, step-parent, step-child, brother, sister, aunt, uncle or any person living in the immediate household of the unit member.
- d. The Catastrophic Leave Bank shall be administered by a committee comprised of two (2) members from each unit member group. Committee members must be participants in the program.
- e. Eligibility and Contributions
  - i. All unit members on active duty with the District are eligible to contribute to the Catastrophic Leave Bank eight (8) hours of accrued sick leave. Such time shall be donated in eight (8) hours increments from the unit member's accrued sick leave. A window period will commence each year, running from July 1<sup>st</sup> through October 31<sup>st</sup>

during which time unit members may opt to participate in the leave bank. Those unit members joining the Catastrophic Leave Bank for the first time, those returning from leave, or newly hired unit members who wish to contribute to the Bank shall be required to contribute eight (8) hours to the Bank.

- ii. Participation is voluntary, but requires contribution to the bank. Only contributors will be permitted to withdraw from the bank
  - iii. All transfers of accumulated sick leave are irrevocable and binding.
  - iv. An additional eight (8) hours of contribution will be required of participants if the number of hours in the Bank falls below two hundred and forty (240). Leave Bank participants who are drawing from the Bank at the time of the assessment will not be required to contribute to remain eligible, nor shall participants who have exhausted their accumulated and annual sick leave. Should the leave bank run out of hours, the program shall be discontinued.
- f. Unit members applying to withdraw from the Bank will be required to submit to the Superintendent a doctor's statement indicating the nature of the illness or injury and the probable length of absence. Unit members will also be required to sign a form authorizing release of necessary medical information. Information regarding the nature of the illness will be kept confidential.
- g. No unit member shall withdraw more than eight hundred (800) hours from the Bank for any one illness or injury.
- h. Withdrawals from the Bank may not be denied on the basis of the type of illness or injury.
- i. Denial of a withdrawal from the Bank shall not be subject to the grievance procedure.

## **11. Federation Leave**

*Voluntary Absence for Federation Purpose* - A maximum of twelve (12) days per work year shall be granted for voluntary absences for those unit members designated by the Federation to conduct Federation business. The Federation shall notify the Superintendent and/or designee as soon as practicable, but not later than two (2) business days prior the commencement of the leave. The Federation shall pay the District for all costs of the substitute, including statutory benefits costs, or the amount which would have been paid if a substitute had been employed.

The Federation shall work cooperatively with the District to insure that there is sufficient coverage to conduct District business during the leave. This provision shall not be construed as a waiver of any rights available to the Federation under Education code section 44987.

This leave shall not be used for the purpose of or for conducting any concerted activity or litigation against the District.

**12. Leave Without Pay**

Leave without pay must be preapproved by the Superintendent.

## ARTICLE XII

### DISTRICT VACANCIES

#### 1. Posting

- a. Whenever a vacancy occurs the District shall publish and post a job announcement for the available position on each work site's bulletin board. The vacancy notice shall include the classification, job description, salary range, location, minimum qualifications desired, the method of application, and the deadline for applying.
- b. The notice shall be posted in areas accessible and highly visible to all unit members in the bargaining unit. Such notice shall be posted for a minimum of five (5) calendar days prior to the expiration of the application deadline.
- c. A current employee may apply for any position for which the employee meets the qualification requirements. The employee shall be given first consideration, to fill that position before consideration of a candidate who is not currently employed with the District.
- d. No employee shall be assigned to a permanent position resulting from a vacancy before the deadline for all interested unit members and/or applicants to apply has expired.
- e. The District shall notify all off track unit members by mail (and ConnectEd when appropriate) of any vacant positions.

#### 2. Transfers

- a. A "transfer" is defined as a change of job site, but within the same classification.
- b. Employee Initiated Transfers:

Each employee covered by this agreement shall have the right to request a transfer to any job location within the same classification. The following procedures shall be followed for all transfer requests:

- i. The employee shall submit a written request for transfer
- ii. All unit members who submit a request for transfer and meet the minimum qualifications for an open position shall be interviewed for the vacancy.
- iii. If the relevant factors among two or more applicants are equal, preference shall be given to the current District employee with the most seniority.
- iv. If the employee is not offered the position, the reasons for the denial shall be provided in writing at the written request of the employee.

- v. For the purpose of this Article, seniority shall mean a unit member's length of continuous service with the District. Service shall commence on the unit member's date of permanent hire with the District regardless of whether he/she is full time or part time.

- c. District Initiated Transfers

The District shall have the right to transfer based on the needs of the District, any employee to any job location within the same classification.

### **3. Promotions**

- a. A promotion is defined as a change from one classification to a higher classification and involving a change of position and duties. It is the intention of the District to promote, whenever possible, District unit members to vacant promotional positions.
- b. When a permanent employee receives a promotion, the employee shall move to the first step of the new salary range or that step of the new range which provides at least a 5 percent increase over the employee's current salary, whichever provides the highest salary.
- c. First consideration shall be given to the employee with the most seniority.
- d. The probationary period for transfers and promotions shall be six (6) months. During this time period, transferred or promoted unit members have the right to return to their original position if they are not successful in their new position. For purposes of this section only, transfer is defined as a change from a position to a new position which is paid at the same salary range and is in the bargaining unit.

## ARTICLE XIII

### VACATION AND HOLIDAYS

#### 1. Vacation Procedure

- a. Each employee in the bargaining unit shall earn vacation days according to the employee's time of employment in the District. Part-time unit members earn vacation at the same ratio as their work assignment bears to a full time assignment.

Years Employed	Number of Days
0-5 years' service	1 day for each month of service earned during the work year for a maximum of 12 days annual vacation
6-10 years' service	1.25 days for each month of service earned during the work year for a maximum of 15 days annual vacation.
11-15 years' service	1.67 days for each month of service earned during the work year for a maximum of 20 days annual vacation.
16-20 years' service	2.09 days for each month of service earned during the work year for a maximum of 25 days annual vacation.
21 years' service and over	2.5 days for each month of service earned during the work year for a maximum of 30 days annual vacation.

- b. Except when authorized in writing by the Superintendent, new unit members are ineligible to take any earned vacation during their first year of employment. Upon termination, all unit members will be paid for any accrued vacation.
- c. Except when authorized in writing by the Superintendent, less than 12-month unit members shall not take vacation time, but shall be paid for the vacation time earned by June 10 of each year.
- d. Vacation absences are granted with the approval of the unit member's site administrator or Superintendent. Efforts will be made to enable vacation to be taken at times convenient to the unit member, consistent with the needs of the District and the workload of the school and department.



- e. Twelve-month unit members, may request in writing, to carry over earned unused vacation time into the next fiscal year. The maximum carryover shall be two years vacation credit. Vacation that is not carried over will be paid out by July 10 of each year.
- f. Unearned vacation time may be granted in advance under unusual circumstances with prior approval of the unit member's supervisor and the District Superintendent.

## 2. Holidays

- a. Unit members are entitled to payment for authorized holidays provided they were in a paid status during any portion of the work day immediately preceding or succeeding the holiday.
- b. The authorized holidays for 12 month unit members are:

New Year's Eve Day	New Year's Day
Independence Day	Christmas Day
Martin Luther King Day	Labor Day
Lincoln's Birthday	Veterans' Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Christmas Eve Day	Good Friday

- c. The authorized holidays for 10 and 11 month unit members are:

New Year's Eve Day	New Year's Day
Martin Luther King Day	Labor Day
Lincoln's Birthday	Veterans' Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Christmas Eve Day	Good Friday
Christmas Day	

- d. If a holiday falls on a Saturday, the preceding Friday shall be designated the holiday; if the holiday falls on Sunday, the following Monday shall be designated as the holiday. All unit members assigned work on holidays shall receive compensation or compensatory time off equal to the time worked, in addition to the regular pay received for the holiday.
- e. Two (2) floating holidays shall be available to all unit members per year with the days of choice determined by the unit member, with prior approval by the District. If the unit member does not elect to take the one or both of the floating holidays, the employee will be compensated for the unused portion of time on the last pay warrant of the fiscal year. Floating holidays may only be taken as complete work day assignments.

## ARTICLE XIV

### TRANSPORTATION

#### Hours

Bus schedules may be amended due to a change in route caused by overcrowding, or other verifiable concern.

Drivers assignments shall be determined by seniority in the following manner.

- a. Bidding by Seniority
  - i. The most senior bus driver shall decide his/her first choice of route or non-regularly scheduled trip. The second most senior bus driver shall then decide his/her first choice of route or non-regularly scheduled trip. This method will continue in descending order of seniority until all bus drivers have completed their first choice of assignments. Should additional trips remain on the list, the process will commence beginning with the next most senior driver in the rotation. Should a unit member accept or decline a driving assignment, the unit member shall provide written authorization and the bidding of assignments will commence with the next most senior driver in the rotation.
  - ii. Unit members shall not be prevented from assignment to a field trip due to unfamiliarity with the trip. The district shall provide an opportunity to become familiar with field trip routes if the assigned unit member is unfamiliar with the driving route.
  - iii. The field trip assignments and rotation list will be updated as practical and maintained in locations accessible and known to the affected unit members.
- b. Routes and Buses
  - i. Routes will be determined and posted prior to the beginning of the school year.
  - ii. Routes and buses may be subject to change depending upon routes/ridership.
  - iii. Routes and buses shall be bid upon by the unit members according to bidding by seniority.
  - iv. Should regularly scheduled routes change such that it affects the hours required of a route, routes shall be reassigned according to bidding by seniority.
  - v. In the case of a known absence extending beyond 10 working days, assignments for regular bus driving routes shall be reassigned according to bidding by seniority.
  - vi. Should any vacancy remain after exhaustion of the bidding process, the vacancy will be filled with a substitute, if available.
- c. Overnight Field Trips
  - i. Shall be assigned according to bidding by seniority.
  - ii. Each year, a list of all known overnight, out-of-district field trips shall be created prior to the first field trip.
  - iii. If an overnight trip is cancelled, the affected unit member shall be offered the next available trip on the overnight list.
  - iv. Accommodations for overnight field-trips will be provided and will include a room with a bed and with a shower and bathroom within the facility. Accommodation paperwork shall be provided in advance of field trip.
  - v. In the case of an absence where the assigned bus driver is not able to fulfill their assigned trip, the trip will be forfeited and assigned according to bidding by seniority.

- d. Day Field Trips, Sports Trips, Late Bus
  - i. Shall be assigned according to bidding by seniority.
  - ii. Trips will be compiled on respective lists and communicated with drivers prior to the trip.
  - iii. New day trips will be compiled on a list to be communicated with drivers each week and the bidding by seniority process will commence.
  - iv. If a day trip is cancelled, the affected unit member shall be offered the next available trip on the respective list.
  - v. In the case of an absence where the assigned bus driver is not able to fulfill their assigned trip, the trip will be forfeited and assigned according to bidding by seniority.

Bus drivers on overnight field trips shall be compensated for all hours actually worked, which shall be at a minimum of eight (8) hours for the overnight stay.

### **Reimbursement for Certification**

The District shall pay for the following related to bus driver certificate renewal:

- a. Medical certificate. If the employee has District health coverage, this should be obtained there. If the employee does not have District health coverage which will provide the medical certificate, the District shall choose the provider and pay for the cost of the needed examination.
- b. Time for any in-house training including but not limited to CPR and First Aid completion of which shall be sufficient to qualify the employee to maintain his/her license.
- c. Cost of license renewal application.
- d. TO-1 training shall be compensated as regular time worked. Should an employee, while completing TO-1 training, work longer than an eight (8) hour day or forty (40) hour week, the employee shall receive overtime as prescribed in Article VII, section 8 of this Agreement.

### **Joint Transportation Committee**

The parties shall form a joint committee, including two (2) classified representatives appointed by the Federation and district administration or designee, whose purpose will be to develop a Transportation guideline for the District. The committee will meet as needed, to develop a guideline and such a guideline will be established only by mutual agreement of the parties.

## ARTICLE XV

### GRIEVANCE PROCEDURE

#### 1. Definitions

- a. A “grievance” is an allegation by a unit member of the adverse effect of a misapplication, misrepresentation, or violation of a specific provision of this Agreement.
- b. A “grievant” is any party covered by the terms of this Agreement and/or the Federation.

#### 2. Step One: Informal Level

An alleged grievance shall be presented for informal discussion with the site administrator within twenty (20) work days after the grievant knew or reasonably should have known of the condition upon which the grievance is based. The site administrator shall respond to the grievant within ten (10) work days with his/her decision.

#### 3. Step Two: Formal Written

In the event the matter is not resolved informally, a written grievance shall be filed within ten (10) work days of the site administrator’s response at the informal level. The grievant shall inform the site administrator of the specific section (s) of the Agreement which gave rise to the grievance, and the circumstances involved; and the specific remedy sought. Within ten (10) work days, the site administrator shall communicate in writing to the grievant his/her decision together with supporting reasons.

#### 4. Step Three: Formal Written

If the grievance is not resolved to the satisfaction of the grievant, the grievant may appeal the decision in writing to the Superintendent within ten (10) work days after receiving the Step Two decision.

Within ten (10) work days from the date of receiving the grievance, the Superintendent shall communicate his/her decision to the grievant in writing. At the request of either party, a meeting shall be held including all parties before the issuance of a decision.

#### 5. Step Four: Mediation

Within ten (10) work days from the date of receiving the Superintendent’s Step Three decision, the Federation may appeal to mediation to assist the parties in resolving the issue. A mediator from the California Mediation and Conciliation Service shall be used.

## **6. Step Five: Arbitration**

If the grievant is not satisfied with the disposition of the grievance at Step Four, the Federation may request a hearing before an arbitrator within fifteen (15) work days.

- a. Upon receiving the request for arbitration, the Superintendent shall request a list of arbitrators from the California Mediation and Conciliation Service. As soon as possible after receiving the list of names from the Service, representatives of the District and the Federation shall alternately strike a name until one name remains. The person named shall serve as arbitrator.
- b. The arbitrator shall conduct a hearing at which both parties may present witnesses and evidence. The arbitrator shall render a decision on the issue(s) submitted.
- c. After a hearing, and after both parties have had an opportunity to make oral and written arguments, the arbitrator shall submit in writing to the parties his/her decision. The decision of the arbitrator shall be final and binding upon the parties.
- d. Each party shall bear the cost of preparing and presenting its own case in arbitration. All fees and expenses of the arbitrator and the arbitration process shall be shared equally by the parties. The grievant, the grievant's representative, and the grievant's witnesses shall be compensated at the regular rate and provided a substitute if the arbitration hearing is held during scheduled class time.

## **7. Handling of Grievance Documents**

All documents, communications, and records pertaining to a grievance shall be placed in a separate grievance file in the GTUSD District Office. Any document or record removed from a personnel file or any other file for use in a grievance shall be returned to the original file.

## **8. No Reprisals**

No reprisals of any kind shall be taken by the Board or by any member of the administration against anyone by reason of participation in the grievance procedure or support of any participant thereto.

## **9. Time Limits**

Failure by the District at any step of this procedure to communicate the decision on a grievance within the specified time limits shall result in an automatic appeal to the next step of the procedure. Failure by the grievant to conform to timelines will result in the grievance being settled. The specified time limits in this procedure may be extended by mutual agreement, in writing, between the parties.

**10. Other Procedures or Remedies**

The grievance procedure provided in this Agreement shall be supplementary to, rather than exclusive of, any procedures or remedies afforded to a unit member by law.

**11. Representation**

Either party may be accompanied by a representative of his/her own choosing at any level of the procedure. However, nothing in this Agreement shall be construed as limiting the right of any employee having a grievance to discuss the matter with any appropriate member of the administration, and to have the grievance resolved without intervention of the Federation - provided, however, that the resolution of the grievance is consistent with this Agreement and that prior to any agreement on the resolution of a grievance, the Federation has received a copy of the grievance and the proposed resolution. Such resolution shall not be precedent setting.

**12. Pending Grievances**

While a grievance is pending, the grievant shall continue the assigned functions until the resolution of the grievance is final.

**13. Release Time**

Insofar as possible, the processing of the grievance shall take place outside of class time. However, the grievant and his/her representative shall be provided a reasonable amount of release time to process the grievance.

The grievant, representative, and any necessary witnesses shall be granted paid release time to attend any hearing required by this grievance process.

## ARTICLE XVI

### SALARY AND RATE OF PAY

1. Unit members shall be compensated in accordance with the salary schedule, incorporated as Appendix B as a part of this Agreement. If a salary increase is incorporated after the start of the school year, the employee must be employed in the position that is increased at the time of ratification of this agreement to be eligible to receive a retroactive payment.
2. Unit members shall be paid once per month, payable on or before the unit member's last working day of the month. If the normal pay date falls on a Saturday, Sunday or holiday, the paychecks shall be issued on the preceding workday.
3. Salary step increments shall be granted effective July 1 of each year. Unit members hired on or after February 1 shall not receive anniversary movement that year.
4. Payroll errors shall be corrected as soon as possible. Any paycheck that is lost after receipt shall be reported immediately to the Payroll Department. The District shall issue a check to replace the lost check as soon as administratively practicable.
5. New unit members will be hired at the first step on the salary schedule for the classification to which they are appointed. However, unit members hired may receive experience credit for all comparable experience and will be placed at the appropriate salary step commensurate with their experience not to exceed Step 7. Present unit members shall be compensated at the appropriate step on the salary schedule.
6. Liability vehicle insurance for unit members who use their vehicles on District business shall be at the state mandated minimum.
7. Degree Recognition Program
  - a. Unit members who possess an AA Degree shall receive an additional \$25.00 per month over and above their salary on Appendix B.
  - b. Unit members who possess a BA or BS Degree shall receive an additional \$75.00 per month over and above their salary on Appendix B.
  - c. No time from the Skills Enhancement Program may be used to gain a degree.
8. Skill Enhancement Program
  - a. After one (1) year of service to the District, a unit member on the commencement of the second (2<sup>nd</sup>) year and thereafter, may qualify for a SEP stipend of \$500.00. To qualify for this stipend, the following criteria must be met:

- b. Prior written permission by the Superintendent for an approved program of coursework.
- c. Programs and/or classes must be job related.
- d. Completion of 120 hours.
- e. Units and/or hours must be taken after the employee has finished his/her first year of service.
- f. Verification of completion must be submitted by the employee to the Superintendent by September 20<sup>th</sup> of each calendar year.

9. Reimbursement and Expenses

- a. Employees will be reimbursed for pre-approved job-related expenses.
- b. Employees approved to travel are required to use a District vehicle if one is available. District vehicles are to be used for school business only and may only be driven by employees. Employees must possess a valid California driver's license and carry appropriate insurance in accordance with District Policy to operate a District vehicle.
- c. Unit members required by their supervisors to use their vehicles on District business shall be reimbursed at the current IRS rate per mile for all miles driven on behalf of the District. In addition, the District shall pay the deductible up to \$1000 for accidents which occur on District time.
- d. Employees who are assigned to two (2) school sites as part of his/her assignment will be reimbursed for mileage to and from each site.



## ARTICLE XVII

### BENEFITS

1. Health and welfare benefits, including vision and dental insurance, will be provided to all unit members with the current insurance carriers, for the duration of this Agreement, as outlined in Appendix C. The District contribution for medical insurance shall be capped at \$509.72 per month for each full time employee. Part time unit members working at least 4 hours shall receive a pro-rated amount of health and welfare benefits and/or District cap (See Appendix C) based upon an 8-hour per day full time position.
2. Unit members who are absent on account of unpaid leave shall have the option to continue to receive full health coverage to be paid for by the employee.
3. The District's contribution per unit member for the term of this Agreement shall be 100% for Vision Service Plan, and 100% for Delta Dental Plan. The District shall continue to pay 100% for the Vision Service Plan and 100% for the Delta Dental Plan.
4. Unit members shall have the option to make additional contributions to PERS as per AB 719.
5. Work for Benefits Program
  - a. General Provisions
    - i. Currently employed classified personnel of the District are eligible for application to the Early Retirement Work for Benefits Program:
      - a) At age 55 or over, if they have completed a minimum of ten (10) years, the last of which has been the year immediately preceding retirement.
      - b) Have retired under the PERS system and are no longer contributing to PERS.
      - c) Have resigned from the District.
      - d) Have agreed to work as a resource person.
    - b. An employee will be eligible for the program for a maximum of five (5) years or to age 65, whichever comes first. The program is for one (1) year and an employee must reapply each year, up to five (5) years. The retiree has the right to terminate the contract at any time and either discontinue the benefits or continue paying for the benefits on his/her own per State and Federal requirements.

The District will work with American Fidelity to determine if this benefit can be provided under the pre-tax rules of Internal Revenue Code, Section 125. If so, it will be made available to eligible employees.
  - c. An employee must be enrolled in the District's benefit program three (3) years prior to retirement to qualify for this Early Retirement Work for Benefits Program.

- d. An employee who was considered less than full-time will be eligible for medical benefits on the same prorated basis as his/her level of benefits at the time of retirement.
- e. All applicants for the Work for Benefits Program shall apply annually by February 15<sup>th</sup> to the Board of Trustees, who may approve or decline the application.
- f. Contract
  - i. The retiree will perform services during the fiscal year in activities mutually agreed upon by the retiree and the District. If activities cannot be agreed upon, then the contract with the retiree will be terminated. Such services, by definition, shall be in the best interest of the District and within the retiree's classification or that which he or she is qualified to perform.
  - ii. A contract will be executed which delineates the duties, responsibilities, and specific days to be worked.
  - iii. The agreement is not renewable beyond the five (5) years or age 65. The District reserves the right to request a doctor's verification of an incapacitating condition. If the retiree is unable to perform the duties mutually agreed to in the contract, the contract will be terminated. If the contract is terminated, the retiree will be able to maintain the benefits at his/her own cost per State and Federal regulations.
- g. Benefits
  - i. Health and Welfare Benefits (medical, vision and dental) will continue at the level contracted for certificated District employees and subject to any maximum District contribution thereon.
  - ii. In order to determine the number of days to be worked, the value of the retiree's contribution will be based on the daily rate of Step 7 of the date the employee retired.
- h. Impact on Retirement Allowance

Any classified employee interested in the Early Retirement Work for Benefits Program shall be required to contact PERS and Social Security Administration to determine if early retirement or resignation may have a serious impact on his/her retirement allowance that is to be paid by PERS and Social Security Administration. Said employee must seek advice from a representative of PERS and Social Security Administration prior to submitting an application for the Early Retirement Work for Benefits Program and verify in writing that a meeting was held. Pension reform measures enacted January 1, 2013 include a 180-day wait period. Contact CALPERS for additional information.

## ARTICLE XVIII

### DISCIPLINE LESS THAN DISCHARGE

1. The normal progression of discipline shall be: oral notice, written notice, written reprimand, suspension without pay, demotion. In cases of severe infractions, there is no expectation that the progressions be followed. In such cases suspension or demotion may be imposed without the prior steps. The progressive discipline procedures shall be:

- a. Notice:

Oral notice is the initial stage of progressive discipline. At the first sign of misconduct or job performance deficiency, the supervisor shall put the employee on notice that their performance is unsatisfactory and shall advise the employee of the supervisor's level of expectation.

If the employee continues to violate rules/regulations, and does not perform satisfactorily after at least two (2) oral notices are given, the matter may warrant the next level of discipline.

- b. Written Notice:

If a unit member, after being given at least two (2) oral notices, continues to break rules, ignore orders, fail to perform assigned tasks, or otherwise fall short of the job standards, the supervisor shall document the problem in writing and provide a copy to the employee.

- c. Written Reprimand:

Should the employee's performance continue to be unsatisfactory after issuance of one or more written notices, the supervisor may issue a formal written reprimand. The employee then becomes a candidate for possible serious disciplinary action.

The supervisor shall confer with the employee and the Federation to discuss employee shortcomings and provide specific directions for improvement. This conference should be summarized in writing by the supervisor and filed in the employee's official personnel record with the written reprimand. The employee shall be provided copies of all disciplinary reprimands and conference summaries. The disciplinary reprimands and conference summaries shall be written in ordinary and concise language.

- d. Suspension

Upon notification to the employee, suspension may be recommended by the Superintendent to the Gold Trail Union School District Board of Trustees if two (2) related reprimands precede

the offense. The length deemed appropriate to the offense shall not exceed five (5) calendar days for any one suspension.

e. Demotion

Demotion refers to a vertical downward movement of any employee from one class to another and involves a reduction in pay. Demotion signifies assignment to a lower classification.

Demotion for disciplinary reasons may be accomplished by the Board upon written recommendation of the superintendent for action or conduct that it deems detrimental to the welfare of the District.

2. Just Cause

No employee shall receive a written notice, written reprimand, suspension without pay, or demotion except for just cause.

3. Guidelines for Disciplinary Action

The following guidelines shall be used in the discipline of unit members under this Article.

- a. The Superintendent, or designee, shall inform the employee by written notice of the specific charges against the employee. The written notice of discipline shall be served at least 10 days prior to said initiation of a suspension or demotion.
- b. The District's rules, regulations and policies shall be reasonable and related to the efficient operation of the District.
- c. A fair and objective investigation should precede disciplinary action and the results of the investigation shall be available to the employee.
- d. Unsubstantiated information shall not be grounds for discipline.
- e. Rules, orders and penalties should be applied fairly and equitably.
- f. Unit members shall have the right to Federation representation throughout every step of the disciplinary procedure.

- g. Disciplinary action should be appropriate and reasonably related to the nature of the offense.
- h. The employee has the right to respond in writing and to have the response attached to any derogatory information to be placed in his/her personnel file.
- i. The employee's supervisor may recommend at any time either that the employee be disciplined or that the employee be given additional time to improve his/her performance.
- j. The employee may request an informal conference, at any time, with the superintendent or designee to resolve the issues in question.
- k. The employee may utilize the grievance procedure to challenge any alleged violation of this section.

#### 4. Use of Monitoring Devices

- a. Monitoring devices installed on district property shall be used to curb vandalism and for the promotion of employee and student safety/security. Monitoring devices are not to be used for the purpose of unit member surveillance or for use in disciplining or evaluating work performance of unit members.
- b. The recording and equipment will be maintained according to District prescribed procedures and policies.
- c. The retention of recordings is to be in accordance with District policy and administrative rules.
- d. The superintendent or designee may authorize a unit member to access and utilize video surveillance equipment for the purpose of deterring misconduct of students and promotion of the Districts conduct rules.
- e. In the event that monitoring devices are being reviewed, unit members assigned to work in the areas being monitored shall be notified.

## ARTICLE XIX

### HEALTH AND SAFETY

1. The District shall provide for healthy and safe working conditions and training in accordance with the requirements of Federal and State Statutes, including but not limited to Cal-OSHA laws and regulations.
2.
  - a. Unit members shall not be required to perform duties under conditions which pose an immediate threat to the safety of themselves or their students.
  - b. Unit members shall report existing or potentially unsafe conditions to their site administrators in writing as soon as practicable. If steps to correct the hazardous conditions have not been taken within 24 hours and the threat of potential danger continues, the District shall provide an alternate work station.
  - c. District officials shall respond in writing to the unit members and the Federation within forty-eight (48) hours to respond to inquiries regarding health and safety issues. Should it be necessary, remedial timelines will be provided.
3. Training
  - a. The District shall provide safety meetings and sufficient training for persons using equipment, hazardous and/or toxic substances in the line of duty. Custodial staff shall be trained in the proper usage of chemicals and machinery.
  - b. Appropriate safety equipment and apparel for each employee shall be provided by the District for unit members whose work requires such equipment.
  - c. The District shall maintain a Safety Committee. The Committee will consist of equitable representation from unit member groups. The duty of the Safety Committee will be to review all applicable safety regulations and to make recommendations for the maintenance of proper safety conditions as required by law.
4. Personal Safety
  - a. Unit members shall be provided with, consistent with the safeguarding of private information, the names of pupils known to be afflicted or suffering from physical and/or emotional problems that may constitute a safety or health hazard, as soon as they're available. The District will provide additional background or training that will enable the unit member to address said problems.

