

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
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Scott Lyons
Superintendent/Principal

Gold Trail School (4-8)

889 Cold Springs Road
Placerville, CA 95667
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Boyd Holler
Principal

An Equal Opportunity
Employer

BOARD OF TRUSTEES

Regular and Closed Session Meeting

Thursday, February 13, 2020

Gold Trail School






Agenda

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

6:00 P.M.

OPENING BUSINESS

1. CALL TO ORDER

 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. Signing in is not necessary. (*Education Code 35145.5, Government Code 54954.3, Board Bylaw 9323*)

PUBLIC HEARING/NOTICE

5. PUBLIC HEARING: Proposal by the Gold Trail Federation of Educators Classified Employees with the District for Negotiations with for the 2019-2020 school year.

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to sunshine and allow for public comment on the initial position of the Federation's proposal. The Board will entertain public comment at this time.

6. PUBLIC HEARING: Proposal by the District for Negotiations with Gold Trail Federation of Educators Classified Employees for the 2019-2020 school year.

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to sunshine and allow for public comment on the initial position of the District's proposal. The Board will entertain public comment at this time.

REPORTS

7. REPORT: Student Council

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

8. REPORT: Parent Teacher Organization

K. Romney, president, will report on PTO activities.

9. REPORT: Gold Trail Federation of Educators

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

10. 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)

CONSENT

11. CONSENT ITEM

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

.1 Meeting Minutes (Board Bylaw 9324)

Regular Meeting of January 9, 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 Resolution 2019-20: 02-01, Resolution to Employ Short Term Classified Support

The Board will take action to approve the resolution

.4 Personnel

Hiring

C. Bruns, Instructor: Enrichment Spelling Bee—grade 3, effective 2019-2020 school year
M. Dodson, Playground Monitor (short term), .25 hours per day, effective January 21, 2020 through June 3, 2020

R. Lizarraga, Playground Monitor (short term), 1.5 hours per day, four days per week, effective February 3, 2020 through April 3, 2020

S. McKenna, Teacher Associate, (short term), 4.5 hours per day, effective January 31, 2020 through April 3, 2020

S. Meadows, Playground Monitor (short term), .25 hours per day, effective January 22, 2020 through June 3, 2020

K. Romney, Playground Monitor (short term), 1.5 hours per day, one day per week, effective February 3, 2020 through April 3, 2020

M. Weekly, Office Manager (short term), 1.0 hour per day, effective January 6, 2020 through June 12, 2020

Leave of Absence

R. Memeo, Teacher, 1.0 FTE, effective 2020-2021 school year

Resignation

K. Ayre, Teacher, 1.0 FTE, effective June 30 2020

C. Brunts, Teacher, 1.0 FTE, effective June 30, 2020

D. Matyac, Teacher, 1.0 FTE, effective June 30, 2020

S. Morgan, Teacher, 1.0 FTE, effective June 30, 2020

T. Orio, Administrative Assistant, 1.0 FTE, effective June 30, 2020.

A. Tolbert, Athletic Coach: 7th grade girls' basketball, effective 2019-2020 school year

A. Tolbert, Athletic Coach: 8th grade girls' basketball, effective 2019-2020 school year

The Board will take action to approve the personnel activity.

.5 Surplus

The Board will take action to approve the material(s) for surplus. (BP/AR 3270)

.6 Consolidated Application and Reporting System (CARS) Winter Collection

The Board will take action to approve the application.

.7 Comprehensive School Safety Plan

The Board will take action to approve the Plan

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

- BP 2121, Superintendent's Contract (BP revised)
 - BP 3600, Consultants (BP revised)
 - AR 4030, Nondiscrimination in Employment (AR revised)
 - BP 4033, Lactation Accommodation (BP revised)
 - BP 4151,4251,4351, Employee Compensation (BP revised)
 - BP/AR 5117, Inter-district Attendance (BP/AR revised)
 - AR 5125, Student Records (AR revised)
 - BP/AR 5131.2, Bullying (BP/AR revised)
 - BP/AR 5141.21, Administering Medication and Monitoring Health Conditions (BP/AR revised)
 - BP/AR 6143, Courses of Study (BP/AR revised)
 - BP 6154, Homework/Makeup work
 - AR 6174, Education for English Learners (AR revised)
- The Board will take action to adopt the roster.

ACTION

12. **ACTION: Sunshine Proposal by the Gold Trail Federation of Educators Classified Employees with the District for Negotiations for the 2019-2020 school year.**
Taking into consideration public comment, the Board will take action to adopt the Federation's initial proposal.
13. **ACTION: Sunshine Proposal by the District for Negotiations with the Gold Trail Federation of Educators Classified Employees for the 2019-2020 school year.**
Taking into consideration public comment, the Board will take action to adopt the District's initial proposal.
14. **ACTION: 2020-2021 and 2021-2022 Student Attendance Calendar**
The Board will take action to adopt the 2020-2021 and the 2021-2022 student attendance calendars.
15. **ACTION: Local Educational Agency Plan (LEAP) Amendment**
The Board will take action to accept the Amendment.

DISCUSSION ITEMS

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

CLOSED SESSION

17. **CLOSED SESSION OPEN HEARING**
Members of the public may take this opportunity to comment on Closed Session agenda items.
18. **CLOSED SESSION**
The Board will adjourn to Closed Session pursuant to Government Code 54957. Closed Session attendants: Board Members, superintendent
 - .1 **CONFERENCE WITH LABOR NEGOTIATORS** (*Government Code Section 54957.6*)
The Board will give direction regarding employee bargaining issues with the Gold Trail Federation of Educators and discussion with other non-represented employee groups.

RECONVENE PUBLIC SESSION

19. RECONVENE PUBLIC SESSION AND CLOSED SESSION DISCLOSURE

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

ADVANCE PLANNING

20. FUTURE REGULAR MEETING SCHEDULE

Date: Thursday, March 12, 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)

BP 6145, Extra-curricular and Co-curricular Activities, (Annual Review)

English Learner Program Evaluation (Annual)

Facilities and Maintenance Report (Annual)

Local Control Accountability Plan (LCAP) Update

Physical Fitness Test District and School Summary (Annual)

Reduction of Certificated Employees, If Applicable

Second Period Interim Financial Report (Annual)

School Site Council Plans and Budgets (Annual)

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

ADJOURNMENT

PUBLIC INSPECTION

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

Gold Trail School

880 Cold Springs Road

Placerville, CA. 95667

Sutter's Mill School/District Office






4801 Luneman Road

Placerville, CA. 95667

And E-mailed to every district family

AGENDA ITEM
Opening Business

1.0 CALL TO ORDER

-  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>ACTION</i>	<i>Moved</i>			<i>Seconded</i>	
<div><input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i></div>					
<i>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? Signing in is not necessary.

PUBLIC HEARING

5. PUBLIC HEARING: Proposal by the Gold Trail Federation of Educators Classified Employees with the District for Negotiations with for the 2019-2020 school year.

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to sunshine and allow for public comment on the initial position of the Federation's proposal. The Board will entertain public comment at this time.

6. PUBLIC HEARING: Proposal by the District for Negotiations with Gold Trail Federation of Educators Classified Employees for the 2019-2020 school year.

In order to fulfill requirements of Government Code 3547.5 and District Policy 4143.1, this public hearing is held to sunshine and allow for public comment on the initial position of the District's proposal. The Board will entertain public comment at this time.

AGENDA ITEM 7.0 REPORT: Student Council
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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

AGENDA ITEM 8.0 REPORT: Parent Teacher Organization
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BACKGROUND

Kristy Romney, president, will report on PTO activities.

ATTACHMENTS

➤ **None**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

No action needed.

NOTES

AGENDA ITEM 9.0

REPORT: Gold Trail Federation of Educators

BACKGROUND

Debbi Matyac, president, will report on Federation activities.

ATTACHMENTS

➤ **None**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

No action needed.

NOTES

AGENDA ITEM 10.0

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 (*BP 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 11.0

Consent

President Script:

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

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

.1 Meeting Minutes (Board Bylaw 9324)

Regular Meeting of January 9, 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 Resolution 2019-20: 01-01, Resolution to Employ Short Term Classified Support

The Board will take action to approve the resolution

.4 Personnel

Hiring

C. Bruns, Instructor: enrichment Spelling bee—grade 3, effective 2019-2020 school year

M. Dodson, Playground Monitor (short term), .25 hours per day, effective January 21, 2020 through June 3, 2020

R. Lizarraga, Playground Monitor (short term), 1.5 hours per day, four days per week, effective February 3, 2020 through April 3, 2020

S. McKenna, Teacher Associate, (short term), 4.5 hours per day, effective January 31, 2020 through April 3, 2020

S. Meadows Playground Monitor (short term), .25 hours per day, effective January 22, 2020 through June 3, 2020

K. Romney, Playground Monitor (short term), 1.5 hours per day, one day per week, effective February 3, 2020 through April 3, 2020

M. Weekly, Office Manager (short term), 1.0 hour per day, effective January 6, 2020 through June 12, 2020

Leave of Absence

R. Memeo, Teacher, 1.0 FTE, effective 2020-2021 school year

Resignation

K. Ayre, Teacher, 1.0 FTE, effective June 30 2020

C. Bruns, Teacher, 1.0 FTE, effective June 30, 2020

D. Matyac, Teacher, 1.0 FTE, effective June 30, 2020

S. Morgan, Teacher, 1.0 FTE, effective June 30, 2020

T. Orio, Administrative Assistant, 1.0 FTE, effective June 30, 2020.

A. Tolbert, Athletic Coach: 7th grade girls' basketball, effective 2019-2020 school year

A. Tolbert, Athletic Coach: 8th grade girls' basketball, effective 2019-2020 school year

The Board will take action to approve the personnel activity.

.5 Surplus

The Board will take action to approve the material(s) for surplus. (BP/AR 3270)

.6 Consolidated Application and Reporting System (CARS) Winter Collection

The Board will take action to approve the application.

.7 Comprehensive School Safety Plan

The Board will take action to approve the Plan

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

- BP 2121, Superintendent's Contract (BP revised)
- BP 3600, Consultants (BP revised)
- AR 4030, Nondiscrimination in Employment (AR revised)
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- BP/AR 5141.21, Administering Medication and Monitoring Health Conditions (BP/AR revised)
- BP/AR 6143, Courses of Study (BP/AR revised)
- BP 6154, Homework/Makeup work
- AR 6174, Education for English Learners (AR revised)

The Board will take action to adopt the roster.

President Script:

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

NOTES

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

11.1 Meeting Minutes (Board Bylaw 9324)
Regular Meeting of January 9, 2020

BACKGROUND

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

ATTACHMENTS

➤ **Regular Meeting of January 9, 2020**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the Minutes.

NOTES

If pulled from Consent

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

BOARD OF TRUSTEES

Regular and Closed Session Meeting

Thursday, January 9, 2020

OPEN AND CLOSED SESSION MINUTES



District Office

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Placerville, CA 95667
1.530.626.3194
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Boyd Holler
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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 S. Hennike 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. PUBLIC HEARING: RECOGNITION

The Board recognized Matt Veerkamp Equipment Rentals for their generous donation to the cafeteria fund and continued support of the District.

6. DISCUSSION ITEM: PG&E Public Safety Power Shutdowns (PSPS)

The Board discussed the use of solar energy as a power source to lessen the impact of future PG&E power shutdowns.

7. REPORT: Student Council

The report was tabled.

8. REPORT: Parent Teacher Organization

The report was tabled.

9. REPORT: Gold Trail Federation of Educators

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

10. CONSENT ITEM

- .1 **Meeting Minutes** (*Board Bylaw 9324*)
Regular Meeting of December 12, 2019
Regular Meeting of December 13, 2019
- .2 **Warrants** (*Board Policy 3314*)
- .3 **Personnel**
Hiring
Hiring
A. Garcia, Coordinator: Field Trip (Overnight), 7th grade, effective 2019-20 school year
T. Hanks, Teacher, 0.50 FTE, effective January 8, 2020
Resignation
T. Hanks, Teacher Associate, 3.0 hours per day, effective January 7, 2020
A. Hamilton, Playground Monitor, 1.5 hours per day, effective December 16, 2019
- .4 **Quarterly Report on Williams Uniform Complaints**
- .5 **Certification of Signatures**
- .6 **School Accountability Report Cards** (*BP0510*)
- .7 **Resolution 2019-20: 01-01, Resolution to Employ Short Term Classified Support**

MOTION WAS MADE by D. Lander and duly seconded by Micah Howser 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

11. ACTION: 2018-19 Audit Report

MOTION WAS MADE by D. Lander and duly seconded by J. Bauer 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

12. ACTION: Annual Review of Board Bylaw 9270: Conflict of Interest

Bylaw was reviewed, no action was taken.

13. ACTION: Annual Review of Board Policy 4117.3, Personnel Reduction (Tie Breaking Criteria)

Policy was reviewed, no action was taken.

14. ACTION: Annual Review of Board Policy 6154: Homework/Makeup Work

MOTION WAS MADE by M. Howser and duly seconded by D. Lander to adopt the Policy for first reading, 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

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

MOTION WAS MADE by S. Hennike and duly seconded by J. Barbieri to adopt the roster for first reading, 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

16. DISCUSSION ITEM: Administrative Reports

The Board members and administration reported on District activities.

17. 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.

18. CLOSED SESSION

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

The Board adjourned to Closed Session at 6:25 p.m.

Closed session attendants: Board members, S. Lyons, B. Holler, A. Harte, T. Orio

19. RECONVENE PUBLIC SESSION AND CLOSED SESSION DISCLOSURE

The Board reconvened Public Session at 6:29 p.m.

20. FUTURE REGULAR MEETING SCHEDULE

Date: Thursday, February 13, 2020 Time: 3:00:00 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)

Comprehensive School Safety Plan (Annual)

Consolidated Application and Reporting System (CARS) Winter Collection (Annual)

Facilities and Maintenance Report (Annual)

Local Control Accountability Plan (LCAP) Update

Local Education Agency Plan (LEAP) Amendment (Annual)

School Site Council Plans and Budgets (Annual)

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 6:30 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

J. Bauer, President

S. Lyons, Secretary

AGENDA ITEM Consent

11.2 Warrants (*Board Policy 3314*)

BACKGROUND

The warrants are included for Board review and approval.

ATTACHMENTS

➤ **Warrants**

BUDGETED

☐ NA ☒ Yes ☐ No ☐ Cost Analysis Follows

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

RECOMMENDATION

The Board will take action to approve the expenditures.

NOTES

If pulled from Consent

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

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0014 GTUSD ACCOUNTS PAYABLE

WARRANT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
80660498	007568/	AMERICAN FIDELITY ASSURANCE CO											
		PV-200260		01-0000-0-9582-0000-0000-0000-00-000							1816105A	JANUARY 2019	416.66
												WARRANT TOTAL	\$416.66
80660499	100716/	AT&T											
		PV-200259		01-0000-0-5901-0000-2700-003-1210-00-000							14119059	GT	14.55
				01-0000-0-5901-0000-7200-000-1210-00-000							14119058	D O	60.11
												WARRANT TOTAL	\$74.66
80660500	081546/	KATHLEEN AYRE											
		PV-200261		01-0000-0-4300-1110-1000-002-0100-00-000								KINDER ZOO FT SUPPLIES	37.48
				01-0000-0-4300-1110-1000-002-0300-45-000								AYRE CLASSROOM SUPPLIES	497.32
				01-0000-0-4300-1110-1000-002-0300-51-000								KINDER CLASSROOM SUPPLIES	121.11
												WARRANT TOTAL	\$655.91
80660501	100912/	BANK OF AMERICA											
		PV-200262		01-0000-0-4300-0000-2700-003-0000-00-000								GT PRINTER CARTRIDGES	122.66
				01-0000-0-4300-0000-2700-003-0000-00-000								GT 5TH GRADE PLAY	54.10
				01-0000-0-4300-0000-3140-000-0000-00-000								SM NURSE/AED SUPPLIES	69.26
				01-0000-0-4300-0000-7100-000-0000-00-000								BOARD SUPPLIES	97.53
				01-0000-0-4300-0000-8100-002-0000-00-000								SM MAINTENANCE SUPPLIES	310.96
				01-0000-0-4300-0000-8100-002-0000-00-000								SM WTR BTL FLLNG SUPPLIES	852.93
				01-0000-0-4300-0000-8100-003-0000-00-000								GT MAINENANCE SUPPLIES	115.11
				01-0000-0-4300-0000-8100-003-0000-00-000								GT WTR BTL FLLNG SUPPLIES	47.49
				01-0000-0-4300-1110-1000-000-0000-00-000								REIMB VISA USE	204.11
				01-0000-0-4300-1110-1000-002-0300-57-000								ZORN CLASSROOM SUPPLIES	22.47
				01-0000-0-4300-1110-1000-003-0000-00-000								GT RECESS EQUIPMENT	64.31
				01-0000-0-4370-0000-8100-000-0000-00-000								MAINTENANCE FUEL	269.88
				01-0000-0-5210-1110-1000-003-0104-00-000								4TH GR PETALUMA DRIVER LODGNG	253.19

DISTRICT: 005 Gold Trail Union School Dist
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WARRANT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC LC1 LOC2 L3 SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
							01-0000-0-5210-1110-1000-003-0106-00-000		6TH GR YOSEMITE DRIVER LODGING	347.53
							01-0000-0-5835-1110-1000-003-0107-00-000		7TH GR BODEGA BAY FT CAMPSITE	847.50
							01-7510-0-5200-1110-1000-002-0000-00-000		DUNN P E WORKSHOP	279.00
							WARRANT TOTAL			\$3,958.03
80660502	101503/	LANCE BEESON								
		PV-200280					01-0000-0-5800-1110-1000-003-0104-00-000		4TH GR FT MUSICAL PERFORMER	550.00
							WARRANT TOTAL			\$550.00
80660503	000042/	CALIF DEPT OF TAX & FEE ADMIN								
		PV-200263					01-0000-0-9512-0000-0000-000-0000-00-000		4TH QTR USE TAX	688.66
							01-1100-0-9512-0000-0000-000-0000-00-000		4TH QTR USE TAX	21.68
							13-5310-0-4300-0000-3700-000-0000-00-000		TAX ON CAFE SALES	77.66
							WARRANT TOTAL			\$788.00
80660504	002213/	CALIF DEPT OF TAX & FEE ADMIN								
		PV-200264					01-0000-0-4370-0000-3600-000-0000-00-000		57-415506 4TH QTR FUEL TAX	15.50
							WARRANT TOTAL			\$15.50
80660505	100999/	DAWSON OIL COMPANY								
		205050 PO-200050	1.				01-0000-0-4370-0000-3600-000-0000-00-000		73191 DEC BUS FUEL	1,714.18
							WARRANT TOTAL			\$1,714.18
80660506	101618/	DE LAGE LANDEN								
		205002 PO-200002	1.				01-1100-0-5600-1110-1000-003-1210-00-000		66292555 GT COPIER LEASE	157.66
							WARRANT TOTAL			\$157.66
80660507	000126/	EL DORADO COUNTY OFFICE								
		PV-200265					01-0000-0-5809-0000-7700-000-1210-00-000		200403 NTRK SPRT SVCS 9/19	64.50
							01-0000-0-5809-0000-7700-000-1210-00-000		200448 NTRK SPRT SVCS 11/19	32.25
							WARRANT TOTAL			\$96.75
80660508	000429/	EL DORADO COUNTY SHERIFF								
		PV-200266					01-0000-0-5800-0000-8100-003-0000-00-000		12457-42763 RENEW GT ALRM PRMT	25.00

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WARRANT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT

WARRANT TOTAL													\$25.00
80660509	000738/	EL DORADO DISPOSAL											
		PV-200267				01-0000-0-5560-0000-8100-002-0000-00-000					173338199	SM	540.60
						01-0000-0-5560-0000-8100-003-0000-00-000					173338180	GT	540.60
						WARRANT TOTAL						\$1,081.20	
80660510	100979/	DANNY LULLA											
		PV-200268				01-0000-0-4300-1110-1000-003-0300-70-000					CLASSROOM SUPPLIES		128.24
						WARRANT TOTAL						\$128.24	
80660511	003269/	SANDI MORGAN											
		PV-200269				01-0000-0-4300-1110-1000-003-0104-00-000					4TH GR FT SUPPLIES ADVANCE		600.00
						WARRANT TOTAL						\$600.00	
80660512	003269/	SANDI MORGAN											
		PV-200270				01-0000-0-4300-1110-1000-003-0104-00-000					CLASSROOM SUPPLIES		142.14
						01-0000-0-4300-1110-1000-003-0104-00-000					CLASSROOM SUPPLIES		106.43
						WARRANT TOTAL						\$248.57	
80660513	101623/	KATY MULLIGAN											
		PV-200271				01-0000-0-5835-1110-1000-003-0106-00-000					6TH GR YOSEMITE CAMPSITES		254.00
						WARRANT TOTAL						\$254.00	
80660514	000232/	PACIFIC GAS & ELECTRIC COMPANY											
		PV-200272				01-0000-0-5540-0000-8100-000-0000-00-000					0991367996-6 EXT DAY		126.92
						01-0000-0-5540-0000-8100-002-0000-00-000					0991367996-6 SM		2,632.86
						01-0000-0-5540-0000-8100-003-0000-00-000					0991367996-6 GT		4,359.97
						WARRANT TOTAL						\$7,119.75	
80660515	102003/	POINT QUEST EDUCATION											
		PV-200273				01-6500-0-5811-5770-1120-000-0000-00-000					633351 NPS TUITION DEC 2019		2,254.00
						01-6500-0-5811-5770-3600-000-0000-00-000					633351 NPS TRANSP DEC 2019		490.00
						WARRANT TOTAL						\$2,744.00	

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WARRANT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
80660516	101128/	SCHOOLS INSURANCE AUTHORITY											
		PV-200274		01	-0000	-0-9587	-0000-0000-000	-0000	-00	-000		EMP VISION JAN 2020	1,597.32
				01	-0000	-0-9587	-0000-0000-000	-0000	-00	-000		RET VISION JAN 2020	550.80
							WARRANT TOTAL						\$2,148.12
80660517	101209/	SELF-INSURED SCHOOLS OF CALIF											
		PV-200275		01	-0000	-0-9570	-0000-0000-000	-0000	-00	-000		EMP MEDICAL JAN 2020	64,377.00
				01	-0000	-0-9570	-0000-0000-000	-0000	-00	-000		RET MEDICAL JAN 2020	3,402.00
				01	-0000	-0-9586	-0000-0000-000	-0000	-00	-000		EMP DENTAL JAN 2020	6,210.00
				01	-0000	-0-9586	-0000-0000-000	-0000	-00	-000		RET DENTAL JAN 2020	2,016.00
							WARRANT TOTAL						\$76,005.00
80660518	100751/	SIGNATURE WIRELESS GROUP											
	205011	PO-200011	1.	01	-0000	-0-5800	-0000-3600-000	-0000	-00	-000		30767 SMR RPTR SVC JAN	267.28
							WARRANT TOTAL						\$267.28
80660519	101412/	TCG ADMINISTRATORS											
		PV-200276		01	-0000	-0-5800	-0000-7200-000	-0000	-00	-000		162361 DECEMBER 2019	24.00
							WARRANT TOTAL						\$24.00
80660520	101830/	TPX COMMUNICATIONS											
		PV-200277		01	-0000	-0-5901	-0000-7200-000	-1210	-00	-000		124560649-0 PHONE	1,154.09
				01	-0000	-0-5901	-0000-7700-000	-1210	-00	-000		124560649-0 FIBER	1,492.49
							WARRANT TOTAL						\$2,646.58
80660521	101027/	MICHELE WAGSTROM											
		PV-200278		01	-0000	-0-5210	-0000-7200-000	-0000	-00	-000		MILEAGE DECEMBER 2019	88.16
							WARRANT TOTAL						\$88.16
80660522	002823/	WAYNE'S LOCKSMITH INC											
		PV-200279		01	-0000	-0-4300	-0000-8100-000	-0000	-00	-000		12957 GT KEYS COPIED	19.49
				01	-0000	-0-4300	-0000-8100-000	-0000	-00	-000		12836 SM KEYS COPIED	29.23
							WARRANT TOTAL						\$48.72

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BATCH: 0014 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			
80660523	100090/	WELLS FARGO VENDOR FIN SERV					
	205014	PO-200014	1. 01-0000-0-7439-0000-9100-000-1210-00-000	5008439019	D O COPIER	224.94	
	205014		2. 01-0000-0-7439-0000-9100-002-1210-00-000	5008439019	SM COPIER	124.25	
	205014		3. 01-1100-0-5600-1110-1000-002-1210-00-000	5008439019	COPY COSTS	698.67	
			WARRANT TOTAL			\$1,047.86	
***	BATCH TOTALS ***		TOTAL NUMBER OF CHECKS:	26	TOTAL AMOUNT OF CHECKS:	\$102,903.83*	
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*	
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*	
			TOTAL PAYMENTS:	26	TOTAL AMOUNT:	\$102,903.83*	
***	DISTRICT TOTALS ***		TOTAL NUMBER OF CHECKS:	26	TOTAL AMOUNT OF CHECKS:	\$102,903.83*	
			TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:	\$.00*	
			TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:	\$.00*	
			TOTAL PAYMENTS:	26	TOTAL AMOUNT:	\$102,903.83*	

DISTRICT: 005 Gold Trail Union School Dist
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WARRANT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	GOAL	FUNC	LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
80661354	100513/	BUCKEYE UNION SCHOOL DISTRICT													
	205015	PO-200015	1.	01-0000-0-5600-0000-3600-000-0000-00-000									200086	BUS MAINT/REPAIRS	1,333.60
				WARRANT TOTAL											\$1,333.60
80661355	101991/	C & H MOTOR PARTS													
		PV-200281		01-0000-0-4300-0000-8100-000-0000-00-000									644572	MAINT SUPPLIES	82.01
				WARRANT TOTAL											\$82.01
80661356	011529/	THE DANIELSEN CO													
	205052	PO-200052	1.	13-5310-0-4700-0000-3700-000-0800-00-000									215189	LUNCH FOOD	1,830.52
	205052		2.	13-5310-0-4700-0000-3700-000-0801-00-000									215189	BREAKFAST FOOD	602.09
				WARRANT TOTAL											\$2,432.61
80661357	082726/	TROY DUNHAM													
		PV-200282		01-0000-0-5800-1110-1000-003-0104-00-000										LIVNG HISTRY PRSNTATION 4TH GR	300.00
				WARRANT TOTAL											\$300.00
80661358	000626/	EL DORADO IRRIGATION DISTRICT													
		PV-200283		01-0000-0-5520-0000-8100-000-0000-00-000									078351-001	EXT DAY	157.87
				01-0000-0-5520-0000-8100-002-0000-00-000									078350-001	SM	284.87
				01-0000-0-5520-0000-8100-003-0000-00-000									052522-001	GT	327.16
				WARRANT TOTAL											\$769.90
80661359	101346/	FERRELLGAS													
		PV-200284		01-0000-0-5530-0000-8100-000-0000-00-000									1109285343	EXT DAY	275.88
				01-0000-0-5530-0000-8100-002-0000-00-000									1109445131	SM	1,587.26
				01-0000-0-5530-0000-8100-003-0000-00-000									1109445130	GT	1,432.86
				01-0000-0-5530-0000-8100-003-0000-00-000									1109445129	GT	269.35
				01-0000-0-5530-0000-8100-003-0000-00-000									1109445128	GT	153.45
				WARRANT TOTAL											\$3,718.80
80661360	004556/	FRANCIS DISTRIBUTING INC													
	205053	PO-200053	1.	13-5310-0-4700-0000-3700-000-0800-00-000									0703SM	SUTTER'S MILL MILK	272.88

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH	DESCRIPTION			
205053		1. 13-5310-0-4700-0000-3700-000-0800-00-000	0703GT GOLD TRAIL MILK		497.07	
		WARRANT TOTAL			\$769.95	
80661361	101115/	AMBER GARCIA				
	PV-200285	01-0000-0-4300-1110-1000-003-0300-67-000	CLASSROOM SUPPLIES		34.43	
		WARRANT TOTAL			\$34.43	
80661362	101974/	LAURA GAVALYA				
	PV-200286	01-0000-0-4300-0000-3600-000-0000-00-000	TRANSPORTATION SUPPLIES		21.16	
		WARRANT TOTAL			\$21.16	
80661363	079952/	GOLD STAR FOODS				
	205054	PO-200054 1. 13-5310-0-4700-0000-3700-000-0800-00-000	2939408 LUNCH FOOD		1,010.78	
	205054	1. 13-5310-0-4700-0000-3700-000-0800-00-000	2939379 LUNCH FOOD		821.48	
	205054	1. 13-5310-0-4700-0000-3700-000-0800-00-000	3013382 PROCESSING FEE		12.60	
	205054	2. 13-5310-0-4700-0000-3700-000-0801-00-000	2939408 BREAKFAST FOOD		797.59	
	205054	2. 13-5310-0-4700-0000-3700-000-0801-00-000	2939379 BREAKFAST FOOD		937.52	
	205054	3. 13-5310-0-4700-0000-3700-000-0802-00-000	2939408 ALA CARTE FOOD		37.53	
	205054	3. 13-5310-0-4700-0000-3700-000-0802-00-000	2939379 ALA CARTE FOOD		41.55	
		WARRANT TOTAL			\$3,659.05	
80661364	101708/	GROWING HEALTHY CHILDREN				
	PV-200287	01-6500-0-5806-5770-1120-000-0000-00-000	GTUSD_1912 OT/PT DEC 2019		603.75	
		WARRANT TOTAL			\$603.75	
80661365	100616/	MARTA HARRIS				
	PV-200288	01-0000-0-5835-1110-1000-003-0106-00-000	6TH GR YOSEMITE FT CAMPSITES		378.00	
		WARRANT TOTAL			\$378.00	
80661366	101430/	INFINITY COMMUNICATIONS				
	205004	PO-200004 1. 01-0000-0-5800-0000-7700-000-1210-00-000	10217 Y23 ERATE CONSULT		562.50	
		WARRANT TOTAL			\$562.50	
80661367	101087/	CARINA JACKSON				
	PV-200289	01-0000-0-4300-1110-1000-003-0300-76-000	CLASSROOM SUPPLIES		33.13	

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FD RESC Y OBJT	GOAL FUNC LC1 LOC2 L3 SCH	DESCRIPTION		
WARRANT TOTAL						\$33.13
80661368	101651/	MYBINDING.COM				
	PO-203067	1. 01-1100-0-4300-1110-1000-002-0000-00-000		376967 SM LAMINATING FILM		393.18
WARRANT TOTAL						\$393.18
80661369	079243/	PETALUMA ADOBE STATE				
	PV-200290	01-0000-0-5835-1110-1000-003-0104-00-000		USE FEES 4TH GR ADOBE FT		500.00
WARRANT TOTAL						\$500.00
80661370	077441/	PLACERVILLE GROCERY OUTLET				
	205055	PO-200055	1. 13-5310-0-4700-0000-3700-000-0800-00-000	LUNCH FOOD		157.79
	205055		2. 13-5310-0-4700-0000-3700-000-0801-00-000	BREAKFAST FOOD		48.98
WARRANT TOTAL						\$206.77
80661371	101931/	PRODUCE EXPRESS				
	205056	PO-200056	1. 13-5310-0-4700-0000-3700-000-0800-00-000	SMILLS SM PRODUCE		243.15
	205056		1. 13-5310-0-4700-0000-3700-000-0800-00-000	GTRAIL GT PRODUCE		325.00
WARRANT TOTAL						\$568.15
80661372	000895/	SCHOOL SERVICES OF CALIFORNIA				
	205010	PO-200010	1. 01-0000-0-5800-0000-7200-000-0000-00-000	0123558-IN BDGT SVCS JAN		92.00
WARRANT TOTAL						\$92.00
80661373	101378/	SCOTT SEIBEL				
	PV-200291	01-0000-0-4300-1110-1000-003-0104-00-000		FOOD ADV 4TH GR PETALUMA FT		1,200.00
WARRANT TOTAL						\$1,200.00
80661374	003783/	SFS OF SACRAMENTO INC				
	205057	PO-200057	1. 13-5310-0-4700-0000-3700-000-0800-00-000	231574240 LUNCH FOOD		554.92
	205057		2. 13-5310-0-4700-0000-3700-000-0801-00-000	231574240 BREAKFAST FOOD		500.82
	205057		3. 13-5310-0-4700-0000-3700-000-0802-00-000	231574240 ALA CARTE FOOD		78.87
WARRANT TOTAL						\$1,134.61
80661375	101638/	SONOMA STATE HISTORIC PARK				
	PV-200292	01-0000-0-5835-1110-1000-003-0104-00-000		ADMIT FEE 4TH GR ADOBE FT		100.00

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WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FD RESC Y OBJT	GOAL FUNC LC1	LOC2 L3 SCH	DESCRIPTION	

WARRANT TOTAL						\$100.00
80661376	100981/	VERIZON WIRELESS				
	PV-200293	01-0000-0-5901-0000-2700-002-1210-00-000		9845204848	SM	48.39
		01-0000-0-5901-0000-3140-000-1210-00-000		9845204848	NURSE	96.78
		01-0000-0-5901-0000-8100-000-1210-00-000		9845204848	MAINT	48.39
		WARRANT TOTAL				\$193.56
***	BATCH TOTALS ***	TOTAL NUMBER OF CHECKS:	23	TOTAL AMOUNT OF CHECKS:		\$19,087.16*
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:		\$0.00*
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:		\$0.00*
		TOTAL PAYMENTS:	23	TOTAL AMOUNT:		\$19,087.16*
***	DISTRICT TOTALS ***	TOTAL NUMBER OF CHECKS:	23	TOTAL AMOUNT OF CHECKS:		\$19,087.16*
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:		\$0.00*
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:		\$0.00*
		TOTAL PAYMENTS:	23	TOTAL AMOUNT:		\$19,087.16*

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0016 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			
80662230	100912/	BANK OF AMERICA				
	PV-200294	01-0000-0-4300-0000-3140-000-0000-00-000	GT ADULT AED REPLCMNT PADS			92.30
		01-0000-0-4300-0000-7100-000-0000-00-000	BOARD SUPPLIES			21.96
		01-0000-0-4300-0000-8100-000-0000-00-000	DIST MAINTENANCE SUPPLIES			186.01
		01-0000-0-4300-0000-8100-002-0000-00-000	SM MAINTENANCE SUPPLIES			171.87
		01-0000-0-4300-0000-8100-003-0000-00-000	GT MAINTENANCE SUPPLIES			309.15
		01-0000-0-4300-1110-1000-002-0300-73-000	SWANEY CLASSROOM SUPPLIES			26.81
		01-0000-0-4370-0000-8100-000-0000-00-000	MAINTENANCE FUEL			107.31
		01-0000-0-5835-1110-1000-003-0104-00-000	4TH GR FT SCHOOL USE FEE			61.80
		01-1100-0-4300-1110-1000-002-0000-00-000	SM CLSRM SUPPLIES			36.48
		01-7510-0-5200-1110-1000-002-0000-00-000	REF DUNN CANCELLED WORKSHOP			279.00-
		WARRANT TOTAL				\$734.69
80662231	101991/	C & H MOTOR PARTS				
	PV-200295	01-0000-0-4300-0000-8100-000-0000-00-000	1-645214 MAINT SUPPLIES			41.51
		WARRANT TOTAL				\$41.51
80662232	101984/	ANTHONY LITTLE				
	205091	PO-200091 1. 01-0000-0-5600-0000-8100-003-0000-00-000	4053 GT LOST & FOUND RACKS			2,500.00
		WARRANT TOTAL				\$2,500.00
80662233	101569/	CHERYL ROMIG				
	PV-200296	01-0000-0-4300-1110-1000-003-0300-62-000	CLASSROOM SUPPLIES			82.85
		01-0000-0-4300-1110-1000-003-0300-62-000	CLASSROOM SUPPLIES			534.08
		WARRANT TOTAL				\$616.93
80662234	101394/	SIERRA WEST OFFICIALS ASSOC				
	PV-200297	01-1100-0-5807-1110-4200-003-1206-00-000	120919-GTB BOYS BSKTBL REFS			1,000.00
		WARRANT TOTAL				\$1,000.00
80662235	102038/	THOMPSONS TOYOTA OF PLACERVILL				
	205093	PO-200093 1. 01-0000-0-4400-0000-3600-000-0000-00-000	2014 HONDA ODYSSEY EX			13,002.44

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 01/24/2020

01/24/20 PAGE 2

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0016 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						\$13,002.44
80662236	101830/	TPX COMMUNICATIONS				
	PV-200298		01-0000-0-5901-0000-7200-000-1210-00-000	125672700-0 PHONE		1,173.14
			01-0000-0-5901-0000-7700-000-1210-00-000	125672700-0 FIBER		1,517.12
			WARRANT TOTAL			\$2,690.26
*** BATCH TOTALS ***		TOTAL NUMBER OF CHECKS:	7	TOTAL AMOUNT OF CHECKS:		\$20,585.83*
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:		\$0.00*
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:		\$0.00*
		TOTAL PAYMENTS:	7	TOTAL AMOUNT:		\$20,585.83*
*** DISTRICT TOTALS ***		TOTAL NUMBER OF CHECKS:	7	TOTAL AMOUNT OF CHECKS:		\$20,585.83*
		TOTAL ACH GENERATED:	0	TOTAL AMOUNT OF ACH:		\$0.00*
		TOTAL EFT GENERATED:	0	TOTAL AMOUNT OF EFT:		\$0.00*
		TOTAL PAYMENTS:	7	TOTAL AMOUNT:		\$20,585.83*

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0017 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
80662640	101447/	AG IN THE CLASSROOM													
		PV-200300		01-0000-0-5835-1110-1000-003-0105-00-000										FOL20 5TH GR FOL FIELD TRIPS	750.00
				WARRANT TOTAL											\$750.00
80662641	008233/	AMERICAN FIDELITY ASSURANCE													
		PV-200299		01-0000-0-9582-0000-0000-000-0000-00-000										D110351 JANUARY 2020	1,456.24
				WARRANT TOTAL											\$1,456.24
80662642	101975/	BIG WEST DISTRIBUTION													
	205066	PO-200066	1.	13-5310-0-4700-0000-3700-000-0801-00-000										IN40002 ALA CARTE FOOD	164.01
				WARRANT TOTAL											\$164.01
80662643	100513/	BUCKEYE UNION SCHOOL DISTRICT													
	205015	PO-200015	1.	01-0000-0-5600-0000-3600-000-0000-00-000										200094 BUS MAINT/REPAIRS	749.45
				WARRANT TOTAL											\$749.45
80662644	000126/	EL DORADO COUNTY OFFICE													
		PV-200301		01-0000-0-5809-0000-3600-000-0000-00-000										200502 RNDM DRG TST DEC 2019	6.08
				WARRANT TOTAL											\$6.08
80662645	101346/	FERRELLGAS													
		PV-200302		01-0000-0-5530-0000-8100-002-0000-00-000										1109928707 SM	2,047.19
				01-0000-0-5530-0000-8100-003-0000-00-000										1109929051 GT	94.72
				01-0000-0-5530-0000-8100-003-0000-00-000										1109929070 GT	1,660.19
				WARRANT TOTAL											\$3,802.10
80662646	100356/	GOLD TRAIL FEDERATION OF													
		PV-200303		01-0000-0-9573-0000-0000-000-0000-00-000										AFT DUES JANUARY 2020	2,645.50
				WARRANT TOTAL											\$2,645.50
80662647	101168/	MARILYN KITT													
		PV-200304		01-0000-0-5210-0000-3140-000-0000-00-000										NURSE MILEAGE AUG-DEC 2019	32.19
				WARRANT TOTAL											\$32.19
80662648	101212/	MALLARD CREEK													
	205082	PO-200082	1.	01-0000-0-4300-0000-8100-002-0000-00-000										31667557 SM PLYGRND FALL MATRL	2,070.62

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0017 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
	205082		2.	01	0000	0	4300	0000	8100	003	0000	00	000		31667558 GT PLYGRND FALL MATRL	2,070.62
															WARRANT TOTAL	\$4,141.24
80662649	004638/	MMSGs														
		PO-203068	1.	01	0000	0	4300	0000	3140	000	0000	00	000		74063313 SM NURSE SUPPLIES	28.15
															WARRANT TOTAL	\$28.15
80662650	101160/	MUSIC THEATRE INTERNATIONAL														
		PV-200305		01	0000	0	4300	0000	3140	000	0000	00	000		882552 MUSICAL PERUSALS	95.00
															WARRANT TOTAL	\$95.00
80662651	009356/	OFFICE DEPOT														
		PO-203058	1.	01	0000	0	4300	0000	2700	003	0000	00	000		415219290001 GT OFC SUPPLIES	36.01
				1.	01	0000	0	4300	0000	2700	003	0000	00	000	410787933001 GT OFC SUPPLIES	73.82
				1.	01	0000	0	4300	0000	2700	003	0000	00	000	415211033001 GT OFC SUPPLIES	7.18
		PO-203060	1.	01	0000	0	4300	0000	7200	000	0000	00	000		413434875001 D O SUPPLIES	53.72
		PO-203061	1.	01	0000	0	4300	0000	7200	000	0000	00	000		417198061001 D O OFC SUPPLIES	198.41
		PO-203062	1.	01	0000	0	4300	1110	1000	003	0300	70	000		418782186001 LULLA CLS SUPPLY	3.54
				1.	01	0000	0	4300	1110	1000	003	0300	70	000	418781801001 LULLA CLS SUPPLY	61.65
		PO-203063	1.	01	0000	0	4300	1110	1000	003	0300	54	000		419325460001 EDNEY CLRM SUPPLY	145.81
		PO-203064	1.	01	0000	0	4300	0000	7100	000	0000	00	000		419570470001 A/P&A/R STAMPS	129.88
		PO-203066	1.	01	0000	0	4300	0000	2700	003	0000	00	000		424764656001 GT OFC SUPPLIES	28.13
				1.	01	0000	0	4300	0000	2700	003	0000	00	000	424764249001 GT OFC SUPPLIES	40.91
		PO-203069	1.	01	0000	0	4300	0000	7200	000	0000	00	000		430090975001 D O SUPPLIES	97.39
				1.	01	0000	0	4300	0000	7200	000	0000	00	000	430089735001 D O SUPPLIES	7.85
		PO-203070	1.	01	0000	0	4300	1110	1000	002	0300	57	000		426463951001 ZORN CLS SUPPLIES	67.94
		PO-203071	1.	01	0000	0	4300	1110	1000	003	0300	77	000		430171053001 CANFIELD CLS SUPP	87.41
															WARRANT TOTAL	\$1,025.29

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0017 GTUSD ACCOUNTS PAYABLE

WARRANT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	DEPOSIT TYPE GOAL FUNC LC1	LOC2	L3	SCH	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
80662652	000232/	PACIFIC GAS & ELECTRIC COMPANY											
		PV-200306		01-0000-0-5540-0000-8100-000-0000-00-000								0991367996-6 EXT DAY	131.20
				01-0000-0-5540-0000-8100-002-0000-00-000								0991367996-6 SM	2,529.81
				01-0000-0-5540-0000-8100-003-0000-00-000								0991367996-6 GT	4,533.99
				01-0000-0-5540-0000-8100-003-0000-00-000								1274317581-7 GT STREET LIGHTS	23.41
				WARRANT TOTAL									\$7,218.41
80662653	102034/	RIVERSIDE INSIGHTS											
		205087 PO-200087	1.	01-6500-0-5875-5770-1120-000-1210-04-000								INVO26120 EXAMINER'S LICENXE	745.89
				WARRANT TOTAL									\$745.89
80662654	100751/	SIGNATURE WIRELESS GROUP											
		205011 PO-200011	1.	01-0000-0-5800-0000-3600-000-0000-00-000								30846 SMR RPTR SVC FEB	267.28
				WARRANT TOTAL									\$267.28
80662655	004234/	SKI AIR INCORPORATED											
		PV-200307		01-0000-0-5600-0000-8100-003-0000-00-000								SD798 GT RM 6 HVAC REPAIRS	196.00
				WARRANT TOTAL									\$196.00
80662656	102037/	ULINE											
		205089 PO-200089	1.	01-0000-0-4300-0000-3600-000-0000-00-000								116003909 TRANSP PRKNG STOPS	517.19
				WARRANT TOTAL									\$517.19
80662657	013563/	WALKER'S OFFICE SUPPLIES											
		PO-203072	1.	01-1100-0-4300-1110-1000-000-0000-00-000								DISTRICT COPY PAPER	964.93
				WARRANT TOTAL									\$964.93
80662658	002823/	WAYNE'S LOCKSMITH INC											
		PV-200308		01-0000-0-4300-0000-8100-003-0000-00-000								13039 GT KEY COPIES	25.98
				WARRANT TOTAL									\$25.98
80662659	100090/	WELLS FARGO VENDOR FIN SERV											
		205014 PO-200014	1.	01-0000-0-7439-0000-9100-000-1210-00-000								5008814894 D O COPIER	224.95
		205014	2.	01-0000-0-7439-0000-9100-002-1210-00-000								5008814894 SM COPIER	124.25
		205014	3.	01-1100-0-5600-1110-1000-002-1210-00-000								5008814894 COPY COSTS	698.67

APY250 L.00.06

EL DORADO COUNTY OFFICE OF EDUCATION
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 01/29/2020

01/29/20 PAGE 4

DISTRICT: 005 Gold Trail Union School Dist
BATCH: 0017 GTUSD ACCOUNTS PAYABLE

WARRANT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	
REQ#	REFERENCE	LN	FD RESC Y OBJT GOAL FUNC LC1 LOC2 L3 SCH	DESCRIPTION	AMOUNT	

WARRANT TOTAL						\$1,047.87
*** BATCH TOTALS ***						
TOTAL NUMBER OF CHECKS:			20	TOTAL AMOUNT OF CHECKS:		\$25,878.80*
TOTAL ACH GENERATED:			0	TOTAL AMOUNT OF ACH:		\$.00*
TOTAL EFT GENERATED:			0	TOTAL AMOUNT OF EFT:		\$.00*
TOTAL PAYMENTS:			20	TOTAL AMOUNT:		\$25,878.80*
*** DISTRICT TOTALS ***						
TOTAL NUMBER OF CHECKS:			20	TOTAL AMOUNT OF CHECKS:		\$25,878.80*
TOTAL ACH GENERATED:			0	TOTAL AMOUNT OF ACH:		\$.00*
TOTAL EFT GENERATED:			0	TOTAL AMOUNT OF EFT:		\$.00*
TOTAL PAYMENTS:			20	TOTAL AMOUNT:		\$25,878.80*

AGENDA ITEM Consent

11.3 Resolution 2019-20: 02-01, Resolution to Employ Short Term Classified Support

BACKGROUND

The Board will adopt the Resolution allowing an increase for short term classified support for the 2019-20 school year only.

ATTACHMENTS

- Resolution 2019-20: 02-01, Resolution to Employ Short Term Classified Support

BUDGETED

☐ NA ☒ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the resolution.