- b. Unit members, acting within the scope of their duties and responsibilities, may utilize the amount of physical control necessary to maintain order and protect themselves, and the health and safety of students.
  - c. As soon as practical, any assault upon a unit member, by either students or adults shall be immediately reported to their site administrator who shall promptly report the same to the appropriate law enforcement authorities. The District shall provide legal and other related assistance in accordance with applicable law for any assault upon a unit member, while fulfilling assigned duties.
  - d. The District shall reimburse unit members for actual out-of-pocket expenses for the cost of medical, surgical, or hospital services incurred as the result of any injury or assault, as well as for any associated loss, damage, or destruction of clothing or personal property sustained in the proper performance of job duties and course of employment
5. When an absence arises out of or from an injury that occurred within the scope of duty, the employee shall file a Workers' Compensation claim and if it is approved shall not forfeit any sick leave or personal leave. When an accident arises out of or from an injury that occurred within the scope of duty, the employee is required to immediately file an accident report with the school office.
6. CPR and First Aid training shall be mandatory for all bus drivers and provided by the District at no cost to any unit member.

Unit members who work with students who have potential assaultive/destructive behaviors or medical conditions that might prove injurious to themselves or to others shall be provided with a communication system while supervising such students.

7. Occupational Exposure to Blood-borne Pathogens
- a. The District agrees to establish training standards of protection from blood-borne pathogens for unit members who may reasonably anticipate coming into contact with human blood and other potentially infectious materials in the course of performing their assigned duties.
  - b. The District agrees to establish a written exposure control plan for unit members regarding occupational exposure to blood and other potentially infectious materials. The control plan shall include the following provisions:
    - i. The District shall distribute health and safety rules to all unit members.
    - ii. The District shall establish a method for keeping records of exposure incidents, post-exposure follow-up, Hepatitis-B vaccinations and unit member training.

- c. The District shall inform unit members how to obtain Hepatitis B vaccinations. Unit members with occupational exposure to blood-borne pathogens will be provided with Hepatitis B vaccinations on a voluntary basis at the District's expense. Unit members who choose not to accept the vaccination must sign a declination form and unit members who decline the vaccinations may elect to be vaccinated at a later date.
- d. The District shall provide medical follow-up and appropriate counseling as may be required by law if an exposure incident occurs.
- e. The District agrees to provide in-service training on Human Immunodeficiency Virus infection (HIV), Acquired Immune Deficiency Syndrome (AIDS), and Hepatitis B to all unit members regarding occupational exposure to blood and other potentially infectious material. Training shall be provided as follows:
  - i. At the time of initial assignment to tasks where exposure may take place.
  - ii. At least annually thereafter.
- f. The District agrees to provide warning labels and containers for regulated waste as required by law.

8. Driver Safety

All drivers for the District, including bus drivers, shall undergo periodic safety, driving and licensing training as required by law.



## **ARTICLE XX**

### **LAYOFF: PROCEDURES, EFFECTS AND REEMPLOYMENT FROM LAYOFF**

#### **1. Definitions**

Layoff is involuntary termination of unit member employment for lack of work or lack of funds.

#### **2. Order of Layoff**

Any layoff shall be affected within a classification. The order of layoff within the class shall be based on hire date. A unit member, who has been employed the shortest time within the class, plus higher classes, shall be laid off first. Length of service means date of hire adjusted for leaves of absence without pay. (See Article VII, Section 2)

#### **3. Layoff in Lieu of Bumping**

A unit member, who elects a layoff in lieu of bumping, maintains his/her reemployment rights under this agreement.

#### **4. Equal Seniority**

If two or more unit members in a classification subject to layoff have equal seniority, the determination as to who shall be laid off will be made according to hire date (from the last date of hire with continuous service to the present date.) Any member may challenge his/her place on the seniority roster by making objections in writing to his/her supervisor.

#### **5. Reemployment Rights**

Laid off unit members are eligible for reemployment for a period of 39 months and shall be reemployed in reverse order of layoff and in preference to new applicants. In addition, laid off classified unit members have the right to participate in promotional examinations within the District during the period of 39 months. (Education Code section 45298)

#### **6. Voluntary Demotion or Voluntary Reduction in Hours In Lieu of Layoff**

Classified unit members who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff or to remain in their positions rather than be reclassified or reassigned, shall be granted the same rights as persons laid off and shall retain eligibility to be considered for reemployment for an additional period of up to 24 months; provided, that the same tests of fitness under which they qualified for appointment to the class shall still apply.

Unit members who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall be, at the option of the unit member, returned to a position in their former class or to positions with increased assigned time as vacancies become available, and without limitation of time, but if there is a valid reemployment list they shall be ranked on that list in accordance with their proper seniority. (Education Code section 45298)

**7. Offer of Reemployment**

- a. Upon return to work, eligibility for vacation and sick leave entitlement shall be computed in accordance with seniority.
- b. Unused sick leave benefits, accumulated prior to layoff, will be reinstated upon return to work.
- c. Upon return to work, benefits will not be less than all other unit members working the same hours in the same class.
- d. Notification of possible recall shall be made by certified mail to the last known address of all laid off unit members within the classification. The most senior laid off unit member confirming her or his availability to accept the position shall be offered the position. The unit members shall have ten (10) working days to respond to the notification. It shall be the unit member's responsibility to keep contact information current with the District. A laid off unit member's decision not to accept an offer of employment by the District, shall not affect his or her recall and reemployment rights.
- e. In the event that none of the laid off unit members from the classification for which there is a vacant position is available to accept the position, the District shall then notify other laid off unit members from other classifications, that an opening exists, for which they may apply. Acceptance of a position in a different classification from which the unit member was laid off, shall not cause the unit member to forfeit her or his recall rights to the former position.

**8. When Layoff of Classified Unit Members is Anticipated by the Administration**

- a. The District will inform the Chapter Executive Vice President as soon as possible, but not later than sixty (60) days prior to the commencement of any anticipated layoff.
- b. The Federation and the District will discuss all reasonable alternatives to layoff. The District will provide the Chapter Executive Vice-President with reasons regarding a proposed layoff.
- c. The District will meet with the Chapter Executive Vice President regarding the proposed layoff.

**9. Effects of Layoff**

- a. Any work shall be given to laid off unit members in reverse seniority. A unit member will be used as a substitute within any classification for which a person has seniority.
- b. Fringe benefits (health/welfare) will be continued for a period of two months, at the normal District contribution level.
- c. Vacation time earned and unused at the time of layoff shall be computed and paid to the unit member.

**10. Procedure**

- a. When, as a result of the expiration of a specially funded program, classified positions must be eliminated at the end of any school year and unit members will be subject to layoff for lack of funds, the unit members to be laid off at the end of the school year shall be given written notice on or before May 29 informing them of their layoff effective at the end of the school year and of their displacement rights, if any, and reemployment rights. However, if the termination date of any specially funded program is other than June 30, the notice shall be given not less than 60 calendar days prior to the effective date of their layoff.
- b. When, as a result of a bona fide reduction or elimination of the service being performed by any department, unit members shall be subject to layoff for lack of work, affected unit members shall be given notice of layoff not less than 60 calendar days prior to the effective date of layoff and informed of their displacement rights, if any, and reemployment rights.
- c. Nothing herein provided shall preclude a layoff for lack of funds in the event of an actual and existing financial inability to pay salaries of unit member, nor layoff for lack of work resulting from causes not foreseeable or preventable by the Governing Board, without the notice required by subdivisions (a) or (b) (Education Code section 45117)

**11. Retirement In Lieu of Layoff**

Any unit member who was subject to being, or was in fact, laid off for lack of work or lack of funds and who elected service retirement from the Public Unit members' Retirement System shall be placed on an appropriate reemployment list. The District shall notify the Board of Administration of the Public Unit members' Retirement System of the fact that retirement was due to layoff for lack of work or lack of funds. If he/she is subsequently subject to reemployment and accepts, in writing, the appropriate vacant position, the District shall maintain the vacancy until the Board of Administration of the Public Unit members' Retirement System has properly processed his/her request for reinstatement from retirement. (Education Code section 45115.)

## ARTICLE XXI

### JOB CLASSIFICATIONS

#### 1. Job Descriptions

A written job description shall be provided to each employee at the employee's date of hire and at the beginning of each subsequent year. Job descriptions shall reflect updated responsibilities and actual duties assigned.

#### 2. Working Out of Classification

Whenever a unit member is assigned on an acting basis, through action of the District, to the duties of a higher paying position (working out of classification) the employee shall be paid for the duration of the acting assignment.

- a. A regular employee who is assigned to work out of classification, to perform duties of a higher classification, shall be compensated at the first step of the salary range for the higher classification or the equivalent to a one-step increment, whichever is higher but not greater than the maximum for the classification.
- b. Unit members assigned to perform duties of a lower classification shall be compensated at their regular pay.

## ARTICLE XXII

### EFFECT OF AGREEMENT

#### 1. Complete Understanding

The terms and conditions set forth in this Agreement represent the full and complete understanding between the parties. The terms and conditions may be altered, changed, added to, deleted from or modified only through the voluntary, mutual consent of the parties in a written amendment executed according to the provisions of this Agreement. This Agreement terminates and supersedes those past practices, agreements, procedures, traditions and rules or regulations inconsistent with any matters covered herein. The parties agree that during the negotiations that culminated in this Agreement, each party enjoyed and exercised without restraint, coercion, intimidation or other limitation, the right and opportunity to make demands and proposals or counterproposals with respect to any matter not reserved by policy or from compromise through negotiations and that the understandings and agreements arrived at after the exercise of that right and opportunity are set forth herein. No further negotiations shall take place at any time within the scope of bargaining during the term of this Agreement except as specifically authorized herein. This shall not preclude the Federation from exercising its right to consult pursuant to Government Code 3543.2 on items not included in this Agreement.

#### 2. Savings Clause

Should any section, paragraph or provision of this Agreement be declared or adjudicated unlawful, void, inoperative or unenforceable by a court of competent jurisdiction, all remaining sections, paragraphs and provisions of this Agreement shall remain in full force and effect to the extent permitted by law. As soon as both parties become aware of the decision, they shall meet to discuss the impact of the decision on the contract. If both parties mutually agree, the parties shall meet not later than ten (10) days after such discussion to renegotiate the section, paragraph or provision affected.

## ARTICLE XXIII

### TERM OF AGREEMENT

1. This Agreement shall constitute the entire agreement for the 2018-2021 contract years and thereafter until a successor agreement is negotiated.
2. For 2020-21 school year, the parties shall reopen each year on salary and benefits and up to two (2) articles selected by each party.
3. The parties agree to commence negotiations no later than November of 2020.

Agreed to and ratified by both parties as of this 2<sup>nd</sup> day of April, 2020, in Placerville, California.

For the Federation:

For the District:

ON FILE

ON FILE

Signed:  
DEBBI MATYAC, President  
Gold Trail Council of Classified Unit  
AFT Local 491 1, CFT/CCE, AFL-CIO

Signed:  
SCOTT LYONS, Superintendent  
Gold Trail Union School District

## **APPENDIX A**

### **BARGAINING UNIT CLASSIFICATIONS**

Behavioral Intervention Instructional Assistant  
Bus Driver  
Bus Driver Instructor  
Cafeteria Aide  
Courier  
Custodian  
Educationally Related Health Care Counselor  
Food Service Coordinator  
Fueler/Washer  
Library Technician Assistant  
LVN (Licensed Vocational Nurse)  
Library Technician  
Maintenance/Bus Driver  
Maintenance/Custodian  
Medically Fragile Aide  
Nurse  
Office Clerk (School)  
Playground Monitor  
Transportation/Utility  
Site Maintenance Coordinator  
Teacher Associate  
Van Driver

## APPENDIX B

### CLASSIFIED SALARY SCHEDULE 2019-2020

STEP		1	2	3	4	5	6	7 to 9	10 to 14	15 to 19	20 to 24	25+
Educationally Related												
Health Care Counselor	Hourly	\$40.59	\$41.79	\$43.02	\$44.29	\$45.60	\$46.95	\$48.34	\$49.77	\$51.25	\$52.77	\$54.33
Nurse*	Hourly	\$33.12	\$34.13	\$35.12	\$36.15	\$37.21	\$38.29	\$39.41	\$40.18	\$40.94	\$41.73	\$42.49
Licensed Vocational Nurse (LVN)	Hourly	\$22.79	\$23.45	\$24.11	\$24.82	\$25.54	\$26.28	\$27.03	\$27.55	\$28.08	\$28.62	\$29.19
Site Maintenance Coordinator	Hourly	\$19.22	\$20.14	\$21.10	\$22.12	\$23.18	\$24.28	\$25.44	\$25.94	\$26.43	\$26.92	\$27.41
Transportation/Utility	Hourly	\$18.85	\$19.01	\$19.80	\$20.63	\$21.48	\$22.38	\$23.31	\$23.76	\$24.22	\$24.66	\$25.10
Bus Dvr/Maint (12 OR 10.5)	Hourly	\$18.79	\$19.63	\$20.53	\$21.46	\$22.44	\$23.47	\$24.53	\$25.00	\$25.48	\$25.94	\$26.42
Maintenance / Custodian	Hourly	\$18.36	\$19.15	\$19.95	\$20.81	\$21.71	\$22.66	\$23.62	\$24.07	\$24.53	\$24.98	\$25.43
Bus Driver	Hourly	\$18.25	\$18.43	\$19.21	\$20.03	\$20.89	\$21.80	\$22.73	\$23.17	\$23.59	\$24.03	\$24.47
Bus Driver Instructor	Hourly	\$24.10	\$24.82	\$25.57	\$26.33	\$27.12	\$27.94	\$28.78	\$29.64	\$30.53	\$31.45	\$32.39
Behavioral Intervention Inst Asst (HQ)	Hourly	\$18.25	\$18.43	\$19.21	\$20.03	\$20.89	\$20.99	\$22.00	\$22.43	\$22.85	\$23.27	\$23.70
Van Driver	Hourly	\$18.25	\$18.43	\$18.95	\$19.50	\$20.08	\$20.68	\$21.31	\$21.72	\$22.13	\$22.53	\$22.94
Food Services Coordinator	Hourly	\$17.10	\$17.90	\$18.76	\$19.66	\$20.59	\$21.57	\$22.59	\$23.02	\$23.45	\$23.90	\$24.33
Custodian / Fueler / Washer	Hourly	\$17.06	\$17.77	\$18.54	\$19.32	\$20.15	\$21.01	\$21.92	\$22.35	\$22.76	\$23.19	\$23.59
Library Technician (HQ)	Hourly	\$16.66	\$17.43	\$18.25	\$19.15	\$20.04	\$20.99	\$22.00	\$22.43	\$22.85	\$23.27	\$23.70
DHOH/Sign Language	Hourly	\$16.65	\$17.35	\$18.08	\$18.86	\$19.58	\$20.50	\$21.38	\$21.81	\$22.21	\$22.61	\$23.03
Medically Fragile Aide	Hourly	\$15.52	\$16.17	\$16.86	\$17.58	\$18.33	\$19.10	\$19.92	\$20.30	\$20.67	\$21.06	\$21.43
Courier / Library Tech Assistant (HQ)	Hourly	\$15.48	\$16.12	\$16.80	\$17.50	\$18.26	\$19.05	\$19.85	\$20.24	\$20.62	\$20.99	\$21.37
Bilingual TA	Hourly	\$15.15	\$15.78	\$16.45	\$17.15	\$17.80	\$18.63	\$19.43	\$19.81	\$20.18	\$20.54	\$20.92
Office Clerk/Casmis Manager	Hourly	\$15.06	\$15.83	\$16.58	\$17.37	\$18.18	\$19.05	\$19.95	\$20.33	\$20.71	\$21.10	\$21.47
Teacher Associate (HQ)	Hourly	\$14.65	\$15.26	\$15.90	\$16.58	\$17.21	\$18.01	\$18.78	\$19.15	\$19.50	\$19.85	\$20.22
Cafeteria Aide/ Playground Monitor	Hourly	\$14.20	\$14.78	\$15.41	\$16.06	\$16.75	\$17.45	\$18.20	\$18.54	\$18.89	\$19.23	\$19.58



## **APPENDIX C**

### **HEALTH INSURANCE BENEFITS**

Group medical, dental, and vision insurance coverage is available to all full-time unit members of the bargaining unit.

All unit members who work at least half time are eligible for medical benefits. Vision and dental premiums are covered at District expense for the amount listed below, and medical insurance premiums are covered at the amounts listed below on a pro-rata basis.

The parties shall form a joint medical benefits committee, including two (2) certificated representatives and two (2) classified representatives appointed by the Federation, and District representatives, whose purpose will be to explore medical plans. The committee shall meet upon request of either party. The parties shall work cooperatively to identify available medical plans (including plans that permit employees to decline District coverage in exchange for an opt-out payment), options and premiums for plan years that begin on or after July 1, 2020. Any changes shall be by mutual agreement between the parties.

Unit member share of benefit premiums will be deducted from his/her pay warrants.

Part time unit members working at least 4 hours shall receive a pro-rated amount of health and welfare benefits and/or cash differential of the District cap based upon an 8-hour per day full time position. Unit members are responsible for the amount of premium that is over the District cap of \$509.72.

Current health and welfare plan and rate information is available at the District Office.

Vision and Dental insurance premiums are provided by the District.

## APPENDIX D

### **GRIEVANCE FORM** **STEP TWO - FORMAL WRITTEN** *In Accordance with Article XIV*

*In the event the matter is not resolved informally, a written grievance shall be filed within ten (10) work days of the site administrator's response at the informal level. The grievant shall inform the site administrator of the specific section (s) of the Agreement which gave rise to the grievance, and the circumstances involved; and the specific remedy sought. Within ten (10) work days, the site administrator shall communicate in writing to the grievant his/her decision together with supporting reasons.*

All portions of this section must be completed by the grievant.

Employee Name	Work Location	Date of Informal (Step 1) Meeting
Statement of Grievance		
Specific Section of Contract Alleged to have been Violated		
Specific Remedy Sought		
Date	Signature	

*Upon completion of this section, grievant shall retain one copy and give one copy to immediate supervisor.*

-----

Immediate Supervisor's Response	
Date	Signature

*Upon completion of this section, immediate supervisor shall retain one copy and send copies to grievant, Superintendent, and the Federation.*

## APPENDIX D

### GRIEVANCE FORM STEP THREE - FORMAL WRITTEN *In Accordance with Article XIV*

#### *Appeal to the Superintendent*

*If the grievance is not resolved to the satisfaction of the grievant, the grievant may appeal the decision in writing to the Superintendent within ten (10) work days after receiving the Step Two decision.*

*Within ten (10) work days from the date of receiving the grievance, the Superintendent shall communicate his/her decision to the grievant in writing. At the request of either party, a meeting shall be held including all parties before the issuance of a decision.*

All portions of this section must be completed by the grievant. Response at Step Two must be attached.

Employee Name	
Reason for Appeal	
Remedy Sought	
Date	Signature

*Upon completion of this section, grievant shall retain one copy and give one copy to Superintendent.*

-----

Superintendent's Response	
Date	Signature

*Upon completion of this section, Superintendent shall retain original and forward copies to grievant, immediate supervisor, and the Federation.*

## APPENDIX E

### EVALUATION MODEL

*In Accordance with Article IX*

Employee Information
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Name	Position	Date
Review Period		
<b>Probationary</b> <input type="checkbox"/> 3 Month <input type="checkbox"/> 8 Month <input type="checkbox"/> ** <b>Permanent</b> <input type="checkbox"/> Annual <input type="checkbox"/> Other		
<i>Supervisor will first meet with employee within the first thirty (30) instructional days of the new school year to discuss evaluation and goals. Evaluations shall be completed and summarized in writing so that the employee receives his/her evaluation no later than thirty (30) calendar days prior to the last day of school.</i>		

Review Rating Guidelines
--------------------------

**Meets or Exceeds Standard; Needs Improvement\*: Unacceptable\***  
*\*Requires written comments, including methods to meet expectations.*

Evaluation				
Performance Indicators	Meets or Exceeds Standards	Needs Improvement*	Unacceptable*	Comments: Attach separate sheet if necessary.
<b>Attendance:</b> Attends work regularly and is on time. When late or absent, notifies supervisor(s) in a timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Job Knowledge:</b> Understands the duties, responsibilities and expectations of the position. Has knowledge of subject area and related policies, procedures and technical expertise; uses information, materials, and techniques accurately and appropriately.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Organization:</b> Sets priorities, utilizes time efficiently, follows through with assigned tasks; meets deadlines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Interpersonal Relations:</b> Maintains smooth working relations with others; is helpful and supportive of others as necessary; is understanding of the feelings and needs of co-workers and others; contributes to maintaining a high level of morale and motivation; is appreciative of the diversity of co-workers, parents, students and visitors; supports the District's commitment to teamwork.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Technology:</b> Effectively utilizes the tools/equipment required of the position.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Professional Growth:</b> Accepts new ideas and/or procedures; continues to upgrade skill by taking advantage of additional training/education. Keeps current with appropriate legislation, policies, procedures and/or techniques.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>Quality of Work:</b> Work product is accurate, reliable, thorough, and has a good presentation. Effectively handles a variety of situations, projects and assignments; exercises good judgment and discretion relative to sensitive or confidential issues. Effectively performs the work of the position and assigned area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Appearance:</b> Is always neat and groomed, using good taste as suitable for job assignment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Initiative:</b> Demonstrates by seeking more efficient methods for performing assigned tasks; evaluates alternative courses of action and makes a logical decision; keeps supervisor informed of important work or emergencies; seeks new challenges, self-development and learning opportunities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Communication:</b> Writes, and speaks with the skill required of the position; listens to individuals and can elicit valuable information from others. Appropriately seeks assistance when needed and is able to accept assistance; is knowledgeable of laws and regulations related to job assignment and is able to apply and translate them appropriately.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Safety:</b> Performs job assignments safely, protecting people and property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Overall Work Performance				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Goals
-------

Probationary Employees**
--------------------------

I recommend that this employee be advanced to permanent status. ☐Yes ☐No

Signature of Supervisor\_\_\_\_\_ Date\_\_\_\_\_

Signature of Employee\_\_\_\_\_ Date\_\_\_\_\_

*Certification of Employee: I certify that this report has been discussed with me. I understand my signature does not necessarily indicate agreement and that I may submit a written statement to my supervisor within five (5) days from receipt of the review. I further understand that my statement will be attached to this evaluation and submitted to my personnel file.*

**AGENDA ITEM 17**

**ACTION: 2019-2020 Unrepresented Confidential Employees Settlement**

**BACKGROUND**

Before the Board approves any salary schedule, the Superintendent and chief business official shall certify in writing that any costs incurred by the district under the schedule can be met by the district during the term of the schedule. (*Government Code 3547.5, BP4143.1*)

**ATTACHMENTS**

- **AB 1200 Disclosure**
- **2019-2020 Unrepresented Confidential Employees Salary Schedule**

**BUDGETED**

☐ NA      ☒ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

Taking into consideration public comment, the Board will take action to ratify the salary schedule.

<i><b>ACTION</b></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>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

Gold Trail Union School District  
**CONFIDENTIAL SCHEDULE**  
Fiscal Year 2019-20

Employee Ratified: March 2020  
Board Ratified: April 2nd 2020

Position		1	2	3	4	5	6	7 to 9	10 to 14	15 - 19	20 - 24	25 +
Administrative Assistant* 07	Monthly											
	Hourly	24.61	26.31	27.60	28.94	30.36	31.86	32.65	33.30	33.93	34.57	35.20
Fiscal-Business Technician 09	Monthly											
	Hourly	23.87	25.04	26.26	27.55	28.90	30.31	31.82	32.44	33.06	33.68	34.31
Accountant 03	Monthly											
	Hourly	19.61	20.60	21.62	22.70	23.84	25.02	27.27	27.81	28.35	28.90	29.44
Office Manager (Middle School) 08	Monthly											
	Hourly	18.17	19.06	19.97	20.93	21.94	23.03	25.11	25.61	26.13	26.63	27.13
Office Manager (Elementary School) 04	Monthly											
	Hourly	17.52	18.39	19.32	20.28	21.30	22.37	24.47	24.96	25.46	25.94	26.43
School Secretary 12	Monthly											
	Hourly	16.74	17.56	18.45	19.38	20.35	21.36	23.37	23.84	24.31	24.77	25.24
Accounting Assistant 05	Monthly											
	Hourly	16.65	17.50	18.36	19.27	20.25	21.25	23.32	23.79	24.24	24.71	25.18
Receptionist/Clerk 06	Monthly											
	Hourly	14.56	15.31	16.05	16.85	17.70	18.59	20.48	20.89	21.31	21.72	22.13

<b>AGENDA ITEM 18</b> <b>ACTION: 2019-2020 Unrepresented Administrative and Classified Management Employees Settlement</b>
---

**BACKGROUND**

Before the Board approves any salary schedule, the Superintendent and chief business official shall certify in writing that any costs incurred by the district under the schedule can be met by the district during the term of the schedule. (*Government Code 3547.5, BP4143.1*)

**ATTACHMENTS**

- **AB 1200 Disclosure**
- **2019-2020 Unrepresented Administrative and Classified Management Employees Salary Schedule**

**BUDGETED**

☐ NA      ☒ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

Taking into consideration public comment, the Board will take action to ratify the salary schedule.

**NOTES**

<i><b>ACTION</b></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>Voted Aye</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Voted Nay</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Abstained</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Absent</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	



Gold Trail Union School District  
**ADMINISTRATIVE SALARY SCHEDULE**  
Fiscal Year 2019-20

*Employee Ratified: March 2020*  
*Board Ratified: April 2nd 2020*

Position	Step I	Step II	Step III	Step IV	Step V	Step VI	Step VII	Step VIII	Step IX	Step X
Principal (215 Days)	97,034	99,458	101,946	104,494	107,107	109,784	112,528	115,342	118,226	121,181
Chief Financial Officer	92,435	94,745	97,115	99,542	102,030	104,582	107,196	109,875	112,623	115,439
Vice Principal (215 Days)	92,380	94,689	97,055	99,482	101,968	104,518	107,131	109,810	112,556	115,368

Gold Trail Union School District  
**CLASSIFIED MANAGEMENT SCHEDULE**  
Fiscal Year 2019-20

*Employee Ratified: March 2020*  
*Board Ratified: April 2nd 2020*

Position		Step I	Step II	Step III	Step IV	Step V	Step VI	Step VII-IX	Step X-XIV	Step XV-IXX	Step XX-XXIV	Step XXV+
Transportation Supervisor												
10 (216 Days @ 8 hours a day)	Hourly	24.08	25.26	26.54	27.85	29.24	30.73	31.48	32.44	33.41	34.40	35.44
Food Service Supervisor												
11 (230 Days @ 8 hours a day)	Hourly	21.91	23.01	24.39	25.25	26.64	27.70	28.81	29.96	31.16	32.72	34.35
Maintenance/Custodian Supervisor												
02 (260 Days @ 8 hours a day)	Hourly	19.70	20.88	22.14	23.47	24.88	26.36	27.95	28.50	29.07	29.63	30.19

**AGENDA ITEM 19**

**ACTION: Resolution 2019-20:04-01, Reduction of Particular Kinds of Classified Service**

**BACKGROUND**

The Board will take action to reduce 6.25 hours of classified service time, effective June 30, 2020.

**ATTACHMENTS**

- **Resolution 2019-20:04-01: Reduction of Particular Kinds of Classified Service**

**BUDGETED**

☐ NA                      ☒ Yes                      ☐ No                      ☐ Cost Analysis Follows

**RECOMMENDATION**

Adopt the resolution

**NOTES**

<i><b>ACTION</b></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>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

**RESOLUTION 2019-20:04-01**  
**GOLD TRAIL UNION SCHOOL DISTRICT**

**Resolution Reducing Services**

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

<u>Position</u>	<u>FTE</u>
Medically Fragile Aide	0.75
Medically Fragile Aide	0.03

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

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

- effective June 30, 2020, the employment of 0.75 FTE Medically Fragile Aide
- effective June 30, 2020, the employment of 0.03 FTE Medically Fragile Aide

totaling 0.78 FTE classified employees of the District as a result of lack of work and lack of funds. The Superintendent or his designated representative is directed to take all appropriate action needed, including the sending of appropriate notices to all employees whose positions shall be affected by virtue of this action.

**ADOPTED** by the Governing Board of Gold Trail Union School District on April 2, 2020 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Janet Barbieri, Clerk

**AGENDA ITEM 20**

**ACTION: Resolution 2019-20:04-02: Declaring an Election Be Held in its Jurisdiction; Consolidation with Other Districts Requesting Election Services**

**BACKGROUND**

In order to proceed with Board member election in the November 3, 2020 General Election, action must be taken on subject Resolution declaring an election be held in its jurisdiction, consolidating with other districts and requesting election services.