NOTES

If pulled from Consent

<i>ACTION</i>		<i>Moved</i>			<i>Seconded</i>		
<input type="checkbox"/> <i>Approved as is</i> <input type="checkbox"/> <i>Not approved</i> <input type="checkbox"/> <i>Amended to read:</i>							
<i>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
Resolution 2019-20: 02-01
RESOLUTION TO EMPLOY SHORT TERM CLASSIFIED SUPPORT

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

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

WHEREAS, "short-term employee" means any person who is employed to perform a service for the district, upon the completion of which, the service required or similar services will not be extended or needed on a continuing basis; and

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

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

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

WHEREAS, it is advantageous to support individual students’ needs;

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

Positions #1 and #2:

Playground Monitor (0.25 hours per day)

January 21, 2020 through June 3, 2020 (no more than 50%)

Position #3:

Office Manager (1.0 hour per day)

January 6, 2020 through June 12, 2020 (no more than 55%)

ADOPTED by the Governing Board of Gold Trail Union School District on January 9, 2020 by the following vote:

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

Julie Bauer, President

AGENDA ITEM Consent

11.4 Personnel

BACKGROUND

Personnel

Hiring

C. Bruns, Instructor: Enrichment Spelling Bee—grade 3, effective 2019-2020 school year

M. Dodson, Playground Monitor (short term), .25 hours per day, effective January 21, 2020 through June 3, 2020

R. Lizarraga, Playground Monitor (short term), 1.5 hours per day, four days per week, effective February 3, 2020 through April 3, 2020

S. McKenna, Teacher Associate, (short term), 4.5 hours per day, effective January 31, 2020 through April 3, 2020

S. Meadows, Playground Monitor (short term), .25 hours per day, effective January 22, 2020 through June 3, 2020

K. Romney, Playground Monitor (short term), 1.5 hours per day, one day per week, effective February 3, 2020 through April 3, 2020

M. Weekly, Office Manager (short term), 1.0 hour per day, effective January 6, 2020 through June 12, 2020

Leave of Absence

R. Memeo, Teacher, 1.0 FTE, effective 2020-2021 school year

Resignation

K. Ayre, Teacher, 1.0 FTE, effective June 30 2020

C. Bruns, Teacher, 1.0 FTE, effective June 30, 2020

D. Matyac, Teacher, 1.0 FTE, effective June 30, 2020

S. Morgan, Teacher, 1.0 FTE, effective June 30, 2020

T. Orio, Administrative Assistant, 1.0 FTE, effective June 30, 2020.

A. Tolbert, Athletic Coach: 7th grade girls' basketball, effective 2019-2020 school year

A. Tolbert, Athletic Coach: 8th grade girls' basketball, effective 2019-2020 school year

ATTACHMENTS

➤ None

BUDGETED

☐ NA ☒ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the personnel activity.

NOTES

If pulled from Consent

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

11.5 Surplus

BACKGROUND

The Board will approve the following item for surplus:

Item: 2014 Ford Focus Automobile
 Vehicle ID # 1FADP3K2OEL326437

Disposition: When the Board, upon recommendation of the Superintendent or designee, declares any district-owned personal property unusable, obsolete, or no longer needed, the Board shall determine the estimated value of the property and shall decide whether the property will be donated, sold, or otherwise disposed of as prescribed by law and administrative regulation. (BP/AR 3270). If the Board members who are in attendance at a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value, the property may be sold without advertising for bids. (Education Code 17546)

The Superintendent or designee may advertise for bids by posting a notice in at least three public places in the district for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, publishing within the district. The district shall sell the property to the highest responsible bidder or shall reject all bids. (Education Code 17545, 17548)

Value: \$5,000 (Kelley Blue Book estimation)

ATTACHMENTS

➤ None

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the material(s) for surplus.

NOTES

If pulled from Consent

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

11.6 Consolidated Application and Reporting System (CARS) Winter Collection

BACKGROUND

The Consolidated Application (ConApp) is used by the California Department of Education (CDE) to distribute categorical funds from various state and federal programs to county offices, school districts, and direct-funded charter schools throughout California.

2017-2018 close out data in addition to 2018-2019 and 2019-20 current information is provided for review.

ATTACHMENTS

- Collection and application information
- CARS Part 1, 2017-18 Title 1, LEA Closeout Report
- CARS Part 2, 2017-18 Title II, Fiscal Year Expenditure Report
- CARS Part 3, 2018-19 Title I, LEA Carryover Data Entry
- CARS Part 4, 2019-20 Title 1, LEA Schoolwide Program

BUDGETED

☐ NA
 ☒ Yes
 ☐ No
 ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the application.

NOTES

If pulled from Consent

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



CONSOLIDATED APPLICATION AND REPORTING SYSTEM (CARS)

Gold Trail Union Elementary (09 61887 0000000)

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2017-18 Title I, Part A LEA Closeout Report

Report fiscal year expenditures to determine 2017-18 Title I, Part A unspent funds.

There are no reported carryover funds. The LEA has already expended all Title I, Part A funds.

Kevin Donnelly, Federal Programs and Reporting Office | kdonnelly@cde.ca.gov | 916-319-0942
General CARS Questions: Consolidated Application Support Desk | conappsupport@cde.ca.gov | 916-319-0297

California Department of Education
1430 N Street
Sacramento, CA 95814

[Web Policy](#)



CONSOLIDATED APPLICATION AND REPORTING SYSTEM (CARS)

Gold Trail Union Elementary (09 61887 0000000)

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2017-18 Title II, Part A Fiscal Year Expenditure Report, Closeout 27 Months

A report of year-to-date expenditures and encumbrances by activity. Activity period covered is July 1, 2017 through September 30, 2019.

Required fields are denoted with an asterisk (*).

2017-18 Title II, Part A entitlement: \$8,282

2017-18 Title II, Part A total apportionment issued: \$8,282

Professional Development Expenditures

Professional development for teachers:

Professional development for administrators:

All other professional development expenditures:

Recruitment, Training, and Retention Expenditures

Recruitment activities:

Training activities:

Retention activities:

All other recruitment, training, and retention expenditures:

Miscellaneous Expenditures

Class size reduction:

Administrative and indirect costs:

Total funds transferred out of Title II, Part A:

Equitable services for nonprofit private schools:

All other allowable expenditures and encumbrances:

Total expenditures and encumbrances:

\$8,282

2017-18 Unspent funds:

\$0

Note: CDE will invoice the LEA for the unspent 2017-18 total apportionment issued.

Last Saved: Aidan Harte (harteaidan), 2/3/2020 11:08 AM, Draft

Save

Return to List

Maxine Wheeler, Standards Implementation Support Office | mwheeler@cde.ca.gov | 916-323-4746
Lisa Fasset, Standards Implementation Support Office | lfasset@cde.ca.gov | 916-323-4963
General CARS Questions: Consolidated Application Support Desk | conappsupport@cde.ca.gov | 916-319-0297

California Department of Education
1430 N Street
Sacramento, CA 95814

Web Policy



CONSOLIDATED APPLICATION AND REPORTING SYSTEM (CARS)

Gold Trail Union Elementary (09 61887 0000000)

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2018-19 Title I, Part A LEA Carryover

Report only expenditures and obligations for fiscal year 2018-19 allocation to determine funds to be carried over.

Required fields are denoted with an asterisk (*).

Carryover Calculation

2018-19 Title I, Part A LEA allocation: \$31,728

Transferred-in amount: \$0

2018-19 Title I, Part A LEA available allocation: \$31,728

* Expenditures and obligations through September 30, 2019:

Carryover as of September 30, 2019: \$0

Carryover percent as of September 30, 2019: 0.00%

Last Saved: Aidan Harte (harteaidan), 2/3/2020 11:10 AM, Draft

Kevin Donnelly, Federal Programs and Reporting Office | kdonnelly@cde.ca.gov | 916-319-0942
General CARS Questions: Consolidated Application Support Desk | conappsupport@cde.ca.gov | 916-319-0297

2019-20 Title I, Part A Notification of Authorization of Schoolwide Program

This report provides notification to the California Department of Education of a school's eligibility and local board approval to operate under and report as Schoolwide Program.

CDE Program Contact:

Lana Zhou, Federal Programs and Reporting Office, lzhou@cde.ca.gov, 916-319-0956
Rina DeRose, Federal Programs and Reporting Office, RDerose@cde.ca.gov, 916-323-0472

School Name	School Code	Authorized SWP	Low Income %	Local Board Approval Date SWP Plan (MM/DD/YYYY)	Local Board Approval Date SWP Waiver (MM/DD/YYYY)	SIG Approval Date (MM/DD/YYYY)
Gold Trail	6005516	N				
Sutters Mill	6110167	N				

Warning

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

AGENDA ITEM Consent

11.7 Comprehensive School Safety Plan (CSSP)

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

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281) The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288) The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282) However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed. (BP0450)

ATTACHMENTS

- CSSP Introduction
 - CSSP Template
- (The complete CSSP binder is available at all times in the District Office)

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the plan.

NOTES

If pulled from Consent

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

Comprehensive School Safety Plan (CSSP)

2019-2020

District Vision Statement

Our vision is to create and maintain an environment where every child receives a high quality education and comes to school feeling safe, cared for, and optimistic about his or her ability to learn.

Campus safety is the district's top priority. A safe learning environment is essential for students of all ages. Without it they are unable to focus on learning the skills needed for a successful education and future. Promoting school safety creates an open space for kids to explore, learn and grow.

Staff works together with local law enforcement, parents and students to prevent, prepare and respond to emergency situations. Our district has adopted a Comprehensive School Safety Plan (CSSP) to identify the appropriate strategies and programs needed to provide or maintain a high level of school safety. It addresses the school's procedures for complying with existing laws related to school safety, including the development of all of the following key elements:

1. Child abuse reporting procedures
2. Disaster procedures, routine and emergency
3. Policies for students who committed acts leading to suspension or expulsion.
4. Procedures to notify teachers of dangerous pupils
5. Discrimination and harassment policy.
6. Provisions of a schoolwide dress code
7. Procedures for safe ingress and egress
8. A safe and orderly environment conducive to learning at school
9. Rules and procedures on school discipline.
10. Procedures for conducting tactical responses to criminal incidents.

School Environment

School is more than the academic instruction that occurs in the classroom. Our students' education also depends on an environment that supports learning. The GTUSD Code of Conduct is annually reviewed by all students and staff. It is given to the students in hard copy at the beginning of each school year, and is posted on the District and Schools' Websites. It states that *"A school is a place that promotes responsibility, respect, civility and academic excellence in a safe learning and teaching environment. Everyone in the school community— parents or guardians, volunteers, and all staff members – has the right to be treated with dignity and respect whether they are on school property, on school buses or at school-authorized events or activities."*

It is impossible for students to achieve at their fullest potential if they fear for their safety. The long-term effects of bullying/cyberbullying, cruelty, bias, and hate-motivated behavior can have a tremendous impact on student success—both for the victims and for the perpetrators. Along with detailed policies and regulations, the district has bullying prevention programs in place and is constantly searching for different opportunities for training of all of our staff members.

Emergency Situations

Both Gold Trail School and Sutter's Mill School have their own School Site Safety Plans that are individualized for their particular age group and setting. These plans are included in the complete CSSP. Although it is unlikely that our emergency plans will need to be fully activated the possibility still exists. Therefore, to prepare all members of the school community, including your child, to act on a moment's notice, we conduct emergency practice fire, earthquake, shelter in place, lockdown and evacuation drills periodically throughout the school year.

If the emergency plans do need to be activated, different courses of action will be taken based on the level of threat involved. Here are some examples:

- For an **elevated threat** to safety and security, law enforcement may be called and asked to come to the school. If a student or staff member has been injured, paramedics may need to be called as well.
- At the **next highest level of threat**, law enforcement may be called, and the District may need to issue a written note to parents to advise them about the situation or provide further information to them in person or by phone.

- In the **most severe situations**, law enforcement may be called and the school may be directed to close. Any visitors to the campus may be asked to produce photo ID and escorted to part of the campus where they need to go. A Crisis Team may be called in to provide counseling and support to students and staff members.

The Role of a Parent

- Make sure that your emergency contact numbers are updated and on file in the school office(s).
- During a real emergency, you probably will not be able to reach the school by phone, as staff will be busy responding to the emergency and the needs of the students. Listen carefully to emergency notification messages.
- Stay calm. Your attitude/actions conveyed to students may be traumatic, especially to young children.
- Rely on factual information from the school district or law enforcement. False rumors frequently surface.
- Recognize that crisis counseling services will be available for you or a child affected by a crisis. Please contact a school administrator or counselor about accessing counseling resources.

Comprehensive School Safety Plan (CSSP) Template

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plan, became law. Each school district must adopt its CSSP by March 1st of each year, and shall review and update the CSSP annually. This plan addresses the school's procedures for complying with the existing laws related to school safety. The CDE has developed a compliance tool to help districts develop their CSSP. This tool provides a list of required contents to assist schools in creating a compliant plan. Due to school safety and security concerns, only **the most currently updated template can be accessed here**. The complete safety manual, with all of the mandated background documents, is available for preview to parents/guardians at the District office.

**GOLD TRAIL UNION SCHOOL DISTRICT
2019-2020**

Compliance Tool for a Comprehensive School Safety Plan

California *Education Code* sections 32280–32289

**Required and Recommended Components for a Comprehensive
School Safety Plan**

Section 32280	Mandate Met	Comments, Suggested Details (resources, activities, etc.)
It is the intent of the Legislature that all school staff be trained on the CSSP	Yes	Staff receives training on all applicable individual components.
Section 32281	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
<p>(b)(1) Plan is written and developed by a school site council (SSC)</p> <p>(2) The SSC may delegate this responsibility to a safety planning committee made up of principal/designee, teacher, parent of child who attends the school, classified employee, and others, if desired</p>	<p>11/21/2019 12/09/2019 12/10/2019 01/30/2020</p>	Agendas and Sign in sheets
<p>(b)(3) SSC/Planning Committee consulted with a representative from a law enforcement agency, a fire department, and other first responder entities in the writing and development of the CSSP</p> <p>The CSSP and any updates made to the plan must be shared with the law enforcement agency, the fire department, and the other first responder entities</p> <p>Effective January 1, 2019, Assembly Bill 1747 expanded the requirements of this section as noted here</p>	1/30/2020	<p>Superintendent and GT Principal attend SCALE (School Community and Law Enforcement) meetings.</p> <p>Law Enforcement MOU</p> <p>Superintendent meets individually with first responders to update information.</p>

Section 32282	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(a) CSSP includes, but is not limited to the following:		
<p>(1) An assessment of the current status of school crime at the school and at school-related functions that may be accomplished by reviewing one or more of the following types of information, is included:</p> <ul style="list-style-type: none"> • Office Referrals • Attendance rates/School Attendance Review Board • Suspension/Expulsion data • California Healthy Kids Survey • School Improvement Plan • Local law enforcement juvenile crime data • Property Damage data 	1/30/2020	<p>District Advisory Committee Met to discuss the following data to develop the plan:</p> <p>Data reviewed includes:</p> <ul style="list-style-type: none"> • CALPADS End of the Year summary of discipline incidents • Attendance rates/SARB Data • California Healthy Kids Survey • School Improvement Plans • Property Damage Data is negligible <p>All office referrals are reviewed for chronic problems, corrective action, and intervention strategy. Data shows that this technique is successful, with fewer suspensions and no expulsion this past year. Crime is negligible.</p>
<p>(2) Appropriate strategies and programs that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety are identified. These include but are not limited to the following:</p>		

Section 32282	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(A) Child Abuse Reporting procedures	1/30/2020	BP5141.4, Mandated employee training upon employment, and annually after that. Also noted in the new employee packet and in both the employee and student handbooks.
(B) Disaster procedures, routine and emergency plans, and crisis response plan are developed and include adaptations for pupils with disabilities and the following:	1/30/2020	Included in School Site Safety Plans and drill logs.
<p>(i) Earthquake emergency procedure system that includes:</p> <p>(l) A school building disaster plan</p> <p>Note: Building disaster plan emergency procedures and drills for the following situations that may be associated with an earthquake or other emergency event should be developed and adapted to each school's needs and circumstances in collaboration with first responders and community partners. These situations may include but are not limited to:</p> <p>Fire; Relocation/Evacuation; Bomb Threat; Bioterrorism/Hazardous Materials; Earthquake; Flood; Power Failure/Blackout; Intruders/Solicitors; Weapons/Assault/Hostage; Explosion; Gas/Fumes</p> <p>(II) a drop procedure (students and staff take cover) drop procedure practice must be held once each quarter in elementary; once each semester in secondary schools</p> <p>(III) protective measures to be taken before, during, and after an earthquake</p> <p>(IV) a program to ensure that pupils, and certificated and classified staff are aware of and are trained in the procedures</p>	1/30/2020	<p>We have training and exercise drills for Earthquake, Fire, Lockdown, Shelter in Place, and full school site evacuation.</p> <p>All rooms have escape routes clearly marked.</p> <p>Utility maps, drill logs, earthquake simulation scripts and listing of protective measures are included.</p>

Section 32282	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(ii) Procedures are established to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency	1/30/2020	American Red Cross Shelter Agreement is in place
(C) Suspension/Expulsion policies and procedures	1/30/2020	Included in student handbook(s) and policies
(D) Procedures to notify teachers of dangerous pupils	1/30/2020	Included in employee handbook and AR 4158
(E) Discrimination and Harassment Policy that includes hate crime reporting procedures and policies	1/30/2020	Included in student handbook(s), employee handbook, policies and regulations
(F) If a Schoolwide Dress Code exists, include prohibition of gang-related apparel	1/30/2020	Included in student handbook(s), policies and regulations
(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school site	1/30/2020	Included in student handbook(s)
(H) Maintain a safe and orderly environment conducive to learning at the school	1/30/2020	Included in policies, SIA Risk Reviews and Agendas, Site Inspection logs, playground inspection logs
(I) Rules and procedures on school discipline are established	1/30/2020	Included in student handbook(s), policies and regulations.
(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions must be developed. The procedures to prepare for active shooters or other armed assailants are based on the specific needs and context of each school and community	1/30/2020	Consulted with law enforcement to develop school site safety plans.
Note: Effective January 1, 2019, AB 1747 requires the inclusion of these procedures		

Section 32282	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(c) Where practical, consult, cooperate and coordinate with other school site councils or school safety planning committees	1/30/2020	Regularly scheduled meetings of all county superintendents allow this type of communication.
(d) Evaluate and amend the plan as needed and at least once each year, to ensure the plan is properly implemented An updated file of all non-sensitive safety-related plans and materials is readily available for inspection by the public	1/30/2020	Committee agendas included. The complete CPSP is available for inspection year round in the District Office.
(e) The Legislature encourages that policies and procedures aimed at the prevention of bullying be included in the CSSP Note: Effective January 1, 2019, Assembly Bill 2291 requires local educational agencies to adopt, on or before December 31, 2019, procedures for prevention of acts of bullying, including cyberbullying. The bill does not require that these procedures be placed in the CSSP, however, they may be placed in it.	1/30/2020	Included in student handbook(s), employee handbook, policies and regulations. Online Bullying Prevention Training Programs can be accessed on the CDE Bullying Publication and Resources web page at https://www.cde.ca.gov/ls/s/s/se/bullyres.asp

Section 32282.1	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
<p>(a) Schools are encouraged to include clear guidelines for the roles and responsibilities of the positions listed below (if used by the district):</p> <ul style="list-style-type: none"> • Mental health professionals, school counselors • Community intervention professionals • School resource officers, police officers on campus <p>(b) The guidelines are encouraged to include strategies to create and maintain positive school climate and mental health protocols for the care of students who have witnessed a violent act at any time</p>	1/30/2020	<p>Job Descriptions and Agreement with the Center for Violence-Free Relationships are included.</p> <p>A Countywide School Threat Assessment Team (STAT) is being developed to identify one procedure for all schools within the county to follow.</p>

Section 32284	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
Plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school	1/30/2020	Emergency procedures outlined in the school site safety plans—regular drills are conducted.

Section 32286	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(a) Each school review, update, and approve its plan by March 1, every year	1/30/2020	

Section 32288	Mandate Made (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(a) Submit the plan to school district office or COE for approval	1/30/2020	To be submitted to the GTUSD Board of Trustees at their regularly scheduled Board meeting in February 2020.
(b)(1) Before adopting its CSSP, SSC/Planning Committee presented the school safety plan at a public meeting at the school site that allowed for public opinions	11/21/2019 01/30/2020	Agendas and Rosters included.
(c) Each school district or COE must annually notify the CDE by October 15 of any schools that have not complied with Section 32281	N/A	

Note: This tool is designed to assist schools in developing and updating CSSPs. Use of this tool is optional. Each school, school district, and COE is responsible for compliance and familiarity with all sections and requirements of California *Education Code* sections 32280–32289.

California Department of Education

January 2019

AGENDA ITEM Consent

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

BACKGROUND

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

ATTACHMENTS

- BP 2121, Superintendent's Contract (BP revised)
- BP 3600, Consultants (BP revised)
- AR 4030, Nondiscrimination in Employment (AR revised)
- BP 4033, Lactation Accommodation (BP revised)
- BP 4151,4251,4351, Employee Compensation (BP revised)
- BP/AR 5117, Inter-district Attendance (BP/AR revised)
- AR 5125, Student Records (AR revised)
- BP/AR 5131.2, Bullying (BP/AR revised)
- BP/AR 5141.21, Administering Medication and Monitoring Health Conditions (BP/AR revised)
- BP/AR 6143, Courses of Study (BP/AR revised)
- BP 6154, Homework/Makeup work
- AR 6174, Education for English Learners (AR revised)

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to adopt the roster.

NOTES

If pulled from Consent

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

CSBA Sample

Board Policy

Administration

BP 2121(a)

SUPERINTENDENT'S CONTRACT

Note: The following **optional** policy should be modified to reflect district practice.

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent ~~are to~~ **will** work together **as a governance team** to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the ~~need for~~ **value of** stability in district administration, ~~and shall ensure~~ the best use of district resources, **and the Board's duty to ensure accountability to the public for the performance of the district's schools.**

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 4312.1 - Contracts)

(cf. 9000 - Role of the Board)

Note: The following list of contract components is consistent with a template for superintendent contracts developed by CSBA. The annotated template contract with additional context and suggestions is available **through CSBA's web site** by contacting legal@csba.org.

The contract shall be reviewed by the district's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position, **including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board**

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

4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

(cf. 3350 - Travel Expenses)

SUPERINTENDENT'S CONTRACT (continued)

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the Superintendent's use of his/her a personal vehicle.

(cf. 4040 - Employee Use of Technology)

5. Vacation, illness and injury leave, and personal leaves

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

(cf. 4161.5/4261.5/4361.5 - Military Leave)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

6. Professional development

6.7. General duties and responsibilities of the position

(cf. 2110 - Superintendent Responsibilities and Duties)

7.8. Criteria, process, and procedure for annual evaluation of the Superintendent

(cf. 2140 - Evaluation of the Superintendent)

8. A statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board

9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract

Note: Pursuant to Education Code 35031, if the Governing Board decides not to reemploy the Superintendent, it must notify him/her provide notification at least 45 days before the contract expires. If the Board fails to provide the required prior written notice, the Superintendent shall be deemed reemployed for a term of the same length as the one completed, under the same terms and conditions, and with the same compensation.
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10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice

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

SUPERINTENDENT'S CONTRACT (continued)

Note: See section on "Termination of Contract" below for limitations to maximum cash settlements.

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date
12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in ~~his/her~~ **the Superintendent's** official capacity in the performance of **employment-related** duties ~~related to his/her employment~~

Note: Pursuant to Government Code 54957, personnel matters related to the appointment or employment of an employee may be discussed in closed session under the "personnel exception." However, Government Code 54957 prohibits the use of closed session for discussion or action on any proposed change in compensation other than a reduction of compensation that results from the imposition of discipline. In San Diego Union v. City Council, a California Court of Appeal held that the "personnel exception" provided in Government Code 54957 does not extend to discussions of salary and compensation.

Notwithstanding Government Code 54957, the Board is authorized pursuant to Government Code 54957.6, the "labor exception," to hold closed sessions with the district's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees, including the Superintendent. The Attorney General has opined in 57 Ops. Cal. Atty. Gen. 209 (1974) that a board may only meet in closed session for such purposes with a designated representative who is involved with the "bona fide" negotiations with represented and/or unrepresented employees. The Attorney General's publication The Brown Act: Open Meetings for Local Legislative Bodies, also states that the "labor exception" applies to meeting in closed session to instruct its representatives concerning negotiations with prospective employees. Boards wishing to discuss the Superintendent's salary in closed session under the "labor exception" are encouraged to consult legal counsel before doing so.