**ATTACHMENTS**

- **Resolution 2019-20:04-02: Declaring an Election Be Held in its Jurisdiction; Consolidation with Other Districts Requesting Election Services**

**BUDGETED**

☐ NA      ☒ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to adopt the resolution.

<b>ACTION</b>		<i>Moved</i>		<i>Seconded</i>	
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>					
<i>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

**RESOLUTION 2019-20: 04-02**  
**GOLD TRAIL UNION SCHOOL DISTRICT**

**Declaring an Election Be Held in its Jurisdiction**  
**Consolidation with Other Districts**  
**Requesting Election Services**

**WHEREAS**, it is the determination of the above named district that an election be held on November 3, 2020, at which election the issue to be presented to the voters shall be:

**NOMINATION OF CANDIDATES**

No. of Members  
To Be Elected  
2

Term  
Full 4 year terms to expire 12/11/2020

**BE IT RESOLVED** that the Elections Department of El Dorado County is hereby requested to:

1. Consolidate said election with the Statewide General Election conducted on November 3, 2020
2. Authorize and direct the Registrar of Voters, at District expense, to provide all necessary services, which shall include, **but not be limited to:**  
  
publications, issue nomination documents, ballots, sample ballots, election officers, polling places and canvass.
3. In the event of a tie vote, the winning candidate shall be decided by lot.

**PASSED AND ADOPTED** by the Governing Board of Gold Trail Union School District at a regular meeting on April 2, 2020 by the following vote:

Ayes [ ]

Noes [ ]

Abstain [ ]

Abstain [ ]

\_\_\_\_\_  
Julie Bauer, President

ATTEST: \_\_\_\_\_  
Janet Barbieri, Clerk

\_\_\_\_\_  
Date

**AGENDA ITEM 21**

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

**BACKGROUND**

The Board of Trustees recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support his/her continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent's progress toward meeting established goals.

The Board shall determine, with the Superintendent's input, the criteria, schedule, method(s), and instrument(s) to be used for the Superintendent's evaluation. Evaluation criteria shall include, but are not limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

Prior to the evaluation, the Superintendent shall provide to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendations from the previous evaluation. *(Board Policy 2140)*

**ATTACHMENTS**

➤ **None**

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

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

**NOTES**

<i><b>ACTION</b></i>		<i>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>Voted Aye</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Voted Nay</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Abstained</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>
<i>Absent</i>	<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>

<b>AGENDA ITEM 22</b> <b>ACTION: Board Self Evaluation Process (Annual)</b>
--

**BACKGROUND**

The Board of Trustees shall annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that district governance effectively supports student achievement and the attainment of the district's vision and goals. Each year, the Board, with assistance from the Superintendent, shall determine an evaluation method or instrument that measures key components of board responsibility and previously identified performance objectives. (*Board Bylaw 9400*)

**ATTACHMENTS**

- **Board Self-Evaluation Template**

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

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

**NOTES**

<i><b>ACTION</b></i>		<i>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>Voted Aye</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Voted Nay</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Abstained</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	
<i>Absent</i>		<i>Bauer</i>	<i>Barbieri</i>	<i>Hennike</i>	<i>Howser</i>	<i>Lander</i>	

**Governing Board of the Gold Trail Union School District**  
**Board Self-Evaluation**  
**April/May 2020**

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

**Personal Responsibility Checklist**

- |  |                |       |                            |          |                   |
|--|----------------|-------|----------------------------|----------|-------------------|
| 1. Board members arrive on time, thus not delaying the start of the meeting.   | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 2. Board members arrive prepared with the tools needed for conducting the business of the Board (calendars, pens, pencils, paper.)   | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 3. Each member makes a sincere effort to be informed on all agenda items prior to the meeting, contacting the Superintendent with questions prior to the meeting.  | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 4. Board members avoid “bird walking” and/or skirting issues as a means of making a public statement or calling attention to how much they know.   | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 5. Care is used in criticizing a staff recommendation in terms of implying criticism of the Superintendent or staff member.  | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 6. The Board members demonstrate professional courtesy.  | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 7. Board members demonstrate an ability to think independently, to grow in knowledge, to rely on fact rather than prejudice, and a willingness to hear and consider all sides of a controversial question. | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 8. Board members are willing to work through defined channels of authority and responsibility.   | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 9. All data is requested and considered before the Board makes a decision.   | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 10. Board members stay on task, expediting the Board meeting.  | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |
| 11. The Board understands the scope of what it needs to know v. what it wants to know.   | Strongly Agree | Agree | Neither Agree Nor Disagree | Disagree | Strongly Disagree |

Notes:

~~~~~



## Meeting Management Checklist

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

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

Strongly Agree      Agree      Neither Agree Nor Disagree      Disagree      Strongly Disagree

Notes:

[illegible]

Meeting Logistics Checklist

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

Notes:



Agenda Development Checklist

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

Notes:



## **Individual Checklist**

### **Mental Notes:**

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

**AGENDA ITEM 23**

**ACTION: 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 policy and regulation is brought forward with the California School Board Association's recommendations.

**ATTACHMENTS**

- CSBA Policy Guide Sheet
- BP/AR 0420.4 - Charter School Authorization (BP/AR revised)
- BP/E 0420.41 - Charter School Oversight (BP/E revised)
- BP 0420.42 - Charter School Renewal (BP revised)
- BP 0420.43 - Charter School Revocation (BP revised)
- BP/AR 3551 - Food Service Operations/Cafeteria Fund (BP/AR revised)
- BP 4112.2 – Certification (BP revised)
- E 4112.9/4212.9/4312.9 - Employee Notifications (E revised)
- BP/AR 5141.52 - Suicide Prevention (BP/AR revised)
- BP/AR 5144.1 - Suspension and Expulsion/Due Process (BP/AR revised)

**BUDGETED**

☒ NA      ☐ Yes      ☐ No      ☐ Cost Analysis Follows

**RECOMMENDATION**

The Board will take action to adopt the roster for First Reading.

**NOTES**

| <i><b>ACTION</b></i>                                                                                                                                            |  | <i>Moved</i> |                 |                | <i>Seconded</i> |               |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------|-----------------|----------------|-----------------|---------------|--|
| <div><input type="checkbox"/> <i>Approved as is</i><br/><input type="checkbox"/> <i>Not approved</i><br/><input type="checkbox"/> <i>Amended to read:</i></div> |  |              |                 |                |                 |               |  |
| <i>Voted Aye</i>                                                                                                                                                |  | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |  |
| <i>Voted Nay</i>                                                                                                                                                |  | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |  |
| <i>Abstained</i>                                                                                                                                                |  | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |  |
| <i>Absent</i>                                                                                                                                                   |  | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |  |

## **POLICY GUIDE SHEET**

**April 2, 2020**

**Page 1 of 3**

### **BP/AR 0420.4 - Charter School Authorization**

(BP/AR revised)

Policy updated to reflect **NEW LAWS (AB 1505 and 1595)** which extend the timeline for holding a public hearing to determine the level of support for a charter petition, extend the timeline for making a final decision to grant or deny the petition, define receipt of the petition for the purpose of determining the beginning of this time period, and require publishing staff recommendations 15 days prior to the hearing at which the final decision will be made. As amended, criteria for reviewing the petition require consideration of the interests of the community in which the school is proposing to locate and prohibit the approval of a new charter school offering nonclassroom-based instruction until January 1, 2022. Regulation reflects **NEW LAWS (AB 1505 and AB 1595)** which revise the required components of a petition to delete a requirement to include annual goals that apply to the nature of the program operated, add a requirement that the petition describe the means by which the charter school will achieve a balance of special education students and English learners that is reflective of the general population within the district, and require that a petition for a charter school operated by or as a nonprofit public benefit corporation include the names and qualifications of the governing body. Regulation also reflects **NEW LAW (AB 982)** which requires the petition to include requirements for providing homework assignments, upon request, to students who have been suspended for two or more days. Regulation also reflects **NEW LAW (AB 1507)** which limits the ability of a charter school to establish a resource center, meeting space, or other satellite facility used for nonclassroom-based independent study outside district boundaries.

### **BP/E 0420.41 - Charter School Oversight**

(BP/E revised)

Policy updated to reflect **NEW LAWS (AB 1505 and AB 1595)** which require a charter school to request a material revision to its charter whenever it proposes to expand operations at one or more grade levels, and AB 1505 which revises criteria for the provision of technical assistance to charter schools beginning with the 2020-21 school year. Exhibit updated to add new requirements for charter schools pursuant to **NEW LAWS**, including requirements to refrain from discouraging a student from enrolling for any reason (**SB 75**), hold a public hearing when adopting the local control and accountability plan (**SB 75**), provide assistive technology devices to a student at home or a student who transfers to another school (**AB 605**), pay a student's tuition and conduct on-site visits if the charter school has a master contract with a nonpublic, nonsectarian school (**AB 1172**), phase in a requirement for teachers to hold the certificate or permit required for their certificated assignment (**AB 1505**), provide parent/guardian notices in English and in the primary language when 15 percent or more of the students speak a language other than English (**SB 75**), provide students with a meal of their choice regardless of unpaid meal fees (**SB 265**), adopt policy on suicide prevention applicable to grades K-6 (**AB 1767**), print the national domestic abuse hotline number on student identification cards (**SB 316**), post specified information on bullying and harassment prevention (**AB 34**), include the charter school's sexual harassment policy in student orientations and notify students of the policy by posting a poster (**AB 543**), neither expel a student in grades K-12 nor suspend a student in grades K-8 for disrupting school activities or willfully defying the authority of school personnel (**SB 419**), provide a student who is suspended for two or more days with the homework assigned during the period of suspension (**AB 982**), and update and reissue a former student's records to include the student's updated name or gender (**AB 711**). Exhibit also reflects current law requiring charter schools to accept and provide full or partial credit for coursework completed by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or immigrant student participating in a newcomer program at another school.

## **POLICY GUIDE SHEET**

**March 2020**

**Page 2 of 3**

### **BP 0420.42 - Charter School Renewal**

(BP revised)

Policy updated to reflect **NEW LAW (AB 1505)** which revises the criteria for granting or denying charter renewals, provides that renewal of a high-performing school may be granted for up to seven years, and provides that a low-performing charter school shall not be granted a renewal unless it adopts a written plan with meaningful steps to address the underlying cause(s) of low performance and there is clear and convincing evidence of either measurable increases in academic achievement or strong postsecondary outcomes, as defined. Policy also reflects **NEW LAWS (AB 1505 and AB 1595)** which extend the timeline for holding a public hearing on the renewal, extend the timeline for making a final decision to grant or deny the renewal, define receipt of the petition for the purpose of determining the beginning of this time period, and require publishing staff recommendations 15 days prior to the hearing at which the final decision will be made. Section on "School Closure" added to clarify that if the charter school is not renewed and ceases operation, the closure procedures specified in the charter will be implemented.

### **BP 0420.43 - Charter School Revocation**

(BP revised)

Policy updated to move up the material regarding immediate revocation of a charter school in the event of a severe and imminent threat to the health or safety of students and to reflect **NEW LAW (AB 1505)** which provides that increases in student achievement for all numerically significant student subgroups should be a factor, but not necessarily the most important factor, in determining whether to revoke a charter. Section on "School Closure" added to clarify that if the charter school is revoked and ceases operation, the closure procedures specified in the charter will be implemented.

### **BP/AR 3551 - Food Service Operations/Cafeteria Fund**

(BP/AR revised)

Policy updated to reflect **NEW LAW (SB 265)** which provides that students with unpaid meal fees must not be denied a reimbursable meal of their choice, eliminating the possibility that any student is required to receive an alternate meal. Policy also reflects a waiver granted by the U.S. Department of Agriculture extending the three-year Administrative Review cycle to a five-year cycle for school years 2017-18 through 2021-22. Regulation updated to reorganize the section on "Unpaid and Delinquent Meal Charges" to emphasize the prohibition against directing any action toward a student to collect unpaid school meal fees and reflect requirements, as amended by SB 265, to treat students with unpaid meal fees the same as other students.

### **BP 4112.2 - Certification**

(BP revised)

Policy updated to clarify the hiring hierarchy if the district is unable to hire a person who possesses a clear or preliminary credential, including one who is approved for a limited assignment option. Policy reflects Commission on Teacher Credentialing (CTC) Coded Correspondence stating that, if the district needs to hire a person who has been granted a credential waiver by CTC, that person must qualify for a "variable term waiver." Policy also expands section on "National Board for Professional Teaching Standards Certification" to add examples of incentives that may encourage teacher participation.

## **POLICY GUIDE SHEET**

**March 2020**

**Page 3 of 3**

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

(E revised)

Exhibit updated to reflect **NEW LAWS** adding requirements to notify employees regarding the district's policy on lactation accommodation (**SB 142**) and the deadline to withdraw funds from a flexible spending account before the end of the plan year (**AB 1554**). Exhibit also revises the policy reference for the March 15 reelection notice for certificated employees, now addressed in BP 4116, and adds the requirement to notify the superintendent at least 45 days before the expiration of the employment contract of any decision not to reemploy the superintendent, as specified in BP 2121.

### **BP/AR 5141.52 - Suicide Prevention**

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (AB 1767)** which mandates age-appropriate policy on suicide prevention, intervention, and postvention for students in grades K-6 beginning in the 2020-21 school year. Policy reflects requirements to consult with specified stakeholders on policy development, coordinate with the county mental health plan whenever a referral is made for mental health or related services for a student in grades K-6 who is a Medi-Cal beneficiary, and ensure that employees act within the authorization and scope of their credential or license. Policy also reflects **NEW LAW (AB 34)** which requires the district, beginning in the 2020-21 school year, to post its suicide prevention policy in a prominent location on its web site. Regulation updated to move material regarding the printing of the national suicide hotline number on student identification cards to a new section. Regulation also adds an optional postvention strategy to identify and monitor students significantly affected by suicide and those at risk of imitative behavior.

### **BP/AR 5144.1 - Suspension and Expulsion/Due Process**

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (SB 419)** which prohibits districts from suspending students in grades 4-8 for disrupting school activities or willfully defying the authority of school personnel. Policy also references **NEW LAW (AB 982)** which requires a district to provide a student who is suspended for two or more days with the homework assigned during the period of suspension. Regulation adds new section on "Additional Grounds for Suspension and Expulsion: Grades 9-12" reflecting the option to suspend, but not expel, a student in grades 9-12 for disruption or willful defiance.



# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.4(a)

### CHARTER SCHOOL AUTHORIZATION

Note: The following **optional** policy may be revised to reflect district practice. Education Code 47600-47616.7 authorize the establishment of **a capped number of** public charter schools, which are generally exempt from **the** Education Code **provisions governing school districts** unless otherwise specified in law. To establish a charter school within the district, petitioners must submit to the Governing Board for approval a petition which includes all components required by law as described in the accompanying administrative regulation. **The following policy reflects the criteria and procedures required by Education Code 47605 as amended by AB 1505 (Ch. 486, Statutes of 2019) and AB 1595 (Ch. 543, Statutes of 2019).**

Under certain circumstances, charter petitions may also be approved by other governmental entities. For example, Education Code 47605.5-47605.6 authorize petitioners to submit a petition directly to the County Board of Education when (1) the charter school will serve students for whom the county office of education would otherwise be responsible for providing direct education and related services or (2) the countywide program will provide educational services to a student population that cannot be served as well by a charter school operating in only one district in the county. **Education Code 47605.8, which authorized petitioners to submit a petition directly to the State Board of Education (SBE) to approve a statewide benefit charter school, was repealed by AB 1505.**

**In addition, Education Code 47605.8 authorizes petitioners to submit a petition directly to the State Board of Education (SBE) to approve a "statewide benefit charter school" that may operate at multiple sites throughout the state. 5 CCR 11967.6.1 requires the petitioner to provide prior written notice to the board of each district where the petitioner proposes to locate a school site and to notify the board of the date that SBE will meet to consider the petition.**

Pursuant to Education Code 47606, a district may petition the Superintendent of Public Instruction and SBE to convert all its schools to charter schools, provided that 50 percent of the district's teachers sign the petition, the petition contains all specified components, and arrangements are made for alternative attendance of students residing within the district who choose not to attend **a** charter schools.

For further information regarding the submission and review of charter school petitions, see CSBA's publication Charter Schools: A Guide for Governance Teams.

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for students. In considering any petition to establish a charter school within the district, the Board shall give thoughtful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

**The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)**

**CHARTER SCHOOL AUTHORIZATION** (continued)

Note: Education Code 47605 allows for **Board approval of a start-up charter school or** the conversion of an existing public school into a charter school, provided that the school adopts and maintains a policy giving admission preference to students who reside within the former attendance area of that public school. **The Board may also approve a start-up charter school.** The signature requirement **for petitions differs depending on whether the petition is for the approval of a conversion or start-up differs for each type of** charter school; see the accompanying administrative regulation.

One or more persons may submit a petition **to the Board** for a **start-up** charter school to be established within the district or for the conversion of an existing district school to a charter school. (Education Code 47605)

Any petition for a **start-up charter school or conversion** charter school shall include all components, ~~and signatures,~~ **and statements** required by law, **as specified in the accompanying administrative regulation,** ~~and shall be submitted to the Board.~~ The proposed charter shall be attached to the petition. **(Education Code 47605)**

The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, the Superintendent or designee may also meet with the petitioners to establish workable plans for **technical assistance or** contracted services which the district may provide to the proposed charter school.

**The district Board** shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

**Timelines for Board Action**

**Note: Pursuant to Education Code 47605, as amended by AB 1505 and AB 1595, upon receiving a charter petition, the Board is required to hold a public hearing within 60 days to determine the level of support for the petition and to hold a public hearing within 90 days to take final action on the petition. As amended, Education Code 47605 also requires the district to publish, at least 15 days prior to the public hearing at which the Board will grant or deny the petition, staff recommendations regarding the petition and, if applicable, the certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district.**

**To provide adequate opportunity for public input and thoughtful consideration of the charter petition, it is recommended that the Board conduct two public hearings -- one hearing to determine the level of support for the petition and, following the publication of staff recommendations, a second hearing to grant or deny the petition. However, the law does not explicitly require two hearings, and it may be**

## CHARTER SCHOOL AUTHORIZATION (continued)

possible to hold one public hearing for both determining the level of support for the petition and granting or denying the petition, provided that staff recommendations are published 15 days prior to the hearing, the hearing is held within 60 days of receipt of the petition, and the petitioners have equal time and opportunity to present evidence and testimony. Legal counsel should be consulted as needed to ensure that all requirements are met.

Within ~~30~~ **60** days of receiving a charter petition, the Board shall hold a public hearing **on the charter provisions, at which time the Board shall consider to determine** the level of support for the petition by teachers, other **district** employees ~~of the district~~, and parents/guardians. **A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete.** (Education Code 47605)

~~Within 60 days of receiving a petition, or within 90 days with mutual consent of the petitioners and the Board, the Board shall either approve or deny the request to establish the charter school. The Board shall either grant or deny the petition at a public hearing held within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board.~~ (Education Code 47605)

*(cf. 9320 - Meetings and Notices)*

**At least 15 days before the public hearing at which the Board will grant or deny the charter, the district shall publish all staff recommendations regarding the petition, including any recommended findings and, if applicable, certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district. During the public hearing, the petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations and findings.** (Education Code 47605)

Note: The following paragraph is **optional** and may be revised to reflect district practice. **As amended by AB 1505 and AB 1595, Education Code 47605 requires that, in the event that a petition is denied and the matter is appealed, the Board must provide a documentary record to the petitioner, including a transcript of the public hearing at which the Board denied the hearing. See section on "Appeals" below. Thus, it ~~it~~ may be useful to have a transcription of the hearing(s) in the event that the petitioners later appeal the decision of the Board.**

**The Superintendent or designee shall maintain accurate records, in relation to each charter petition, of documents submitted, the Board's proceedings, and the findings upon which the Board's decision is made.**

*(cf. 9320—Meetings and Notices)*

**CHARTER SCHOOL AUTHORIZATION (continued)**

~~The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)~~

**Approval of Petition**

Note: Education Code 47605 requires the Board to give preference to charter petitions that demonstrate the capability to provide comprehensive learning experiences to students identified by the petitioner as academically low achieving based on the standards established by the California Department of Education (CDE) pursuant to Education Code 54032, as that section read before July 19, 2006. Prior to its repeal on that date, Education Code 54032 required CDE to develop standards to identify students as academically low achieving for purposes of allocating Economic Impact Aid funds to school sites. However, the Economic Impact Aid program is no longer funded or administered by CDE.

**Pursuant to Education Code 47605, as amended by AB 1505 and AB 1595, the Board must also consider the interests of the community in which the school is proposing to locate.**

~~The Board shall approve the charter petition if~~ **A charter petition shall be granted only if the Board is satisfied that** doing so is consistent with sound educational practice **and the interests of the community in which the school is proposing to locate.** In granting charters, the Board shall **consider the academic needs of the students the charter school proposes to serve and shall** give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for students who are identified by the petitioner as academically low-achieving, **based on standards established by California Department of Education (CDE).** (Education Code 47605)

Note: Pursuant to Education Code 47604.1, as added by SB 126 (Ch. 3, Statutes of 2019), charter schools are subject to the Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and the Political Reform Act (Government Code 81000-91014). ~~Although Education Code 47604.1 is not effective until January 1, 2020, a 2018 Attorney General opinion also concluded that, under current law, those statutes govern all local government agencies including charter schools.~~

**Prior to authorizing any charter, the** ~~The~~ Board shall verify that ~~any approved~~ **the** charter ~~contains~~ **includes** adequate processes and measures for **monitoring and** holding the school accountable for fulfilling the terms of its charter and complying with **all** applicable laws, including Education Code 47604.1, ~~and for fulfilling the terms of its charter. These~~ **Such processes and measures** shall include, but are not limited to, fiscal accountability systems, multiple measures for evaluating the educational program, ~~including student outcomes aligned with state priorities as described in Education Code 52060,~~ **inspection and observations of any part of the charter school,** and regular reports to the Board.

## CHARTER SCHOOL AUTHORIZATION (continued)

*(cf. 0420.41 - Charter School Oversight)*

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

Note: The following **optional** paragraph may be revised to reflect district practice. Although not required by law, CSBA's publication Charter Schools: A Guide for Governance Teams recommends one or more memoranda of understanding (MOUs) to address matters that are related to the charter petition but are not included in the petition, and to establish expectations for which the charter school can be held accountable. CSBA's manual provides examples of issues pertaining to business operations, administrative and support services, special education, and student assessment that might be addressed in an MOU.

A sample MOU between SBE and a state-approved charter school, available on **the California Department of Education's CDE's** web site, may be adapted for use by districts.

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

~~It~~ **When a petition is approved by the Board, it** shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the **California Department of Education CDE**, and the State Board of Education (SBE). (Education Code 47605)

### Denial of Petition

The Board shall **summarily** deny any charter petition that **proposes to**:

Note: Education Code 47604, as amended by AB 406 (Ch. 291, Statutes of 2018), prohibits a petition submitted on or after July 1, 2019 from providing for the operation of a charter school as or by a for-profit corporation or organization. Also see BP 0420.42—Charter School Renewal.

**CHARTER SCHOOL AUTHORIZATION** (continued)

1. ~~Proposes to operate~~ Operate a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
2. ~~Authorizes the conversion of~~ **Convert** a private school to a charter school (Education Code 47602)

Note: Pursuant to Education Code 47605, ~~provides that~~ the Board ~~cannot~~ **may** approve a charter school serving students in a grade level not offered by the district ~~unless~~ **only when** the charter school **will** also serve all the grade levels offered by the district. Thus, an elementary district's ~~board~~ cannot approve a charter for a high school, but may approve a charter for a K-12 school since ~~it includes~~ **the charter school will serve** all grade levels served by the **elementary school** district.

3. Proposes to ~~s~~serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (Education Code 47605)

**Note: Pursuant to Education Code 47612.7, as added by AB 1505, until January 1, 2022, the Board is prohibited from approving a petition for the establishment of a new charter school offering nonclassroom-based instruction. A charter school approved before October 1, 2019 which had started providing educational services as of that date may continue to offer nonclassroom-based instruction under the circumstances specified in Education Code 47612.7.**

**4. Offer nonclassroom-based instruction (Education Code 47612.7)**

Note: Pursuant to Education Code 47605, a charter petition can be denied only if certain factual findings are made, ~~as specified in items #1-6 below~~. 5 CCR 11967.5.1 contains criteria for SBE's review of charter petitions, which may be useful to the district in determining how it might evaluate whether a petition meets the conditions specified ~~in items #1-6~~ below.

**Regarding all other charter petitions, Any other charter petition shall be denied only if the Board shall deny a petition only if the Board** makes written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605; **5 CCR 11967.5.1**)

1. The charter school presents an unsound educational program **that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit** for, the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

**CHARTER SCHOOL AUTHORIZATION (continued)**

3. The petition does not contain the number of signatures required.
4. The petition does not contain ~~an affirmation of each of the conditions described in Education Code 47605(d)~~ **a clear, unequivocal statement described in Education Code 47605(e), including that the charter school will be nonsectarian and that the school shall not charge tuition or discriminate against any student based on the characteristics specified in Education Code 220.**
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(bc).
6. The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public ~~school~~ employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3.

|                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Note: As amended by AB 1505 and AB 1595, Education Code 47605 expands the grounds for denial of a charter petition to include those specified in items #7-8 below.</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

7. **The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding shall detail specific facts and circumstances regarding:**
  - a. **The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings**
  - b. **Whether the proposed charter school would duplicate a program currently offered within the district, when the existing program has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate**
8. **The district is not positioned to absorb the fiscal impact of the proposed charter school. The district meets this criterion if it has a negative interim certification, or has a qualified interim certification and the County Superintendent certifies that approving the charter school would result in the district having a negative interim certification.**

## CHARTER SCHOOL AUTHORIZATION (continued)

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll students with disabilities who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

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

### Appeals

**Note: Pursuant to Education Code 47605, if the Board denies a charter petition, the petitioner may, within 30 days of the denial, submit the petition to the County Board. If the County Board denies a petition on appeal, the petitioner may, within 30 days of the denial, appeal to SBE.**

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to SBE. (Education Code 47605)

**At the request of the petitioner, the Board shall prepare the documentary record, including a transcript of the public hearing at which the Board denied the charter, no later than 10 business days after the petitioner makes the request. (Education Code 47605)**

**Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to SBE detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (Education Code 47605)**

**If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different material terms, the Board shall reconsider the petition and grant shall or deny the petition within 30 days. (Education Code 47605)**

*Legal Reference: (see next page)*



## CHARTER SCHOOL AUTHORIZATION (continued)

### *Legal Reference:*

#### EDUCATION CODE

200 Equal rights and opportunities in state educational institutions

220 Nondiscrimination

#### **1240 Duties of County Superintendent**

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

32282 Comprehensive safety plan

33126 School Accountability Report Card

41365 Charter school revolving loan fund

#### **42131 Interim certification**

42238.51-42238.2 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

49011 Student fees

51745-51749.6 Independent study

52052 Accountability: numerically significant student subgroups

52060-52077 Local control and accountability plan

56026 Special education

56145-56146 Special education services in charter schools

#### CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

#### GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

3540-3549.3 Educational Employment Relations Act

6250-6270 California Public Records Act

54950-54963 Ralph M. Brown Act

81000-91014 Political Reform Act of 1974

#### CODE OF REGULATIONS, TITLE 5

11700.1-11705 Independent study

11960-11968.5.5 Charter schools

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL AUTHORIZATION (continued)

### *Legal Reference: (continued)*

UNITED STATES CODE, TITLE 20

7223-7225 *Charter schools*

COURT DECISIONS

*Ridgecrest Charter School v. Sierra Sands Unified School District*, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

*Opinion No. 11-201* (2018)

89 *Ops. Cal. Atty. Gen.* 166 (2006)

80 *Ops. Cal. Atty. Gen.* 52 (1997)

78 *Ops. Cal. Atty. Gen.* 297 (1995)

### *Management Resources:*

CSBA PUBLICATIONS

*Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools*, September 2018

*Charter Schools in Focus, Issue 1: Managing the Petition Review Process*, Governance Brief, November 2016

*Charter Schools and Board Member Responsibilities*, Education Insights Legal Update Webcast, March 2016

*Charter Schools: A Guide for Governance Teams*, rev. February 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Sample Copy of a Memorandum of Understanding*

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory Requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, August 2016

*Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance*, January 2014

*Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools*, December 2011

WEB SITES

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

California Charter Schools Association: <http://www.ccsa.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

(12/17 5/19) 3/20

### **Policy Reference UPDATE Service**

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# CSBA Sample

## Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0420.4(a)

### CHARTER SCHOOL AUTHORIZATION

Note: The following administrative regulation is **optional**.

#### Petition Signatures

A petition for the establishment of a start-up charter school must be signed by either of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation
2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation

~~If the charter petition calls for~~ **A petition that proposes to convert** an existing public school to ~~be converted to~~ a charter school, ~~the petition~~ must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

*(cf. 4116 - Probationary/Permanent Status)*

Any petition circulated to collect signatures shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having a child attend the charter school, ~~or, in the case of~~ a teacher's signature, **means** that the teacher is meaningfully interested in teaching at the charter school. ~~The proposed charter shall be attached to the petition.~~ (Education Code 47605)

#### **Staff Advisory Committee**

Note: The following **optional** section may be revised to reflect district practice. CSBA's publication Charter Schools: A Guide for Governance Teams suggests that a petition review team is one method that a district may use to obtain input on proposed charters. Such a committee might include representatives of the district's human resources, fiscal services, risk management, student services, curriculum, special education, facilities, and other departments.

**Education Code 47605, as amended by AB 1505 (Ch. 486, Statutes of 2019) and AB 1595 (Ch. 543, Statutes of 2019), requires the district to publish staff recommendations regarding the petition at least 15 days prior to the hearing at which the Governing Board will grant or deny the petition; see the section "Timelines for Board Action" in the accompanying Board policy.**

**CHARTER SCHOOL AUTHORIZATION (continued)**

The Superintendent or designee may establish a staff advisory committee to evaluate the completeness of a charter petition based on the requirements in Education Code 47605 and to identify any concerns that should be addressed by the petitioners.

*(cf. 2230 - Representative and Deliberative Groups)*

**Components of Charter Petition**

**All charter petitions shall comply with the applicable requirements of Education Code 47605, other state and federal laws, and district policies.**

Note: CSBA's publication Charter Schools: A Guide for Governance Teams recommends specific content that would constitute a reasonably comprehensive description of each component listed in items #1-16 below, as well as additional content that is not required but may be requested of the petitioners (e.g., school calendar, transportation arrangements, a sample of the curriculum and instructional materials).

The charter petition shall include affirmations that the charter school will be nonsectarian in its programs, admission policies, employment practices, and operations; will not charge tuition; and will not discriminate against a student on the basis of characteristics listed in Education Code 220. The petition shall also contain reasonably comprehensive descriptions of: (Education Code 47605)

1. The educational program of the proposed school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

Note: Education Code 47605 requires the charter petition to include annual goals for all students and for each numerically significant subgroup of students, and specific actions to achieve those goals as described in Education Code 52060. Pursuant to Education Code 52052, numerically significant 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) in the school.

Education Code 47605 requires that these annual goals be aligned with **the** 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 and family engagement; (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

**CHARTER SCHOOL AUTHORIZATION (continued)**

students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. See BP/AR 0460 - Local Control and Accountability Plan.

**As amended by AB 1595, Education Code 47605 no longer requires that charter petitions include annual goals that apply to the nature of the program operated.**

The petition shall include a description of the charter school's annual goals for all students and for each numerically significant subgroup of students identified pursuant to Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. These goals shall be aligned with the state priorities listed in Education Code 52060 that apply to the grade levels served ~~or the nature of the program operated by the charter school~~. The petition also shall describe specific annual actions to achieve those goals. The petition may identify additional priorities established for the proposed school, goals aligned with those priorities, and specific annual actions to achieve those goals.

(cf. 0420.41 - Charter School Oversight)

(cf. 0460 - Local Control and Accountability Plan)

If the proposed charter school will serve high school students, the petition shall describe the manner in which the school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "a-g" admissions criteria may be considered to meet college entrance requirements.

Note: Education Code 47605 requires that the petition identify student outcomes that the charter school intends to use, including those that address increases in student achievement both schoolwide and for all groups of students served by the charter school. Education Code 47607 defines "all groups of students served by the charter school" to mean all numerically significant subgroups of students, as defined in Education Code 52052, served by the charter school.

2. The measurable student outcomes identified for use by the charter school. *Student outcomes* means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each numerically significant subgroup of

**CHARTER SCHOOL AUTHORIZATION** (continued)

students served by the charter school. The student outcomes shall align with the state priorities identified in Education Code 52060 that apply for the grade levels served **or the nature of the program operated** by the charter school.

3. The method by which student progress in meeting the identified student outcomes is to be measured. To the extent practicable, the method for measuring student outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

*(cf. 0510 - School Accountability Report Card)*

4. The governance structure of the charter school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the charter school.

Note: AB 1747 (Ch. 806, Statutes of 2018) amended Education Code 47605 to add a requirement that the charter petition include provisions for the development and annual update of a school safety plan.

6. The procedures that the charter school will follow to ensure the health and safety of students and staff, including the following requirements:
  - a. Each charter school employee shall furnish the school with a criminal record summary as described in Education Code 44237.
  - b. The charter school shall develop a school safety plan which includes the topics listed in Education Code 32282(a)(2)(A)-(H) and **procedures for conducting tactical responses to criminal incidents (A)-(J)**.
  - c. The charter school's safety plan shall be reviewed and updated by March 1 each year.

Note: As amended by AB 1505 and AB 1595, Education Code 47605 adds a requirement that the petition describe the means by which the charter school will achieve a balance of racial and ethnic students, special education students, and English learners, including redesignated fluent English proficient students.

7. The means by which the charter school will achieve a **balance of** racial and ethnic **balance among its** students, **special education students, and English learner students, including redesignated fluent English proficient students,** that is reflective of the general population residing within the district's territorial jurisdiction.

**CHARTER SCHOOL AUTHORIZATION** (continued)

Note: Pursuant to Education Code 47605, when the number of students who wish to attend the charter school exceeds the school's capacity, attendance must be determined by a public random drawing, with admission preference extending to students who currently attend the charter school and students who reside in the district. Education Code 47605 provides that admission preferences may also include, but are not limited to, siblings of students admitted or attending the charter school and children of the school's teachers, staff, and founders identified in the initial charter. Education Code 47605 requires that the priority order for preference be determined in the charter petition as provided below.

8. The charter school's student admission policy. The petition shall, in accordance with Education Code 47605~~(de)~~, specify procedures for determining enrollment when the number of applicants exceeds the school's capacity, including requirements for the use of a public random drawing, admission preferences, and priority order of preferences as required by law and subject to Governing Board approval.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Board's satisfaction.

**Note: As added by AB 982 (Ch. 779, Statutes of 2019), Education Code 47606.2 requires that the suspension procedures included in the charter petition provide that (1) upon request of a student who has been suspended for two or more school days or the student's parent/guardian, the homework assigned during the period of suspension be given and (2) any such completed homework shall not count towards the student's overall grade in the class unless the assignments are graded before the end of the academic term.**

10. The procedures by which students can be suspended or expelled for disciplinary reasons or otherwise involuntarily removed for any reason, including an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements as specified in Education Code 47605~~(b)~~ **and a statement that the suspension procedures will include requirements pertaining to the provision of homework assignments to suspended students as specified in Education Code 47606.2.**

Such procedures shall also include processes by which the charter school will notify the superintendent of a district, and ~~request to~~ **by which the charter school may** be notified by **the superintendent of** a district, ~~about when~~ **or former student of the charter school is expelled or subject to any of** ~~when~~ the circumstances specified in Education Code 47605~~(de)~~**(3) exist.**

**CHARTER SCHOOL AUTHORIZATION** (continued)

11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
12. The public school attendance alternatives for students residing within the district who choose to not attend the charter school.
13. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

Note: Education Code 47605 requires charter petitions to contain the declaration specified in item #15 below regarding responsibilities for collective bargaining. If the charter school is not deemed the public school employer for purposes of collective bargaining under Government Code 3540-3549.3, the district where the charter school is located shall be deemed the public school employer for these purposes, pursuant to Education Code 47611.5. Education Code 47611.5 further provides that, if the charter does not specify that the charter school shall comply with laws and regulations governing tenure or a merit or civil service system, the scope of representation for that charter school shall also include discipline and dismissal of charter school employees.

15. A declaration as to whether or not the charter school will be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.

Note: Education Code 47605 and 5 CCR 11962 require the charter petition to include procedures to be used in the event that the charter school closes for any reason, as provided in item #16 below. Duties of the district pertaining to charter school closures include notification requirements pursuant to Education Code 47604.32 and 5 CCR 11962.1; see BP 0420.41 - Charter School Oversight.

16. Consistent with 5 CCR 11962, the procedures to be used if the charter school closes, including, but not limited to:
  - a. Designation of a responsible entity to conduct closure-related activities
  - b. Notification to parents/guardians, the Board, the county office of education, the special education local plan area in which the charter school participates, the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:
    - (1) The effective date of the closure



**CHARTER SCHOOL AUTHORIZATION** (continued)

- (2) The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure
  - (3) The students' districts of residence
  - (4) The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
- c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance with item #16a above
  - d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with item #16a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
  - e. Transfer and maintenance of personnel records in accordance with applicable law
  - f. Completion of an independent final audit within six months after the closure of the charter school that includes an accounting of all financial assets and liabilities pursuant to 5 CCR 11962 and an assessment of the disposition of any restricted funds received by or due to the school
  - g. Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed pursuant to 5 CCR 11962
  - h. Completion and filing of any annual reports required pursuant to Education Code 47604.33
  - i. Identification of funding for the activities identified in item #16a-h above

Note: Education Code 47605 requires that petitioners provide to the ~~Governing~~ Board the information listed in items #1-4 below. **As amended by AB 1505 and AB 1595, Education Code 47605 adds item #5 below as a requirement for any petition to operate a charter school by or as a nonprofit public benefit corporation.**

## CHARTER SCHOOL AUTHORIZATION (continued)

The Board may require additional information **beyond what is included in items #1-5**. As outlined in CSBA's publication Charter Schools: A Guide for Governance Teams, some districts request a school calendar, information regarding transportation arrangements, staff development plans, assurances that the school will provide appropriate services for English language learners and students with disabilities, or any other information that will assist the Board in understanding the proposal. Districts that wish to require additional information in the charter may list those items below.

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

Note: Education Code 47605 requires that information on school facilities, listed in item #1 below, specify where the school intends to locate. Unless otherwise exempted, the school must be located within the geographic boundaries of the chartering district; see section "Location of Charter School" below.

1. The facilities to be used by the charter school, including where the school intends to locate  
(*cf.* 7160 - Charter School Facilities)
2. The manner in which administrative services of the charter school are to be provided
3. Potential civil liability effects, if any, upon the charter school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation
- 5. If the charter school is to be operated by or as a nonprofit public benefit corporation, the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school**

### Location of Charter School

Note: Education Code 47605 and 47605.1 establish geographic and site requirements for charter schools. Pursuant to Education Code 47605, a charter school granted by either the County Board of Education or the State Board of Education following initial denial by the district must locate within the geographic boundaries of the district that denied the petition.

~~The Attorney General has opined, in 89 Ops.Cal.Atty.Gen. 166 (2006), that online charter schools are subject to the restrictions and conditions placed upon independent study programs, including the requirement that students reside in the charter school's home county or an adjacent county.~~

**CHARTER SCHOOL AUTHORIZATION** (continued)

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

~~A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, provided that: (Education Code 47605, 47605.1)~~

- ~~1. The district is notified prior to approval of the petition.~~
- ~~2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.~~
- ~~3. The charter school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.~~