In addition, pursuant to Government Code 54956, the Board is prohibited from deliberating on the salary or other compensation of the Superintendent at a special meeting. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session Purposes and Agendas.

The following paragraph should be revised to reflect district practice.

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

SUPERINTENDENT'S CONTRACT (continued)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session ~~Purposes and Agendas~~)

(cf. ~~9321.1 - Closed Session Actions and Reports~~)

Terms of the contract shall remain confidential until the ratification process commences.

(cf. 9011 - Disclosure of Confidential/Privileged Information)

Note: Pursuant to Government Code 54953, ~~as amended by SB 1436 (Ch. 175, Statutes of 2016)~~, the Board must, in open session, orally report a summary of the recommendation for final action on the Superintendent's salary or benefits and must make related records available to the public in accordance with the California Public Records Act. Thus, Government Code 54953 limits the Board's ability to approve changes to salary or benefits as part of a consent calendar and instead requires such approval to be a separate agenda item. For identical requirements regarding final action on the salary or benefits ~~or of~~ other district executives, see BP 4312.1 - Contracts.

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953, ~~54957.6~~)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Termination of Contract

Note: Pursuant to Government Code 53260, every employee contract must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to ~~his/her~~ **the** monthly salary multiplied by the number of months left on the contract. For a Superintendent contract, ~~executed prior to January 1, 2016, if the unexpired term is greater than 18 months, this maximum is equal to the monthly salary multiplied by 18. For a Superintendent contract executed on or after January 1, 2016,~~ Government Code 53260 provides that the maximum cash settlement is the monthly salary multiplied by 12. Cash settlements may be less than these maximums. The district must make **contracts of employment, which include the** termination agreements, available to the public upon request. See AR 4117.5/4217.5/4317.5 - Termination Agreements.

SUPERINTENDENT'S CONTRACT (continued)

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

In such an event, **any the maximum** cash settlement that the Superintendent may receive upon termination of the contract shall not exceed **his/her the Superintendent's** monthly salary multiplied by the number of months left on the contract or, ~~if the unexpired term of the contract is more than 18 months and the contract was executed prior to January 1, 2016, no greater than the Superintendent's monthly salary multiplied by 18. For any contract executed on or after January 1, 2016, any cash settlement shall not exceed~~ the Superintendent's monthly salary multiplied by 12, **whichever is less.** (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of **his/her** office or position, **he/she the Superintendent** shall reimburse the district for payments **he/she receives received** as paid leave salary pending investigation or as cash settlement upon **his/her** termination, and for any funds expended by the district in **his/her defense defending the Superintendent** against a crime involving **his/her the Superintendent's** office or position. (Government Code 53243-53243.4, 53260)

Legal Reference: (see next page)

SUPERINTENDENT'S CONTRACT (continued)

Legal Reference:

EDUCATION CODE

35031 *Term of employment*

41325-~~41329.3~~ **41328** *Conditions of emergency apportionment*

GOVERNMENT CODE

3511.1-3511.2 *Local agency executives*

6250-6270 *California Public Records Act*

53243-53243.4 *Abuse of office*

53260-53264 *Employment contracts*

54953 *Oral summary of recommended salary and benefits of superintendent*

54954 *Time and place of regular meetings*

54956 *Special meetings*

54957 *Closed session personnel matters*

54957.1 *Closed session, public report of action taken*

54957.6 *Closed sessions regarding employee matters*

UNITED STATES CODE, TITLE 26

105 *Self-insured medical reimbursement plan; definition of highly compensated individual*

UNITED STATES CODE, TITLE 42

300gg-16 *Group health plan; nondiscrimination in favor of highly compensated individuals*

CODE OF FEDERAL REGULATIONS, TITLE 26

1.105-11 *Self-insured medical reimbursement plan*

COURT DECISIONS

San Diego Union v. City Council (1983) 146 Cal.App.3d 947

ATTORNEY GENERAL OPINIONS

57 *Ops. Cal. Atty. Gen.* 209 (1974)

Management Resources:

CSBA PUBLICATIONS

Superintendent Contract Template, ~~2015~~

ATTORNEY GENERAL PUBLICATIONS

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

WEB SITES

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

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

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

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Policy Reference UPDATE Service

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CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3600(a)

CONSULTANTS

The Governing Board authorizes the use of consultants **and other independent contractors** to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as **consultants independent contractors** may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

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

Note: Internal Revenue Service (IRS) Publication 15-A identifies 20 common law factors which the IRS uses to determine whether an individual is an employee or an independent contractor.

Labor Code 2750.3, as added by AB 5 (Ch. 296, Statutes of 2019), codifies the three-part "ABC" test established in Dynamex Operations West, Inc. v. Superior Court of Los Angeles to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Although Labor Code 2750.3 does not explicitly state whether it applies to public agencies, CSBA recommends that districts adhere to its provisions.

AB 5 also amended Unemployment Insurance Code 606.5 and 621 to incorporate the three-part ABC test from the Dynamex decision. Since public school employers are subject to certain provisions in the Unemployment Insurance Code, districts should apply the three-part ABC test to determine a worker's eligibility for unemployment benefits.

Pursuant to Labor Code 2750.3, a person is considered to be an independent contractor rather than an employee if the person (1) is free from the control and direction of the district in connection with the performance of the work, (2) performs work that is outside the usual course of providing educational services, (i.e. services provided by the person's own independent business and not services that ordinarily would be performed by district employees), and (3) is customarily engaged in an independently established trade, occupation, or business.

Labor Code 2750.3 establishes exceptions to the use of the three-part ABC test, including (1) when a person's status as an employee or independent contractor is defined by the Labor Code, Unemployment Insurance Code, or an applicable wage order of the Industrial Welfare Commission; (2) when a court rules that the three-part test cannot be applied to a particular context; or (3) when specifically exempted within Labor Code 2750.3. Under the second and third scenarios, the determination of whether a person is an employee or independent contractor is then made pursuant to the court's decision in S.G. Borello & Sons, Inc. v. Department of Industrial Relations, which made employment status a fact-dependent ruling based on the extent to which the employer had a right to control the work that was being done. Tutors are potentially excepted from the three-part test in Labor Code 2750.3 if they develop and teach their own curriculum, but not if they teach a curriculum created by a public school or contract with a public school through a referral company.

CONSULTANTS (continued)

As this area of law is complex and may alter the legal and financial obligations of the district to particular workers (e.g., eligibility for workers compensation, unemployment and disability insurance benefits, and district health and welfare benefits), legal counsel should be consulted when questions arise regarding the status of those who provide services to the district for remuneration.

As part of the contract process, the Superintendent or designee shall determine, in accordance with Internal Revenue Service guidelines, that the consultant individual, firm, or organization is properly classified as an independent contractor. A person, firm, or organization shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code 2750.3)

1. The person or entity is free from the control and direction of the district in connection with the performance of the work.
2. The person or entity is performing work that is outside the usual course of the district providing educational services.
3. The person or entity is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

Specific statutory exceptions to this analysis for the determination of whether a person, firm, or organization is an independent contractor may apply. (Labor Code 2750.3)

District employees who perform extra-duty consultant services shall not be retained as independent contractors. They shall be considered employees for all purposes, even if the additional services are not related to their regular duties.

All consultant contracts shall be brought to the Board for approval.

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

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

The district shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond the district's control.

All qualified firms or resource persons independent contractors shall be accorded equal opportunity for consultant contracts regardless of actual or perceived race, creed, color, gender, national or ethnic origin, age or disability, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender

CONSULTANTS (continued)

identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)

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

(cf. 0415 - Equity)

(cf. 3311 - Bids)

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

(cf. 4030 - Nondiscrimination in Employment)

Independent contractors ~~applying for a consultant contract~~ shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend ~~the consultant's employment approval of the contract~~.

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

(cf. 9270 - Conflict of Interest)

When employees of a public university, county office of education, or other public agency serve as consultants or resource persons **independent contractors in other capacities** for the district, they shall certify as part of the ~~consultant~~ agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for ~~this the~~ district.

Note: Pursuant to Government Code 12940, certain protections afforded to employees are extended to independent contractors; see BP/AR 4030 - Nondiscrimination in Employment. Government Code 12940 also provides that the district may be held liable for sexual harassment committed against employees by nonemployees, including independent contractors, if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940)

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

Legal Reference: (see next page)

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

10400-10407 Cooperative improvement programs

17596 Limit on continuing contracts

35010 Control of districts; prescription and enforcement of rules

35172 Promotional activities

35204 Contract with attorney

44925 Part-time readers employed as independent contractors

45103 Classified service in districts not incorporating the merit system

45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

45256 Merit system districts; classified service; positions established for professional experts on a temporary basis

GOVERNMENT CODE

12940 Unlawful employment practices

53060 Contract for special services and advice

82019 Designated employee

87302 Conflict of interest code

LABOR CODE

2750.3 ABC three-part test: employees and independent contractors

UNEMPLOYMENT INSURANCE CODE

606.5 Determination of employment status

621 Employer and employee defined

CODE OF REGULATIONS, TITLE 2

18700.3 Consultant

COURT DECISIONS

Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal. 5th 903

S.G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal. 3d 341

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

15-A Employer's Supplemental Tax Guide

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

All Personnel

AR 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: Pursuant to Government Code 11138 and 2 CCR 11023, districts are **mandated** to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to Government Code 12940, protections against discrimination apply to employees, job applicants, persons who serve in **an** unpaid internship or other limited-duration programs **s** to gain unpaid work experience, volunteers, and independent contractors.

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or **other** person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4032 - Reasonable Accommodation)

Note: Many nondiscrimination laws and regulations require identification of an employee who **will be is** responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and contact information.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to **coordinate organize and manage** the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Superintendent
(position title)
1575 Old Ranch Road, Placerville, CA. 95667
(address)
(530) 626-3194
(telephone number)
(first initial of first name plus entire last name) @gtusd.org
(email)

NONDISCRIMINATION IN EMPLOYMENT (continued)**Measures to Prevent Discrimination**

Note: Pursuant to Government Code 12940 and 2 CCR 11023, the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023 specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

Note: Pursuant to Government Code 12950, districts are required to post the California Department of Fair Employment and Housing's (DFEH) posters entitled California Law Prohibits Workplace Discrimination and Harassment and Transgender Rights in the Workplace, as provided in item #1. DFEH rules require that these materials be posted electronically and in every location where the district has employees (e.g., district office, hiring office, each school site). These posters and the rules for posting are available on the DFEH web site.

In addition, 2 CCR 11049 requires posting a notice of the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth. **Also see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.**

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically **in a conspicuous location** on computers **in a conspicuous location, the for employee use, up-to-date** California Department of Fair Employment and Housing (DFEH) posters **in regard to on the prohibition of** workplace discrimination and harassment, **and the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth** (Government Code 12950; **2 CCR 11013, 11023, 11049**)

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

(cf. **4161.8/4261.8/4361.8 - Family Care and Medical Leave**)

2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
 - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
 - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

NONDISCRIMINATION IN EMPLOYMENT (continued)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4111/4211/4311 - Recruitment and Selection)

3. Disseminate the district's nondiscrimination policy **and administrative regulation** to all employees by one or more of the following methods: (2 CCR 11023)
 - a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending the policy a copy via email with an acknowledgment return form
 - c. Posting the policy a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
 - e. Any other way that ensures employees receive and understand the policy

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

4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

Note: **Optional item** #5 below provides for training regarding the district's discrimination policy and reporting procedures. For requirements specifically pertaining to sexual harassment training, see AR 4119.11/4219.11/4319.11 - Sexual Harassment. Pursuant to Government Code 12950.1, **as amended by SB 778 (Ch. 215, Statutes of 2019)**, if the district has 50 or more employees, it must provide at least two hours of staff development regarding sexual harassment to all supervisory employees within six months of their assumption of a supervisory position and once every two years thereafter. **As amended by SB 1343 (Ch. 956, Statutes of 2018)**, Government Code 12950.1 requires any district that has five or more employees **to must** provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, **2020 2021** and once every two years thereafter.

5. Provide training **to employees, volunteers, and interns** regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

NONDISCRIMINATION IN EMPLOYMENT (continued)

~~Note: Pursuant to Government Code 12950.2, as added by SB 1300 (Ch. 955, Statutes of 2018), districts are authorized, but not required, to provide bystander intervention training as provided below.~~

The district may also provide bystander intervention training to employees ~~that~~ **which** includes information and practical guidance on how to recognize potentially problematic behaviors and **which may** motivates them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce **(2 CCR 11023)**

Complaint Procedure

Note: 2 CCR 11023 **mandates** that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Courts have held that ~~an employer may mitigate~~ liability **may be mitigated** for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, the Equal Employment Opportunity Commission (EEOC) outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with EEOC or DFEH.

While EEOC's guidance recommends a "prompt" investigation, neither the law nor EEOC delineates a specific time frame for resolution. EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

The following section, including the listed timelines, is consistent with EEOC's guidance and should be modified to reflect district practice.

NONDISCRIMINATION IN EMPLOYMENT (continued)

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The ~~employee's~~ **complainant's** direct supervisor may be bypassed in filing a complaint ~~where~~ **when** the supervisor is the subject of the complaint.

The complainant may ~~file a written complaint in accordance with this procedure or may first attempt to resolve the situation informally with the~~ ~~employee's~~ **complainant's** supervisor **before filing a written complaint.**

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, ~~other~~ **any available** evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be ~~revealed~~ **disclosed** as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

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

NONDISCRIMINATION IN EMPLOYMENT (continued)

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed **in order** to ~~ensure that~~ **prevent** further incidents ~~are prevented~~. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

NONDISCRIMINATION IN EMPLOYMENT (continued)**Other Remedies**

Note: Items #1-3 below state the time limits within which ~~employees must file their~~ complaints **must be filed**. EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about timeframes for filing charges of unlawful discrimination or harassment with EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the district's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to EEOC when the matter falls within EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: **As amended by AB 9 (Ch. 709, Statutes of 2019), Government Code 12960 extends the period of time in which a complaint alleging employment discrimination pursuant to Government Code 12940-12952 may be filed with DFEH, from one year to three years following the alleged discriminatory act(s). Pursuant to Government Code 12960, an employee has one year to file a complaint with DFEH, although that** ~~That period may be extended under certain circumstances. Districts should consult legal counsel if any questions arise., such as when a person obtains knowledge of the unlawful practice after the expiration of the one-year period.~~

1. ~~To file a valid~~ **For filing a** complaint with DFEH **alleging a violation of Government Code 12940-12952**, within ~~one year~~ **three years** of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 **(Government Code 12960)**

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. ~~To file a valid~~ **For filing a** complaint ~~directly~~ with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. ~~To file a valid~~ **For filing a** complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

(12/16 3/19) 12/19

CSBA Sample Board Policy

All Personnel

BP 4033(a)

LACTATION ACCOMMODATION

Note: ~~The following optional policy may be revised to reflect district practice.~~ Pursuant to Labor Code 1034, as added by SB 142 (Ch. 720, Statutes of 2019), districts are mandated to develop policy regarding lactation accommodation with specified components, as provided below.

Both federal and state law require that employees be provided reasonable break time and an appropriate location to accommodate their desire to express milk for their infant children. ~~The Patient Protection and Affordable Care Act (P.L. 111-148, 2010) amended 29 USC 207, of the Fair Labor Standards Act (FLSA) to require~~ employers to provide reasonable break time for nursing ~~mothers~~ employees, but applies only to employees who are not exempt from the overtime pay requirements of the ~~Fair Labor Standards Act (FLSA)~~ (i.e., classified employees). State law (Labor Code 1030-~~1033~~ 1034) applies to all district employees. Where provisions of the two laws conflict, the statute providing greater protections for employees supersedes. The district should consult legal counsel if questions arise about the application of these laws to a particular employee.

~~The Fair Employment and Housing Commission has determined that, because breastfeeding is an activity intrinsic to females, termination of an employee because she was still breastfeeding after returning to work from pregnancy disability leave was sexual discrimination in violation of Government Code 12940 and 12945 (Chavez v. Acosta Taecos).~~ Government Code 12926 includes breastfeeding or medical conditions related to breastfeeding within the definition of "sex" for purposes of sex discrimination under the California Fair Employment and Housing Act. Furthermore, Additionally, Labor Code 1033, as amended by SB 142, prohibits an employer from discharging or in any manner discriminating or retaliating against an employee for exercising or attempting to exercise any right related to lactation accommodation. Pursuant to Labor Code 1033, violation of Labor Code 1030-~~1033~~ 1034 may result in a citation from the Labor Commissioner and/or a civil penalty.

The district should ensure consistency of this policy with provisions in the district's collective bargaining agreement, if any, related to break times or other employment issues.

The Governing Board recognizes the immediate and long-term health ~~advantages~~ benefits of breastfeeding ~~for infants and mothers~~ and desires to provide a supportive environment for any district employee to express milk for ~~her~~ an infant child upon ~~her~~ returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee ~~who chooses~~ for seeking an accommodation to express breast milk for ~~her~~ an infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

Note: ~~Although 29 USC 207 limits the length of time that a classified employee is entitled to lactation accommodation to one year after the birth of the child, Labor Code 1030-1033 does not set a specific limit on the infant child's age and therefore provides greater benefits to employees.~~

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child. (Labor Code 1030)

LACTATION ACCOMMODATION (continued)

Note: Labor Code 1030 and 29 USC 207 do not require the district to compensate non-exempt employees for breaks taken for the purpose of expressing milk. However, an employee who uses break time already provided by the district as paid time must be compensated for that break time in the same manner as any other employee. Any additional time beyond the authorized paid break time could be uncompensated, provided the employee is completely relieved from duty during that time. If the district chooses to provide compensation during extended break time, it should modify the following paragraph accordingly. The district also may provide flexible scheduling for those employees who choose to make up for any unpaid break time.

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

Note: Labor Code 1031 requires the district to make reasonable efforts to provide an employee with the use of a private room or other location, except a toilet stall, in close proximity to the employee's work area, which may include the place where the employee normally works if the location otherwise meets legal requirements. 29 USC 207, applicable to classified employees, specifies that the location must be shielded from view and free from intrusion from coworkers and the public. A fact sheet issued by the U.S. Department of Labor's (DOL) Wage and Hour Division, Break Time for Nursing Mothers under the FLSA, clarifies that the location provided by the district could be a space temporarily created or converted into a space for expressing milk as long as it is functional and meets all requirements of law.

The DOL has preliminarily interpreted an employee's right to express milk for her infant child to include the ability to safely store the milk (75 Fed. Reg. 244, page 80076). According to the DOL, this might include providing access to a refrigerator or ice chest or allowing the employee to bring an insulated food container to work.

A fact sheet issued by the California Department of Public Health, Minimum Requirements of the California Lactation Accommodation Law, recommends that the location should have the following items: a comfortable chair, small table, electrical outlet, a sink with a safe water source, disinfectant dish soap, and paper towels.

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Note: Labor Code 1034, as added by SB 142, mandates that the district's policy regarding lactation accommodation include the process by which the employee is to make a lactation accommodation request and the district's obligation to respond to the request. The following paragraph should be modified to reflect the district's process.

An employee is encouraged to **shall** notify **the employee's** supervisor or other appropriate personnel in advance of their intent to **request an** accommodations offered for employees who are nursing mothers. **As needed, the supervisor shall** **The supervisor shall respond to the request and shall** work with the employee to **address make** arrangements. **and If needed, the supervisor shall address** scheduling in order to ensure that the employee's essential job duties are covered during the break time.

LACTATION ACCOMMODATION (continued)

Note: Pursuant to Labor Code 1032, all districts are required to grant lactation accommodation except when granting the provides exceptions to the requirement for lactation accommodation when providing such accommodation would "seriously disrupt" district operations. "Serious disruption" is not defined in the law.

Additionally, Labor Code 1031, as amended by SB 142, 29 USC 207 provides an exceptions for districts with fewer than 50 employees when lactation accommodation would result in "undue hardship" based on significant difficulty or expense in relation to the size, financial resources, nature, or structure of the district. In this case, the exception is limited to districts with fewer than 50 employees and applies to classified employees only. When such a district is able to demonstrate undue hardship, Labor Code 1031 only requires that reasonable efforts be made to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. Pursuant to Labor Code 1031, the provided room or location may not be a toilet stall.

Regardless of the size of the district, the determination of serious disruption or undue hardship should be made on a case-by-case basis and only in limited, stringent circumstances. The burden of demonstrating why accommodation could not be made, even if on a temporary basis or for less time than requested, would likely fall to the district.

Lactation accommodations may be denied only in limited circumstances shall be granted in accordance with law unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Note: Labor Code 1034, as added by SB 142, mandates that the district's policy include a statement that the district provide a written response to an employee if the district is unable to comply with the break time or location requirements.

Before an employee's supervisor makes a determination is made to deny lactation accommodations to an employee, he/she the employee's supervisor shall consult with the Superintendent or designee. In any case in which When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

Note: Labor Code 1034, as added by SB 142, mandates that the district's policy regarding lactation accommodation be distributed to employees as provided in the following paragraph.

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

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

LACTATION ACCOMMODATION (continued)

Break Time and Location Requirements

Note: Although 29 USC 207 limits the length of time that a classified employee is entitled to lactation accommodation to one year after the birth of the child, Labor Code 1030-1033 does not set a specific limit on the infant child's age and therefore provides greater benefits to employees.

The district shall provide a reasonable amount of break time to accommodate an employee each time ~~she~~ **the employee** has a need to express breast milk for ~~her~~ **an** infant child. (Labor Code 1030)

Note: Labor Code 1030 and 29 USC 207 do not require the district to compensate non-exempt employees for breaks taken for the purpose of expressing milk. However, an employee who uses break time already provided by the district as paid time must be compensated for that break time in the same manner as any other employee. Any additional time beyond the authorized paid break time could be uncompensated, provided the employee is completely relieved from duty during that time. If the district **instead** chooses to provide compensation ~~during extended~~ **for such additional** break time, it should modify the following paragraph accordingly. The district also may provide flexible scheduling for those employees who choose to **work extra time** to make up for any ~~unpaid~~ **uncompensated** break time **beyond the authorized break time**.

To the extent possible, ~~such~~ **any** break time **granted for lactation accommodation** shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

Note: Labor Code 1031, as amended by SB 142, requires the district to provide an employee with the use of a room or location, other than a bathroom, to express milk in private. This may include the place where the employee normally works if the location otherwise meets legal requirements, as specified below. Labor Code 1031 authorizes the district to designate a temporary location to express milk if the district is unable to provide a permanent location due to operational, financial, or space limitation, as long as the space is in close proximity to the employee's work area, shielded from view, free from intrusion while breast milk is being expressed, and is otherwise compliant with law.

The employee shall be provided ~~the~~ **the** use of a private room or location, other than a ~~restroom~~ **bathroom, which may be the employee's work area or another location that** ~~which~~ is in close proximity to ~~the employee's her~~ **the employee's** work area. ~~The room or location provided shall and meets the following requirements: of (Labor Code 1031; and 29 USC 207), as applicable.~~

1. **Is shielded from view and free from intrusion while the employee is expressing milk**
2. **Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382**
3. **Contains a place to sit and a surface to place a breast pump and personal items**

LACTATION ACCOMMODATION (continued)

4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

Note: The following paragraph is mandated pursuant to Labor Code 1034, as added by SB 142.

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

(cf. 4144/4244/4344 - Complaints)

Legal Reference:

EDUCATION CODE

200-262.4 **Educational equity; prohibition of discrimination on the basis of sex**

CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

12926 Definition of sex; breastfeeding

12940 **Unlawful discriminatory employment practices**

12945 **Unlawful discrimination based on pregnancy, childbirth, or related medical conditions**

LABOR CODE

1030-~~1033~~ **1034** Lactation accommodation

6382 Procedure for listing hazardous substances

CODE OF REGULATIONS, TITLE 2

11035-~~11049~~ **11051** **Unlawful sex discrimination; pregnancy and related medical conditions**

UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

Management Resources: (see next page)

LACTATION ACCOMMODATION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Minimum Requirements of the California Lactation Accommodation Law **Lactation Accommodation for**

Employers

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Program Toolkit

FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS

The Surgeon General's Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Frequently Asked Questions- Break Time for Nursing Mothers

Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018

Fact Sheet #3: Break Time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse> California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children **Program**: <http://www.wicworks.ca.gov>

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

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

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Board Policy

All Personnel

BP 4151(a)

4251

EMPLOYEE COMPENSATION

4351

Note: Districts that include provisions related to employee compensation in their collective bargaining agreements should modify or delete the following **optional** policy accordingly.