**Note: Pursuant to Education Code 47605.1, as amended by AB 1507 (Ch. 487, Statutes of 2019), a resource center, meeting space, or other satellite facility used by a charter school for nonclassroom-based independent study must, with specified exceptions, be located within district boundaries.**

A charter school may establish ~~and locate~~ a resource center, meeting space, or other satellite facility ~~in an adjacent county~~ **within the jurisdiction of the school district where the charter school is physically located** if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

(12/17 5/19) 3/20

# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.41(a)

### CHARTER SCHOOL OVERSIGHT

Note: The following **optional** policy may be revised to reflect district practice. The Governing Board is obligated to monitor the performance of any charter school it authorizes in order to ensure the school's compliance with legal requirements and progress toward meeting measurable outcomes specified in the charter. Information about the school's performance is necessary when determining whether to grant a renewal of the charter or whether a revocation of the charter is warranted; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, pursuant to Education Code 47604, if the district complies with all oversight responsibilities required by law, it will not be liable for the debts or obligations of any charter school that operates as or is operated by a nonprofit public benefit corporation pursuant to Corporations Code 5110-6910.

Pursuant to Education Code 47605, if the State Board of Education (SBE) approves a petition upon appeal after the Board and County Board of Education have denied the petition, the SBE may, by mutual agreement, designate its supervisorial and oversight responsibilities to the Board or to any local educational agency in the county in which the charter school is located.

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0500 - Accountability)*

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

Note: Education Code 47604.32 requires the district to visit each charter school at least once every year. CSBA's publication [Charter Schools: A Guide for Governance Teams](#) recommends more frequent visits, perhaps two or three times during the school year, in order to monitor school operations more closely and develop relationships with the staff at the charter school.

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of ~~the~~ a charter school at any time. (Education Code 47604.32, 47607)

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Education Code 47604, if a charter school operates as or is operated by a nonprofit public benefit corporation, the Board is entitled to a single representative on the board of directors of the nonprofit public benefit corporation. CSBA's publication [Charter Schools: A Guide for Governance Teams](#) recommends that the district consult with legal counsel and consider any potential conflict of interest that may arise from having an individual Board member vote as a member of the charter board of directors on issues on which the Board will need to provide oversight. CSBA's guide suggests that an alternative approach may be for the district to designate its charter school contact, appointed pursuant to Education Code 47604.32, to attend meetings of the charter school board.

## CHARTER SCHOOL OVERSIGHT (continued)

The Superintendent or **designee-designated charter school contact** shall attend meetings of the charter school governing body whenever possible and shall periodically meet with a representative of the charter school.

### Waivers

Note: A charter school is not authorized to submit general waiver requests to SBE on its own behalf, **unless an exception applies**. Rather, **the district must a charter school may** submit **the a** waiver request **for the charter school through the district**. A general waiver request form is available on the California Department of Education's (CDE) web site. **Exceptions for which the charter school may directly apply for a waiver include a waiver of the federal Strengthening Career and Technical Education for the 21st Century Act and a specific waiver of instructional time penalties.**

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

*(cf. 1431 - Waivers)*

### Provision of District Services

Note: The following **optional** section may be revised to reflect district practice. **A charter school may elect to receive its funding directly from the County Superintendent of Schools pursuant to Education Code 47651 and be directly responsible for the provision of payroll, human resources, maintenance and operations, legal services, and other administrative operations. Alternatively, a charter school may receive its funding through the district that granted its charter.** CSBA's publication Charter Schools: A Guide for Governance Teams recommends one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school, including any services that will be provided by the district; see BP 0420.4 - Charter School Authorization.

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services **to a charter school**, the district and **the** charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between them **m district and charter school**.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the

## CHARTER SCHOOL OVERSIGHT (continued)

actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

### Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to **new—charter** petitions **for the authorization of charter schools** as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

**Note: As amended by AB 1505 (Ch. 486, Statutes of 2019) and AB 1595 (Ch. 543, Statutes of 2019), Education Code 47605 requires a charter school to request a material revision to its charter whenever it proposes to expand operations at one or more grade levels.**

If an approved charter school proposes to establish or move operations to one or more additional sites **or grade levels**, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations **or grade levels**. The Board shall consider approval of the additional locations **or grade levels** at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

### Monitoring Charter School Performance

**Note: The district has a responsibility to oversee that the charter school complies with all applicable legal requirements. Violation of any law may subject the school to revocation pursuant to Education Code 47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.**

The Superintendent or designee shall monitor **the each** charter school **that is authorized by the district** to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

**Note: Education Code 47605 requires that measurable student outcomes for "all groups of students served by the charter school" be included in the school's charter petition and that these outcomes be aligned with the state priorities for the local control and accountability plan (LCAP) as stated in Education Code 52060;**

**CHARTER SCHOOL OVERSIGHT (continued)**

see AR 0420.4 - Charter School Authorization. Pursuant to Education Code 47607, "all groups of students served by the charter school" means all numerically significant subgroups of students served by the charter school, as defined in Education Code 52052. Pursuant to Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students (or 15 foster youth or homeless students).

Education Code 47605 requires that the charter petition include methods for measuring the charter school's progress toward achieving student outcomes. Although the measures of the school's progress may vary,

Education Code 47605 requires that charter schools conduct any statewide assessments applicable to other public schools. In addition, charter schools are included in the California School Dashboard, which reports the status of school performance on multiple state and local indicators and is intended to assist schools and districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP. Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate.

The Board shall monitor ~~the~~ **each** charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter **petition** and any applicable memorandum of understanding, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial **report** **or** information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Note: Education Code 47613 authorizes the district to charge the charter school, within specified limits, for the costs of supervisory oversight of the school. Education Code 47613 provides that the costs of supervisory oversight include, but are not limited to, costs incurred for technical assistance or intervention pursuant to Education Code 47607.3; see the section "Technical Assistance/Intervention" below. CSBA's publication Charter Schools: A Guide for Governance Teams suggests that supervisory oversight activities also might include site visits, reviews of performance data and financial reports, and legal auditing. ~~The actual provision of administrative or support services would not be considered supervisory oversight for purposes of charging supervisory oversight costs to the charter school. Those services may be purchased separately by the charter school.~~

**CHARTER SCHOOL OVERSIGHT** (continued)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the ~~district~~ **charter school** is able to **provide obtain** substantially rent-free facilities ~~to the charter school~~ **from the district**, the district may charge up to three percent of the charter school's revenue for actual costs of supervisorial oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. **If the district is given responsibility for supervisorial oversight of a charter school that was authorized by SBE on appeal, the district is not limited to these percentages and may charge for the actual costs of supervisorial oversight and for the administrative costs necessary to secure charter school funding.** (Education Code 47613)

*(cf. 7160 - Charter School Facilities)*

**Technical Assistance/Intervention**

**Note:** Education Code 47607.3, as amended by AB 1505, establishes criteria for the provision of technical assistance to charter schools beginning with the 2020-2021 school year, including, but not limited to, the option to request assistance from the California Collaborative for Educational Excellence (CCEE). If, after providing technical assistance, the CCEE informs the Board that the charter school has failed or is unable to implement the CCEE's recommendations or continues to have persistent or acute inadequate performance, then the Board must consider revocation of the charter; see BP 0420.43 - Charter School Revocation.

**Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 45607.3)**

- 1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.**



**CHARTER SCHOOL OVERSIGHT (continued)**

- 2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.**
- 3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.**

**In addition, if, ~~if~~** in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school based on the California School Dashboard
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Note: Education Code 47607 requires the Board to consider specified criteria of academic performance when determining whether to deny a petition for charter renewal or to revoke a charter, with achievement of all student subgroups served by the charter school being the most important factor; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, Education Code 47607.3 requires the Board to consider revocation of a charter whenever it finds that the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence or continues to demonstrate persistent or acute inadequate performance. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to **inadequate the** academic achievement of all numerically significant subgroups of students served by the charter school.

## CHARTER SCHOOL OVERSIGHT (continued)

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

### Complaints

Note: Pursuant to Education Code 52075, charter schools are required to establish policies and procedures for addressing complaints of noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures) or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes). See AR 1312.3 - Uniform Complaint Procedures for applicable procedures.

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

*(cf. 1312.3 - Uniform Complaint Procedures)*

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

### School Closure

Note: The following **optional** section may be revised to reflect district practice. Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a responsible entity to conduct closure-related activities; (2) notifications to specified persons and entities; (3) provision of information about students' grade level, course completion, and district of residence; (4) transfer and maintenance of student and personnel records; (5) completion of an independent final audit; and (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed.

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify CDE when a charter school ceases operation for any reason. CDE's web site also recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school should announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

CDE's web site recommends that charter school closures occur at the end of a school year if it is feasible to maintain a legally compliant program until then.

**CHARTER SCHOOL OVERSIGHT** (continued)

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

*Legal Reference: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

*Legal Reference:*

EDUCATION CODE

215 Suicide prevention policy

215.5 ~~Suicide prevention hotline contact information on s~~ Student identification cards, **inclusion of safety hotlines**

220 Nondiscrimination

221.61 Posting of Title IX information on web site

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

222.5 Pregnant and parenting students, notification of rights

**231.5-231.6 Sexual harassment policy**

234.4 Mandated policy on bullying prevention

**234.6 Bullying and harassment prevention information**

234.7 Student protections relating to immigration and citizenship status

17070.10-17079.30 Leroy F. Greene School Facilities Act

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

32282 Comprehensive safety plan

32283.5 Online training on bullying prevention

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

35179.4-35179.6 Interscholastic athletic programs, safety

35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance

35330 Field trips and excursions; student fees

38080-38086 School meals

39831.3 Transportation safety plan

39843 Disciplinary action against bus driver; report to Department of Motor Vehicles

41024 Report of expenditure of state facility funds

42100 Annual statement of receipts and expenditures

44030.5 Reporting change in employment status due to alleged misconduct

44237 Criminal record summary

44691 Information on detection of child abuse

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Fingerprinting; employees of contracting entity

46015 Accommodations for pregnant and parenting students; parental leave

47600-47616.7 Charter Schools Act of 1992

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools

47651 Apportionment of funds, charter schools

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

*Legal Reference: (continued)*

EDUCATION CODE (continued)

48000 Minimum age of admission for kindergarten; transitional kindergarten

48010-48011 Minimum age of admission (first grade)

48206.3-48208 Students with temporary disabilities; individual instruction

48850-48859 Educational placement of foster youth and homeless students

**48901.1 Suspension and expulsion, willful defiance**

48907 Students' exercise of free expression; rules and regulations

**48913.5 Suspended students, homework assignments**

48950 Student speech and other communication

48985 Parental notification,

49005-49006.4 Seclusion and restraint

49011 Student fees

49014 Public School Fair Debt Collection Act

49061 Student records

**49062.5 Student records, name or gender changes**

**49070 Challenging student records**

49073.2 Privacy of student and parent/guardian personal information

49076.7 Student records; data privacy; Social Security numbers

49110 Authority to issue work permits

49381 Human trafficking prevention

49414 Epinephrine auto-injectors

49414.3 Administration of opioid antagonist

49428 Notification of mental health services

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

49431.9 Advertisement of non-nutritious foods

49475 Health and safety, concussions and head injuries

49557.5 Child Hunger Prevention and Fair Treatment Act of 2017

49564 Meals for needy students

51224.7 Mathematics placement policy

51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework

51225.6 Instruction in cardiopulmonary resuscitation

51513 Diploma of graduation, without passage of high school exit examination

51745-51749.6 Independent study

51930-51939 California Healthy Youth Act

52052 Accountability; numerically significant student subgroups

52060-52077 Local control and accountability plans

52075 Uniform complaint procedures

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

*Legal Reference: (continued)*

EDUCATION CODE (continued)

56026 *Special education*

**56040.3 Availability of assistive technology devices**

56145-56146 *Special education services in charter schools*

**56365-56366.12 Nonpublic, nonsectarian schools**

60600-60649 *Assessment of academic achievement*

64000 *Categorical programs included in consolidated application*

64001 *School plan for student achievement, consolidated application programs*

65000-65001 *School site councils*

69432.9-69432.92 *Cal Grant program; notification of grade point average and high school graduation*

CORPORATIONS CODE

5110-6910 *Nonprofit public benefit corporations*

GOVERNMENT CODE

1090-1099 *Prohibitions applicable to specified officers*

3540-3549.3 *Educational Employment Relations Act*

6250-6270 *California Public Records Act*

54950-54963 *Ralph M. Brown Act*

81000-91014 *Political Reform Act of 1974*

HEALTH AND SAFETY CODE

104420 *Tobacco Use Prevention Education grant program*

104559 *Tobacco-free schools*

LABOR CODE

1198.5 *Personnel records related to performance and grievance*

PENAL CODE

667.5 *Definition of violent felony*

1192.7 *Definition of serious felony*

VEHICLE CODE

28160 *Child safety alert system*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

Article 16, Section 8.5 *Public finance; school accountability report card*

CODE OF REGULATIONS, TITLE 5

4600-~~4687~~-4670 *Uniform complaint procedures*

11700.1-11705 *Independent study*

11960-11969 *Charter schools*

CODE OF REGULATIONS, TITLE 24

101 et seq. *California Building Standards Code*

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

### *Legal Reference: (continued)*

#### UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex

6311 State plan

7221-7221j Charter schools

#### UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

#### CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

#### COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

#### ATTORNEY GENERAL OPINIONS

Opinion No. 11-201 (2018)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

#### CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

### *Management Resources:*

#### CSBA PUBLICATIONS

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018

Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017

Charter Schools: A Guide for Governance Teams, rev. 2016

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017

Special Education and Charter Schools: Questions and Answers, September 10, 2002

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program: Title V, Part B of the ESEA, January 2014

#### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

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### **Policy Reference UPDATE Service**

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# CSBA Sample

## Exhibit

### Philosophy, Goals, Objectives, and Comprehensive Plans

E 0420.41(a)

### CHARTER SCHOOL OVERSIGHT

### REQUIREMENTS FOR CHARTER SCHOOLS

Note: Pursuant to Education Code 47610, charter schools are exempt from Education Code provisions governing school districts unless otherwise specified in law. However, charter schools, like other public schools, are subject to the state and federal constitutions, applicable federal laws, state laws that apply to governmental agencies in general, and state laws that are expressly applicable to charter schools. The following Exhibit lists some, but not necessarily all, legal requirements that apply to charter schools and may be used by districts to monitor a charter school's compliance with law. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607; see BP 0420.43 - Charter School Revocation.

A charter school shall be subject to the terms of its charter; any memorandum of understanding between the school and the district Governing Board; the state and federal constitutions; applicable federal laws; state laws that apply to governmental agencies in general; and other legal requirements that are expressly applicable to charter schools, including, but not limited to, **the following** requirements. ~~that each charter school or the entity managing the charter school;~~

### Governance

~~Note: Pursuant to Education Code 47604.1, as added by SB 126 (Ch. 3, Statutes of 2019), charter schools are subject to the Ralph M. Brown Act, the California Public Records Act, the Political Reform Act of 1974, and conflict of interest laws, as provided in item #1 below. Although Education Code 47604.1 is not effective until January 1, 2020, a 2018 Attorney General opinion also concluded that, under current law, those statutes govern all local agencies including charter schools.~~

1. Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)
2. Except as otherwise authorized by Government Code 54954, hold the meetings of its governing body within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students



## **CHARTER SCHOOL OVERSIGHT (continued)**

enrolled in the charter school reside. In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)

### **Operations**

3. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
4. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

### **Admission/Enrollment**

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

Note: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school that is deemed to be a public school of the district, and is not its own local educational agency (LEA) for special education purposes, receives an equitable share of special education funding and services for students with disabilities who are enrolled in the charter school.

If a charter school is operating as a public school of the district for purposes of special education, the district retains responsibility and must determine how to ensure that students with disabilities receive a free appropriate public education (FAPE). However, as indicated in the California Office of Administrative Hearings ruling in Student v. Horizon Instructional Systems Charter School, a charter school operating as its own LEA for purposes of special education, including a charter school offering an independent study program, is the entity responsible for providing FAPE.

7. Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)
8. Admit all students who wish to attend the charter school, according to the following criteria and procedures:

**CHARTER SCHOOL OVERSIGHT (continued)**

- a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within that school's former attendance area. (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in that public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
- c. Other admission preferences may be permitted by the Board of the district on an individual school basis consistent with law. (Education Code 47605)

**9. Not discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on its web site the California Department of Education's (CDE) notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)**

**9.10.** Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)

**CHARTER SCHOOL OVERSIGHT (continued)**

- 10.11.** Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
- 11.12.** Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

**Nondiscrimination**

- 12.13.** Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
- 13.14.** Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7
- 14.15.** Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)
- 15.16.** If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)
- 16.17.** Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Education Code 222, 222.5, 46015)

## CHARTER SCHOOL OVERSIGHT (continued)

- 17.18.** If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

### Tuition and Fees

- 18.19.** Not charge tuition (Education Code 47605)

Note: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, because charter schools are subject to the California Constitution, the free school guarantee of the California Constitution, Article 9, Section 5, applies to charter schools. Charter schools may only charge fees which are explicitly authorized by law for charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 35330, 38082, and 38084 because those provisions apply to charter schools, but charter schools may not necessarily charge other fees authorized by law for school districts.

- 19.20.** Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
- 20.21.** Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school. The school shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

### School Plans

- 21.22.** Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, **after holding a public hearing, consulting in consultation** with specified stakeholders, and using the template adopted by the State Board of Education (SBE). **To the extent practicable, data shall be reported in a manner consistent with how information is reported on the California School Dashboard.** As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians, based on the template developed by the SBE, **which includes specified information relating to the school's budget.** (Education Code 47604.33, 47606.5, 52064, 52064.1)

## **CHARTER SCHOOL OVERSIGHT (continued)**

**22.23.** If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)

**23.24.** Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)

**24.25.** Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 28160)

## **Curriculum and Instruction**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Note: Education Code 47612.5 specifies, by grade level, the minimum number of instructional minutes that must be offered each fiscal year. Any charter school that fails to meet this requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education nor the Superintendent of Public Instruction may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**25.26.** Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)

**26.27.** If the charter school offers a kindergarten program, also offer a transitional kindergarten program to students whose fifth birthday is from September 2 through December 2 (Education Code 48000)

**27.28.** If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)

## CHARTER SCHOOL OVERSIGHT (continued)

**28.29.** If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school, **beginning in the 2019-2020 school year** (Education Code 51931, 51934)

**29.30.** If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources **by January 1, 2020** (Education Code 49381)

Note: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.6. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

**30.31.** If the charter school provides independent study, meet the requirements of Education Code 51745-51749.6, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

**32.** **Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a student participating in a newcomer program while attending another school (Education Code 51225.2)**

**31.33.** Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

### Special Education

**34.** **Provide assistive technology devices in a student's home or other settings if the individualized education program team determines that such access is necessary. The charter school shall also provide an assistive technology device or comparable device to a student who enrolls in another local educational agency, for two months after the student leaves the charter school or until alternative arrangements can be made, whichever occurs first. (Education Code 56040.3)**

## CHARTER SCHOOL OVERSIGHT (continued)

**35. If the charter school is an independent member of a special education local plan area and has a master contract with a nonpublic, nonsectarian school:**

- a. Pay the full amount of the tuition or fees for students with disabilities enrolled in programs or services provided pursuant to that contract (Education Code 56365)**
- b. Conduct at least one onsite visit to the nonpublic, nonsectarian school prior to a student's placement and at least once each school year (Education Code 56366.1)**

## High School Graduation

**32.36.** Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any **of the charter school's** graduation requirements ~~established by the charter school~~ that exceed state requirements, unless the **charter** school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)

**33.37.** Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)

## Student Expression

**34.38.** Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)

|                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Note: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## CHARTER SCHOOL OVERSIGHT (continued)

**35.39.** Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

### Staffing

**36.40.** Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) ~~equivalent to that which a teacher in other public schools would be required to hold~~ **as required for the teacher's certificated assignment. Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025 to obtain the required certificate required.** (Education Code 47605, **47605.4**)

**37.41.** Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the charter school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)

**38.42.** Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)

**39.43.** **If the charter school chooses to make the state teachers' retirement plan available to its employees, meet** ~~Meet~~ the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

**40.44.** Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

### Parent/Guardian Involvement

**41.45.** On a regular basis, consult with parents/guardians and teachers regarding the charter school's educational programs (Education Code 47605)



## CHARTER SCHOOL OVERSIGHT (continued)

- 42.46.** Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)
- 47.** **If 15 percent or more of the students at the charter school speak a single primary language other than English, provide all notices, reports, statements, or records sent to parents/guardians in English and in the primary language (Education Code 48985)**

## Nutrition

- 43.48.** ~~Beginning with the 2019-2020 school year, p~~Provide each eligible student with one nutritionally adequate free or reduced-price meal during each school day, except as provided for a charter school that offers nonclassroom-based instruction (Education Code 47613.5)
- 44.49.** If the charter school participates in the National School Lunch and/or Breakfast program, not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals (Education Code 49431.9)
- 45.50.** If the charter school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; **not take any action directed at a student to collect unpaid school meal fees;** ensure that a student with unpaid school meal fees is not **denied a meal of the student's choice**, shamed, **or** treated differently, ~~or served a meal that differs from other students;~~ and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)
- 46.51.** If the charter school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)

## Student Health

- 47.52.** ~~If the charter school serves students in grades 7-12, a~~Adopt a policy on suicide prevention, intervention, and postvention **for grades 7-12, and an age-appropriate**

**CHARTER SCHOOL OVERSIGHT** (continued)

- policy for grades K-6, and with specified components**, review the policy at least every five years, **and, if the school issues student identification cards, print the telephone number of the National Suicide Prevention Lifeline on those cards** (Education Code 215, **215.5**)
- 53. If the charter school serves grades 7-12 and issues student identification cards, print the telephone numbers of the National Suicide Prevention Lifeline and the National Domestic Violence Hotline on the identification cards (Education Code 215.5)**
- 48.54.** Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)
- 49.55.** Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)
- 50.56.** If the charter school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)
- 51.57.** If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire at least one automated external defibrillator (AED) for the school, and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)
- 52.58.** Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414 (Education Code 49414)

## CHARTER SCHOOL OVERSIGHT (continued)

- 53.59.** If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

### Student Conduct/Discipline

- 54.60.** Adopt a policy on bullying and cyberbullying prevention ~~by December 31, 2019,~~ **post specified information on bullying and harassment prevention,** and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, **234.6,** 32283.5)
- 61.** **Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy (Education Code 231.5, 231.6)**
- 55.62.** Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)
- 63.** **Neither recommend for expulsion a student in grades K-12 nor suspend a student in grades K-8 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)**
- 64.** **Upon request, provide a student who is suspended for two or more days with the homework assigned during the period of suspension (Education Code 48913.5)**

### Student and Parent/Guardian Records

- 56.65.** Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)
- 57.66.** Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)

## **CHARTER SCHOOL OVERSIGHT (continued)**

**58-67.** If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

**59-68.** If the charter school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

**69. Upon receipt of government-issued documentation of a change of name or gender or, if such documentation is not available, upon request in accordance with the procedure in Education Code 49070, update and reissue a former student's records to include the student's updated legal name or gender (Education Code 49062.5, 49070)**

### **Facilities**

**60-70.** Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

- a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
- b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

### **Finance**

**61-71.** Promptly respond to all reasonable inquiries from the district, the county office of education, or the Superintendent of Public Instruction (SPI), including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)

**CHARTER SCHOOL OVERSIGHT (continued)**

- 62.72.** Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
- 63.73.** Identify and report to the SPI any portion of the charter school's average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
- 64.74.** Annually prepare and submit financial reports to the district Board and the County Superintendent of Schools in accordance with the following reporting cycle:
- a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
  - b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
  - c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
  - d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
  - e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and CDE. (Education Code 47605)
- 65.75.** If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

**CHARTER SCHOOL OVERSIGHT** (continued)

**Accountability**

**66.76.** Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

(5/18 3/19) 3/20

# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

### CHARTER SCHOOL RENEWAL

Note: The following policy is **optional**. When the term of a charter granted by the Governing Board pursuant to Education Code 47605 (see BP/AR 0420.4 - Charter School Authorization) is due to expire, the charter school must submit a petition for renewal to the Board in accordance with Education Code 47607, **as amended by AB 1505 (Ch. 486, Statutes of 2019), and Education Code 47607.2, as added by AB 1505 and 5 CCR 11966.4.**

For a charter that was granted by the State Board of Education (SBE) on appeal after being denied by the district, the renewal petition must first be submitted to the district board that denied the charter, pursuant to Education Code 47605. A petition for the renewal of a charter that was originally granted by the County Board of Education on appeal after being denied by the district must be submitted directly to the County Board as the chartering authority pursuant to 5 CCR 11966.5.

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education on appeal after initial denial by the Board.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0420.41 - Charter School Oversight)*

*(cf. 0420.43 - Charter School Revocation)*

*(cf. 0500 - Accountability)*

~~Note: Education Code 47604, as amended by AB 406 (Ch. 291, Statutes of 2018), prohibits a charter school from being operated by a for-profit corporation or organization effective July 1, 2019. Any charter school that submits a renewal petition on or after that date must demonstrate that it has nonprofit management or it cannot be renewed.~~

~~No charter school that submits a~~ **The Board shall deny the** renewal petition ~~on or after July 1, 2019 shall be~~ **of any charter school** operated as, or ~~be operated~~ by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

**When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)**

## CHARTER SCHOOL RENEWAL (continued)

Note: The following **optional** paragraph may be revised to reflect district timelines for the submission of charter renewal petitions. ~~Although 5 CCR 11966.4~~ **Education Code 47605, as amended by AB 1505 and AB 1595 (Ch. 543, Statutes of 2019),** requires that the Board grant or deny the renewal petition within ~~60~~ **90** days of receiving **the petition; it** ~~(see section entitled "Timelines for Board Action" below).~~ **However,** it is recommended that charter schools submit their petition **sufficiently early (e.g., as much as six to** ~~nine months before the term of the charter is due to expire) so that, in~~ **nine months before the term of the charter is due to expire) so that, in** ~~The timeline should take into consideration the date by which student achievement data needed for the petition will be available and the amount of time needed for the Board's deliberations and decision. In~~ **The timeline should take into consideration the date by which student achievement data needed for the petition will be available and the amount of time needed for the Board's deliberations and decision. In** the event that the Board denies the renewal, the charter school may **need time be** ~~able~~ **able** to appeal to the County Board and then to SBE and, if the school closes, to allow students of the charter school to transfer to another school.

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

~~Each renewal granted by the Board shall be for a period of five years. (Education Code 47607)~~

**The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)**

### Criteria for Granting or Denying Renewal

**Note: AB 1505 amended Education Code 47607 and added Education Code 47607.2 to revise the criteria for granting or denying charter renewals and to authorize different lengths of renewal for high-performing, middle-performing, and low-performing charter schools.**

**Pursuant to Education Code 47607, charter renewals are subject to the same standards and criteria as initial charter authorizations as specified in Education Code 47605, except that the Board may not deny the renewal of an existing charter school based on a finding that (1) the district has a negative or qualified interim certification and is not positioned to absorb the fiscal impact of the proposed charter school or (2) the charter school is unlikely to serve the interests of the entire community in which the school will be located (i.e., the school would substantially undermine or duplicate existing district services or programs). However, these two criteria may be used to deny a proposed expansion of an existing charter school.**

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. ~~5, except that the signature requirement for new petitions is not applicable to petitions for renewal. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding~~



## CHARTER SCHOOL RENEWAL (continued)

that the charter school is unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607; 5 CCR 11966.4)

The signature requirement for new **charter authorization** petitions is not applicable to petitions for renewal. (Education Code 47607)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

In determining whether to grant a charter renewal, the Board shall consider the past academic, financial, and operational performance of the charter school in evaluating the likelihood of future success, along with any plans for improvement. Increases in academic achievement for all numerically significant groups of students served by the charter school, as defined in Education Code 52052, shall be the most important factor. (Education Code 47607; 5 CCR 11966.4)

Note: Education Code 47607 and 5 CCR 11966.4 establish grounds for denial of charter renewals. See CSBA's publication Charter Schools: A Guide for Governance Teams for additional information about making the determinations specified in items #1-5 below.

The Board shall not deny a renewal petition unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)

1. The charter school presents an unsound educational program for the students enrolled in the school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).
5. The charter school has failed to demonstrate that it meets at least one of the following criteria of academic performance:

## CHARTER SCHOOL RENEWAL (continued)

Note: Although Education Code 47607 authorizes the use of the Academic Performance Index (API) to demonstrate academic performance for purposes of charter renewal, the API is no longer being calculated. Pursuant to Education Code 52052, as amended by AB 1808 (Ch. 32, Statutes of 2018), alternative measures that show increases in student achievement for all groups of students schoolwide and among numerically significant student subgroups may be used instead. For example, for purposes of meeting the academic criterion for charter renewal, charter schools may use indicators of student achievement and English learner progress available through the state's accountability system, the California School Dashboard.

- a. — Increases in academic achievement for all groups of students schoolwide and among numerically significant student subgroups, as determined using measures identified pursuant to Education Code 52052

Note: When making a determination based on item #5b, Education Code 47607 requires the district to submit copies of supporting documentation and a written summary of the basis for its determination to the Superintendent of Public Instruction (SPI), as provided below. The SPI will review the materials and make recommendations to the district. Those recommendations may be the basis for a revocation of the charter by the SBE.

- b. — Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school

Such performance shall be determined based on a review of documented clear and convincing data; student achievement data from assessments, including, but not limited to, state academic achievement tests, for demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall not grant a renewal until at least 30 days after the submission of any such documentation by the charter school. The Superintendent or designee shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for the Board's determination.

(*cf.* 6162.51—*State Academic Achievement Tests*)

Note: Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate. Charter schools that participate in the DASS satisfy the academic criterion for charter renewal without being subject to the criteria listed above in item #5a or b.

- c. — Qualification for the state's alternative accountability system for schools that serve high-risk students

**CHARTER SCHOOL RENEWAL (continued)**

**Note:** Pursuant to Education Code 47607.2, the review of the charter school's performance must be based on "verified data," defined as data that are derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced and include measures of postsecondary outcomes. SBE is required to identify, by January 1, 2021, a list of valid and reliable assessments that must be used by the Board for this purpose. Until such a list is available, a charter school under consideration for renewal may present data consistent with the definition of "verified data."

**In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. (Education Code 47607)**

**Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:**

**1. Renewal of Five to Seven Years**

**A renewal shall be granted for a period of five to seven years to a charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 and that, for two consecutive years immediately preceding the renewal, achieved either of the following: (Education Code 47607)**

- a. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels**
- b. For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average**

**2. Renewal of Five Years**

**CHARTER SCHOOL RENEWAL (continued)**

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)**
  - (1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school**
  - (2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers**
- b. For any such charter school, the Board may deny the renewal petition upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)**

**3. Denial with Option for Two-Year Renewal**

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, either of the following applies: (Education Code 47607.2)**
  - (1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels.**
  - (2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.**
- b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that:**

**CHARTER SCHOOL RENEWAL (continued)**

- (1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.**
- (2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above**

**In addition to all the grounds stated above for denial of a charter, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The renewal shall be denied if the Board finds either that the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)**

|                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Note: Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate. Charter schools that participate in the DASS are subject to the following criteria specified in Education Code 46607, as amended by AB 1505.</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**A charter school that is eligible for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)**

## CHARTER SCHOOL RENEWAL (continued)

### Timelines for Board Action

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Education Code 47607, the Board must grant or deny the request for renewal within 60 days of receiving the renewal petition. Thus, the Board should establish a timeline for holding a public hearing that will provide sufficient time for the Board to consider public input before taking action on the request.

The Education Code does not specifically define when a petition is "received." However, because the Board conducts its business as an entity during public meetings, many education attorneys interpret the 30 days to begin when the petition is presented to the Board at the first Board meeting following the submission of the petition. Others consider the petition to be "received" when it is delivered to the district. Districts with questions regarding when the 30 days begin should consult legal counsel. State law does not expressly provide a timeline for a public hearing on the renewal petition or for the Board's final decision on the renewal. However, pursuant to Education Code 47607, renewals are generally subject to the same standards and criteria applicable to initial charter authorizations, as specified in Education Code 47605. As amended by AB 1505 and AB 1595, Education Code 47605 extends the timeline for the hearing for a charter petition from 30 to 60 days of the receipt of the petition. In addition, Education Code 47605 defines receipt of the petition as the date that the petitioner submits the petition to the district, and requires the Board to publish staff recommendations regarding the petition at least 15 days prior to the hearing at which the Board will grant or deny the petition. The following section reflects the timelines established for initial charter authorizations.

Within ~~30~~ **60** days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input. **A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)**

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, ~~t~~The Board shall either grant or deny the request to renew the charter. **charter renewal within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the Board. (Education Code 47607 47605; 5 CCR 11966.4)**

**At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)**

If the Board fails to make a written factual finding **when required for denial of the petition** pursuant to ~~items #1-5 in~~ the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

## **CHARTER SCHOOL RENEWAL (continued)**

The Superintendent or designee shall provide notification to ~~the California Department of Education~~ **CDE**, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board ~~of Education~~ within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

~~Note: Pursuant to Education Code 47604.32, if a charter school ceases operation for any reason, including denial of its renewal, the district must notify the California Department of Education; see BP 0420.41 – Charter School Oversight. In addition, the district and/or charter school must implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962; see AR 0420.4 – Charter School Authorization.~~

### **School Closure**

**If a charter is not renewed and the charter school ceases operation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)**

*Legal Reference: (see next page)*

## CHARTER SCHOOL RENEWAL (continued)

### *Legal Reference:*

#### EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 *Definition of numerically significant student subgroup*

56145-56146 *Special education services in charter schools*

60600-60649 *Assessment of academic achievement*

#### CODE OF REGULATIONS, TITLE 5

11960-11969 *Charter schools*

#### UNITED STATES CODE, TITLE 20

7223-7225 *Charter schools*

### *Management Resources:*

#### CSBA PUBLICATIONS

*The Role of the Charter School Authorizer, Online Course*

*Charter Schools: A Guide for Governance Teams, rev. 2016*

#### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

(11/12 10/18) 3/20

### **Policy Reference UPDATE Service**

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# CSBA Sample

## Board Policy

### Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.43(a)

### CHARTER SCHOOL REVOCATION

Note: The following policy is **optional**. Education Code 47607 and 5 CCR 11968.5.2-11968.5.3 **authorize allow** the Governing Board to revoke ~~the charter of a charter school in its jurisdiction~~ **any charter it has authorized**, when certain substantiated findings are made. In Today's Fresh Start, Inc. v. Los Angeles County Office of Education, the California Supreme Court confirmed that the revocation process prescribed in the Education Code provides a charter school with sufficient due process and that a charter school is not entitled to any additional evidentiary hearing by a neutral third party.

In addition, Education Code 47604.5 authorizes the State Board of Education (SBE), upon the recommendation of the Superintendent of Public Instruction (SPI), to revoke the charter of any charter school, whether or not ~~the~~ SBE is the chartering authority, if it makes certain findings relating to gross financial mismanagement, illegal or improper use of funds, substantial and sustained departure from measurably successful practices that may jeopardize the educational development of students, or, ~~as amended by AB 97 (Ch. 47, Statutes of 2013)~~, failure to improve student outcomes across multiple state and school priorities identified in the charter pursuant to Education Code 47605 ~~or 47605.6~~. SBE revocation procedures are specified in 5 CCR 11968.5.1.

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter. **The Board may revoke a charter in accordance with law.**

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0420.41 - Charter School Oversight)*

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0500 - Accountability)*

~~The procedures specified above shall not be applicable when~~ **When** the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students, ~~In such circumstances,~~ the Board may immediately revoke the school's charter. **When such a determination is made, the Board shall approve and deliver by approving and delivering to the charter school's governing body, the County Board of Education, and the California Department of Education (CDE) a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE.** (Education Code 47607; 5 CCR 11968.5.3)

**In all other circumstances, the Board may revoke a charter after providing due process and using the procedures described below.** The Board may revoke a charter ~~before the date it is due to expire whenever the Board~~ **if it** makes a written factual finding, **specific to that charter school and** supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

## CHARTER SCHOOL REVOCATION (continued)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

Note: Education Code 47607.3, as added by AB 97 (Ch. 47, Statutes of 2013), provides additional criteria for considering revocation of a charter, as described below. Pursuant to Education Code 47607.3, if, in three out of four consecutive years, a charter school fails to improve outcomes for three or more numerically significant student subgroups served by the school, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, then the district (1) must provide technical assistance to the school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5, or (2) may request that the SPI assign the California Collaborative for Educational Excellence (CCEE) to provide advice and assistance to the school; see BP 0420.41—Charter School Oversight. Education Code 47607.3, as amended by AB 1505 (Ch. 486, Statutes of 2019), establishes criteria for the provision of technical assistance to charter schools, including, but not limited to, the option to request that the SPI assign the California Collaborative for Educational Excellence (CCEE) to provide advice and assistance to the school. If CCEE informs the Board that the charter school has failed or is unable to implement CCEE's recommendations or continues to have persistent or acute inadequate performance, then the Board must consider revocation of the charter.

The Board shall also consider ~~revocation of a charter whenever~~ **revoking the charter of any charter school for which** the California Collaborative for Educational Excellence (CCEE), ~~after providing~~ **has provided** advice and assistance to the charter school pursuant to Education Code 47607.3, ~~submits to the Board~~ **if CCEE has issued** either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE
2. That the inadequate performance of the charter school, as based on ~~an evaluation rubric adopted by the State Board of Education (SBE)~~ **the California School Dashboard**, is so persistent or acute as to require revocation of the charter

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all **"numerically significant"** groups of students served by the charter school, as defined in Education Code 52052, ~~as the most important factor~~. (Education Code 47607, 47607.3)

## CHARTER SCHOOL REVOCATION (continued)

### Revocation Procedures

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

*(cf. 9320 - Meetings and Notices)*

If the Board ~~takes action to issue a Notice of Violation~~ **is considering a revocation of a charter school, it shall take action to approve and**, ~~it shall~~ deliver ~~the a~~ Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

At least 72 hours prior to any ~~Board~~ meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

*(cf. 9320 - Meetings and Notices)*

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including, **as applicable, a** ~~the~~ refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

## CHARTER SCHOOL REVOCATION (continued)

~~Within 60 calendar days of~~ **At** the conclusion of the remedy period **specified in the Notice of Violation**, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Note: Pursuant to Education Code 47607 and 5 CCR 11968.5.2, a decision to issue a Notice of Intent to Revoke as provided in item #2 below must be supported by substantial evidence that the charter school has failed to remedy or refute a violation. "Substantial evidence" is not defined in law or state regulations. <b>When issuing a Notice of Intent to Revoke, it is a best practice for the Board to identify all of the evidence relied upon in determining that the charter school failed to remedy a violation.</b> The district should consult legal counsel as necessary. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

2. ~~If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction,~~  
~~e~~**C**ontinue revocation of the charter, by issuing a Notice of Intent to Revoke to the charter school's governing body **within 60 calendar days of the conclusion of the remedy period**, if there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction. **All evidence relied upon by the Board for the decision shall be included in the Notice of Intent to Revoke.**

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision ~~to revoke or decline to revoke~~ **on the revocation of** the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to ~~the California Department of Education (CDE)~~ and the County Board ~~of Education~~. (Education Code 47604.32; 5 CCR 11968.5.2)

## CHARTER SCHOOL REVOCATION (continued)

Note: Pursuant to Education Code 47604.32, if a charter school ceases operation for any reason, including revocation, the district must notify the California Department of Education; see BP 0420.41 Charter School Oversight. In addition, the district and/or charter school must implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962; see AR 0420.4 Charter School Authorization.

### Severe and Imminent Threat

The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

### Appeals

Note: Pursuant to Education Code 47607 and 5 CCR 11968.5.3-11968.5.5, within 30 days of the Board's final decision to revoke a charter, the charter school may appeal the revocation the Board's decision to revoke a charter, including a revocation based on a severe and imminent threat, may be appealed to the County Board of Education. The County Board may reverse the revocation if it determines that the district's findings are not supported by substantial evidence, in which case the district may appeal the reversal to the SBE. If the County Board upholds the revocation or does not issue a decision within 90 days of its receipt of the appeal, the charter school may appeal to the SBE. Pursuant to Education Code 47607, if either the County Board or the SBE reverses the revocation, the district remains the chartering authority.

Education Code 47607 further provides that, while an appeal is pending, a charter school whose revocation is based on a material violation of any of the conditions, standards, or procedures set forth in its charter, or on a failure to meet or pursue any of the student outcomes identified in the charter, will continue to qualify as a charter school for funding and all other purposes of the Charter Schools Act and may continue to hold all existing grants, resources, and facilities in order to ensure that the education of students enrolled in the school is not disrupted.

As added by AB 97 (Ch. 47, Statutes of 2013), Education Code 47607.3 provides that a charter school may not appeal a revocation made pursuant to Education Code 47607.3 based on findings of the CCEE that the school failed or is unable to implement the CCEE's recommendations or that revocation is warranted based on persistent or acute inadequate performance.

If the Board revokes a charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. The County Board's decision may subsequently be appealed to the State Board of Education by either the charter school or the district may subsequently appeal the County Board's decision to the SBE.

## CHARTER SCHOOL REVOCATION (continued)

However, a revocation based upon the findings of the CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607, 47607.3; 5 CCR 11968.5.3-11968.5.5)

### School Closure

**If a charter school ceases operation due to revocation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)**

#### *Legal Reference:*

##### EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Accountability: numerically significant student subgroups; definition

##### CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5.1-11968.5.5 Charter revocations

##### COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education (2013) 57 Cal.4th 197

#### *Management Resources:*

##### CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Guide for Governance Teams, rev. 2016

##### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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

(11/12 12/13) 3/20

#### **Policy Reference UPDATE Service**

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# CSBA Sample

## Board Policy

### Business and Noninstructional Operations

BP 3551(a)

### FOOD SERVICE OPERATIONS/CAFETERIA FUND

Note: The following policy may be revised to reflect district practice. Pursuant to U.S. Department of Agriculture (USDA) Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773) are **mandated** to adopt policy addressing **meal charges, including** delinquent meal charges; see the section "Meal Sales" below and the accompanying administrative regulation.

Pursuant to 7 CFR 210.9, 210.14, and 220.7, districts participating in the National School Lunch and/or Breakfast program must maintain a nonprofit school food service program. Revenues received through the program may be used for the operation or improvement of the food service program, but not to **purchase land or buildings unless otherwise approved by USDA's Food and Nutrition Services, or to** construct buildings. ~~Revenues also may not be used to purchase land or buildings, unless otherwise approved by the USDA.~~ Authorized expenditures are specified in Education Code 38101 and defined in the California Department of Education's (CDE) California School Accounting Manual.

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

*(cf. 3100 - Budget)*

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3311 - Bids)*

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

*(cf. 3552 - Summer Meal Program)*

*(cf. 5030 - Student Wellness)*

Note: The following paragraph is for use by districts that participate in the National School Lunch and/or Breakfast Program and may be adapted for use by other districts. Pursuant to 42 USC 1776 and 7 CFR 210.30, **as amended by 84 Fed. Reg. 8247**, USDA has established minimum professional standards for food service directors and granted CDE the authority to adopt more flexible standards for districts with average daily attendance of less than 2,500. See CDE's Nutrition Services Division Management Bulletin 10-2019 for information about state hiring standards.

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Note: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program. Pursuant to 42 USC 1776, such districts must ensure that food service personnel and other appropriate personnel who conduct or oversee administrative procedures receive training on

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

administrative practices (i.e., training in application, certification, verification, meal counting, and meal claiming procedures) at least once each year. In addition, all food service personnel are required to receive annual training that ~~(4)~~ is designed to improve the accuracy of approvals for free and reduced-price meals and the identification of reimbursable meals at the point of service **and to ensure program compliance and integrity. Food service personnel must obtain certification on an annual basis to demonstrate competence in the training. In addition, training is required to** ~~and (2)~~ includes modules on nutrition, health and food safety standards and methodologies, and any other appropriate topics as determined by the U.S. Secretary of Agriculture. ~~The~~ CDE provides online training that meets these requirements; see CDE's web site.

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by ~~the~~ CDE. (42 USC 1776)

**Meal Sales**

Note: The following section may be revised by districts that have one or more high-poverty schools that operate under the federal universal meal service provision (42 USC 1759a), which provides breakfast and/or lunch free of charge to all students at the school. For further information, see BP 3553 - Free and Reduced Price Meals.

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

Note: Pursuant to Education Code 38082, the Governing Board may adopt a resolution to authorize serving meals to additional persons other than those listed above. CDE's Nutrition Services Division Management Bulletin 00-111 states that the Board's policy or resolution must specify the means for serving those persons and indicates that using funds from the National School Lunch or Breakfast Program to serve any nonstudent would be contrary to program goals. The following **optional** paragraph is for districts that have adopted such a resolution and should be revised to reflect district practice.

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Note: Pursuant to Education Code 38084, the district may determine meal prices consistent with the goal of paying the costs of maintaining the cafeterias (exclusive of the costs of housing and equipping cafeterias or other costs determined by Board resolution, which are paid from district funds other than the cafeteria fund, pursuant to Education Code 38100).

Students who meet federal eligibility criteria for the reduced-price meal program cannot be charged more than the amounts listed in 42 USC 1758 and 1773; see AR 3553 - Free and Reduced Price Meals. For information about setting prices for full-price meals, see 42 USC 1760 and CDE's Nutrition Services Division Management Bulletin SNP ~~12-2018~~ **11-2019**.



**FOOD SERVICE OPERATIONS/CAFETERIA FUND** (continued)

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

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

Note: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast Program are **mandated** to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. See the accompanying administrative regulation for additional language fulfilling this mandate.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with BP/AR 3553 - Free and Reduced Price Meals, 2 CFR 200.426, and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

Note: Education Code 49557.5 requires any district that participates in the National School Lunch and/or Breakfast Program to ensure that students **with whose parents/guardians have** unpaid meal fees are not shamed or treated differently than other students. **As amended by SB 265 (Ch. 785, Statutes of 2019), Education Code 49557.5 provides that students with unpaid meal fees must not be denied a reimbursable meal of their choice, eliminating the possibility that a school could provide an alternative meal to a student with unpaid meal fees.** For further information **about unpaid meal charges**, see CDE's Nutrition Services Division Management Bulletin SNP-03-2017.

In addition, Education Code 49557 requires the Board to approve a plan that ensures students eligible to receive free or reduced-price meals are not treated differently from other students, including, but not limited to, assurance that eligible students will not be overtly identified by the use of special tokens, tickets, or any other means. For additional language addressing this requirement, see BP/AR 3553 - Free and Reduced Price Meals.

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees or a student who is enrolled in the free or reduced-price meal program is not overtly identified by the use of special tokens, tickets, or other means and is not shamed, treated differently, or **served a meal that differs from the meal served to other students denied a meal of the student's choice.** (Education Code 49557, 49557.5)

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

*(cf. 0415 - Equity)*

## FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

### Cafeteria Fund

Note: Pursuant to Education Code 38090, money received for the sale of food or for any services performed by the cafeterias may be paid into the county treasury to the credit of a "cafeteria fund" for the district.

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

Note: Education Code 38103 allows the Board, at its discretion and with the approval of the County Superintendent of Schools who is responsible for a countywide payroll/retirement system under Education Code 42646, to have wages, salaries, and benefits of food service employees paid either from the district's general fund (Option 1 below) or from the district's cafeteria fund (Option 2).

~~**OPTION 1:** The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)~~

**OPTION 2:** The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

Note: The following **optional** paragraph may be revised to reflect district practice. 2 CFR Part 200, Appendix VII and USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Also see the accompanying administrative regulation.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

*(cf. 3230 - Federal Grant Funds)*

*(cf. 3400 - Management of District Assets/Accounts)*

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

### Contracts with Outside Services

Note: The following section is **optional**. Pursuant to Education Code 45103.5, the district is authorized to contract for consulting services related to food service management. 42 USC 1758, 7 CFR 210.16, and Education Code 45103.5 authorize a district, under specified conditions and with approval of the CDE, to contract with a food service management company to manage its food service operation in one or more of its schools. See the accompanying administrative regulation for related requirements.

## FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

### Procurement of Foods, Equipment and Supplies

Note: The following two paragraphs reflect requirements for districts participating in the National School Lunch and/or Breakfast Program. Pursuant to 7 CFR 210.21, districts are required to comply with all requirements for purchasing commercial food products served in the school meal programs, including those outlined in the Buy American provision. USDA Memorandum SP 38-2017 clarifies that a district participating in the National School Lunch and/or Breakfast Program or any entity purchasing food on its behalf must, to the maximum extent practicable, purchase domestically grown and processed foods, as defined. According to the Memorandum, a domestic commodity or product is deemed to be "substantially using" domestic agricultural commodities when over 51 percent of the final processed product consists of agricultural commodities produced in the United States.

Limited exceptions to the Buy American requirement are described in USDA Memorandum SP 38-2017. If the district is using one of these exceptions, it must maintain documentation justifying the exception(s).

Pursuant to Education Code 49563, CDE is required to make resources, requirements, and best practices related to the Buy American provision available on its web site and to provide districts with related USDA guidance or regulations as updates are issued.

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. *Domestic commodity or product* means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable **available** quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)

## FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Note: Pursuant to Public Contract Code 20111, districts participating in a federally funded child nutrition program, such as the National School Lunch and/or Breakfast Program, must comply with the federal procurement standards of 2 CFR 200.318-200.326 in regard to bid solicitations and awards. Also see BP/AR 3230 - Federal Grant Funds. Districts that do not participate in such a program may revise the following paragraph.

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

### Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

Note: The following paragraph is for use by districts that have one or more schools participating in the National School Lunch Program, School Breakfast Program, Seamless Summer Feeding Option, and/or other federal meal program. The state monitoring process (the Administrative Review) includes a review of district compliance with requirements for federal meal programs, including a review of resource management in the food service program as provided in the following paragraph. Each district is reviewed at least once every three years **except that, for school years from 2017-2019 through 2021-22, the three-year review cycle was extended to a five-year cycle pursuant to a waiver submitted by CDE's Nutrition Services Division to USDA.** See CDE's nutrition services web site for a current list of documents that may be requested for the review.

During the Administrative Review, CDE will review district policies on **charge accounts, alternate meals, unpaid meal charges, and guidelines for continually unpaid meal debt, the prohibition against shaming of students whose families cannot pay for a meal or who have unpaid meal debt, and processes for notifying parents/guardians of these policies at the beginning of the school year and when a student enrolls during the school year.**

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by **the CDE to ensure compliance of the district's food service program with federal requirements, related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.**

(cf. 3555 - Nutrition Program Compliance)

Legal Reference: (see next page)

# **FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

## *Legal Reference:*

### EDUCATION CODE

38080-38086.1 Cafeteria, establishment and use  
 38090-38095 Cafeterias, funds and accounts  
 38100-38103 Cafeterias, allocation of charges  
 42646 Alternate payroll procedure  
 45103.5 Contracts for management consulting services; restrictions  
 49490-49493 School breakfast and lunch programs  
 49500-49505 School meals  
 49550-49564.5 Meals for needy students, especially:  
 49550.5 Universal breakfast  
 49554 Contract for services  
 49580-49581 Food recovery program

### FOOD AND AGRICULTURE CODE

58595 Preference for California-grown agricultural products

### HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

### PUBLIC CONTRACT CODE

2000-2002 Responsive bidders

20111 Contracts

### CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

### UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-~~1791~~ **1793** Child nutrition, including:

1773 School breakfast program

### CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.317-200.326 Procurement standards

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

### CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-~~210.34~~ **210.33** National School Lunch Program

220.1-~~220.21~~ **220.22** National School Breakfast Program

**245.8 Nondiscrimination practices for students eligible for free and reduced price meals and free milk**

250.1-250.70 USDA foods

## *Management Resources:*

### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

**Paid Lunch Equity Requirement and Calculation Tool-Updated Guidance for School Year 2019-20, NSD Management Bulletin, SNP-11-2019, May 2019**

Professional Standards in the SNP and New Hiring Flexibility, NSD Management Bulletin, SNP-10-2019, April 2019

**Paid Lunch Equity Requirement and Calculation Tool, NSD Management Bulletin, SNP-12-2018, May 2018**

Management Resources continued: (see next page)

## FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

### Management Resources: (continued)

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

~~Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, and Additional Guidance on the Handling of Unpaid Meal Charges, NSD Management Bulletin, SNP-03-2018, February 2018~~

**Senate Bill 250: Child Hunger Prevention and Fair Treatment Act of 2017 and USDA Meal Charge Policy Requirements, NSD Management Bulletin, SNP-05-2018, January 2018**

Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-2017, April 2017  
Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, **January 2015**

Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, 00-111, July 2000

#### U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

~~FAQs About~~ School Meals **- FAQs**

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 38-2017, June 2017

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, **SP 29-2017**, May 2017

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

#### WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

(3/18 7/19) 3/20

### Policy Reference UPDATE Service

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# CSBA Sample

## Administrative Regulation

### Business and Noninstructional Operations

AR 3551(a)

### FOOD SERVICE OPERATIONS/CAFETERIA FUND

Note: Districts that provide breakfast and/or lunch free of charge to all students (i.e., "universal meal service") at one or more schools pursuant to 42 USC 1759a or Education Code 49550.5 should revise the following administrative regulation accordingly. Also see BP/AR 3553 - Free and Reduced Price Meals.

### Payments for Meals

Note: State and federal law (Education Code 49550, **49557**; 42 USC 1758, 1773; **7 CFR 245.8**) require that all students eligible for free and reduced-price meals receive a reimbursable meal during each school day, which must be the same meal choice offered to noneligible students; see BP/AR 3553 - Free and Reduced Price Meals. **California Department of Education (CDE) Nutrition Services Division Management Bulletin SNP 03-2018 clarifies that** ~~all~~ districts therefore cannot serve an alternate meal (i.e., a meal that is different than the day's advertised meal) to a student eligible for reduced-price meals who does not have the ability to pay or who fails to provide a meal ticket or other medium of exchange on a given day.

In addition to providing meals at no cost to students who are eligible, the district may offer meals at no cost to students who qualify for reduced-price benefits. Districts that choose to eliminate reduced-price meal charges may still claim the meals at the reduced-price rate, but the cost difference between the reduced-price meal and the no-cost meal must be covered by the district's cafeteria fund. For more information, see the U.S. Department of Agriculture's (USDA) Memorandum SP 17-2014.

The following section includes recommendations of the **California Department of Education's (CDE)'s** Nutrition Services Division Management Bulletin and the USDA's **"FAQs About School Meals - FAQs"** on the USDA's web site and may be revised to reflect district practice.

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

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

*(cf. 3552 - Summer Meal Program)*

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

*(cf. 3555 - Nutrition Program Compliance)*

Note: **CDE's program monitoring process (the Administrative Review) requires districts to continually notify parents/guardians of district policies regarding meal payments, including charge accounts and alternate meals if applicable.** Districts should, at a minimum, inform parents/guardians at the beginning of the school year and on an ongoing basis of district practices for students who have lost or forgotten their meal payment. In addition, districts should set up a system for notifying parents/guardians when a student's meal payment account has a low or negative balance.

According to USDA's Memorandum SP-23-2017, the district's policy on delinquent meal payments must be communicated in writing to all households at the start of each school year and to households transferring to



**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

the school during the school year. CDE's Nutrition Services Division Management Bulletin SNP-03-2017 states that, at a minimum, districts should use the methods specified below to communicate the district's meal policy.

At the beginning of the school year, and whenever a student enrolls during the school year, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the district's web site
5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

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

*(cf. 5145.6 - Parental Notifications)*

Note: The following **optional** paragraph may be revised to reflect district practice. According to the USDA's "**FAQs About School Meals - FAQs**," any district that participates in the National School Lunch and/or Breakfast Program and has one or more schools which use a system of meal tickets (or tokens, cards, or other similar medium of exchange) may limit the number of lost or stolen tickets it will replace for students each school year, as long as the limit is set at three or more. However, such a limit may only be established if the school (1) advises students and parents/guardians of the district's rules regarding replacement tickets **at the beginning of the school year and/or** when applications for free and reduced-price meals are distributed or approved; (2) maintains a list of students who have reported lost and stolen tickets and the number of occurrences for each student; (3) issues at least one advance warning to the student or the student's parent/guardian prior to refusing to issue a replacement ticket; and (4) does not deny meals to prekindergarten or younger primary students or students with disabilities who may be unable to take full responsibility for their meal tickets. Although these requirements apply only to students who qualify for free or reduced-price meals, **the** USDA recommends that districts apply the same limits for students who pay full price for their meals in order to ensure that needy students are not overtly identified because of a disparate ticket replacement policy.

In any school that uses a system of meal tickets or other similar medium of exchange rather



**FOOD SERVICE OPERATIONS/CAFETERIA FUND** (continued)

than an electronic point-of-sale system, the Superintendent or designee shall develop a process for providing replacement tickets to any student who reports a ticket as lost or stolen.

However, whenever any student reports an excessive number of lost or stolen tickets, the Superintendent or designee shall notify the parent/guardian and may provide an alternative method of tracking meal usage for that student.

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, and shall open a new account as appropriate for a student whose account appears to have been misused.

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

*(cf. 3580 - District Records)*

Note: Pursuant to CDE's Nutrition Services Division Management Bulletin SNP-03-2017, districts must ensure that students who are approved for reduced-price meals receive all meals that are paid for. Any excess payments must be either carried over or refunded to the parents/guardians. The following paragraph extends this provision to also apply to students paying for full-price meals.

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or **be** refunded to the student's parents/guardians.

**Unpaid and Delinquent Meal Charges**

Note: The following section reflects requirements applicable to districts participating in the National School Lunch and/or Breakfast Program and may also be used by districts that do not participate in the program. Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast Program are **mandated** to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Such policy may be consistent for all students or vary by grade level. The following section may be revised to reflect district practice.

~~At its discretion, the district may choose to also notify parents/guardians before the student's meal account reaches a negative balance. The following paragraph may be modified to reflect district practice.~~

The district shall not direct any action toward a student to collect unpaid school meal fees. (Education Code 49557.5)

**Students who have unpaid meal charges shall be served a meal of their choice throughout the school year regardless of the level of debt incurred by the household.**

**FOOD SERVICE OPERATIONS/CAFETERIA FUND** (continued)

**Such students shall not be overtly identified by the use of special tokens, tickets, or other means and shall not be shamed, treated differently, or denied a meal of their choice. (Education Code 49557, 49557.5)**

Note: Education Code 49557.5 requires that parents/guardians be notified no later than 10 days after a student's school meal account has reached a negative balance. At its discretion, the district may choose to also notify parents/guardians before the student's meal account reaches a negative balance. The following paragraph may be modified to reflect district practice.

No later than 10 days after a student's school meal account has reached a negative balance, the Superintendent or designee shall so notify the student's parent/guardian. Before sending this notification, the district shall exhaust all options and methods to directly certify the student for free or reduced-price meals. If the district is not able to directly certify the student, the notice to the parent/guardian shall include a paper copy of, or an electronic link to, an application for free or reduced-price meals and the Superintendent or designee shall contact the parent/guardian to encourage submission of the application. (Education Code 49557.5)

The district may attempt to collect unpaid school meal fees from a parent/guardian, but shall not use a debt collector. (Education Code 49557.5)

Note: The following **optional** paragraph reflects CDE guidance in its Nutrition Services Division Management Bulletin SNP-03-2017.

The Superintendent or designee may enter into an agreement with a student's parent/guardian for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

**~~The district shall not direct any action toward a student to collect unpaid school meal fees. (Education Code 49557.5)~~**

Note: CDE's Nutrition Services Division Management Bulletin SNP-03-2017 requires that the district's unpaid meal policy conform with the cost principles set forth in 2 CFR 200.426, as provided below.

The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

Note: Pursuant to CDE's Nutrition Services Division Management Bulletin SNP-03-2017, delinquent debt must be reclassified as bad debt and written off as an operating loss if it is not paid by the end of the fiscal year in which the debt was incurred, unless the district enters into a repayment plan with the parent/guardian prior to the end of the fiscal year or the debt occurs fewer than 90 days prior to the end of the fiscal year. Federal funds are not available to reimburse the district for bad debt. Districts are required to maintain related records in accordance with 7 CFR 210.9 and 210.15.

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

**Reimbursement Claims**

Note: To streamline administration of state and federal meal programs, CDE has developed an online Child Nutrition Information and Payment System which must be used to submit reimbursement claims and to submit and track the status of applications and USDA food requests.

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to CDE using the online Child Nutrition Information and Payment System.

**Donation of Leftover Food**

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

*(cf. 3510 - Green School Operations)*

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce **that complies with Health and Safety Code 113992**, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

**Cafeteria Fund**

Note: Education Code 38093 authorizes the Governing Board to establish one or more cafeteria revolving accounts to be treated as revolving cash accounts of the cafeteria fund.

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. **The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund.** (Education Code 38090, 38093)

*(cf. 3100 - Budget)*

**FOOD SERVICE OPERATIONS/CAFETERIA FUND** (continued)

*(cf. 3300 - Expenditures and Purchases)*

Note: Education Code 38101, ~~as amended by AB 3043 (Ch. 593, Statutes of 2018)~~, permits a district, with approval from CDE, to utilize cafeteria funds to pay for the purchase of a mobile food facility. However, if the district uses federal reimbursements from any of the federal child nutrition programs for such purchase, the mobile food facility shall only be used to support the administration of those federal programs. Mobile food facilities used for any purposes other than to support the administration of federal child nutrition programs shall not be purchased with cafeteria funds.

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

Note: The following **optional** paragraph is for use by districts that choose to provide universal breakfast (free of charge to all students) at one or more schools. Pursuant to Education Code 49550.5, ~~as added by AB 3043~~, districts may use cafeteria funds to supplement the cost of providing universal breakfast provided they submit the required certification to CDE. The requirement to submit certification does not apply to any district that provides universal breakfast pursuant to a federally authorized provision (e.g., Provision 1, 2, or 3 or the Community Eligibility Provision of the National School Lunch Act).

With CDE approval, the district may use cafeteria funds to supplement the provision of universal breakfast. On or before July 1 of each year, the district shall submit to CDE a Board-signed application certifying that breakfast will be provided to all students at no charge and that any cost above the amount provided in federal reimbursement will be covered by the district with nonfederal funds. (Education Code 49550.5)

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the ~~expenditure's~~ purpose **of** and basis **for the expenditure**. (Education Code 38101)

*(cf. 3110 - Transfer of Funds)*

Note: The following **optional** paragraph may be revised to reflect district practice. 2 CFR Part 200 Appendix VII and USDA guidance SP 60-2016, Indirect Costs: Guidance for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Indirect costs are those that are incurred for the benefit of multiple programs or objectives and typically support administrative overhead functions (e.g., accounting, payroll, purchasing, utilities, janitorial services). Each program or objective that benefits from the indirect cost bears a commensurate portion of the cost. Costs may be charged to the nonprofit food service account only if properly documented.

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Note: Pursuant to 7 CFR 210.14 and 220.7, net cash resources (i.e., all monies that have accrued to the nonprofit school food service at any given time, less cash payable) should not exceed three months' average expenditures. If there is a surplus, then according to USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, the district must lower the price of paid lunches, improve food quality, or make other improvements to school meal operations. CDE's Nutrition Services Division Management Bulletin NSD-SNP-07-2013 provides that the spending plan developed by the district under such circumstances must be approved by the CDE. CDE may approve a district's net cash resources in an amount greater than three months' average expenditures if the district has a spending plan for the excess funds in place with the Nutrition Services Division.

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (7 CFR 210.14, 220.7)

**U.S. Department of Agriculture Foods**

Note: The following **optional** section is for use by districts that participate in the National School Lunch Program and receive foods from the USDA pursuant to 42 USC 1755 and 7 CFR 250.1-250.70. CDE is responsible for ordering and distributing USDA foods for use in California schools. Pursuant to 42 USC 1758, USDA must ensure that foods offered through this program reflect the most recent Dietary Guidelines for Americans.

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

**Contracts with Outside Services**

Note: The following **optional** section is for use by districts that contract for food service management services pursuant to Education Code 49554, 42 USC 1758, or 7 CFR 210.16 or consulting services pursuant

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

to Education Code 45103.5, and should be modified to reflect the type(s) of contracts the district maintains; see the accompanying Board policy.

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services **only**, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

*(cf. 3312 - Contracts)*

*(cf. 3515.6 - Criminal Background Checks for Contractors)*

*(cf. 3600 - Consultants)*

*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*

*(cf. 4212 - Appointments and Conditions of Employment)*

(3/18 7/19) 3/20

**Policy Reference UPDATE Service**

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# CSBA Sample

## Board Policy

### Certificated Personnel

BP 4112.2(a)

### CERTIFICATION

Note: Under the authority granted by Education Code 44252, the Commission on Teacher Credentialing (CTC) establishes standards and procedures for the issuance and renewal of multiple subject, single subject, education specialist, and other credentials, certificates, and permits and approves applications. Pursuant to Education Code 44251, a preliminary credential is generally valid for five years, during which time the employee must complete the requirements for the clear credential in order to continue to serve in a certificated position. The clear credential must be renewed every five years, but renewal does not require completion of additional coursework or service requirements.

Assignment to certain positions within the district may require additional qualifications. For example, see AR 4112.22 - Staff Teaching English Language Learners, AR 4112.23 - Special Education Staff, and BP/AR 4113 - Assignment.

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

*(cf. 4111/4211/4311 - Recruitment and Selection)*  
*(cf. 4112.21 - Interns)*  
*(cf. 4112.22 - Staff Teaching English Learners)*  
*(cf. 4112.23 - Special Education Staff)*  
*(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)*  
*(cf. 4113 - Assignment)*  
*(cf. 4121 - Temporary/Substitute Personnel)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 6178 - Career Technical Education)*  
*(cf. 6200 - Adult Education)*

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

*(cf. 4131 - Staff Development)*  
*(cf. 4131.1 - Teacher Support and Guidance)*

## CERTIFICATION (continued)

### Priorities for Hiring Based on Unavailability of Credentialed Teacher

Note: **To the extent possible, the district must** ~~When the district is unable to~~ hire a "fully prepared" teacher who ~~has completed a teacher preparation program (i.e., a teacher who~~ holds a clear or preliminary teaching credential), **in the subject or setting of the assignment. The Board may authorize a fully credentialed teacher to serve in an assignment outside the area authorized by the credential if specified criteria are met; see BP/AR 4113 - Assignment and CTC's Credential Information Guide. When the district is unable to hire a fully credentialed teacher,** Education Code 44225.7 permits the district to hire a ~~teacher~~ **candidate** without those credentials **in accordance with the hiring.** ~~Education Code 44225.7 establishes a hierarchy for such hires, as~~ provided in items #1-3 below.

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher **for who is authorized in the subject or setting for** each assignment **or, when necessary, a fully prepared teacher serving on a local assignment option.** Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

Note: Pursuant to Education Code 44225.7, if a credentialed teacher is not available, priority **for employment** must be given to ~~employing~~ an individual who is enrolled in an approved intern program, as provided in item #1 below. CTC Coded Correspondence 13-01 clarifies that such an individual must possess a CTC-issued intern credential.

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential

Note: Pursuant to Education Code 44225.7, next priority for filling a position should be for a candidate who is scheduled to complete preliminary credential requirements within six months, as provided in item #2 below. CTC Coded Correspondence 13-01 clarifies that such an individual must qualify for and obtain a provisional internship permit (PIP) or short-term staff permit (STSP).

Pursuant to 5 CCR 80021-80021.1, the district may employ persons with ~~an STSP when needed to immediately staff classrooms based on unforeseen circumstances, or~~ a PIP when the district has conducted a diligent search but has been unable to recruit a credentialed teacher, **or an STSP when needed to immediately staff classrooms based on unforeseen circumstances.** Each of these options requires the district to provide orientation, training, and/or guidance; see the accompanying administrative regulation.

2. A candidate who is scheduled to complete preliminary credential requirements within six months and who ~~holds~~ **is granted** a provisional internship permit (PIP) or short-term staff permit issued by the CTC



## CERTIFICATION (continued)

Note: 5 CCR 80021.1 requires that a notice of intent to employ a person with a PIP be made public as described in the following paragraph. A copy of the agenda item and the Superintendent or designee's verification of the Governing Board's favorable action must be included as part of the application to the CTC along with other required verifications; see the accompanying administrative regulation.

The Board shall approve, as an action item at a **public open** Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

Note: Pursuant to Education Code 44225.7, when the district is unable to recruit a credentialed teacher or a teacher who meets the qualifications specified in items #1-2 above, it may request **CTC to approve the assignment of a person who does not meet those criteria. According to CTC Coded Correspondence 13-01, such an individual would need to qualify for a "variable term waiver." For further information about variable term waivers, see CTC's Waiver Requests Guidebook and 5 CCR 80125.** ~~that the CTC issue a "variable term" credential waiver (Education Code 44225; 5 CCR 80120-80125) or a long term emergency permit (Education Code 44300; 5 CCR 80023-80026.6), as provided in item #3 below.~~