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

(cf. 3400 - Management of Districts Assets/Accounts)

(cf. 4000 - Concepts and Roles)

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

Note: Education Code 45023 and 45162 require the Governing Board to adopt salary schedules for certificated and classified employees, respectively. For districts operating under a merit system, Education Code 45268 specifies that the personnel commission will recommend a salary schedule for classified employees to the Board for approval and that the Board may not amend the schedule without first giving the commission an opportunity to respond to the amendments.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, **45268**)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for **years of training education level** and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

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

(cf. 4312.1 - Contracts)

EMPLOYEE COMPENSATION (continued)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments **over the year** ~~instead of by the school month~~. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

~~Pursuant to 26 CFR 1.409A-1, the practice of paying employees who work 10 months per year is a form of "deferred compensation." If the district allows employees to "elect" whether to receive their paychecks in such a manner, then according to the IRS, such employees must submit written election forms to the district in order to avoid any additional tax on the deferred compensation. If the district requires employees to receive their paychecks in such a manner without offering them an option, then the employees do not need to complete election forms, but the district must develop a written document describing how the employees will be paid, including the dates, schedule, and amounts of payment.~~

Education Code 45048 and 45165 provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (**FLSA**) (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

Note: Pursuant to the ~~federal Fair Labor Standards Act (FLSA)~~ (29 CFR 553.20) **and Labor Code 510**, employees who are not specifically exempted by law must receive overtime pay at a rate not less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours per work week. Furthermore, ~~state law~~ (Labor Code 510) entitles employees to an overtime pay rate after working eight hours in one day, unless an alternative **work week** schedule allowed by law is approved. **Pursuant to Labor Code 510, if an employee works more than 12 hours per work day or more than eight hours on the seventh consecutive day of work, the employee must be paid twice the regular salary.**

EMPLOYEE COMPENSATION (continued)

Pursuant to 29 CFR 541.0-541.710, employees are exempt from the FLSA overtime rules if they are executive, administrative, or professional staff, as defined, and their salary is at or above the salary level established in 29 CFR 541.600, as amended by 81 Fed. Reg. 32391. This salary level will automatically be updated every three years beginning January 1, 2020 according to the method specified in 29 CFR 541.607. Because the federal salary limit qualifying for exemption is higher than the California salary test, the federal limit prevails. **On September 24, 2019, the U.S. Department of Labor issued a final rule (29 CFR 541.600) raising the federal salary threshold for this exemption. However, the threshold is higher in California and thus state law prevails.** Pursuant to **Labor Code 515**, executive, administrative, or professional employees are exempt from the FLSA overtime rules if they are executive, administrative, or professional staff, as defined, and their **monthly salary is at least twice the state minimum wage for full-time employment. Furthermore, the salary threshold is not affected by any local minimum wage that is higher than the state minimum wage.**

When calculating the overtime rate of pay, 29 USC 207 requires that all remuneration for employment paid to or on behalf of the employee, with specified exclusions, be considered as part of the employee's regular rate of pay. In *Flores v. City of San Gabriel*, the appeals court ruled that cash payments made in lieu of benefits must be included in the calculation.

Overtime pay requirements are **also** not applicable to school administrators or teachers in elementary or secondary schools under specific exemptions in 29 USC 213 and 29 CFR 541.303. Pursuant to 29 CFR 541.303 and 541.600, teachers do not need to meet the salary level requirement to be exempt from overtime rules. 29 CFR 541.204 provides that, **to be exempt from overtime rules**, administrators must either meet the salary level requirement or be compensated on a salary basis that is at least equal to the entrance salary for teachers in the administrator's school **to be exempt from overtime rules.**

Ad District employees shall be paid an overtime rate of not less than one and one-half times **his/her their** regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, **or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work.** However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a **fixed salary at or above the salary level established by federal regulations monthly salary that is at least twice the state minimum wage for full-time employment.** (Labor Code 510, **515**; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

Note: The following **optional** paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

Pursuant to 29 CFR 553.21, an employee must be allowed to use earned compensatory time within a "reasonable period" after making the request. 29 CFR 553.25 provides that a "reasonable period" is determined on a case-by-case basis by considering customary work practices such as the normal work schedule, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff.

EMPLOYEE COMPENSATION (continued)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided **he/she the employee** has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

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

Legal Reference: (see next page)

EMPLOYEE COMPENSATION (continued)

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules

515 Overtime exemption for administrative, executive, and professional employees

CODE OF REGULATIONS, TITLE 8

11040 Wages and hours; definitions of administrative, executive, and professional employees

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

UNITED STATES CODE, TITLE 29

201-219 Fair Labor Standards Act, especially:

203 Definitions

207 Overtime

213 Exemptions from minimum wage and overtime requirements

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

CODE OF FEDERAL REGULATIONS, TITLE 29

516.4 Notice of minimum wage and overtime provisions

516.5-516.6 Records

541.0-541.710 Exemptions for executive, administrative, and professional employees

553.1-553.51 Fair Labor Standards Act; applicability to public agencies

COURT DECISIONS

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

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

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

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Board Policy

Students

BP 5117(a)

INTERDISTRICT ATTENDANCE

Note: The Education Code provides a number of options under which a district may enroll a student whose parent/guardian does not reside within district boundaries. Under an "interdistrict attendance permit" or "reciprocal agreement" pursuant to Education Code 46600-46610, a student may attend school in a different district when both the district of residence and the district of proposed attendance agree (Option 1 below). Alternatively, pursuant to Education Code 48300-48317, the Governing Board may declare the district to be a "school district of choice" willing to accept a specific number of interdistrict transfers into the district through a random selection process (Option 2 below). In order to maintain the integrity of the random selection process, it is recommended that a school district of choice not also accept transfers under the interdistrict attendance permit option except when extraordinary circumstances exist, as provided in Option 2 below. Districts that wish to use both sources of authority should consult legal counsel.

In addition, pursuant to Education Code 48204, a district may authorize a student whose parent/guardian is employed within district boundaries to attend a school in the district (Allen bill transfer); see AR 5111.1 - District Residency.

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following section is for use by districts that have entered into an agreement with one or more other districts to accept student transfers through interdistrict attendance permits pursuant to Education Code 46600-46610. Districts selecting this option should also select Option 1 in the accompanying administrative regulation.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

Note: Education Code 46600 requires that the interdistrict attendance agreement specify the terms and conditions under which individual permits may be granted or denied. In addition, pursuant to Education Code 46600, students who have been granted an interdistrict attendance permit must be allowed to continue to attend the school without having to reapply unless the agreement between the two districts contains specific agreed-upon standards for reapplication; see the accompanying administrative regulation. Districts also may include in the agreement the agreed-upon standards for revocation of students' interdistrict attendance. Examples of conditions that may result in revocation include falsification of information stated on the permit application, unsatisfactory attendance, continual disruption, or poor academic achievement.

INTERDISTRICT ATTENDANCE (continued)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed ~~to~~ **upon** by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Note: Pursuant to Education Code 46600, it is the responsibility of the superintendent or designee of the district of residence, subject to board policies of the district of residence and terms of the agreement, to issue an individual permit verifying the district's approval of an interdistrict transfer out of the district. The permit shall become valid when endorsed by the board's designee in the district of proposed enrollment.

See the accompanying administrative regulation for procedures to follow when the permit is denied.

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

OPTION 2: School District of Choice Program

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48317. Pursuant to Education Code 48301, such a district must register as a school district of choice with the Superintendent of Public Instruction and County Board of Education before enrolling students under this option. Districts selecting this option should also select Option 2 in the accompanying administrative regulation.

The Board has designated the district as a "school district of choice" and shall accept students who reside within other California school districts who wish to attend a district school.

The Board shall, by resolution, annually establish the number of students who will be accepted into the district through this program based on recommendations by the Superintendent or designee as to the number of transfer students the district will be able to accept and the schools, grades, and programs that will be able to accept the students. Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity, as required pursuant to Education Code 48301.

Note: Education Code 48301 requires a random, unbiased process for selecting students who will be admitted through the school district of choice program and prohibits consideration of certain characteristics and factors in making the selections. Pursuant to Education Code 48301, family income may only be considered to the extent necessary to determine enrollment priority pursuant to Education Code 48306; see the accompanying administrative regulation.

Students shall be admitted to district schools through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based upon the student's academic or athletic performance, physical condition, proficiency in

INTERDISTRICT ATTENDANCE (continued)

English, any of the individual characteristics set forth in Education Code 200, or family income. (Education Code 48301)

If the number of transfer applications exceeds the number of transfers the Board has elected to accept, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled Board meeting. (Education Code 48301)

Note: Because the school district of choice program requires a random selection process, it is recommended that participating districts not admit students through the interdistrict attendance permit process described in Option 1 above except under extraordinary circumstances. Such circumstances might include approving interdistrict attendance permits for students who are victims of an act of bullying. Such students are given priority for interdistrict attendance permits pursuant to Education Code 46600; see the accompanying administrative regulation.

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46610 except under extraordinary circumstances.

The Superintendent or designee shall keep an accounting of all requests for admittance **through the school district of choice program** and a record of their disposition, including, but not limited to, all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred into and out of the district pursuant to this program
3. The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, and the district of residence for each student transferred into or out of the district pursuant to this program
4. The number of students transferred into or out of the district pursuant to this program who are classified as English learners or students with disabilities

Note: Education Code 48311 authorizes, but does not require, a school district of choice to provide transportation to participating students to the extent that the district provides transportation assistance to other students. See section on "Transportation" below. Item #5 may be deleted by districts that do not provide transportation.

5. As applicable, the number of students described in items #3 and 4 above who are provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program

INTERDISTRICT ATTENDANCE (continued)

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-5 above. No later than October 15 of each year, the Superintendent or designee shall provide the same information for the current school year, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, and the Superintendent of Public Instruction. (Education Code 48313)

The district's compliance with specified program requirements shall be reviewed as part of the annual district audit conducted pursuant to Education Code 41020. (Education Code 48301)

(*cf. 3460 – Financial Reports and Accountability*)

Transportation

Note: The following **optional** section is for use by all districts and should be revised to reflect district practice. Districts are not required to provide transportation or transportation assistance to students admitted under an interdistrict attendance permit pursuant to Education Code 46600-46610, **except that Education Code 46600, as amended by AB 1127 (Ch. 781, Statutes of 2019), requires the district of enrollment to provide transportation assistance to a student who is eligible for free or reduced price meals and is either a child of an active military duty parent/guardian or a victim of an act of bullying, as defined in Education Code 48900.**

Pursuant to Education Code 48311, a school district of choice is authorized, but not required, to provide transportation assistance to the extent that the district otherwise provides transportation assistance to students.

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

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

The district shall not provide transportation beyond any school attendance area. Upon **In addition, upon** request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an **any** interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference: (see next page)

INTERDISTRICT ATTENDANCE (continued)

Legal Reference:

EDUCATION CODE

8151 Apprentices, exemption from interdistrict attendance agreement

41020 Annual district audits

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48317 Student attendance alternatives, school district of choice program

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals; enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

48985 Notices to parents in language other than English

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article I, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County (2011) 192 Cal.App.4th 234

Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

Management Resources:

WEB SITES

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

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

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CSBA Sample

Administrative Regulation

Students

AR 5117(a)

INTERDISTRICT ATTENDANCE

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following option is for use by districts that have entered into an agreement with one or more other school districts to accept transfers through the "interdistrict attendance permit" or "reciprocal agreement" process pursuant to Education Code 46600-46610. (See Option 1 in the accompanying Board policy.) In 87 Ops.Cal.Atty.Gen. 132 (2004), the Attorney General opined that districts could not charge students a fee for processing applications for interdistrict attendance.

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

Note: Pursuant to Education Code 46600.2, as added by AB 2826 (Ch. 550, Statutes of 2018), districts are required to post on their web sites, in a manner accessible to the public without a password, the procedures and timelines regarding a request for an interdistrict transfer permit.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year
2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence
3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision
4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request
5. Applicable timelines for processing a request, including the following statements:
 - a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.

INTERDISTRICT ATTENDANCE (continued)

- b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Note: Education Code 46600 requires districts to give priority for interdistrict attendance permits to a student who is a victim of an act of bullying, as provided below. For this purpose, Education Code 48900(r) defines bullying to include, but not be limited to, bullying committed by means of an electronic act directed specifically toward the student; see AR 5144.1 - Suspension and Expulsion/Due Process.

Priority for interdistrict attendance shall be given to a student who has been determined, **through an investigation** by ~~staff of~~ either the district of residence or district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (Education Code 46600)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

Note: As amended by AB 1127 (Ch. 781, Statutes of 2019), Education Code 46600 requires districts to ensure that students who are victims of bullying or are children of active duty military parents/guardians be selected through an unbiased process that prohibits consideration of specified characteristics.

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

In addition, the Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

Note: **Optional** items #1-11 below should be revised and/or deleted to reflect district practice.

1. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries

INTERDISTRICT ATTENDANCE (continued)

(cf. 5148 - Child Care and Development)

2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
4. To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year
5. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school
6. To allow a high school senior to attend the same school attended as a junior, even if the student's family moved out of the district during the junior year
7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the school year in the district
8. When the student will be living out of the district for one year or less
9. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

10. When there is valid interest in a particular educational program not offered in the district of residence
11. To provide a change in school environment for reasons of personal and social adjustment

<p>Note: In 84 Ops.Cal.Atty.Gen. 198 (2001), the Attorney General opined that a lack of school facilities is a justifiable reason for denial of the interdistrict attendance permit request. However, according to the Attorney General, once the student is admitted, the district may not later deny the student continued attendance at a district school because of overcrowding. Although Attorney General opinions are not binding on the courts, they are generally afforded deference in the court when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.</p>
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INTERDISTRICT ATTENDANCE (continued)

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

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

Note: Education Code 46600.2, as added by AB 2826, establishes the following timelines for notifying a student's parents/guardians of the district's final decision regarding the interdistrict transfer request.

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

Note: Education Code 46600.2, as added by AB 2826, requires a district that denies a request for an interdistrict transfer to give written notice to the parent/guardian of the right to appeal to the County Board of Education.

Pursuant to Education Code 46601, parents/guardians may submit their appeal to the County Board within 30 calendar days of the district's final denial of the permit. The County Board then has 30 calendar days, unless extended by an additional five school days for good cause, to make its determination as to whether the student should be allowed to attend the district of proposed enrollment and the applicable period of attendance. However, Education Code 46601 allows a class 1 county (i.e., a county with a 1994-95 average daily attendance (ADA) of 500,000 or more for all districts in the county), until July 1, 2023, 60 calendar days to make its determination.

Pursuant to Education Code 46602, if the County Board determines that the student should be permitted to attend the district of proposed enrollment, the district shall admit the student without delay.

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

INTERDISTRICT ATTENDANCE (continued)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

OPTION 2: School District of Choice Program

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48317. (See Option 2 in the accompanying Board policy.)

~~The Superintendent or designee shall communicate with parents/guardians regarding transfer opportunities under the school district of choice program. Communications sent to parents/guardians shall be available in all languages for which translations are required pursuant to Education Code 48985, shall be factually accurate, and shall not target particular neighborhoods or individual parents/guardians on the basis of a child's actual or perceived academic or athletic skill or any other personal characteristic. (Education Code 48301, 48980)~~

~~The Superintendent or designee shall also make public announcements regarding district schools, programs, policies, and procedures, including transportation options if applicable, during the enrollment period. (Education Code 48312)~~

Note: The following optional paragraph reflects Education Code 48302, which encourages districts to hold informational meetings as described below, and may be revised to reflect district practice.

INTERDISTRICT ATTENDANCE (continued)

~~The Superintendent or designee may hold informational meetings on the district's current educational programs, so that parents/guardians can provide input to the district on methods to improve current programs and make informed decisions regarding their children's education. (Education Code 48302)~~

~~The process for student transfers into the district under the school district of choice program, including, but not limited to, any applicable form, the timeline for a transfer, and an explanation of the selection process, shall be posted on the district's web site. (Education Code 48301)~~

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

~~Parents/guardians shall submit applications for interdistrict attendance to the district office before January 1 of the school year preceding the school year for which the student is requesting to be transferred. The application deadline may be waived upon agreement between the district and the student's district of residence. (Education Code 48308)~~

~~The application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48308)~~

~~(cf. 6173.2--Education of Children of Military Families)~~

~~Note: Pursuant to Education Code 48305, if the district chooses to use existing entrance criteria for specialized schools or programs, then the criteria must be uniformly applied. The following **optional** paragraph is for use by districts that choose to use existing entrance criteria.~~

~~Any existing entrance criteria for specialized schools or programs shall be uniformly applied to all applicants. (Education Code 48305)~~

~~The district may deny a transfer into the district under the school district of choice program if the transfer would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303)~~

~~Whenever the number of transfer applications exceeds the number of interdistrict transfers that may be accepted as annually determined by the Governing Board, students accepted for transfer shall be selected by a random drawing held in public at a regularly scheduled Board meeting before February 15 of the school year preceding the school year for which the transfer is sought. (Education Code 48301)~~

~~Priority for transfer under the school district of choice program shall be granted as follows: (Education Code 48306)~~

~~INTERDISTRICT ATTENDANCE~~ (continued)

~~1. First priority shall be given to siblings of students already in attendance in the district.~~

~~2. Second priority shall be given to students eligible for free or reduced price meals.~~

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

~~3. Third priority shall be given to children of military personnel.~~

~~No later than February 15 of the school year preceding the school year for which the student is requesting to be transferred, the Superintendent or designee shall notify the parent/guardian in writing whether the application has been provisionally accepted or rejected or of the student's position on any waiting list. (Education Code 48308)~~

~~If a student's application for transfer is accepted, the Superintendent or designee shall so notify the student's district of residence no later than February 15 of the school year preceding the school year for which the student is requesting to be transferred. (Education Code 48308)~~

~~The number of students accepted for transfer into the district, by school and grade level, shall be reported to the district of residence on or before February 15. (Education Code 48308)~~

~~If a student's application is denied, the Superintendent or designee shall notify the student's parents/guardians that the number of students requesting to transfer exceeded the district's capacity and that the student was not selected during the random drawing. Such determination shall be accurately recorded in the minutes of the Board meeting at which the determination was made. (Education Code 48308)~~

~~(cf. 9324 Minutes and Recordings)~~

~~For a student whose parent/guardian was relocated by the military less than 90 days prior to the submission of the application, the district shall make a final decision to accept or reject the application within 90 days of its receipt. If the student's application has been submitted less than 90 days prior to the beginning of the school year, then the district shall accept or deny the application before the school year begins. Upon acceptance, the student may immediately enroll in a district school. (Education Code 48308)~~

~~Vacancies may be filled from the waiting list until May 1 of the school year preceding the school year for which students are requesting to be transferred. (Education Code 48308)~~

~~The final number of students enrolled in the district through the school district of choice program, by school and grade level, along with the names of the students, shall be reported to the district of residence on or before May 2. (Education Code 48308)~~

INTERDISTRICT ATTENDANCE (continued)

~~Students admitted through the school district of choice program are deemed to have fulfilled district residency requirements pursuant to Education Code 48204. (Education Code 48301)~~

~~(cf. 5111.1—District Residency)~~

~~(cf. 5116.1—Intradistrict Open Enrollment)~~

~~Final acceptance of the transfer is applicable for one school year and shall be renewed automatically each year unless the Board, by adoption of a resolution, withdraws from participation in the program and no longer accepts transfer students from other districts. (Education Code 48308)~~

Note: The following paragraph may be revised by districts that do not maintain high schools.
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~~Even if the district withdraws from participation in the program, students who attended or received a notice of acceptance into the district before the Board's resolution of withdrawal shall be permitted to attend school in the district, and admitted high school students may continue attending school in the district until they graduate from high school. (Education Code 48307, 48308)~~

~~The district may accept any completed coursework, attendance, and other academic progress credited to an accepted student by any district(s) the student has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's academic progress. (Education Code 48309)~~

~~(cf. 6146.3—Reciprocity of Academic Credit)~~

~~The district may revoke a student's enrollment if the student is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)~~

Transfers Out of the District

Note: The following optional section is for use by all districts.
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~~A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)~~

Note: Pursuant to Education Code 46600, as amended by AB 1127, the district cannot prohibit a transfer out of the district for a victim of bullying if the district has only one school offering the student's grade level and thus is unable to grant an intradistrict transfer.
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If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the district shall not prohibit

INTERDISTRICT ATTENDANCE (continued)

the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (Education Code 46600)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

Note: Even if a district has not designated itself as a school district of choice, it has the authority pursuant to Education Code 48307 to limit the number of students transferring out of the district into other districts that have designated themselves as school districts of choice. A district with an ADA of more than 50,000 may annually limit the number of such transfers to one percent of its current year estimated ADA. A district with an ADA of 50,000 or less may limit the number of such transfers to three percent of its current estimated ADA and may limit the maximum number of such transfers for the duration of the program to 10 percent of the ADA for that period. In Walnut Valley Unified School District v. Superior Court of Los Angeles County, the appellate court held that the 10 percent cap on outbound transfers "for the duration of the program" should be based on the district's ADA over the entire life of the district of choice program (i.e., from the program's inception in 1994 until the present day). The district may revise item #1 to reflect the applicable percentage in Education Code 48307 based on its ADA.

1. — The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.
2. — The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.

(*cf.* 3100—Budget)

Note: Item #3 is **optional** and should be revised to reflect district practice. Education Code 48307 authorizes the district to prohibit a transfer out of the district under the school district of choice program if the Board determines that the transfer would negatively impact a court ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the district. Education Code 48307 provides that denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the constitutional provisions added by Proposition 209 in 1996 (California Constitution, Article 1, Section 31). It is recommended that districts consult legal counsel before adopting policy to allow denial of transfers on either of these bases.

3. — The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)
 - a. — A court ordered desegregation plan
 - b. — A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31

INTERDISTRICT ATTENDANCE (continued)

- e. ~~The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31~~

(10/17 3/19) 12/19

CSBA Sample

Administrative Regulation

Students

AR 5125(a)

STUDENT RECORDS

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Note: Guidance issued by the U.S. Department of Education (USDOE) and U.S. Department of Health and Human Services clarifies that a student's immunization and health record maintained by the district is a "student record" subject to the Family Educational Rights and Privacy Act (FERPA). ~~Also see BP/AR 5141.6—School Health Services.~~

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of ~~his/her~~ **the employee's** duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; ~~5 CCR 430~~; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; ~~5 CCR 430~~; 34 CFR 99.3)

1. Directory information

(cf. 5125.1 - Release of Directory Information)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

Note: USDOE guidance, ~~(Balancing Student Privacy and School Safety)~~, clarifies that records created by the district's law enforcement unit, such as student images appearing on security videotapes, are not considered student records under FERPA as long as the records are created for a law enforcement purpose.

3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

STUDENT RECORDS (continued)

4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family

Note: Pursuant to 34 CFR 99.3, the definition of "personally identifiable information" includes a personal identifier such as a student's social security number. Education Code 49076.7 prohibits districts from collecting or soliciting 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. If a social security number is collected under such circumstances, it must be classified as personally identifiable information and is subject to the restrictions related to access or de-identification of records specified in 34 CFR 99.30-99.39 and this administrative regulation.

4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)

STUDENT RECORDS (continued)

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Note: Education Code 49063 requires districts to include the criteria for defining "legitimate educational interest" and "school officials and employees" in their annual notification; see section "Notification of Parents/Guardians" below.

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose **official** duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require ~~him/her to have~~ access to **information contained in** student records.