~~The STSP and PIP have replaced multiple subject, single subject, and education specialist emergency permits, but the CTC continues to issue the emergency resource specialist permit (5 CCR 80024.3.1), emergency teacher librarian services permit (5 CCR 80024.6), emergency crosscultural, language and academic development permit (5 CCR 80024.8), and emergency bilingual authorization permit (5 CCR 80024.7).~~

3. An individual who ~~holds an emergency permit or for whom~~ **has been granted** a credential waiver ~~has been granted~~ by the CTC

Note: Pursuant to 5 CCR 80023.2, 80026, and 80027-80027.1, the Board must annually approve a Declaration of Need for Fully Qualified Educators prior to hiring a person with an emergency permit or a limited assignment permit to teach outside ~~his/her the~~ area of certification. The form for the Declaration of Need is available ~~in the CTC's online Credential Information Guide, which may be accessed only by employers~~ **on CTC's web site.** Pursuant to 5 CCR 80026, the Declaration of Need must be approved at a regularly scheduled public Board meeting and is valid for up to 12 months, expiring on June 30 following its submission to CTC.

Prior to requesting that the CTC issue an emergency permit **pursuant to item #3 above** or a limited assignment permit ~~which allows a fully credentialed teacher to teach outside of his/her area of certification while working toward an added or supplementary authorization~~, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled **public open** Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

**CERTIFICATION** (continued)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ non-credentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

**National Board for Professional Teaching Standards Certification**

Note: The following **optional** section may be revised to reflect district practice. The National Board for Professional Teaching Standards (NBPTS) offers teachers a voluntary, rigorous advanced certification process **to demonstrate professional accomplishment. Some districts provide fee support to teachers seeking this certification to improve their practice as educators. Districts can encourage teacher participation by coordinating a cohort of teachers through school or district-based programs, their county office of education, or the NBPTS Resource Center at Stanford University or other NBPTS support networks. A list of current NBPTS support networks can be found on the NBPTS web site.**

**Districts and schools may use U.S. Department of Education grant funds (e.g., Title I, Part A; Title II, Part A; Individuals with Disabilities Education Act, Part B), as well as district resources for beginning teachers, for costs associated with teachers pursuing, achieving, and maintaining National Board certification.**

**The Board encourages district teachers to voluntarily complete the requirements for the advanced certification awarded by the National Board for Professional Teaching Standards.**

**The Superintendent or designee shall inform all teachers about the program and how to acquire the necessary application and information materials. In accordance with the collective bargaining agreement and the district budget, the Superintendent or designee may provide release time, fee support, a stipend upon completion, or other support to teachers participating in the program.**

**The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.**

## **CERTIFICATION (continued)**

**With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:**

- 1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification**
- 2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students**
- 3. Providing substitute teachers to provide release time for participating teachers**
- 4. Providing stipends for teacher participation that match other professional development stipends**
- 5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards**

*(cf. 4161.3 - Professional Leaves)*

## **Parental Notifications**

Note: The following section is for use by districts that receive federal Title I funds, and may be used or adapted by other districts at their discretion.

20 USC 6312 requires districts receiving federal Title I funds to provide the following annual notification to parents/guardians of students in any school receiving Title I funds. Such districts may choose to provide the same notification to all schools, regardless of whether or not they receive Title I funds. **As amended by the Every Student Succeeds Act (P.L. 114-95), 20 USC 6312 no longer requires the notification to include the right of parents/guardians to request information about a teacher's baccalaureate major or graduate certification or degree held by the teacher.**

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction

**CERTIFICATION** (continued)

2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of ~~his/her~~ **the teacher's** certification

*(cf. 5145.6 - Parental Notifications)*

~~Note: As amended by P.L. 114-95, 20 USC 6312 requires the following notice to parents/guardians whenever a student has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements.~~

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

*Legal Reference continued: (see next page)*

## CERTIFICATION (continued)

### *Legal Reference:*

#### EDUCATION CODE

8360-8370 *Qualifications of child care personnel*

32340-32341 *Unlawful issuance of a credential*

35186 *Complaints regarding teacher vacancy or misassignment*

44066 *Limitations on certification requirements*

44200-44399.1 *Teacher credentialing, especially:*

44250-44277 *Credential types; minimum requirements*

44300-44302 *Emergency permit*

44325-44328 *District interns*

44330-44355 *Certificates and credentials*

44420-44440 *Revocation and suspension of credentials*

44450-44468 *University intern program*

44830-44929 *Employment of certificated persons; requirement of proficiency in basic skills*

56060-56063 *Substitute teachers in special education*

#### CODE OF REGULATIONS, TITLE 5

80001-80674.6 *Commission on Teacher Credentialing*

#### UNITED STATES CODE, TITLE 20

6312 *Title I local educational agency plans; notifications regarding teacher qualifications*

#### CODE OF FEDERAL REGULATIONS, TITLE 34

200.48 *Parent notification regarding teacher qualifications*

#### COURT DECISIONS

*Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing*, (1993) 836 F.Supp. 1534

### *Management Resources:*

#### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-667 *Basic Skills Requirement*

CL-856 *Provisional Internship Permit*

CL 858 *Short-Term Staff Permit*

#### **Credential Information Guide**

*Approved Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, August 23, 2016*

#### **Waiver Requests Guidebook, 2015**

*Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013*

*Subject Matter Authorization Guideline Book, 2012*

*Supplementary Authorization Guideline Book, 2012*

*California Standards for the Teaching Profession, 2009*

*The Administrator's Assignment Manual, rev. September 2007*

#### **NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PUBLICATIONS**

**Considerations for Using Federal Funds to Support National Board Certification, 2018**

#### WEB SITES

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

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

*Management Resources continued: (see next page)*

**CERTIFICATION** (continued)

*Management Resources: (continued)*

**WEB SITES** (continued)

*Commission on Teacher Credentialing, Credential Information Guide (for employers' use only):*

*<http://www.ctc.ca.gov/credentials/cig>*

*National Board for Professional Teaching Standards: <http://www.nbpts.org>*

***National Board Resource Center: [nbc.strong.net](http://nbc.strong.net)***

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

(8/14 7/16) 3/20

**Policy Reference UPDATE Service**

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# CSBA Sample

## Exhibit

### All Personnel

E 4112.9(a)

4212.9

### EMPLOYEE NOTIFICATIONS

4312.9

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

| When/Whom to Notify                                                  | Education or Other Legal Code                            | Board Policy/ Administrative Regulation # | Subject                                                                                                                                         |
|----------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I. To All Employees</b>                                           |                                                          |                                           |                                                                                                                                                 |
| At the beginning of school year or upon employment                   | Education Code 231.5; Government Code 12950; 2 CCR 11024 | AR 4119.11<br>4219.11<br>4319.11          | The district's policy on sexual harassment, legal remedies, complaints                                                                          |
| Annually to all employees, and 72 hours before pesticide application | Education Code 17612                                     | AR 3514.2                                 | Use of pesticide product, active ingredients, Internet address to access information                                                            |
| To all employees, prior to implementing year-round schedule          | Education Code 37616                                     | BP 6117                                   | Public hearing on year-round program                                                                                                            |
| To all employees, prior to implementing alternative schedule         | Education Code 46162                                     | AR 6112                                   | Public hearing on alternative schedule                                                                                                          |
| Annually to all employees                                            | Education Code 49013; 5 CCR 4622                         | AR 1312.3<br>BP 0460<br>BP 3260           | Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan |
| Annually to all employees                                            | Education Code 49414                                     | AR 5141.21                                | Request for volunteers to be trained to administer epinephrine auto-injectors                                                                   |
| At least once per year                                               | Education Code 49414.3                                   | AR 5141.21                                | Request for volunteers to be trained to administer opioid antagonist                                                                            |
| To all employees                                                     | Government Code 1126                                     | BP 4136<br>4236<br>4336                   | Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal                      |

E 4112.9(b)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

| When/Whom<br>to Notify                                                                            | Education or<br>Other Legal<br>Code                               | Board Policy/<br>Administrative<br>Regulation # | Subject                                                                                                                        |
|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>I. To All Employees</b> (continued)                                                            |                                                                   |                                                 |                                                                                                                                |
| Prior to beginning employment                                                                     | Government Code<br>3102                                           | AR 4112.3<br>4212.3<br>4312.3                   | Oath or affirmation of<br>allegiance required of disaster<br>service workers                                                   |
| To all employees                                                                                  | Government Code<br>8355; 41 USC 8102;<br>34 CFR 84.205,<br>84.210 | BP 4020<br>BP 4159<br>4259<br>4359              | District's drug- and alcohol-<br>free workplace; actions to be<br>taken if violated; available<br>employee assistance programs |
| Upon employment                                                                                   | Government Code<br>21029                                          | None                                            | Right to purchase PERS<br>service credit for military<br>service performed prior to<br>public employment                       |
| Upon placement of automated<br>external defibrillator (AED) in<br>school, and annually thereafter | Health and Safety<br>Code 1797.196                                | AR 5141                                         | Proper use of AED; location<br>of all AEDs on campus,<br>sudden cardiac arrest, school's<br>emergency response plan            |
| To all employees, if the<br>district receives Tobacco-Use<br>Prevention Education funds           | Health and Safety<br>Code 104420                                  | AR 3513.3                                       | District's tobacco-free schools<br>policy and enforcement<br>procedures                                                        |
| Annually to all employees, or<br>more frequently if there is new<br>information                   | Health and Safety<br>Code 120875,<br>120880                       | AR 4119.43<br>4219.43<br>4319.43                | AIDS and hepatitis B,<br>including methods to prevent<br>exposure                                                              |
| To all employees, with each<br>paycheck                                                           | Labor Code 246                                                    | AR 4161.1<br>4361.1<br>AR 4261.1                | Amount of sick leave available                                                                                                 |
| <b>Upon hire, in employee<br/>handbook, and upon request<br/>for parental leave</b>               | <b>Labor Code<br/>1034</b>                                        | <b>BP 4033</b>                                  | <b>The district's policy on<br/>lactation accommodation</b>                                                                    |



E 4112.9(c)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

| When/Whom<br>to Notify                                                                          | Education or<br>Other Legal<br>Code      | Board Policy/<br>Administrative<br>Regulation # | Subject                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I. To All Employees</b> (continued)                                                          |                                          |                                                 |                                                                                                                                                                                                   |
| To covered employees and<br>former employees                                                    | Labor Code<br>2800.2                     | AR 4154<br>4254<br>4354                         | Availability of COBRA/<br>Cal-COBRA continuation<br>and conversion coverage;<br>statement encouraging careful<br>examination of options before<br>declining coverage                              |
| <b>To employees participating<br/>in a flexible spending account</b>                            | <b>Labor Code<br/>2810.7</b>             | <b>None</b>                                     | <b>Deadline to withdraw funds<br/>from account before the end<br/>of the plan year</b>                                                                                                            |
| To every new employee, either<br>at the time employee is hired<br>or by end of first pay period | Labor Code<br>3551                       | BP 4157.1<br>4257.1<br>4357.1                   | Workers' compensation<br>benefits, how to obtain medical<br>care, role of primary physician,<br>form for reporting personal<br>physician/chiropractor                                             |
| Prior to beginning employment                                                                   | Penal Code<br>11165.7, 11166.5           | AR 5141.4                                       | Status as a mandated reporter<br>of child abuse, reporting<br>obligations, confidentiality<br>rights, copy of law                                                                                 |
| Upon employment, and when<br>employee goes on leave<br>for specified reasons                    | Unemployment<br>Insurance Code<br>2613   | AR 4154<br>4254<br>4354                         | Disability insurance rights and<br>benefits                                                                                                                                                       |
| To all employees and job<br>applicants                                                          | 2 CCR 11023; 34<br>CFR 104.8, 106.9      | BP 0410<br>BP 4030                              | District's policy on<br>nondiscrimination and<br>related complaint procedures                                                                                                                     |
| To all employees via employee<br>handbook, or to each new<br>employee                           | 2 CCR 11091,<br>11095; 29 CFR<br>825.300 | AR 4161.8<br>4261.8<br>4361.8                   | Benefits through Family and<br>Medical Leave Act (FMLA)<br>and California Family Rights<br>Act( <i>cfRA</i> ); <i>obligation</i><br>to provide 30 days' notice of<br>need for leave when possible |

E 4112.9(d)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

| When/Whom<br>to Notify                                                                                                                                                           | Education or<br>Other Legal<br>Code | Board Policy/<br>Administrative<br>Regulation # | Subject                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>I. To All Employees</b> (continued)                                                                                                                                           |                                     |                                                 |                                                                                                                                |
| Annually to all employees                                                                                                                                                        | 40 CFR 763.84,<br>763.93            | AR 3514                                         | Availability of asbestos<br>management plan; inspections,<br>response actions, post-response<br>actions planned or in progress |
| <b>II. To Certificated Employees</b>                                                                                                                                             |                                     |                                                 |                                                                                                                                |
| To eligible certificated<br>employees in a timely manner,<br>and to part-time and substitute<br>certificated employees<br>within 30 days of hire                                 | Education Code<br>22455.5           | AR 4121                                         | Criteria for membership in<br>retirement system; right to<br>elect membership at any time                                      |
| Upon employment of a<br>retired certificated individual                                                                                                                          | Education Code<br>22461             | AR 4117.14<br>4317.14                           | Postretirement earnings<br>limitation or employment<br>restriction; monthly report of<br>compensation                          |
| To certificated employees                                                                                                                                                        | Education Code<br>35171             | AR 4115<br>BP 4315                              | District regulations related to<br>performance evaluations                                                                     |
| 30 days before last day of<br>school year for instructional<br>staff, or by June 30 for<br>noninstructional certificated<br>staff, in any year in which<br>employee is evaluated | Education Code<br>44663             | AR 4115                                         | Copy of employee's evaluation                                                                                                  |
| To a certificated employee<br>with unsatisfactory evaluation,<br>once per year for probationary<br>employee or at least once every<br>other year for permanent employee          | Education Code<br>44664             | AR 4115                                         | Notice and description of the<br>unsatisfactory performance                                                                    |

E 4112.9(d)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

| When/Whom<br>to Notify                                                                                                                                                                                                                                       | Education or<br>Other Legal<br>Code  | Board Policy/<br>Administrative<br>Regulation # | Subject                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>II. To Certificated Employees</b> (continued)                                                                                                                                                                                                             |                                      |                                                 |                                                                                                       |
| By May 30, if district issues reemployment notices to certificated employees                                                                                                                                                                                 | Education Code 44842                 | AR 4112.1                                       | Request that the employee notify district of intent to remain in service next year                    |
| To certificated employees upon employment, and to nonpermanent employees in July of each school year                                                                                                                                                         | Education Code 44916                 | AR 4112.1<br>AR 4121                            | Employment status and salary                                                                          |
| <b>To probationary employees in district with ADA of 250 or more by March 15 of employee's second consecutive year of employment</b><br><b>By March 15 of employee's second year of employment, in districts that grant permanent status after two years</b> | Education Code 44929.21              | <del>AR 4117.6</del><br><b>BP 4116</b>          | Whether or not employee is reelected for next school year                                             |
| When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year                                                                                          | Education Code 44934, 44934.1, 44936 | BP 4118<br>AR 4118                              | Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice |
| To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice                                                                                                                                          | Education Code 44938                 | BP 4118                                         | Notice of deficiency and opportunity to correct                                                       |
| To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year                                                                                              | Education Code 44938                 | BP 4118                                         | Notice of deficiency and opportunity to correct                                                       |

E 4112.9(e)  
4212.9  
4312.9

## **EMPLOYEE NOTIFICATIONS (continued)**

| <b>When/Whom<br/>to Notify</b>                                                                                                              | <b>Education or<br/>Other Legal<br/>Code</b> | <b>Board Policy/<br/>Administrative<br/>Regulation #</b> | <b>Subject</b>                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>II. To Certificated Employees (continued)</b>                                                                                            |                                              |                                                          |                                                                                                                 |
| To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings                | Education Code 44940.5                       | AR 4118                                                  | Notice of intent to dismiss 30 days from notice unless employee demands hearing                                 |
| To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees | Education Code 44948.3                       | AR 4118                                                  | Reasons for dismissal and opportunity to appeal                                                                 |
| By March 15 when necessary to reduce certificated personnel, with final notice by May 15                                                    | Education Code 44949, 44955                  | BP 4117.3                                                | Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination |
| On or before June 30, to temporary employee who served 75 percent of school year but will be released                                       | Education Code 44954                         | BP 4121                                                  | District's decision not to reelect employee for following school year                                           |
| To teacher, when a student engages in or is reasonably suspected of specified acts                                                          | Education Code 49079                         | AR 4158<br>4258<br>4358                                  | Student has committed specified act that constitutes ground for suspension or expulsion                         |
| To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending                          | 5 CCR 80303                                  | AR 4117.7<br>4317.7                                      | Contents of state regulation re: report to Commission on Teacher Credentialing                                  |
| <b>III. To Classified Employees</b>                                                                                                         |                                              |                                                          |                                                                                                                 |
| To classified employee charged with mandatory leave of absence offense, in merit system district                                            | Education Code 44940.5                       | AR 4218                                                  | Notice of intent to dismiss in 30 days                                                                          |

E 4112.9(f)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

| When/Whom<br>to Notify                                                                                                                   | Education or<br>Other Legal<br>Code | Board Policy/<br>Administrative<br>Regulation # | Subject                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>III. To Classified Employees (continued)</b>                                                                                          |                                     |                                                 |                                                                                                                        |
| When classified employee is subject to disciplinary action for cause, in nonmerit district                                               | Education Code 45113                | AR 4218                                         | Notice of charges, <del>procedures,</del> <b>and employee rights right to hearing, timeline for requesting hearing</b> |
| To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year | Education Code 45117                | AR 4217.3                                       | Notice of layoff and reemployment rights                                                                               |
| To classified employees upon employment and upon each change in classification                                                           | Education Code 45169                | AR 4212                                         | Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek              |
| To classified permanent employee whose leave is exhausted                                                                                | Education Code 45192, 45195         | AR 4261.1<br>AR 4261.11                         | Exhaustion of leave, opportunity to request additional leave                                                           |
| To school bus drivers and school activity bus drivers prior to expiration of specified documents                                         | 13 CCR 1234                         | AR 3542                                         | Expiration date of driver's license, driver's certificate and medical certificate; need to renew                       |
| To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter                              | 13 CCR 2480                         | AR 3542                                         | Limitations on vehicle idling; consequences of not complying                                                           |
| To school bus drivers, prior to district drug testing program and thereafter upon employment                                             | 49 CFR 382.601                      | BP 4112.42<br>4212.42<br>4312.42                | Explanation of federal requirements for drug testing program and district's policy                                     |

E 4112.9(g)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

### IV. To Administrative/Supervisory Personnel

|                                                                                                                                                                   |                      |                             |                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------|------------------------------------------------------------------------------|
| To <b>superintendent</b> , deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract | Education Code 35031 | <b>BP 2121</b><br>BP 4312.1 | Decision not to reelect or reemploy upon expiration of contract or term      |
| Upon request by administrative or supervisory employee transferred to teaching position                                                                           | Education Code 44896 | AR 4313.2                   | Statement of the reasons for the release or reassignment                     |
| By March 15 to employee who may be released/reassigned the following school year                                                                                  | Education Code 44951 | AR 4313.2                   | Notice that employee may be released or reassigned the following school year |

### V. To Individual Employees Under Special Circumstances

|                                                                                              |                       |                                  |                                                                                                                                           |
|----------------------------------------------------------------------------------------------|-----------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| In the event of a breach of security of district records, to affected employees              | Civil Code 1798.29    | BP 3580                          | Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies |
| Prior to placing derogatory information in personnel file                                    | Education Code 44031  | AR 4112.6<br>4212.6<br>4312.6    | Notice of derogatory information, opportunity to review and comment                                                                       |
| To employees who volunteer to administer epinephrine auto-injector                           | Education Code 49414  | AR 5141.21                       | Defense and indemnification from civil liability by the district                                                                          |
| To employees returning from military leave of absence, within 30 days of return              | Government Code 20997 | AR 4161.5<br>4261.5<br>4361.5    | Right to receive PERS service credit for military service; application form                                                               |
| 24 hours before Board meets in closed session to hear complaints or charges against employee | Government Code 54957 | BB 9321                          | Employee's right to have complaints/charges heard in open session                                                                         |
| When taking disciplinary action against employee for disclosure of confidential information  | Government Code 54963 | BP 4119.23<br>4219.23<br>4319.23 | Law prohibiting disclosure of confidential information obtained in closed session                                                         |

E 4112.9(h)  
4212.9  
4312.9

## EMPLOYEE NOTIFICATIONS (continued)

| When/Whom to Notify                                                                                                                                                  | Education or Other Legal Code      | Board Policy/ Administrative Regulation # | Subject                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>V. To Individual Employees Under Special Circumstances (continued)</b>                                                                                            |                                    |                                           |                                                                                                                                                                                                                 |
| Within one working day of work-related injury or victimization of crime                                                                                              | Labor Code 3553, 5401              | BP 4157.1<br>4257.1<br>4357.1             | Potential eligibility for workers' compensation benefits, claim form                                                                                                                                            |
| When adverse employment action is based on DOJ criminal history information or subsequent arrest notification                                                        | Penal Code 11105, 11105.2          | AR 4112.5<br>4212.5<br>4312.5             | Copy of DOJ notification                                                                                                                                                                                        |
| To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter                           | 8 CCR 3204, 5193                   | AR 4119.42<br>4219.42<br>4319.42          | The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records                                          |
| To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation                               | 8 CCR 5191                         | AR 3514.1                                 | Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material                                                                             |
| To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area                | 8 CCR 5194                         | AR 3514.1                                 | Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights                                               |
| To employee eligible for military leave                                                                                                                              | 38 USC 4334                        | AR 4161.5<br>4261.5<br>4361.5             | Notice of rights, benefits, and obligations under military leave                                                                                                                                                |
| Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave | 29 CFR 825.300; 2 CCR 11049, 11091 | AR 4161.8<br>4261.8<br>4361.8             | Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice |

E 4112.9(i)  
4212.9  
4312.9

## **EMPLOYEE NOTIFICATIONS (continued)**

| <b>When/Whom<br/>to Notify</b>                                            | <b>Education or<br/>Other Legal<br/>Code</b> | <b>Board Policy/<br/>Administrative<br/>Regulation #</b> | <b>Subject</b>                                                                                 |
|---------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <b>V. To Individual Employees Under Special Circumstances (continued)</b> |                                              |                                                          |                                                                                                |
| Whenever notice of eligibility<br>for FMLA is provided to<br>employee     | 29 CFR 825.300                               | AR 4161.8<br>4261.8<br>4361.8                            | Rights and responsibilities re:<br>use of FMLA; consequences of<br>failure to meet obligations |

(7/16 3/17) 3/20

### **Policy Reference UPDATE Service**

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# CSBA Sample Board Policy

Students

BP 5141.52(a)

## SUICIDE PREVENTION

Note: Education Code 215 **mandates** that the Governing Board of any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. **AB 1767 (Ch. 694, Statutes of 2019) amended Education Code 215 to mandate policy on suicide prevention, intervention, and postvention for students in grades K-6 beginning in the 2020-21 school year. These** The required components are addressed in the following policy and the accompanying administrative regulation. Also see the California Department of Education's (CDE) **model policy Model Youth Suicide Prevention Policy** developed pursuant to Education Code 215. **Although not required by law, districts serving students in grades K-6 may adapt this policy for use in elementary schools.**

**The following policy and accompanying administrative regulation should be revised to reflect district practice. Pursuant to Education Code 215, the policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate. The following policy and accompanying administrative regulation should be revised to reflect district practice and the grade levels offered by the district.**

**Also see the California Department of Education's model policy required by Education Code 215.**

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

Note: Pursuant to Education Code 215, **as amended by AB 1767, the district's suicide prevention policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts, and, for policy for grades K-6, the county mental health plan. According to CDE's Model Youth Suicide Prevention Policy, school-employed mental health professionals may include school counselors, psychologists, social workers, and nurses. CDE's model policy also includes consultation with administrators, other school staff, parents/guardians, students, local health agencies and professionals, law enforcement, and community organizations.**

**It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.**

In developing **policy measures** and strategies for **suicide prevention and intervention, the Superintendent or designee shall consult with school and community stakeholders such as administrators, other staff, parents/guardians, and students; school-employed mental health professionals such as use by the district, the Superintendent or designee may consult with school health professionals, school counselors, school psychologists, school social workers, and school nurses; administrators, other staff, parents/guardians, students, suicide**

## SUICIDE PREVENTION (continued)

prevention experts; **such as** local health agencies, mental health professionals, and community organizations; **law enforcement; and, in developing policy for grades K-6, the county mental health plan. (Education Code 215)**

*(cf. 1220 - Citizen Advisory Committees)*

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

**Note: Education Code 215, as amended by AB 1767, requires that the district's policy for students in grades K-6 be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. The following paragraph is for use by districts that serve K-6 students, and may be revised as appropriate for the student population served by the district.**

**The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)**

~~Such measures~~ Measures and strategies **for suicide prevention, intervention, and postvention** shall include, but are not limited to:

**Note: Education Code 215, as amended by AB 1767, mandates that the district's policy address any training on suicide awareness and prevention to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. all grade levels served by the district.** See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. Item #1 may be revised to specify other categories of employees who will receive the training.

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students, **as described in the accompanying administrative regulation**

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Note: Items #2-7 below reflect optional strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.**

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

*(cf. 6142.8 - Comprehensive Health Education)*

### SUICIDE PREVENTION (continued)

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

|                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Note: Education Code 215 <b>mandates</b> that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning **youth**. (Education Code 215)

|                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Note: The following paragraph is for use by districts that serve students in grades K-6. Education Code 215, as amended by AB 1767, mandates that the district's policy for students in grades K-6 ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)**

## SUICIDE PREVENTION (continued)

*(cf. 5141.6 - School Health Services)*

**District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)**

**Note:** Pursuant to Education Code 215, as amended by AB 2639 (Ch. 437, Statutes of 2018), boards that serve students in grades 7-12 are required to review, and if necessary update, the district's student suicide prevention policy at least every five years.

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

**Note:** Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires districts, beginning in the 2020-21 school year, to ensure that the district's suicide prevention policies for grades K-6 and 7-12 be readily accessible in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.

**The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)**

### *Legal Reference:*

#### EDUCATION CODE

215 Student suicide prevention policies

215.5 Suicide prevention hotline contact information on student identification cards

216 Suicide prevention online training programs

**234.6 Posting suicide prevention policy on web site**

32280-32289.5 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

#### GOVERNMENT CODE

810-996.6 Government Claims Act

#### PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

#### WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5883 **5886** Children's Mental Health Services Act

#### COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

*Management Resources: (see next page)*

## SUICIDE PREVENTION (continued)

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003-2019

#### CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

#### NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015

#### U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012

Preventing Suicide: A Toolkit for High Schools, 2012

#### WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <https://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <https://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Health Care Services, **Mental Health Services Suicide Prevention Program:**

<http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <https://www.nasponline.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>

**Suicide Prevention Resource Center: <https://www.sprc.org/about-suicide>**

**Suicide Prevention Lifeline: <https://suicidepreventionlifeline.org>**

Trevor Project: <http://thetrevorproject.org>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services

Administration: <http://www.samhsa.gov>

(3/17 12/18) 3/20

### **Policy Reference UPDATE Service**

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# CSBA Sample

## Administrative Regulation

Students

AR 5141.52(a)

### SUICIDE PREVENTION

Note: Pursuant to Education Code 215, districts serving students in grades 7-12 are **mandated** to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide). **Education Code 215, as amended by AB 1767 (Ch. 694, Statutes of 2019), mandates policy on suicide prevention, intervention, and postvention for grades 7-12 and, beginning in the 2020-21 school year, for grades K-6.** See the accompanying Board policy. The following administrative regulation provides additional strategies that fulfill the mandate and may be revised to reflect district practice.

Examples of suicide prevention strategies are also available in the California Department of Education's (CDE) **model policy Model Youth Suicide Prevention Policy**, the U.S. Department of Health and Human Services publication *Preventing Suicide: A Toolkit for High Schools*, and resources issued by other state and federal agencies and organizations. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP 5145.9 - Hate-Motivated Behavior.

Effective July 1, 2019, Education Code 215.5, as added by SB 972 (Ch. 460, Statutes of 2018), requires districts that issue or reissue student identification cards to have printed on either side of the card the telephone number of the National Suicide Prevention Lifeline (1-800-273-8255), and allows to have printed on the card the Crisis Text Line (texting HOME to 741741) and/or a local suicide prevention hotline telephone number. If, as of July 1, 2019, the district has unissued student identification cards that do not comply with the above requirements, the cards should be issued until the supply is depleted.

~~Student identification cards shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)~~

### Staff Development

Note: Education Code 215, **as amended by AB 1767, mandates** that the district's policy **and procedures** address any training **on suicide awareness and prevention** to be provided to teachers of students in **all grades 7-12 on suicide awareness and prevention levels served by the district**. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. The following section may be revised to reflect district practice.

Education Code 216, **as added by AB 1808 (Ch. 32, Statutes of 2018),** requires CDE to identify evidence-based online training program(s), aligned with the requirements of Education Code 215, that districts can use to train students and staff. Additionally, dependent upon funds being appropriated in the annual Budget Act, CDE will provide grants, upon application, to county offices of education for the acquisition of such training programs to disseminate to districts at no cost.

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

## SUICIDE PREVENTION (continued)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

Note: Education Code 215 mandates that the district's policy specifically address the needs of high-risk groups; see the accompanying Board policy. One strategy to specifically address their needs is to increase staff awareness of the higher rates of suicide among these groups, as provided in item #1 below.

1. The higher risk of suicide among certain groups, including, but not limited to, students who are **bereaved impacted** by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning **youth**

Note: Staff development may include training about individual risk factors associated with suicide, as provided in item #2 below. Information about risk factors is available from CDE, Centers for Disease Control and Prevention, American Association of Suicidology, American Foundation for Suicide Prevention, Trevor Project, and other agencies and organizations.