Note: 34 CFR 99.31 defines "school officials and employees" for purposes of determining who may be given personally identifiable information from student records, as provided below. In 73 Fed. Reg. 74815 (2008), USDOE stated that local agencies are in the best position to determine the types of parties who may serve as school officials. Examples cited include school transportation officials (including bus drivers), school nurses, practicum and fieldwork students, unpaid interns, consultants, contractors, volunteers, and other outside parties providing institutional services and performing institutional functions, provided that each of the requirements in 34 CFR 99.31 has been met.

School officials and employees are officials or employees, **including teachers**, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require ~~that they have~~ access to student records. **(34 CFR 99.31)**

Note: Pursuant to Education Code 49076, the district may allow any "contractor or consultant" with whom it has a formal written agreement to access information in student records without parent/guardian consent, when the contractor or consultant has a "legitimate educational interest" in that information. However, contrary to 34 CFR 99.31, Education Code 49076 prohibits release of student records to volunteers.

STUDENT RECORDS (continued)

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced to him/her by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)

Note: Pursuant to Education Code 56041.5, all the rights accorded to the parent/guardian of a student with disabilities, including the right to access student records, are transferred to the student when he/she reaches at 18 years of age except when the student has been declared incompetent under state law.

3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

Note: Education Code 49076 and 34 CFR 99.31 require that access to relevant records be given to parents/guardians of a dependent child, defined by 26 USC 152 as one who lives with his/her a parent/guardian for more than half the taxable year, meets the specified age requirements, has not provided more than half of his/her one's own support during that year, and has not filed a joint tax return with a spouse.

STUDENT RECORDS (continued)

1. Parents/guardians of ~~a student age 18 or older who is~~ a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076; ~~34 CFR 99.31~~)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)
4. Members of a school attendance review board (SARB) **appointed pursuant to Education Code 48321** who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

Note: 34 CFR 99.34 requires the district to make a reasonable attempt to notify the parent/guardian or adult student when the district discloses certain information as described in the following paragraph. However, if the district includes a statement in its annual parental notification that the district may forward education records under **these such** circumstances, it is not obligated to individually notify parents/guardians or adult students. The following **optional** paragraph may be deleted by districts that include such a statement in their annual parental notification. See section below entitled "Notification of Parents/Guardians."

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at **his/her the** last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

Note: Item #6 below is for use by districts that maintain high schools. Education Code 69432.9 provides that all students in grade 12 will be considered Cal Grant applicants and will have their grade point average (GPA) submitted to the Student Aid Commission, unless they opt out or are permitted under Commission rules to submit test scores in lieu of the GPA. Education Code 69432.9 requires that the report be submitted

STUDENT RECORDS (continued)

on a standardized form provided by the Commission. Pursuant to Education Code 69432.92, the Commission may also require that districts submit verification of high school graduation or its equivalent for all students who graduated in the prior academic year, except for students who have opted out.

Education Code 49432.9 requires that parents/guardians be notified that their child's GPA will be forwarded unless they opt out within the time period specified in the notice. This notification could be included in the annual parental notification issued pursuant to Education Code 48980.

6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when **requested required**, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. 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)

No later than **October 15** **January 1** each year, the Superintendent or designee shall notify each student in grade **12** **11**, and **his/her** **the student's** parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission **by October 1** unless **he/she** **the student** opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

7. Federal, state, and local officials, as needed for an audit, **or** evaluation **of**, or compliance **with**, **activity related to** a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)

Note: Pursuant to Education Code 49076, county placing agencies authorized to assess the effectiveness of a state or federally funded program on behalf of federal, state, or local officials and agencies may be allowed access to student records. Education Code 49076 also authorizes districts, county offices of education, and county placing agencies to develop cooperative agreements to facilitate confidential access to and exchange of student information by email, facsimile, electronic format, or other secure means, provided the agreement complies with the requirements of 34 CFR 99.35.

8. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)

STUDENT RECORDS (continued)

9. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)
11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
12. Any probation officer, district attorney, or counsel of record for a **minor** student **who is a minor** for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor **student** a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

13. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

Note: SB 233 (Ch. 829, Statutes of 2017) amended Education Code 49069.3 and 49076 to make certain types of records related to foster youth, including records related to attendance, discipline, online communications, and Section 504 plans, accessible to specified agencies and individuals.

STUDENT RECORDS (continued)

14. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6173.1 - Education for Foster Youth)

15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless Children)

16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility **in accordance with state or tribal law** for the care and protection of a student, provided that **the individual is authorized by the agency or organization to receive the records and** the information **requested** is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

19. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal

STUDENT RECORDS (continued)

conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5; 34 CFR 99.1-99.67)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district **in California or any other state** or **to a** California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code **49061**, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

Discretionary Access

At ~~his/her discretion~~, the **discretion of the** Superintendent or designee, **information** may **be** released ~~information~~ from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

STUDENT RECORDS (continued)

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

Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations **in order to carry out their accrediting functions** (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
 - a. The study is conducted in a manner that does not permit personal identification of **students or** parents/guardians **and—students** by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.
4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

Note: Education Code 49076 includes "contractors" and "consultants," as defined in the section "Definitions" above, among the categories of individuals to whom a student's personally identifiable information may be disclosed under certain circumstances. Unlike 34 CFR ~~99.34~~ **99.31**, however, Education Code 49076 prohibits disclosure of such information to volunteers and other parties.

STUDENT RECORDS (continued)

6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract **with by** the district, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

Note: Items #7 and 8 below are for use by districts that maintain high schools.

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or **his/her the student's** parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31, **99.36**)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the **provisions of limits set by** 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR **99.31, 99.37**)

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

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

De-identification of Records

Note: 20 USC 1232(g) and Education Code 49076 authorize the district to release student records for specified purposes (e.g., to federal and state officials conducting program audits or to organizations conducting studies) without parent/guardian consent after the removal of all "personally identifiable information" as defined in the section entitled "Definitions" above and provided that the district has made a reasonable determination that a student's identity will not be personally identifiable through single or multiple releases. Education Code 49074 further authorizes the district to provide de-identified statistical data to public or private agencies, postsecondary institutions, or educational research organizations when such actions would be "in the best educational interests of students."

STUDENT RECORDS (continued)

34 CFR 99.31 lists objective standards under which districts may release information from de-identified records. These standards are applicable to both requests for individual, redacted records and requests for statistical information from multiple records.

When authorized by law for any program audit, educational research, or other purposes, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; **20 USC 1232g**; 34 CFR 99.31)

Process for Providing Access to Records

Note: Education Code 49069 **mandates** procedures for notifying parents/guardians of the location of student records if not centrally located. The following paragraph may be expanded to include notification procedures.

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians **and adult students** shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

Note: 5 CCR 431 **mandates** districts to establish written procedures to ensure the security of student records. The following three paragraphs reflect this mandate and should be modified to reflect any specific physical, technological, or administrative controls developed by the district.

34 CFR 99.31 requires districts to use "reasonable methods" to (1) ensure that school officials, employees, and outside contractors obtain access to only those records, both paper and electronic, in which they have a legitimate educational interest and (2) identify and authenticate the identity of parents/guardians, students, school officials, and any other party to whom the district discloses personally identifiable information from education records. In addition, 34 CFR 99.31 specifies that a district which does not use physical or technological access controls (e.g., a locked file cabinet or computer security limiting access) must ensure that its administrative policy for controlling access is effective and remains in compliance with the "legitimate educational interest" requirement.

The Analysis to Comments and Changes (73 Fed. Reg. 237, page 74817) suggests a balance of physical, technological, and administrative controls to prevent unauthorized access and to ensure that school officials do not have unrestricted access to the records of all students. The Analysis also clarifies that the reasonableness of the method depends, in part, on the potential harm involved. For example, high-risk records, such as social security numbers or other information that could be used for identity theft, should receive greater and more immediate protection.

STUDENT RECORDS (continued)

In addition, as a condition of participation in an interagency data information system (e.g., California Longitudinal Pupil Achievement Data System), Education Code 49076 requires that the district develop security procedures or devices by which unauthorized personnel cannot access data in the system and procedures or devices to secure privileged or confidential data from unauthorized disclosure.

The custodian of records shall develop reasonable methods, including physical, technological, and administrative **policy** controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

Note: 34 CFR 99.30 specifies information that must be included in the parent/guardian consent form, as provided below. The provisions in the following two paragraphs are required pursuant to the California Attorney General's model policy developed pursuant to Education Code 234.7, **as added by AB 699 (Ch. 493, Statutes of 2017)**. See the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

When required by law, **the a student's** parent/guardian **or an adult student** shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian **or adult student**, the district shall provide **him/her** a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian **or adult student** refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Note: Education Code 49069 and 5 CCR 431 **mandate** that the district adopt procedures for granting parent/guardian requests to inspect, review, and obtain copies of records.

Within five business days following the date of request, **a parent/guardian or other the** authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Note: Education Code 49069 **mandates** procedures for the availability of qualified certificated personnel to interpret records when requested. The following paragraph may be expanded to include specific procedures for persons to request and receive the assistance of certificated personnel.

STUDENT RECORDS (continued)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the records and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

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

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

Note: Although Education Code 49064 does not require the district to record access by individuals specified in items #1-5 below, the district may consider recording access by all individuals as part of the reasonable administrative controls required by 34 CFR 99.31; see section above entitled "Process for Providing Access to Records."

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest

Note: Pursuant to Education Code 234.7, as added by AB 699 (Ch. 493, Statutes of 2017), any request for student records information by a law enforcement agency for the purpose of enforcing immigration laws

STUDENT RECORDS (continued)

must be reported to the Superintendent and the Board; see the accompanying Board policy. Therefore, it is recommended that the custodian of records make an entry in the log regarding any such requests, as provided in item #6 below.

6. Law enforcement personnel seeking to enforce immigration laws

The log shall be **accessible open to inspection** only ~~to~~ **by** the parent/guardian, adult student, dependent adult student, ~~student who is age 16 years or older or who has completed the 10th grade,~~ custodian of records, and certain state or federal officials **specified in Education Code 49064.** (Education Code 49064; 5 CCR 432)

Duplication of Student Records

Note: Education Code 49069 **mandates** that the district adopt procedures for granting parent/guardian requests for copies of student records pursuant to Education Code 49065.

To provide copies of any student record, the district **may shall** charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

(cf. 3260 - Fees and Charges)

Changes to Student Records

Only a parent/guardian having legal custody of a student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

(cf. 5125.3 - Challenging Student Records)

No additions **or change** ~~except routine updating~~ shall be made to a student's record after high school graduation or permanent departure, **other than routine updating, unless required by law or with without** prior consent of the parent/guardian or adult student. (**Education Code 49062.5, 49070;** 5 CCR 437)

~~A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.~~

Note: AB 711 (Ch. 179, Statutes of 2019) added Education Code 49062.5 and amended Education Code 49070 to require districts to update a student's or former student's records to change the student's name and/or gender, as specified below.

STUDENT RECORDS (continued)

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. The district is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)

(cf. 5145.3 - Nondiscrimination/Harassment)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records.

Retention and Destruction of Student Records

~~Note: 5 CCR 431 mandates that the district establish written policies and procedures regarding the signing and dating of anecdotal information, as specified below.~~

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

STUDENT RECORDS (continued)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date
(cf. 5111 - Admission)
3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given **towards graduation**

(cf. 5121 - Grades/Evaluation of Student Achievement)

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

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

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

STUDENT RECORDS (continued)

2. A log identifying persons or **agencies organizations** who request or receive information from the student record

3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and **evidence of actions necessary to establish** eligibility for admission or discharge

(cf. 6159 - Individualized Education Program)

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

5. Language training records

(cf. 6174 - Education for English Learners)

6. Progress slips/notices required by Education Code 49066 and 49067

7. Parental restrictions/stipulations regarding access to directory information

8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action

9. Parent/guardian authorization or **denial prohibition** of student participation in specific programs

10. Results of standardized tests administered within the past three years

(cf. 6162.51 - State Academic Achievement Tests)

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - Independent Study)

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program **and their usefulness ceases**, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings

STUDENT RECORDS (continued)

2. Standardized test results older than three years
3. Routine disciplinary data
(cf. 5144 - Discipline)
4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of his/her rights regarding student records, including the a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

Note: Education Code 48201 requires districts to request records of a transferring student regarding acts that resulted in the student's suspension or expulsion from the previous school, as specified below. Once the record is received, the Superintendent or designee must inform the student's teachers of the acts; see AR 4158/4258/4358 - Employee Security.

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her the student's suspension or expulsion. (Education Code 48201)

(cf. 4158/4258/4358 - Employee Security)
(cf. 5119 - Students Expelled From Other Districts)

Note: Pursuant to Education Code 49068, a district is required to transfer a copy of a student's records to another school in which the student is enrolled or intends to enroll within 10 school days of receiving a request for the records. However, this would not affect a situation where a more restrictive timeline is required. For example, a district is required to transfer the records of a student who is a foster youth to the new school within two business days, pursuant to Education Code 48853.5.

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record

STUDENT RECORDS (continued)

within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of his/her damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063, 48985; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records

STUDENT RECORDS (continued)

4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - Parent Rights and Responsibilities)

12. Any other rights and requirements set forth in Education Code 49060-49078 **49085**, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

Note: Pursuant to 34 CFR 99.34, if the district's annual parental notification contains the information described in **optional** item #13 below, the district does not need to attempt to individually notify a parent/guardian or adult student when the district discloses an education record to officials of another school, school system, or postsecondary institution (see item #5 in the list of persons/agencies with legitimate educational interests in the section entitled "~~Persons Granted Access~~ **Access for Limited Purpose/Legitimate Educational Interest**" above).

13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

Note: The following paragraph reflects the Attorney General's model policy developed pursuant to Education Code 234.7.

STUDENT RECORDS (continued)

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Student Records from Social Media

Note: The following **optional** section is for use by districts that have adopted a program, pursuant to Education Code 49073.6, to gather or maintain any information obtained from students' social media activity that pertains directly to school safety or student safety. Districts that adopt such a program, as specified in the accompanying Board policy, must comply with the requirements described below. Districts that have not adopted such a program should delete the following section.

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the district obtained from **his/her the student's** social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or **his/her the student's** parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:
 - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or **his/her the student's** parent/guardian

STUDENT RECORDS (continued)

- b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first

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CSBA Sample

Board Policy

Students

BP 5131.2(a)

BULLYING

Note: Education Code 234.4, as added by AB 2291 (Ch. 491, Statutes of 2018), **mandates** districts to adopt, **on or before December 31, 2019**, procedures for preventing acts of bullying, including cyberbullying. The following policy and accompanying administrative regulation contain sample procedures that fulfill this mandate and may be revised to reflect district practice.

In addition, Education Code 234.1 and federal law **mandate** that the Governing Board adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and ensuring the protection of complainants from retaliation. Also see BP 5145.3 - Nondiscrimination/Harassment for language fulfilling this mandate.

In its October 2010 [Dear Colleague Letter: Harassment and Bullying](#), the U.S. Department of Education Office for Civil Rights (OCR) clarified that misconduct that falls under a district's general anti-bullying policy may also trigger responsibilities under one or more federal or state antidiscrimination laws if the bullying is on the basis of race, color, national origin, sex, sexual orientation, gender identity or expression, age, disability, and/or another legally protected category. Federal law requires the district to take immediate and appropriate action to investigate or otherwise determine what occurred and, if it finds that unlawful discrimination did occur, take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring.

OCR's October 2014 [Dear Colleague Letter: Responding to Bullying of Students with Disabilities](#) points out that any bullying of a student with a disability that results in the student not receiving meaningful educational benefit constitutes a denial of a free appropriate public education and must be remedied under the federal Individuals with Disabilities Education Act. As necessary, the school may need to convene the student's individualized education program (IEP) team to determine whether the student's needs have changed as a result of the bullying and, if so, revise the IEP to ensure that the student continues to receive appropriate special education and related services.

Thus, while this policy is intended to prevent and address all types of bullying incidents among students, when "discriminatory bullying" is committed and the bullying is sufficiently serious to create a hostile educational environment for the alleged victim or to otherwise deny or limit the student's educational benefits and services, including denial of a free appropriate public education, the alleged victim must be afforded the protections specified under relevant state and/or federal law.

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

BULLYING (continued)

Note: Because bullying and its effects extend beyond the school environment, collaboration among a variety of community agencies and organizations that serve youth may be helpful in preventing and responding to bullying. For further information about building a collaborative, see CSBA's publications [Safe Schools: Strategies for Governing Boards to Ensure Student Success](#) and [Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement](#).

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Note: Education Code 32282 encourages districts to include bullying prevention policies and procedures in their comprehensive safety plan; see BP 0450 - Comprehensive Safety Plan. In addition, Education Code 52060-52077 require the Board to adopt and annually update a local control and accountability plan which includes, among other specified state priorities, goals for addressing school climate; see BP/AR 0460 - Local Control and Accountability Plan. Pursuant to Education Code 52060, school climate should be measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Note: Pursuant to Education Code 234.1, districts are required to adopt a process for receiving and investigating complaints involving unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) based on specified characteristics. Pursuant to 5 CCR 4600-4633, the uniform complaint procedures (UCP) must be used for this purpose. In addition, federal regulations require districts to adopt procedures providing for prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25).

Although some bullying incidents may not fall within the provisions of Education Code 234.1 or federal civil rights regulations, CSBA strongly recommends that districts use the UCP to investigate all bullying incidents (whether discriminatory or nondiscriminatory) to ensure consistent implementation by district staff. It is not always easy or possible for staff to know prior to an investigation whether a student was bullied because of an actual or perceived membership in a legally protected class. Those bullying incidents found to involve discrimination based on the results of the investigation would then be resolved using the

BULLYING (continued)

UCP. When a bullying incident is determined to be nondiscriminatory, it should be resolved through the appropriate disciplinary process. Districts that are concerned about the capacity of a single district compliance officer to handle a possible increase in the number of UCP complaints, or that prefer to handle certain incidents at the school site level whenever possible, may designate multiple compliance officers in accordance with AR 1312.3 - Uniform Complaint Procedures.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 46600, as amended by AB 1127 (Ch. 781, Statutes of 2019), requires a district to approve an intradistrict transfer request for a victim of bullying. If there is no available school for an intradistrict transfer, the district cannot prohibit the student's interdistrict transfer. See BP/AR 5116.1 - Intradistrict Open Enrollment and AR 5117 - Interdistrict Attendance.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

BULLYING (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

46600 Student transfers

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

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

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

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

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

Management Resources continued: (see next page)

BULLYING (continued)

Management Resources: (continued)

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

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

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

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

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

Partnership for Children and Youth: <https://www.partnerforchildren.org>

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

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Students

AR 5131.2(a)

BULLYING

Note: Education Code 234.4, as added by AB 2291 (Ch. 491, Statutes of 2018), mandates districts to adopt, on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. The following administrative regulation may be revised to reflect district practice.

Definitions Examples of Prohibited Conduct

Note: The following section reflects definitions and examples of bullying and cyberbullying contained in the California Department of Education's (CDE) Bullying Module and may be revised to reflect district practice.

Education Code 48900 defines "bullying," including bullying via an electronic act, for purposes of establishing grounds for suspension or expulsion. See AR 5144.1 - Suspension and Expulsion/Due Process. In addition, Penal Code 653.2 makes it a crime to distribute another person's personally identifiable information electronically with the intent to place that person in reasonable fear of the person's own or a family member's safety and for the purpose of imminently causing harassment or injury by a third party.

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. **Bullying includes, but is not limited to, any act described in Education Code 48900(r).**

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6163.4 - Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying: **An act** that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying: **An act** that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm

BULLYING (continued)

3. Social/relational bullying: **An act** that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying: **An act** such as sending demeaning or hateful text messages or emails, ~~sending~~ **spreading** rumors by email or by posting on social networking sites, or posting **or sharing** embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. Providing **information** to students, through student handbooks, **district and school web sites and social media**, and other age-appropriate means, ~~information~~ about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as **classrooms**, playgrounds, hallways, restrooms, and cafeterias

Note: Although Pursuant to Education Code 234.1, the district must requires the district to adopt a policy requiring school personnel who witness acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against a student based on the actual or perceived status of the student belonging to a protected class to take immediate steps to intervene when it is safe to do so. It, it is recommended that districts apply this policy equally to all students; also . Also see AR 5145.3 - Nondiscrimination/Harassment.
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5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

BULLYING (continued)

Staff Development

Note: Education Code 32283.5, ~~as amended by AB 2291~~, requires districts to make available annually, to certificated staff and all other employees who have regular interaction with students, the CDE's online Bullying Module described below.

The Superintendent or designee shall **annually** make **available to all certificated staff and to other employees who have regular interaction with students** the California Department of Education's (CDE) online training module on the dynamics of bullying and cyberbullying, **which includes** the identification of bullying and cyberbullying and the implementation of strategies to address bullying, ~~available annually to all certificated staff and to other employees who have regular interaction with students~~. (Education Code 32283.5)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Pursuant to Education Code 234.7, districts are **mandated** to adopt policy, equivalent to that developed by the Attorney General, which requires the provision of staff training with the components specified below.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Information and Resources

Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires districts to make specified information on bullying and harassment prevention readily accessible on their web sites beginning in the 2020-21 school year. The following list reflects, but does not reproduce in exact form, all the items specified in Education Code 234.6.

BULLYING (continued)

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

Note: Education Code 215 mandates that any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention; see BP/AR 5141.52 - Suicide Prevention. As amended by AB 1767 (Ch. 694, Statutes of 2019), Education Code 215 mandates policy on suicide prevention, intervention, and postvention for grades K-6 by 2020-21 school year. Districts that do not maintain any of grades K-6 should modify item #1 accordingly.

- 1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6**

(cf. 5141.52 - Suicide Prevention)

- 2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8**

- 3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6**

- 4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying**

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

- 5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media**

- 6. A link to statewide resources, including community-based organizations, compiled by the CDE pursuant to Education Code 234.5.**

- 7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment**

(cf. 1113 - District and School Web Sites)

BULLYING (continued)

Student Instruction

Note: California content standards related to student education about bullying and violence prevention (e.g., recognizing the characteristics of bullying, examining the effects of bullying on others, demonstrating what to say and do when witnessing bullying) are addressed within the health education content standards adopted by the State Board of Education.

47 USC 254 mandates districts that receive e-rate discounts to adopt a policy which addresses educating students about appropriate online behavior, including the interaction with other individuals on social networking web sites and in chat rooms, as well as providing information about cyberbullying awareness and response. See BP 6163.4 - Student Use of Technology for language implementing this mandate.

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character ~~values~~ education **development**, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

Note: Education Code 234.7 requires districts to educate students about the negative impact of bullying based on actual or perceived immigration status or religious beliefs and customs. The following paragraph reflects the California Attorney General's model policy developed pursuant to Education Code 234.7, contained in the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, and has been expanded to include education about the impact of bullying based on any other individual characteristic.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Note: The remainder of this section reflects recommendations in CDE's Bullying Module and may be revised to reflect district practice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

BULLYING (continued)

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

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3 - Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

Note: Districts have the authority to monitor student use of the district's Internet system and to conduct individual searches of student accounts if there is reasonable suspicion that a user has violated district policy or the law; see BP/AR 5145.12 - Search and Seizure and BP/E 6163.4 - Student Use of Technology.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions

Note: Pursuant to Education Code 48900-48900.4, "bullying" is a ground for suspension or expulsion; see AR 5144.1 - Suspension and Expulsion/Due Process.

The courts have generally upheld discipline for off-campus student conduct that poses an identifiable threat to the safety of other students, staff, or school property or presents a risk of substantial disruption of school activities, provided that the district is able to document the impact or disruption that the conduct has, or could be expected to have, on school activities (e.g., Wynar v. Douglas County School District, Lavine v.

BULLYING (continued)

Blaine School District). The court in J.C. v. Beverly Hills Unified School District found that the district would be able to discipline a student for a video recorded off campus and posted on YouTube, but that the discipline imposed on this particular student was not justified since the district did not present evidence of specific facts that led school officials to predict that the video would cause substantial disruption (e.g., the video was not violent or threatening nor did it lead to any confrontations between the students).

Consistent with these interpretations, Education Code 48900 defines bullying by means of an electronic act to include creation or transmission originating on or off the school site. Thus, for purposes of determining whether the conduct may be subject to suspension or expulsion, the act does not necessarily need to have been committed while at school, while coming to or from school, or during a school-sponsored activity. Nevertheless, the act needs to satisfy the criteria specified in the definition of "bullying" in Education Code 48900 (i.e., a severe or pervasive physical or verbal act or conduct that has or can be reasonably predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property, causing a substantially detrimental effect on the student's physical or mental health, causing substantial interference with the student's academic performance, or causing substantial interference with the student's ability to participate in or benefit from school services, activities, or privileges).

When the conduct does not rise to the level specified in Education Code 48900, the district may implement interventions other than suspension or expulsion to address the bullying. For further information, see CSBA's policy brief Cyberbullying: Policy Considerations for Boards. Also see BP 5131 - Conduct and BP 5145.2 - Freedom of Speech/Expression.

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5116.2 - Involuntary Student Transfers)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Support Services

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

BULLYING (continued)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

~~(cf. 5141.52—Suicide Prevention)~~

(5/19) 12/19

CSBA Sample Board Policy

Students

BP 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following **optional** policy and accompanying administrative regulation apply to the administration of medication to students pursuant to Education Code 49414, **49414.1**, 49414.3, 49414.5, 49423, and 49423.1 and the permissive guidelines in 5 CCR 600-611. **Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.**

~~Education Code 49414.7, which authorized trained, unlicensed school personnel to administer medication to students with epilepsy suffering from seizures, was repealed on its own terms effective January 1, 2017. Although the procedures in Education Code 49414.7 are no longer required, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication, pursuant to the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication.~~

This policy and regulation do not address situations in which a district might be engaged in a collaborative arrangement with another entity for the provision of school health services to students; see BP/AR 5141.6 - School Health Services.

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should **have an opportunity be able** to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

Note: 5 CCR 604 authorizes a parent/guardian to administer medication to **his/her a** child or designate an individual to administer the medication, as specified below. In addition, California law allows students to carry and self-administer medication needed for the treatment or management of certain medical conditions, when the district has received a written request from the student's parent/guardian and written authorization from the student's authorized health care provider, as specified in the accompanying administrative regulation. Students have legal authorization to self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine for anaphylactic reactions pursuant to Education Code 49423,

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

and inhaled asthma medication pursuant to Education Code 49423.1. Pursuant to 5 CCR 605, districts may choose to allow students to carry and self-administer other types of medication beyond those specifically authorized by the Education Code.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parents/guardians to administer medication to his/her ~~their~~ child at school, designate other individuals to do so on his/her ~~their~~ behalf, and, with the ~~child's~~ **student's** authorized health care provider's approval, request the district's permission for his/her ~~child~~ **the student** to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 6116 - Classroom Interruptions)

The Superintendent or designee shall make **available** epinephrine auto-injectors **available** at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

Note: The following **optional** paragraph is for use by any district that, at its discretion, chooses to make emergency naloxone hydrochloride or other opioid antagonist available at its schools for the purpose of providing emergency medical aid, pursuant to Education Code 49414.3, ~~as added by AB 1748 (Ch. 557, Statutes of 2016)~~. In choosing to make such medications available, the district should be aware of the possibility of increased liability and should consult legal counsel accordingly.

The ~~Board authorizes the~~ Superintendent or designee ~~to~~ **shall** make **available** naloxone hydrochloride or another opioid antagonist **available** for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

Note: Although federal law (21 USC 812, 844) prohibits the possession of cannabis, even by medical users, state law allows persons under the age of 18 to use and possess cannabis for medical use. Pursuant to Education Code 49414.1, as added by SB 223 (Ch. 699, Statutes of 2019), the Governing Board is authorized to adopt a policy that allows parents/guardians to administer medicinal cannabis to their child at school. Education Code 49414.1 does not permit or require school personnel to administer medicinal cannabis.

Option 1 is for use by districts that choose to adopt a policy allowing parent/guardian administration of medicinal cannabis at school. Because of the conflict between state and federal law, districts considering adoption of such policy should consult legal counsel regarding possible ramifications.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Education Code 49414.1 authorizes the Board to subsequently amend or rescind the policy for any reason, including, but not limited to, if the district is at risk of, or has lost, federal funding as a result of the policy.

Option 2 is for use by districts that choose to prohibit the administration of medicinal cannabis at school.

OPTION 1: ~~The parent/guardian of a student who is a qualified patient pursuant to Health and Safety Code 11362.7-11362.85 may administer medicinal cannabis, excluding medicinal cannabis or cannabis products in a smokeable or vapeable form, to the student at a school site. School personnel are not authorized to administer medicinal cannabis to a student. (Education Code 49414.1)~~

Note: If the Board chooses Option 1, Education Code 49414.1, as added by SB 223, mandates that the policy include the following requirements:

~~Before administering medicinal cannabis at a school site, the parent/guardian shall provide to the principal or designee a valid written medical recommendation for the student to be given medicinal cannabis, which shall be kept on file at the school. The parent/guardian shall sign in at the school site before administering the medication, and shall not administer the medication in a manner that disrupts the educational environment or exposes other students. After the parent/guardian administers the medication, the parent/guardian shall remove any remaining medicinal cannabis from the school site. (Education Code 49414.1)~~

OPTION 2: Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

Note: The following **optional** paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention recommend that a district's emergency and disaster preparedness plan include procedures for dealing with medical emergencies, such as a pandemic flu outbreak or public disaster.

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

Note: Various provisions of state law allow districts to train nonmedical district employees (i.e., those who

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

do not possess a medical license) to provide medical assistance to students at school when a credentialed school nurse or other licensed individual is unavailable. For example, Education Code 49414, 49414.3, 49414.5, 49423, and 49423.1 specifically authorize the use of trained, unlicensed school employees to administer medications to students suffering from allergic reactions, opioid overdose, severe hypoglycemia, or asthma. Moreover, in American Nurses Association v. Torlakson, the California Supreme Court held that, as with other prescription medications, state law permits trained, unlicensed school personnel to administer insulin to students where a physician has determined that unlicensed school personnel may safely and appropriately administer the medication. The medication must be administered in accordance with a written health care provider statement and parental consent.

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.3, 49414.5, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference: (see next page)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Legal Reference:

EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49414.3 Emergency medical assistance; administration of medication for opioid overdose

49414.5 Providing school personnel with voluntary emergency training

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist

HEALTH AND SAFETY CODE

11362.7-11362.85 Medicinal cannabis

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances

844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

Management Resources:

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

Program Advisory on Medication Administration, 2005

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

Management Resources continued: (see next page)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Management Resources: (continued)

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Students

AR 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following administrative regulation reflects requirements for the administration of medication to students on a continuing medication regimen or in emergency medical situations at school or a school-related activity. The district should consult legal counsel as necessary to ensure that all legal requirements are met.

Education Code 49414.7, which authorized trained, unlicensed school personnel to administer anti seizure medication to students with epilepsy, repealed on its own terms effective January 1, 2017. However, districts may choose to continue to train unlicensed school personnel to administer anti seizure medication under Pursuant to the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication. Such administration must be contingent upon a physician's written authorization for unlicensed personnel to administer the medication to the particular student. The district may revise the following regulation to reflect any district requirements related to the administration of such medication.

Definitions

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

Note: Education Code 49414, as amended by AB 1386 (Ch. 374, Statutes of 2016), defines "epinephrine auto-injector" as follows:

Epinephrine auto-injector means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Note: Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), provides the following definition of "opioid antagonist." See section "Emergency Medication for Opioid Overdose" below for requirements for districts that choose to provide opioid antagonists to school nurses or other designated school personnel to administer to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

Opioid antagonist means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)

Notifications to Parents/Guardians

Note: Pursuant to Education Code 48980, districts must notify parents/guardians, at the beginning of each school year, of their rights and responsibilities (see section "Parent/Guardian Responsibilities" below) under Education Code 49423 pertaining to the administration of medication by school employees and self-administration of epinephrine by students. Though notification is not required for self-administration of any medication other than epinephrine, it is recommended that the annual notification include other medications to facilitate implementation by school personnel.

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Note: The following paragraph is **optional**.

When a student requires medication during the school day in order to participate in the educational program, the Superintendent or designee shall, as appropriate, inform the student's parents/guardians that the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794).

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

(cf. 6164.6 - Identification and Education Under Section 504)

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

Note: Education Code 49423 and 5 CCR 600 authorize districts to administer prescribed medication only upon receipt of written statements from the student's authorized health care provider and parent/guardian. Appropriate statements must be received before students are allowed to carry and self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine pursuant to Education Code 49423, or asthma medication pursuant to Education Code 49423.1. Districts may choose to allow students to carry and self-administer other types of medication beyond those authorized by the Education Code. If so, the district should modify the following section accordingly. See the accompanying Board policy.

1. **Providing Submitting the** parent/guardian **written statement** and **the** authorized health care provider's written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician, and updating the information when needed. (Education Code 49480)

Note: Pursuant to 5 CCR 606, the district is authorized to establish rules for the delivery and storage of medication on a school site.

3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Parent/Guardian Statement

Note: 5 CCR 603 authorizes the district to establish specific requirements regarding the parent/guardian's written statement. The following list should be modified to reflect the district's requirements.

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands **the** **his/her** responsibilities ~~to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility~~ to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands ~~that he/she may~~ **the right to** terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that **his/her child the student** be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to **his/her child the student**, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

Health Care Provider Statement

Note: Education Code 49423 and 49423.1 and 5 CCR 602 list items that the authorized health care provider's written statement must contain, as specified in items #1-5 below. Districts that request additional information in the statement should modify the following list accordingly.

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49423, 49423.1; 5 CCR 602)
2. The name of the medication (Education Code 49423, 49423.1; 5 CCR 602)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49423, 49423.1; 5 CCR 602)
4. If a parent/guardian has requested that **his/her child the student** be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49414.5, 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)

Note: Items #6-8 below may be revised to reflect district practice.

6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

7. Possible side effects of the medication
8. Name, address, telephone number, and signature of the student's authorized health care provider

Note: Pursuant to Education Code 49423.1, as amended by AB 743 (Ch. 101, Statutes of 2019), districts must accept a written statement pertaining to inhaled asthma medication from a physician or surgeon who is contracted with a prepaid health plan operating under the laws of Mexico that is licensed as a health care service plan in California pursuant to Health and Safety Code 1351.2 .

For self-administration of inhaled asthma medication, the district shall accept a written statement from a physician or surgeon contracted with a health plan licensed pursuant to Health and Safety Code 1351.2. Such written statement shall be in English and Spanish, and shall include the name and contact information for the physician or surgeon. (Education Code 49423.1)

District Responsibilities

Note: The following section should be modified to reflect district practice.

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

Note: 5 CCR 601 specifies items that districts may, but are not required to, include in the medication log, as provided in item #4 below.

4. Maintain for each student a medication log which may:

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

- a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
- b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

Note: 5 CCR 601 specifies items that may be included in the medication record, as detailed below. In addition, 5 CCR 607 authorizes the district to establish policies regarding documentation of medication, including the maintenance of the medication record.

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student

6. Ensure that student confidentiality is appropriately maintained

(cf. 5125 - Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take **his/her the** medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet
10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

Note: 5 CCR 609 authorizes the district to establish policies regarding unused, discontinued, or outdated medication.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances
13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance
14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

Emergency Epinephrine Auto-Injectors

Note: Education Code 49414 requires districts to provide epinephrine auto-injectors to school nurses or other employees who volunteer and receive training, which they may use to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

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

Note: Education Code 49414 specifies topics to be included in training for employees who volunteer to be trained in the use of epinephrine auto-injectors. Education Code 49414 requires the Superintendent of Public Instruction (SPI), in consultation with specified agencies and organizations, to review the minimum standards for the training at least every five years. These standards are available on the California Department of Education's **(CDE)** web site.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414 and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Education Code 49414 specifies the type of epinephrine auto-injectors that must be provided to each school and the district personnel authorized to obtain the prescriptions. The following paragraphs may be revised to reflect the position(s) assigned to fulfill this responsibility and the grade levels maintained by the district.

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in **his/her the employee's** personnel file. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

(cf. 3290 - Gifts, Grants and Bequests)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 - District Records)

Emergency Medication for Opioid Overdose

Note: The following section is **optional**. Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes, but does not require, districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. Districts that choose to provide the medication must meet specified requirements as provided below. Such districts may revise the following section to indicate the grade levels at which such medication will be available (e.g., at secondary schools only).

The district may elect to make emergency naloxone hydrochloride or another opioid antagonist available at schools for the purpose of providing emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. In determining whether to make this medication available, the Superintendent or designee shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and training personnel to administer the medication. (Education Code 49414.3)

When available at the school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code 49414.3)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist, describing the training that the volunteer will receive, and explaining the right of the volunteer to rescind his/her the offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on his/her the offer to volunteer and that there will be no retaliation against any employee for rescinding his/her the offer to volunteer. (Education Code 49414.3)

Note: Pursuant to Education Code 49414.3, the training provided to designated school personnel must be based on standards adopted by the SPI in consultation with specified agencies and organizations. The SPI is required to review those standards at least once every five years. Required topics of the training include (1)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

techniques for recognizing symptoms of an opioid overdose; (2) standards and procedures for the storage, restocking, and emergency use of the medication; (3) basic emergency follow-up procedures; and (4) recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation. In addition, the CDE is required to include on its web site a clearinghouse for best practices in training nonmedical personnel to administer an opioid antagonist to students.
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The principal or designee may designate one or more volunteer employees to receive initial and annual refresher training, based on standards adopted by the SPI, regarding the storage and emergency use of naloxone hydrochloride or another opioid antagonist. The training shall be provided at no cost to the employee, conducted during **his/her** regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school for reference. (Education Code 49414.3)

A school nurse, other qualified supervisor of health, or, if the district does not have a qualified supervisor of health, a district administrator shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (Education Code 49414.3)

If the medication is used, the school nurse, other qualified supervisor of health, or district administrator, as applicable, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (Education Code 49414.3)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering naloxone hydrochloride or another opioid antagonist for emergency aid shall be provided to each volunteer and retained in **his/her the employee's** personnel file. (Education Code 49414.3)

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414.3, including, but not limited to, the acceptance of the naloxone hydrochloride or another opioid antagonist from a manufacturer or wholesaler. (Education Code 49414.3)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code 4119.8)

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CSBA Sample Board Policy

Instruction

BP 6143(a)

COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic **progress growth** and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful **in school, college, and the workplace academically, professionally, and personally.**

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The following **optional** paragraph should be revised to reflect the grade levels offered by the district. For example, unified school districts need to be concerned about articulation of courses within the district and with postsecondary institutions, whereas elementary districts and high school districts will **also** need to address articulation with each other.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, **he/she also the Superintendent or designee** shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, **only utilizes prerequisites that are essential to success in a given program or course,** avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

Note: The following section is for use by districts offering elementary grades and may be revised to reflect district practice. Education Code 51225.4 **mandates** elementary school districts to certify to the Superintendent of Public Instruction that they have adopted a policy to implement a course of instruction that sufficiently prepares students for the secondary courses required for graduation pursuant to Education Code 51225.3.

COURSES OF STUDY (continued)

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

Note: Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California colleges. Education Code 51228 also requires districts to offer such students the opportunity to attain entry-level employment skills. Pursuant to Education Code 51228, districts that adopt a course of study that meets or exceeds the state model curriculum standards in career technical education will be deemed to have satisfied the requirement.

Education Code 66204 prohibits a public school from establishing any policy or practice that directs any student away from choosing programs that prepare **him/her a student** academically for college, especially for cultural or linguistic reasons.

The following paragraph is for use by districts maintaining any of grades 7-12 and should be revised to reflect the grade levels offered by the district.

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code 51228)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6141.5 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

Note: The remainder of this policy is for use by districts maintaining any of grades 9-12.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years **before graduation**, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities **prior to graduation**. (Education Code 51224, 51228)

Note: Among the criteria for admission to the University of California (UC) or California State University system is a requirement that high school students satisfactorily complete 15 units of specified courses ("a-g" courses). These include a growing number of career technical education courses that connect knowledge of academic content with practical or work-related applications.

In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. Education Code 51229 requires that districts annually provide the list of certified courses to students in grades 9-12 **and their parents/guardians**; see the accompanying administrative regulation and E 5145.6 - Parental Notifications.

COURSES OF STUDY (continued)

The Superintendent or designee shall develop a process by which courses that meet **California** college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. ~~He/she~~ **The Superintendent or designee** shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to ~~each~~ **all** students in grades 9-12 **and their parents/guardians**, and shall make updated lists readily available. (Education Code 51229, 66204)

Legal Reference: (see next page)

COURSES OF STUDY (continued)

Legal Reference:

EDUCATION CODE

33319.3 Driver education; CDE materials on road rage
33540 Government and civics instruction in interaction with government agencies
48980 Parental notifications
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics and restricted dangerous drugs
51204 Course of study designed for student's needs
51204.5 Social science instruction; history of California; contributions of various groups
51210-51212 Course of study for grades 1-6
51220-51229 Course of study for grades 7-12
51241 Exemption from physical education
51911-51921 Comprehensive health education
51930-51939 Comprehensive sexual health and HIV/AIDS prevention instruction
51940 Curriculum for brain and spinal cord injury prevention
60040-60052 Requirements for instructional materials
66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

CODE OF REGULATIONS, TITLE 5

4940 Nondiscrimination; course access

10020-~~10049~~ **10043** Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20

~~6101~~ **6111**-6251 School-to-Work Opportunities Act of 1994

Management Resources:

WEB SITES

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

American Health Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

California State University, Admission Requirements: http://www.csumentor.edu/planning/high_school

University of California, a-g Course Submissions: <http://www.ucop.edu/a-g>

Guide/ag/course_submissions <https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements> **<https://hs-articulation.ucop.edu/agcourselist>**

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Instruction

AR 6143(a)

COURSES OF STUDY

Note: Education Code requirements for courses of study are generally classified into requirements for grades 1-6 and 7-12. Therefore, K-8 districts and high school districts need to collaborate with appropriate area districts to ensure that all required courses are offered sometime during grades 7-12.

The district should select the sections below ("Grades 1-6" and/or "Grades 7-12") that correspond with the grade levels it offers.

Grades 1-6

Note: Items #1-7 below are areas of study required by law for grades 1-6. The Governing Board may add other studies to this list.

Courses of study for grades 1-6 shall include the following:

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic,

COURSES OF STUDY (continued)

political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

(cf. 6142.93 - Science Instruction)

- 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise #6a-e below to indicate topics that will be addressed in grades K-6.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

- 6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

COURSES OF STUDY (continued)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available

(cf. 6142.8 - Comprehensive Health Education)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

Note: The following item is optional pursuant to Education Code 51202.

- f. Violence as a public health issue
7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education and Activity)

Note: Item #8 below is optional . Education Code 51210.5 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed in items #1-7 above. Pursuant to Education Code 51210.5, such instruction may include personal testimony in the form of oral or video histories that illustrate the economic and cultural effects of violence within a city, the state, and the country. See BP 6142.94 - History-Social Science Instruction.

8. Violence awareness and prevention

Note: Optional item #9 below is not required by state law but is a highly recommended component of school-to-career instruction.

9. Career awareness exploration

(cf. 6178 - Career Technical Education)

COURSES OF STUDY (continued)**Grades 7-12**

Note: Items #1-11 below are areas of study required by law for grades 7-12. The Board may add other studies to this list.

Courses of study for grades 7-12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

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

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including instruction in:

- (1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

Note: Education Code 51221.3 and 51221.4 encourage, but do not require, instruction on the topics described in optional subitems #(2)-(4) below. These items may be modified or deleted to reflect district practice.

For districts that choose to offer such instruction, Education Code 51221.3 and 51221.4 encourage that a component be drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code 51221.3 and 51221.4. See BP 6142.94 - History-Social Science Instruction.

- (2) World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

COURSES OF STUDY (continued)

- (3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
 - (4) The Bracero program, ~~under which temporary contract laborers were imported pursuant to, in which there was~~ a 1942 agreement between the United States and Mexico **authorizing the temporary migration of laborers to the United States**
- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

Note: The following optional paragraph is for use by districts that offer a teen court or peer court program.
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This course may include participation in a teen court or peer court program.
(Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

- e. Eastern and western cultures and civilizations

Note: Pursuant to Education Code 51220, instruction related to human rights issues, as provided in item #2f below, may include the study of the Armenian genocide. Education Code 51226.3 encourages the incorporation of oral testimony into instruction in human rights, including the Armenian, Cambodian, Darfur, and Rwandan genocides.
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- f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
- g. Contemporary issues

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

COURSES OF STUDY (continued)

3. **Foreign World** language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

(cf. 6142.2 - World~~Foreign~~ Language Instruction)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education and Activity)

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: The reference to "homemaking" within Education Code 51220, as amended by AB 1595 (Ch. 543, Statutes of 2019), has been changed to "family and consumer sciences."
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8. Applied arts: consumer ~~and homemaking~~ **education, family and consumer sciences** education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

(cf. 6178 - Career Technical Education)

COURSES OF STUDY (continued)

Note: Education Code 51934 requires that students be provided comprehensive sexual health and HIV prevention instruction at least once in middle school or junior high school and at least once in high school. See BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction for required components of such instruction.

Education Code 51934, as amended by AB 329 (Ch. 398, Statutes of 2015), requires that comprehensive sexual health education include information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking. In addition, pursuant to Education Code 51225.36, as added by SB 695 (Ch. 424, Statutes of 2015), districts that require a course in health education for high school graduation must include instruction in sexual harassment and violence with specified components.

10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise item #11 below to indicate topics that will be addressed in grades 7-12.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)

- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available

Note: The following paragraph is for use by districts that require a course in health education for high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51225.6, as added by AB 1719 (Ch. 556, 2016), such districts are required to include instruction in performing compression-only cardiopulmonary resuscitation (CPR), as described below, beginning in the 2018-19 school year. Such instruction must be based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart Association or the American Red Cross, and must include hands-on practice in compression-only CPR. Before the start of the 2017-18 school year, On its web site, the CDE is required to provide guidance on how to implement this requirement, including, but not limited to, who may provide instruction.

Education Code 51225.6, as added, also encourages districts to provide students with general information on the use and importance of an automated external defibrillator.

Beginning in the 2018-19 school year, instruction shall be provided in compression-only CPR based on national guidelines and shall include

COURSES OF STUDY (continued)

hands-on practice. ~~Such instruction shall be based on national evidence-based guidelines and shall include hands on practice in compression only CPR.~~
(Education Code 51225.6)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease
- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body ~~and upon prenatal development~~

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.8 - Comprehensive Health Education)

Note: The following two items are **optional** pursuant to Education Code 51202.

- f. Prenatal care
- g. Violence as a public health issue

Note: Item #12 is **optional**. Education Code 51220.3 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed above for grades 7-12.

12. Violence awareness and prevention

Note: Item #13 is **optional**. Education Code 51226.7, ~~as added by AB 2016 (Ch. 327, Statutes of 2016), as amended by AB 114 (Ch. 413, Statutes of 2019)~~, requires the **SBE State Board of Education** to adopt a model curriculum in ethnic studies by March 31, ~~2020~~ **2021** and encourages districts to offer a course in ethnic studies based on that model curriculum as an elective course in social sciences or English language arts in at least one grade level during grades 9-12. At their discretion, districts may choose to offer a course in ethnic studies prior to the availability of the model curriculum.

13. Ethnic studies

Note: Education Code 51220.5 requires the equivalent content of a one-semester course in parenting skills and education in grade 7 and/or 8, subject to funding which was not subsequently appropriated; thus the following paragraph is currently **optional**.