2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors

*(cf. 5131.6 - Alcohol and Other Drugs)*

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent
4. Protective factors that may help to decrease a student's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

## SUICIDE PREVENTION (continued)

6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

7. Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, including, but not limited to, appropriate protocols for monitoring the student while the immediate referral of the student to medical or mental health services is being processed

8. District procedures for responding after a suicide has occurred

### Instruction

Note: The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school.

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum ~~at appropriate secondary grades~~ **in an age appropriate manner** and shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors **in oneself and others** and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Develop coping and resiliency skills and self-esteem
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6164.2 - Guidance/Counseling Services)*



## SUICIDE PREVENTION (continued)

### Student Identification Cards

Note: **The following section is for use by districts that serve students in grades 7-12.** ~~Effective July 1, 2019, Education Code 215.5, as added by SB 972 (Ch. 460, Statutes of 2018), requires districts that issue or reissue student identification cards to have printed on either side of the card the telephone number of the National Suicide Prevention Lifeline (1-800-273-8255), and allows to have printed on the card the Crisis Text Line (texting HOME to 741741) and/or a local suicide prevention hotline telephone number. If, as of July 1, 2020~~~~19~~, the district has unissued student identification cards that do not comply with the above requirements, the cards should be issued until the supply is depleted.

Student identification cards **for students in grades 7-12** shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

### Intervention

Note: Education Code 215 **mandates** that the district's policy and procedures address suicide intervention. The following section should be revised to reflect district practice.

In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289.5; see BP/AR 0450 - Comprehensive Safety Plan.

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, the staff member shall promptly notify the principal or school counselor, who shall implement district intervention protocols as appropriate.

Note: Education Code 49602 generally protects the confidentiality of information of a personal nature disclosed to a school counselor by a student age 12 years or older or by a parent/guardian. However, in certain circumstances, the counselor may disclose such information to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. Also see BP 6164.2 - Guidance/Counseling Services.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when there is reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. In addition, the counselor may

## SUICIDE PREVENTION (continued)

disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

*(cf. 5141 - Health Care and Emergencies)*

~~School employees shall act only within the authorization and scope of their credential or license. An employee is not authorized to diagnose or treat mental illness unless specifically licensed and employed to do so. (Education Code 215)~~

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

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

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Immediately securing medical treatment and/or mental health services as necessary
2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5141 - Health Care and Emergencies)*

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

*(cf. 5125 - Student Records)*

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Note: The following paragraph is <b>optional</b>. If a student's parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide, the Superintendent or designee shall consider whether a referral to child protective services for child neglect is needed. Pursuant to Penal Code 11164-11174.3, the Child Abuse and Neglect Reporting Act, school employees who are mandated reporters are required to report child abuse or neglect, as defined in law, when they have knowledge of or reasonably suspect that a child is a victim of child abuse or neglect. See BP/AR 5141.4 - Child Abuse Prevention and Reporting.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**SUICIDE PREVENTION** (continued)

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether it is necessary, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school and determine the need for ongoing support.

**Postvention**

Note: Education Code 215 **mandates** that the district's policy and procedures address suicide postvention. The following section should be revised to reflect district practice.

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

Note: Research has identified an increased risk of suicide among youth who are grieving the suicide of another (so-called "suicide contagion"). The National Association of School Psychologists, in its Preventing Suicide: Guidelines for Administrators and Crisis Teams, recommends that memorials should be implemented with care so as not to sensationalize or glamorize suicide and thereby increase the suicide risk to other students. If a memorial is conducted for a student who dies by suicide, the association suggests a living memorial, such as making donations to a local crisis center, participating in an event that raises awareness about suicide prevention, or providing other opportunities for service activities in the school that emphasize the importance of students taking care of each other.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. The Superintendent or designee shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. **Students significantly affected by suicide death and those at risk of imitative behavior should be identified and closely monitored.** School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

**SUICIDE PREVENTION** (continued)

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

*(cf. 1112- Media Relations)*

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

(3/17 12/18) 3/20

# CSBA Sample

## Board Policy

Students

BP 5144.1(a)

### SUSPENSION AND EXPULSION/DUE PROCESS

Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. Education Code 48918 **mandates** the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, does not exclude students from school or limit their ability or opportunity to learn. According to the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 [Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline](#), studies suggest a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehaviors.

Pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless the student has been subjected to other means of correction which have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel, **and** the student, **and his/her the student's** parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline. Education Code 48900.5 authorizes a district to document in a student's records the alternative means of correction used to address the student's behavior. Furthermore, when a student is being suspended by the Superintendent, principal, or designee, Education Code 48911 requires that the student be informed, during the informal conference that precedes the suspension, of the other means of correction that were attempted before the suspension.

**Pursuant to Education Code 48913.5, as added by AB 982 (Ch. 779, Statutes of 2019), when a parent/guardian of a student in grades 1-12 who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher must provide such homework; see BP 6154 - Homework/Makeup Work.**

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.2 - Bullying)*

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Note: Pursuant to Education Code 48900(s), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for a violation committed away from school if it is related to a school activity or to school attendance. For example, Education Code 48900 defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; see BP/AR 5145.7 - Sexual Harassment.

Except when otherwise permitted by law, a student may be suspended or expelled only when **his/her the** behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

*(cf. 5112.5 - Open/Closed Campus)*

4. During, going to, or coming from a school-sponsored activity

Note: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, DOJ and OCR noted that, based on the civil rights data collection conducted by OCR, students of certain racial or ethnic groups tended to be disciplined more, and sometimes more harshly, than their similarly situated peers in violation of federal nondiscrimination laws. The letter warned that any district determined to have engaged in unlawful discrimination could be subject to OCR investigation and significant remedial action.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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

### Appropriate Use of Suspension Authority

Note: Education Code 48900.5 requires districts to use other means of correction instead of suspension or expulsion except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when **his/her the student's** presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

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

*(cf. 5144 - Discipline)*

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

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6164.5 - Student Success Teams)*

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

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

Note: **As amended by SB 419 (Ch. 279, Statutes of 2019)**, Education Code 48900(k) prohibits a district from suspending students in grades K-~~3~~ **8** for disruption or willful defiance **beginning July 1, 2020**.

**A district may, but is not required to, and authorizes, but does not require, a district to** suspend students in grades ~~4-9~~ **4-12** for disruption or willful defiance. Even with this authority, districts should be careful in using these grounds, as available data have indicated a disproportionate use with certain student subgroups. Option 1 below is for use by any district that chooses to suspend students in grades ~~49~~ **4-12** for disruption and/or willful defiance as authorized pursuant to Education Code 48900(k). Any district that chooses to eliminate disruption and willful defiance as reasons for suspending any of its students from school should select Option 2 below. Such districts should also delete the **first paragraph in the** section titled "Additional Grounds for Suspension and Expulsion: Grades ~~49~~ **4-12**" in the accompanying administrative regulation.

Each option below reflects an exception granted to teachers pursuant to Education Code 48910 to suspend students, including a K-3 student, from class; see section "Suspension from Class by a Teacher" in the accompanying administrative regulation.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

**OPTION 1:** No student in grades K-3 8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

~~**OPTION 2:** No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)~~

Note: The following **optional** paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students. Since these are not enumerated offenses, a district does not have the authority to suspend or expel students for committing any of these acts.

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

### On-Campus Suspension

Note: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code 48911.2 states that, if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another on-campus progressive discipline program.

The following **optional** section is for use by districts implementing a supervised suspension classroom program. Such districts may continue to claim funding apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation. A district does not receive funding for off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Authority to Expel**

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, ~~under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12,"~~ the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

A vote to expel a student shall be taken in an open session of a Board meeting.

Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion as long as a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. Legal counsel should be consulted as appropriate.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

Note: The following paragraph is for use by districts that contract with the California Department of Education (CDE) to operate a California State Preschool Program. Education Code 8239.1, as added by AB 752 (Ch. 708, Statutes of 2017), prohibits the expulsion or disenrollment of a child in a preschool program unless the district has taken specified steps and the child's continued enrollment would present a serious safety threat to the child or other enrolled children. For further details regarding the steps the district must take prior to expelling a child, see BP 5148.3 - Preschool/Early Childhood Education.

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

*(cf. 5148.3 - Preschool/Early Childhood Education)*

### **Due Process**

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

*(cf. 5119 - Students Expelled from Other Districts)*

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

### **Maintenance and Monitoring of Outcome Data**

Note: Education Code 48900.8 and 48916.1 require the district to maintain data related to suspensions and expulsions as provided below. Pursuant to Education Code 48916.1, the Superintendent of Public Instruction

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

may require submission of such data as part of the Federal Program Monitoring process. In addition, 20 USC 7961 requires districts to submit to CDE a description of the circumstances surrounding any expulsions based on bringing or possessing a firearm on campus, including the name of the school, the number of students expelled, and the type of firearms involved.

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

Note: Pursuant to Education Code 52060, districts are required to address school climate in the local control and accountability plan, as measured by student suspension and expulsion rates and other local measures for each school and each numerically significant student subgroup. As defined in Education Code 52052, numerically significant 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.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

*(cf. 0460 - Local Control and Accountability Plan)*

*Legal Reference: (see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Legal Reference:*

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

64000-64001 Consolidated application

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Employee time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

*Legal Reference continued: (see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Legal Reference: (continued)*

PENAL CODE (continued)

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7961 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

*Management Resources: (see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

*Management Resources:*

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

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

WEB SITES

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

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students:  
<http://www2.ed.gov/about/offices/list/oese/oshs>

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**Policy Reference UPDATE Service**

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# CSBA Sample

## Administrative Regulation

Students

AR 5144.1(a)

### SUSPENSION AND EXPULSION/DUE PROCESS

Note: CSBA recommends that this administrative regulation be approved by the Governing Board, regardless of regular district practice regarding the approval of administrative regulations.

Education Code 35291 requires the Board to adopt rules and regulations, which are not inconsistent with law or rules adopted by the State Board of Education, for the government and discipline of the schools under its jurisdiction. In addition, Education Code 48918 and 48918.5 **mandate** that districts adopt rules concerning the due process rights of students in expulsion situations, and Education Code 48916 **mandates** procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.

The acts for which students may be suspended or expelled are specified in law and in the sections below titled "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12." The Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code 52060. In addition, pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

### Definitions

*Suspension* means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

*Expulsion* means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

### Notice of Regulations

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

*(cf. 5144 - Discipline)*

*(cf. 5145.6 - Parental Notifications)*

### **Grounds for Suspension and Expulsion: Grades K-12**

Note: The acts for which students may be suspended or expelled are specified in law, **the following section, and in the sections below titled "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12."** The Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code 52060. In addition, pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows **and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:**

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

Note: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code 48900 and 48915) or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. Note that "firearm" does not include "imitation firearm" which is listed separately in item #12 below. See BP 5131.7 - Weapons and Dangerous Instruments.

Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See BP 5131 - Conduct.



**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

*(cf. 5131 - Conduct)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

*(cf. 3513.4 - Drug and Alcohol Free Schools)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))

7. Stole or attempted to steal school property or private property (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

*(cf. 5131.62 - Tobacco)*

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

*Imitation firearm* means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

*Hazing* means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. *Hazing* does not include athletic events or school-sanctioned events. (Education Code 48900(q))

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>Note: Education Code 48900(r) defines "bullying" as "any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act," which is directed toward a student and which would have serious detrimental consequences upon a reasonable student. Pursuant to Education Code 48900, a student may be disciplined for bullying by means of an electronic act even when the act originated off campus. See also BP 5131.2 - Bullying.</p> |
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17. Engaged in an act of bullying (Education Code 48900(r))

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

*Bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to **himself/herself** **self** or **his/her** property; cause the student to experience a substantially detrimental effect on **his/her** physical or mental health; or cause the student to experience substantial interferences with **his/her** academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Note: "Bullying" also would include any act of sexual harassment, hate violence, or harassment, threat, or intimidation committed by a student at any grade level, as set forth in Education Code 48900.2, 48900.3, or 48900.4, when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may be disciplined for the "bullying" but not for the underlying act of sexual harassment, hate violence, or harassment, threat, or intimidation as specified below in **items #1-3 of the section** "Additional Grounds for Suspension and Expulsion: Grades 4-12."

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in **items #1-3 of the section** "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

*Electronic act* means the creation or transmission originated on or off the school site **by** means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

*Reasonable student* means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of ~~his/her~~ **the student's** age, or for a person of ~~his/her~~ **the student's** age ~~with his/her~~ **and** disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

Note: Education Code 48900(t) allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. The term "aiding or abetting," is a complex legal term and requires that, at the time ~~he/she~~ **the crime was** committed ~~the~~ **crime**, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, legal counsel should be consulted as appropriate.

Pursuant to Education Code 48900(t), any student who aids or abets a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury is subject to suspension or expulsion as provided in item #1 above.

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

### Additional Grounds for Suspension and Expulsion: Grades 4-12

Note: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

Pursuant to Education Code 48900(k), except as otherwise provided in Education Code 48910, students in grades K-3 must not be suspended for disruption of school activities or willful defiance of school authority, and students in grades K-12 must not be expelled on these grounds. Since districts are authorized but not required to suspend students in grades 4-12 based on these grounds, a district may choose, consistent with Option 2 in the accompanying Board policy, to prohibit the use of these reasons for suspending its students. **Any district that chooses to do so should delete the following paragraph.**

None of the prohibitions or restrictions in Education Code 48900(k) affect a teacher's authority to remove a student from class for one day pursuant to Education Code 48910.

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

Note: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

As discussed in item #17 of "Grounds for Suspension and Expulsion: Grades K-12" above, although Education Code 48900(r) defines bullying to include acts involving items #1-3 below, Education Code 48900.2-48900.4 provide that only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment. The interplay between "bullying" and items #1-3 can raise complex legal issues. Districts should consult legal counsel as appropriate.

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that **he/she the student**:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

*Sexual harassment* means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

(cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

*Hate violence* means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

### **Additional Grounds for Suspension and Expulsion: Grades 9-12**

Note: Pursuant to Education Code 48900(k), as amended by SB 419 (Ch. 279, Statutes of 2019), except as otherwise provided in Education Code 48910, students in grades ~~K-3~~ **K-8** must not be suspended for disruption of school activities or willful defiance of school authority, and students in grades K-12 must not be expelled on these grounds. Since districts are authorized but not required to suspend students in grades ~~4-12~~ **9-12** based on these grounds, **the following section is for use only by districts that selected Option 1 in the section "Appropriate Use of Suspension Authority" in the accompanying Board policy. Districts that selected Option 2 in the accompanying Board policy, thereby prohibiting the use of these reasons for suspending students at any grade level, should delete the following section.** ~~a district may choose, consistent with Option 2 in the accompanying Board policy, to prohibit the use of these reasons for suspending its students. Any district that chooses to do so should delete the following paragraph.~~

None of the prohibitions or restrictions in Education Code 48900(k) affect a teacher's authority to remove a student from class for one day pursuant to Education Code 48910. **See the section "Suspension from Class by a Teacher" below.**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Any student in grades ~~4-12~~ **9-12** may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

*(cf. 5131.4 - Student Disturbances)*

### Suspension from Class by a Teacher

Note: The following section is **optional** and may be revised to reflect district practice. While Education Code 48900(k) prohibits a district from suspending students in grades ~~K-3~~ **K-8** for disruption or willful defiance, it still allows for a teacher to suspend a ~~K-3~~ **K-8** student on these grounds.

A teacher may suspend a student, ~~including a grade K-3 student,~~ from class for the remainder of the day and the following day for ~~disruption, willful defiance, or~~ any of the ~~other~~ acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above **or for disruption or willful defiance at any grade level, including grades K-8.** (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, ~~he/she~~ **the student** shall be appropriately supervised during the class periods from which ~~he/she~~ **the student** has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, ~~he/she~~ **the teacher** shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which ~~he/she~~ **the student** was suspended. (Education Code 48910)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

### **Suspension by Superintendent, Principal or Principal's Designee**

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which **he/she a recommendation of expulsion** is required **to recommend expulsion**. (Education Code 48915(c))

|                                                                                                                                                                                                           |
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| Note: Education Code 48900.5 limits situations warranting suspension for a first offense to when the violation involves Education Code 48900(a)-(e) or the student's presence causes a danger to persons. |
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The Superintendent, principal, or designee may impose a suspension for a first offense if **he/she it is** determined **sd** that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| Note: Pursuant to Education Code 48900 and 48915, except for certain egregious acts or offenses for which suspension is permissible or mandatory, as specified above pursuant to Education Code 48915(a) or (c), the Superintendent or principal is authorized <b>to use his/her discretion</b> to provide an alternative, age-appropriate disciplinary measure that is tailored to correct a student's specific misbehavior. In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 <u><a href="#">Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline</a></u> , recommend that effective alternatives to suspension and expulsion be implemented for correcting student misbehavior. For a list of appropriate alternatives, see AR 5144 - Discipline. |
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For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

*(cf. 5125 - Student Records)*

### **Length of Suspension**

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, **he/she the student** may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

*(cf. 6184 - Continuation Education)*

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

### **Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against **him/her the student**, and shall be given the opportunity to present **his/her the student's** version and evidence **in support of his/her defense**. (Education Code 48911)

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives **his/her the** right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

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| Note: Item #2 below should be revised to reflect the district's processing and reporting procedures. |
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2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

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|--------------------------------------------------------------------------------------------|
| Note: The following <b>optional</b> paragraph may be revised to reflect district practice. |
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In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)
  - a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
  - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Note: When the student being considered for expulsion is a foster youth, Education Code 48911 and 48918.1 require the district to invite the student's attorney and an appropriate county child welfare agency representative to the meeting specified above. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students." To ensure such invitation, the following paragraph provides that the district liaison for foster youth be notified. However, any district that has designated another position to carry out this responsibility may modify the paragraph to specify that position. For designation of the liaison for foster youth, see AR 6173.1 - Education for Foster Youth.

- c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

*(cf. 6173.1 - Education for Foster Youth)*

Note: Pursuant to Education Code 48918.1, the district's liaison for homeless students must be notified when the student being considered for expulsion is a homeless student. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students."

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

*(cf. 6173 - Education for Homeless Children)*

Note: The following **optional** paragraph may be revised to reflect district practice. Since Education Code 48900 and 48900.5 require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct **his/her the** behavior and keep **him/her the student** in school.

### **Suspension by the Board**

Note: The following **optional** section reflects the Board's authority to suspend students from school pursuant to Education Code 48912. In practice, it is impractical for boards to directly exercise this authority since circumstances warranting suspension usually require quick and sometimes immediate action which may not be possible for a board due to legal requirements for taking board actions, such as having a meeting.

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," **and "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12"** above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

*(cf. 9321 - Closed Session **Purposes and Agendas**)*

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

The Board shall provide the student and **his/her** parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

**On-Campus Suspension**

Note: The following **optional** section is for use by any district establishing an on-campus suspension program pursuant to Education Code 48911.1. However, pursuant to Education Code 48900.5, such a district is required to use other means of correcting a student's behavior before imposing a supervised suspension, unless such a supervised suspension is otherwise permitted by law for a student's first offense. Use of a supervised suspension classroom program does not in any way limit the district's ability to transfer a student to an opportunity school or class or a continuation education school or class in accordance with law.

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting **his/her the student's** teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Superintendent or Principal's Authority to Recommend Expulsion**

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, ~~he/she~~ **the Superintendent or principal** shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication ~~for his/her use~~ or other medication prescribed ~~for him/her~~ by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

### **Student's Right to Expulsion Hearing**

Note: Education Code 48918 **mandates** that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code 48918 must be strictly followed; failure to do so may result in loss of the district's power to act (Garcia v. Los Angeles Board of Education). In calculating timelines, the district should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918.

Any student recommended for expulsion shall be entitled to a hearing to determine whether ~~he/she~~ **the student** should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

## **SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

### **Stipulated Expulsion**

Note: The following section is **optional** and may be revised to reflect district practice. "Stipulated expulsion" is for districts that have adopted an expedited procedure which allows a student to waive **his/her the** right to a pre-expulsion hearing in exchange for an agreement as to the terms of the expulsion. Such waivers are not specifically addressed in law and districts should ensure that the due process rights of students are included in the stipulated agreement and are clearly explained to them before the agreement is signed. Districts should consult legal counsel as appropriate.

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and **his/her** parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or **his/her** parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and **his/her** parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of **his/her the** right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

A stipulated expulsion agreed to by the student and **his/her** parent/guardian shall be effective upon approval by the Board.

**Rights of Complaining Witness**

Note: Education Code 48918.5 **mandates** the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, **he/she the Superintendent or designee** shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of **his/her the** right to: (Education Code 48918.5)

1. Receive five days' notice of **his/her the** scheduled testimony at the hearing
2. Have up to two adult support persons **of his/her choosing** present at the hearing at the time **he/she the witness** testifies
3. Have a closed hearing during the time **he/she the witness** testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

**Written Notice of the Expulsion Hearing**

Note: Education Code 48918 **mandates** the Board to adopt procedures that include the following items.

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing



**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(*cf. 5119 - Students Expelled from Other Districts*)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

*Legal counsel* means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

*Nonattorney adviser* means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

**Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students**

Note: Prior to conducting an expulsion hearing to determine whether a foster youth should be expelled, Education Code 48918.1 requires the district to notify the student's attorney and a representative of an appropriate county child welfare agency, provided that the violation does not require a mandatory recommendation for expulsion. Pursuant to Education Code 48918.1, such additional notice must be given to the district liaison for homeless students when the student involved is a homeless child or youth and the violation does not require a mandatory recommendation for expulsion. While such a notice is not required if the offense requires a mandatory recommendation for expulsion, it is nonetheless recommended and the following section reflects this recommendation.

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

### **Conduct of Expulsion Hearing**

Note: Education Code 48918 **mandates** that the Board adopt procedures that include the following items.

Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all expulsion hearings in this manner, the requirements of Education Code 48918 pertaining to the conduct of the hearing must be met.

1. **Closed Session:** Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to **have his/her testimony heard** **testify** in closed session when testifying in public would threaten

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

Note: Education Code 48918 authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In Woodbury v. Dempsey, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of subpoenas in all cases.

In accordance with Code of Civil Procedure 1987, the subpoena must be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage; these fees and mileage must be paid by the party requesting the subpoena.

3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by

## **SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code; the district should consult legal counsel as appropriate.

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

Note: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b).

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
  - a. Any complaining witness shall be given five days' notice before being called to testify.

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during ~~his/her~~ **the** testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom ~~he/she~~ **finds** is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which ~~he/she~~ **the complaining witness** may leave the hearing room.
  - (3) The person conducting the hearing may:

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
  - (b) Limit the time for taking the testimony of a complaining witness to **the normal school** hours ~~he/she is normally in school~~, if there is no good cause to take the testimony during other hours
  - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from ~~his/her~~ school ~~of attendance~~, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

**Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

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| Note: For districts that use a hearing officer or administrative panel, Education Code 48918 <b>mandates</b> that the Board adopt procedures that include the following section. |
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Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

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| Note: Pursuant to Education Code 48918, if the hearing officer or administrative panel does not recommend expulsion, a student must be permitted to return to the classroom instructional program from which the expulsion referral was made, unless the student's parent/guardian requests a different placement. Education Code 48918 also states that a student who is found to have committed any of the violations listed in "Authority to Expel" in the accompanying Board policy but for whom expulsion is not recommended may |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

be referred to **his/her the student's** prior school. However, the hearing officer or administrative panel, like the Board, must recommend expulsion or a suspended expulsion under Education Code 48915, if it finds that a student committed any such violation that mandates expulsion. District should consult legal counsel to resolve this apparent discrepancy.

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by **his/her the student's** parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

### **Final Action by the Board**

Note: Education Code 48918 **mandates** that the Board adopt procedures that include the following paragraph.

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

*(cf. 9321.1—Closed Session Actions and Reports)*

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Note: 20 USC 7961 requires the district, in the consolidated application for federal funding, to provide an assurance that it will comply with the state requirement to expel, for a period not less than one year, any student who brings a firearm to school or possesses a firearm at school.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

Note: The following paragraph is **optional**. Education Code 48916.5 authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," ~~or~~ "Additional Grounds for Suspension and Expulsion: Grades 4-12," **or "Additional Grounds for Suspension and Expulsion: Grades 9-12"** (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and ~~his/her~~ parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

### **Decision to Suspend Expulsion Order**

Note: Pursuant to Education Code 48917, the Board's criteria for suspending the enforcement of expulsions must be applied uniformly to all students. Items #1-3 below are **optional** and should be revised to reflect district criteria.

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and ~~his/her~~ willingness to follow a rehabilitation program

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," ~~or~~ "Additional Grounds for Suspension and Expulsion: Grades 4-12," **or "Additional Grounds for Suspension and Expulsion: Grades 9-12"** above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of **his/her the student's** status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Appeal**

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

### **Notification to Law Enforcement Authorities**

Note: Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code 49076 requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right; see AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities).

When submitting the consolidated application for federal funding, the district must provide assurance that it has adopted a policy requiring referral to the criminal justice system or juvenile delinquency system of any student who brings a firearm or weapon to a school. The following section fulfills this requirement.

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Placement During Expulsion**

Note: Education Code 48915 requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code 48900(f) through (m) or Education Code 48900.2, 48900.3, or 48900.4 may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.

Education Code 48915.01 states that if the Board has established a community day school pursuant to Education Code 48661 on the same site as an elementary, middle, junior, or senior high school, expelled students may be referred to the community day school at that site. Although Education Code 48663 prohibits the use of independent study in community day schools, Education Code 48916.1 does not in any way restrict the district from offering independent study as a voluntary alternative placement option for expelled students.

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Readmission After Expulsion**

Note: Education Code 48916 **mandates** that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and a process for Board review of all expelled students for readmission. Items #1-2 below should be revised to reflect district practice.

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board **his/her** a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

### **Maintenance of Records**

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

Note: Education Code 48915.1 requires that, when an expelled student asks to enroll in another district, the receiving district must hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days.

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

*(cf. 5119 - Students Expelled from Other Districts)*

(12/17 10/18) 3/20

|                                                                         |
|-------------------------------------------------------------------------|
| <b>AGENDA ITEM 24</b><br><b>DISCUSSION ITEM: Administrative Reports</b> |
|-------------------------------------------------------------------------|

**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.

A. Harte, CBO, will be available to answer question relevant to financial business.

Board members will report on activities relevant to District business.

**ATTACHMENTS**

➤ **Current 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 | 716 | 717                             | 717 | 720 | 714   | 713 |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 2018-19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 660     | 661     | 657 | 662 | 663 | 661                             | 664 | 667 | 671   | 676 |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 2019-20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 652     | 652     | 655 | 656 | 654 | 660                             | 663 | 667 |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| <div><div>2018-19 v 2019-20 Enrollment</div><table><caption>2018-19 v 2019-20 Enrollment Data</caption><tr><th>Period</th><th>2018-19</th><th>2019-20</th></tr><tr><td>1</td><td>660</td><td>652</td></tr><tr><td>2</td><td>661</td><td>652</td></tr><tr><td>3</td><td>657</td><td>655</td></tr><tr><td>4</td><td>662</td><td>656</td></tr><tr><td>5</td><td>663</td><td>654</td></tr><tr><td>6</td><td>661</td><td>660</td></tr><tr><td>7</td><td>664</td><td>663</td></tr><tr><td>8</td><td>667</td><td>667</td></tr><tr><td>9</td><td>671</td><td></td></tr><tr><td>10</td><td>676</td><td></td></tr></table></div> |         |         |     |     |     |                                 |     |     |       |     | Period | 2018-19 | 2019-20 | 1 | 660 | 652 | 2 | 661 | 652 | 3 | 657 | 655 | 4 | 662 | 656 | 5 | 663 | 654 | 6 | 661 | 660 | 7 | 664 | 663 | 8 | 667 | 667 | 9 | 671 |  | 10 | 676 |  |
| Period                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2018-19 | 2019-20 |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 660     | 652     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 661     | 652     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 657     | 655     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 662     | 656     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 663     | 654     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 661     | 660     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 664     | 663     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 667     | 667     |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 671     |         |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
| 10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 676     |         |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     |                                 |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | 2019-2020 Enrollment this month |     |     |       |     |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | TK                              | 28  |     | 4     | 62  |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | K                               | 71  |     | 5     | 71  |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | 1                               | 73  |     | 6     | 68  |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | 2                               | 62  |     | 7     | 82  |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | 3                               | 62  |     | 8     | 88  |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | Total                           | 296 |     | Total | 371 |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |         |     |     |     | District Total Enrollment       |     |     |       | 667 |        |         |         |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |     |   |     |  |    |     |  |



**AGENDA ITEM 25.0**

**Future Meetings**

**Date: Thursday, May 14, 2020 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 (Monthly)

Board Self Evaluation (Annual)

Declaration of Need of Fully Qualified Educators (Annual)

Local Control Accountability Plan (LCAP) Update

Resolution: Temporary Transfer Agreement, If Applicable (Annual)

Resolution: Year End Balance Authorization (Annual)

Statement of Need: 30 Day Emergency Permits (Annual)

Superintendent Evaluation—Part One (Annual)

Third Interim Financial Report (Annual—If Needed)

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

**AGENDA ITEM:**

**Adjournment**

| <b>ACTION</b>                                                                                                                                      |              | <i>Moved</i>    |                | <i>Seconded</i> |               |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|----------------|-----------------|---------------|
| <input type="checkbox"/> <i>Approved as is</i><br><input type="checkbox"/> <i>Not approved</i><br><input type="checkbox"/> <i>Amended to read:</i> |              |                 |                |                 |               |
| <i>Voted Aye</i>                                                                                                                                   | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |
| <i>Voted Nay</i>                                                                                                                                   | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |
| <i>Abstained</i>                                                                                                                                   | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |
| <i>Absent</i>                                                                                                                                      | <i>Bauer</i> | <i>Barbieri</i> | <i>Hennike</i> | <i>Howser</i>   | <i>Lander</i> |