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental

COURSES OF STUDY (continued)

responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

(cf. 5146 - Married/Pregnant/Parenting Students)

Note: The following paragraph is for use by districts that maintain high schools.

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist **pertain** as they **pertain** to pedestrians and the rights and duties of pedestrians **pertain** as they **pertain** to traffic laws and traffic safety

Certification of College Preparatory Courses

Note: The following optional section is for use by districts that maintain grades 9-12 and may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University system is a requirement that students satisfactorily complete 15 units of specified courses ("a-g" courses). In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. The district or school should develop course descriptions using the templates provided by UC and submit them through UC's online system.

Education Code 51225.37 encourages districts that offer world language courses specifically designed for native speakers to submit those courses to UC for certification and addition to the school's "a-g" course list.

According to the Frequently Asked Questions on UC's web site, UC considers the principal to be the certifying agent of the school, although the district's curriculum coordinator or an assistant principal or head counselor from the school may be assigned this responsibility. The following paragraph may be revised to reflect the position in the district or school(s) that is responsible for submitting and updating "a-g" courses.

COURSES OF STUDY (continued)

The Superintendent or designee shall identify **district** courses **that may qualify for designation as "a-g" college preparatory courses, including courses** in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. ~~that may qualify for designation as "a-g" college preparatory courses. He/she~~ **The Superintendent or designee** shall submit **course information any necessary information regarding each identified course** to the University of California (UC) **for "a-g" designation.** ~~including, but not necessarily limited to, the course title, subject area, grade level(s), unit value, a brief course description, prerequisites and co-requisites, texts and supplemental instructional materials used in the course, whether the school is seeking designation of the course as an honors course, and whether the course is classified as a career technical education or regional occupational program course. He/she also shall electronically submit updates to UC whenever course content changes or a course will not be offered in a particular year.~~

Notification and Information to Students in Grades 9-12

Note: The following section is for use by districts that maintain grades 9-12.
--

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)

Note: The UC maintains a searchable web site that lists certified "a-g" courses for all regular California public high schools; see the management resources in the accompanying Board policy.
--

2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

COURSES OF STUDY (continued)

Note: Education Code 51225.8 requires districts, beginning with the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12. At the district's discretion, the information provided may be disseminated through in-class instruction, an existing program, family information sessions, group or individual sessions with school counselors, or other appropriate means.

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the Dream Act application at least once before grade 12. (Education Code 51225.8)

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

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CSBA Sample

Board Policy

Instruction

BP 6154(a)

HOMEWORK/MAKEUP WORK

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

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Note: The following **optional** paragraph may be revised to specify the average number of minutes of homework that may be expected per day at each grade level, or the district may adopt an administrative regulation that contains such guidelines.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

(cf. 6011 - Academic Standards)

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.

(cf. 4131 - Staff Development)

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

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, **learn to work independently**, and develop good personal study habits.

HOMEWORK/MAKEUP WORK (continued)

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines ~~also~~ shall **also** be included in student and/or parent/**guardian** handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete **his/her** homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: The following paragraph should be revised to reflect district practice. Pursuant to Education Code 8482.3, before-school and after-school programs operated under the After School Education and Safety Program (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center program (Education Code 8484.7-8484.9; 20 USC 7171-7176) are required to include an educational and literacy component in which tutoring or homework assistance is provided in language arts, mathematics, history-social science, computer training, and/or science. If the district offers a before-school or after-school program under the 21st Century High School After School Safety and Enrichment for Teens program for grades 9-12 (Education Code 8420-8428; 20 USC 7171-7176), the program must include an academic assistance program, which may include homework assistance. See AR 5148.2 - Before/After School Programs. In addition, some districts offer a supervised study hall elective which high school students can take instead of other electives.

To further support students' homework efforts, the Superintendent or designee may establish and maintain ~~telephone help lines~~ **electronic forums**, provide access to school library media centers and technological resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

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

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6112 - School Day)

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

(cf. 6163.1 - Library Media Centers)

HOMEWORK/MAKEUP WORK (continued)

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

Makeup Work

Note: Pursuant to Education Code 48205, students who miss school work because of an excused absence must be given full credit for makeup work satisfactorily completed within a reasonable period of time. State law does not require districts to give full credit for makeup work following an unexcused absence. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from determining students' academic understanding and progress. Thus, the following paragraph provides for full credit to be awarded for satisfactory completion of makeup work regardless of the reason for the absence, an approach which is consistent with BP/AR 5121 - Grades/Evaluation for Student Achievement. Also see BP/AR 5113.1 - Chronic Absence and Truancy for strategies to address excessive excused and/or unexcused absences. The district may revise the following paragraph to reflect district practice, provided that it ensures compliance with Education Code 48205.

Students who ~~miss school work~~ **are absent from school** shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be ~~reasonably~~ equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall notify parents/guardians that no student may have ~~his/her~~ **a** grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5145.6 - Parental Notifications)

Suspended Students

Note: Education Code 48913.5, as added by AB 982 (Ch. 779, Statutes of 2019), requires that when a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework.

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is

HOMEWORK/MAKEUP WORK (continued)

later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

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

Legal Reference:

EDUCATION CODE

8420-8428 21st Century High School After School Safety and Enrichment for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48913.5 Homework assignments for suspended students

48980 Parental notifications

UNITED STATES CODE, TITLE 20

7171-7176 21st Century Community Learning Centers

Management Resources:

CSBA PUBLICATIONS

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016

WEB SITES

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

California State PTA: <http://www.capta.org>

(2/99 12/16) 12/19

Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Instruction

AR 6174(a)

EDUCATION FOR ENGLISH LEARNERS

Definitions

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

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

Note: Education Code 52164.1 and 5 CCR 11307 require the district to administer a home language survey to all enrolled students. A sample home language survey form in English and Spanish is available on the California Department of Education's (CDE) web site.

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307, **11518.5**)

EDUCATION FOR ENGLISH LEARNERS (continued)

Note: When the home language survey indicates that a student's proficiency in English should be tested, Education Code 313 requires the district to administer a state assessment of English language proficiency. The English Language Proficiency Assessments for California (ELPAC) are used for initial identification of language proficiency and subsequently for annual assessment of language proficiency.

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). **Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC.** (Education Code 313, 52164.1; 5 CCR 11518.5)

~~Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)~~

Note: 5 CCR 11518.35 specifies "universal tools" that may be used with all students in ELPAC administration, and "designated supports" and "accommodations" that may be used with students with disabilities when specified in their individualized education program or Section 504 plan.

The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the ELPAC as appropriate. Pursuant to 5 CCR 11518.30, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16 provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).

Pursuant to Education Code 56305, CDE has developed a manual, California Practitioners' Guide for Educating English Learners with Disabilities, which provides guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

(cf. 6159 - Individualized Education Program)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6164.6 - Identification and Education Under Section 504)

EDUCATION FOR ENGLISH LEARNERS (continued)

Note: The remainder of this section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. CDE has developed sample notification letters, available on its web site in multiple translations, to notify parents/guardians of the initial identification of a student as an English learner or as initially fluent English proficient and to notify them of the results of an annual assessment.

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The Superintendent or designee shall notify parents/guardians of their child's results on the **summative assessment of the** ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

(cf. 5145.6 - Parental Notifications)

Note: The following paragraph is for use by districts that receive federal funds under either Title I or Title III for services to English learners, and may be adapted for use by other districts. Pursuant to Education Code 440 and 20 USC 6312, districts receiving Title I or Title III funds are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program.

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for

EDUCATION FOR ENGLISH LEARNERS (continued)

program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
 - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
 - b. The manner in which the program will meet the educational strengths and needs of the student
 - c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - e. **Where** **When** the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

Note: Education Code 313.2 requires that the notice contain information in regard to (1) whether the student is a long-term English learner, or English learner at risk of becoming a long-term English learner, and (2) the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help them develop English proficiency and achieve academic standards. Districts may send an alternate notice if the definitions of long-term English learners and those at risk of becoming long-term English learners used by the district are broader than those defined in Education Code 313.1, the notice states that the definitions utilized by the district are broader, and the notice contains the information specified in item #4 below.

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the

EDUCATION FOR ENGLISH LEARNERS (continued)

manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards

5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Note: Pursuant to 5 CCR 11311, districts are required to establish a process for schools to receive and respond to requests from parents/guardians of enrolled students, and those enrolled for attendance in the next school year, to establish a language acquisition program other than, or in addition to, those already available at the school. Each school is required to follow the process even when the district provides the language acquisition program at another school site. The following section includes the components of the process required by 5 CCR 11311 and may be expanded to reflect district practice.

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.

EDUCATION FOR ENGLISH LEARNERS (continued)

3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:
 - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
 - b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
 - c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
 - d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the

EDUCATION FOR ENGLISH LEARNERS (continued)

appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals

5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

Reclassification/Redesignation

The district shall ~~continue to~~ provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. ~~until they:~~ (5 CCR 11302)

1. ~~Demonstrate English language proficiency comparable to that of the district's average native English language speakers~~
2. ~~Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers~~

Reclassification/Redesignation

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

<p>Note: Education Code 313 and 52164.6 and 5 CCR 11303 require that the district's reclassification process include, at a minimum, the criteria specified in items #1-4 below. Additional guidance is available on CDE's web site. The district may expand the following list to reflect any additional criteria it has established.</p>

The procedures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

EDUCATION FOR ENGLISH LEARNERS (continued)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

Note: Pursuant to Education Code 313.3, **as added by AB 1808 (Ch. 32, Statutes of 2018)**, CDE is required to develop, by June 30, 2020, a standardized teacher observation protocol for use in evaluating a student's English language proficiency, as required by item #2 below, as well as professional development tools to train teachers on the use of the protocol.

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian involvement, including:
 - a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
 - b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process

Note: Pursuant to Education Code 313, the fourth criterion requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from CDE to district superintendents (Reclassification Guidance for 2017-18) dated April 28, 2017 clarifies that the Smarter Balanced Summative Assessment may be used as a local measure of the fourth criterion, or districts may select another local assessment. CDE correspondence, **which is available on its web site**, provides examples of appropriate measures **and is available on CDE's web site**.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

(cf. 5125 - Student Records)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

Note: ~~The following optional paragraph may be revised to reflect district practice.~~ Pursuant to 20 USC 6841, **districts receiving federal Title III funding are required to report to CDE the number and percentage of English learners, including English learners with a disability, meeting state academic**

EDUCATION FOR ENGLISH LEARNERS (continued)

standards for each of four years after they are no longer receiving services under Title III. In the Federal Program Monitoring process, CDE reviews whether the district monitors the progress of reclassified students for a minimum of four years to ensure correct classification and placement of reclassified students and the provision of additional academic support as needed. Districts that do not receive Title III funding may revise the following paragraph to reflect district practice.

The Superintendent or designee shall monitor students for at least ~~two~~ **four** years following their reclassification to **ensure correct classification and placement and to** determine whether any additional academic support is needed.

Advisory Committees

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, a ~~parent/guardian~~ **an** advisory committee **on programs and services for English learners** is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committees are specified in **Education Code 52176 and** 5 CCR 11308.

A ~~parent/guardian~~ advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level **school-level English Learner Advisory Committee (ELAC) shall be established** when there are more than 20 English learners at the school. Parents/guardians of English learners, **elected by parents/guardians of English learners at the school**, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. **The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership.** (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

Note: Pursuant to 5 CCR 11308, each school-level English Learning Advisory Committee (ELAC) is entitled to elect at least one member to the District English Learner Advisory Committee (DELAC). If there are more than 30 ELACs in the district, the district may use a system of proportional or regional representation. The following paragraph may be revised to reflect district practice.

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of

EDUCATION FOR ENGLISH LEARNERS (continued)

an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code 52176)

Note: 5 CCR 11308 delineates the duties of the DELAC, as provided below. The list of DELAC duties on the CDE's web site omits item #5, administration of the annual language census.

The ~~district's English language advisory committee~~**DELAC** shall advise the **Governing** Board on at least the following tasks: (5 CCR 11308)

1. ~~The development of a~~ **Developing a district master** plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. ~~The~~ **Conducting a** districtwide needs assessment on a school-by-school basis
3. ~~Establishment of~~ **Establishing** a district program, goals, and objectives for programs and services for English learners
4. ~~Development of~~ **Developing** a plan to ensure compliance with applicable teacher or **instructional** aide requirements
5. ~~Administration of~~ **Administering** the annual language census
6. ~~Review of~~ **Reviewing** and **commenting** on the district's reclassification procedures
- 7. Reviewing and commenting on the required written parental notifications**

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

Note: The following section is applicable if the district's student enrollment includes at least 15 percent English learners, with at least 50 students who are English learners. Education Code 52063 requires that such districts establish an English learner parent advisory committee to review and comment on the district's

EDUCATION FOR ENGLISH LEARNERS (continued)

local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495 requires this committee to include a majority of parents/guardians of English learners.

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)

(cf. 0460 - Local Control and Accountability Plan)

The ~~advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could~~ **DELAC may also** serve as the LCAP English learner advisory committee ~~if its composition includes a majority of parents/guardians of English learners.~~

(7/18 7/19) 12/19

AGENDA ITEM 12

ACTION: Sunshine Proposal by the Gold Trail Federation of Educators Classified Employees with the District for Negotiations for the 2019-2020 school year.

BACKGROUND

All initial contract proposals of the Board and an employee organization which relate to matters within the scope of representation shall be presented at a public meeting and shall thereafter be public records. After the public has had an opportunity to provide input, the Board shall adopt its initial proposal at a public meeting. (*Government Code 3547, BP 4243.1*)

ATTACHMENTS

➤ **Gold Trail Federation of Educators Proposal for Classified Employees**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

Taking into consideration public comment, the Board will take action to adopt the Federation's initial proposal.

NOTES

<i>ACTION</i>		<i>Moved</i>		<i>Seconded</i>	
<div><input type="checkbox"/> <i>Approved as is</i></div> <div><input type="checkbox"/> <i>Not approved</i></div> <div><input type="checkbox"/> <i>Amended to read:</i></div>					
<i>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 Federation of Educators
Classified Chapter, AFT Local #4911***

February 2, 2020

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

From: *Gold Trail Federation of Educators Classified Chapter*

School Year: 2019-2020

Contract Term: July 1, 2018-June 30, 2021

Sunshine

We are pleased to sunshine on the following items for the 2019-2020 (*July 1, 2018-June 30, 2021*) *contract term re-opener* outlined in the Collective Bargaining Agreement with *Gold Trail Union School District Board of Trustees*. We look forward to productive and fruitful negotiations.

Article XV Appendix B and C Salary and Rate of Pay

Increase salary and benefits.

AGENDA ITEM 13

ACTION: Sunshine Proposal by the District for Negotiations with the Gold Trail Federation of Educators Classified Employees for the 2019-2020 school year.

BACKGROUND

All initial contract proposals of the Board and an employee organization which relate to matters within the scope of representation shall be presented at a public meeting and shall thereafter be public records. After the public has had an opportunity to provide input, the Board shall adopt its initial proposal at a public meeting. (*Government Code 3547, BP 4243.1*)

ATTACHMENTS

- **Gold Trail Union School District Proposal to Classified Employees**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

Taking into consideration public comment, the Board will take action to adopt the District's initial proposal.

NOTES

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

Gold Trail Union School District



SUNSHINE PROPOSAL February 2020

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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*

By the
Gold Trail Union School District
to the
Gold Trail Federation of Educators (GTFE)
Classified Employees, AFT Local 4911

School Year: 2019-2020
Contract Term: July 1, 2018-June 30, 2021

ARTICLE IV—EMPLOYMENT CATAGORIES
Per AB1353, refine length of probationary employment

ARTICLE XI—LEAVES
Per Education Code 45196, refine extended sick leave language

Salary & Benefits
Standing Item

AGENDA ITEM 14

ACTION: 2020-2021 and 2021-2022 Student Attendance Calendar

BACKGROUND

For each district school, the Board of Trustees shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates. (BP 6111)

ATTACHMENTS

- Gold Trail Union School District 2020-2021 Proposed Student Attendance Calendar
- El Dorado Union High School District 2020-2021 Proposed Student Attendance Calendar
- Gold Trail Union School District 2021-2022 Proposed Student Attendance Calendar
- El Dorado Union High School District 2021-2022 Proposed Student Attendance Calendar

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to adopt the 2020-2021 and the 2021-2022 student attendance calendars.

NOTES

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

Gold Trail Union School District

DRAFT

2020-21

180 Student Attendance Days

2020 August Days: 14				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

10-11 Staff Duty Days
12 First student attendance day

2020 September Days: 21				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

4 Early Release Staff Training
7 Labor Day: No School

2020 October Days: 22				
M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

2 Early Release Staff Training
16 Progress Reports (Gold Trail)
26-30 Conferences: Minimum Days

2020 November Days: 15				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

6 Early Release Staff Training
11 Veterans Day: No School
23-27 Thanksgiving Week: No School

2020 December Days: 14				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

18 Early Release Staff Training
21-31 Winter Break: No School

2021 January Days: 17				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

1-5 Winter Break: No School
18 MLK Jr. Day: No School
29 Early Release Staff Training

2021 February Days: 18				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26

12 Lincoln's Day: No School
15 Presidents' Day: No School
26 Early Release Staff Training

2021 March 17				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

5 Progress Reports (Gold Trail)
15-19 Conferences: Minimum Days
24-25 School Closure Make-up Day*
26-31 Spring Break

2021 April Days: 19				
M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

1-5 Spring Break: No School
30 Early Release Staff Training

2021 May Days: 20				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

28 Early Release Staff Training
31 Memorial Day: No School

2021 June Days: 3				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29			

3 Last student attendance day
3 Early Release
3 Eighth Grade Graduation
4 Staff Duty Day

EDUHS Graduations

May 27: IHS (pm); UMHS (pm) EDHS (pm)

May 28: ORHS (pm); PHS (pm); VA (pm)

Ratified by GTFE:

Adopted by Board of Trustees:

- Early Release/Minimum Day
- School Not in Session
- *If school is cancelled, students and staff will be required to attend one or both of these days.



EL DORADO UNION HIGH SCHOOL DISTRICT 2020-21 **DRAFT** Student Calendar - G

10/3/2019


July 2020

M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

January 2021 18

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

 First & Last Day of School

 Quarter/Semester End

 **School Closed**

Nov 23-27 Thanksgiving Recess

Dec 21-Jan 4 Winter Break

Mar 29-Apr 2 Spring Break

August 2020 16

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

February 2021 18

M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26

 **Legal Holidays**

July 3 Independence Day (Observed)

Sept 7 Labor Day

Nov 11 Veteran's Day

Nov 26 Thanksgiving Day

Dec 25 Christmas Day

Jan 1 New Year's Day

Jan 18 MLK, Jr. Day

Feb 12 Lincoln's Day

Feb 15 Presidents' (Washington's) Day


May 31 Memorial Day

September 2020 21

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

March 2021 10 46

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

 **Intercession** (Dates subject to change)

June 1-10 Intercession (dates subject to change)

October 2020 2 39

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

April 2021 27

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

 **Non Student/Teacher/Staff Days**

Classified staff check with your immediate supervisor and work calendar.

Oct 5

Mar 15* Possible Emergency School Closure
Make-up Day if needed.

November 2020 34

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

May 2021 20 47

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

 **Emergency School Closure**

If school is cancelled, students and staff may be required to attend one or all of the following days.

Mar 15* Possible Make-up Day

Mar 26 Make-up Day

April 5 Make-up Day

June 1-2 Make-up Days

December 2020 14 48

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

June 2021

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

Graduation

May 27 IHS (pm); UMHS (pm); EDHS (pm)

May 28 ORHS (pm); PHS (pm); VA (pm)

Early Release Time

See site calendar for dates and times.

180 Student Attendance Days

2021 August Days: 15				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

9-10 Staff Duty Days
11 First student attendance day

2021 September Days: 21				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

3 Early Release Staff Training
6 Labor Day: No School

2021 October Days: 21				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

1 Early Release Staff Training
15 Progress Reports (Gold Trail)
25-29 Conferences: Minimum Days

2021 November Days: 15				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

11-12 Veterans Day: No School
22-26 Thanksgiving Week: No School

2021 December Days: 13				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

17 Early Release Staff Training
20-31 Winter Break: No School

2022 January Days: 19				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

3 Winter Break: No School
17 MLK Jr. Day: No School
28 Early Release Staff Training

2022 February Days: 18				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28				

11 Lincoln's Day: No School
18 Early Release Staff Training
21 Presidents' Day: No School

2022 March Days: 23				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

4 Progress Reports (Gold Trail)
14-18 Conferences: Minimum Days

2022 April Days: 12				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

1 Early Release Staff Training
6-7 School Closure Make-up Day*
8-18 Spring Break: No School
29 Early Release Staff Training

2022 May Days: 21				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

27 Early Release Staff Training
30 Memorial Day: No School

2022 June Days: 2				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

2 Last student attendance day
2 Early Release
2 Eighth Grade Graduation
3 Staff Duty Day

Arrival/Departure Times	
Regular Day	
GT	8:00 a.m. to 2:30 p.m.
SM	8:00 a.m. to 2:10 p.m.
Early Release/Minimum Day	
GT	8:00 a.m. to 12:30 p.m.
SM	8:00 a.m. to 12:10 p.m.

EDUHSD Graduations

May 26: IHS (pm); UMHS (pm); EDHS (pm)

May 27: ORHS (pm); PHS (pm); VA (pm)

Ratified by GTfE:

Adopted by Board of Trustees:

Early Release/Minimum Day
 School Not in Session
 *If school is cancelled, students and staff will be required to attend one or both of these days.



EL DORADO UNION HIGH SCHOOL DISTRICT

2021-22 **DRAFT** Student Calendar - F


10/2/2019


July 2021

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

January 2022 19

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

 First & Last Day of School

 Quarter/Semester End

 **School Closed**

Nov 22-26 Thanksgiving Recess

Dec 20-Jan 3 Winter Break

April 11-15 Spring Break

 **Legal Holidays**

July 5 Independence Day (Observed)

Sept 6 Labor Day

Nov 11 Veteran's Day

Nov 25 Thanksgiving Day

Dec 24 Christmas Day (Observed)

Dec 31 New Year's Day (Observed)

Jan 17 MLK, Jr. Day

Feb 11 Lincoln's Day (Observed)

Feb 21 Presidents' (Washington's) Day

May 30 Memorial Day

 **Intercession**

May 31 to June 10 (Dates subject to change)

 **Non Student/Teacher/Staff Day**

Classified staff check with your immediate supervisor and work calendar.

Oct 4

Mar 14* Possible Emergency School Closure
Make-up Day if needed.



Emergency School Closure

If school is cancelled, students and staff may be required to attend one or all of the following days.

Mar 14 Possible Make-up Day

April 8 Make-up Day

April 18 Make-up Day

May 31 Make-up Day

June 1 Make-up Day

Graduation

May 26 IHS (pm); UMHS (pm); EDHS (pm)

May 27 ORHS (pm); PHS (pm); VA (pm)

Early Release Time

See site calendar for dates and times.

August 2021 17

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

February 2022 18

M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28				

September 2021 21

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

March 2022 14 51

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

October 2021 1 39

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

April 2022 22

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

November 2021 35

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

May 2022 20 42

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

December 2021 13 48

M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

June 2022

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

AGENDA ITEM 15

ACTION: Local Educational Agency Plan (LEAP) Amendment

Local Education Agency Plans (LEA Plans) were developed in spring 2003 as five year plans, to be implemented from July 1, 2003 – June 30, 2008, in response to requirement in the 2001 reauthorization of the Elementary and Secondary Education Act (ESEA). While the Elementary and Secondary Education Act has been reauthorized as the Every Student Succeeds Act (ESSA) and signed into law on December 10, 2015, most of the provisions of the ESSA took effect in 2017-18 school year. Absent new guidance, this document provides an update on GTUSD's progress towards the 4 performance goals as defined in ESEA and describes LEA level plans. Considerably more detail about school performance and planned activities can be found in the Single Plan for Student Achievement (SPSA) for each school. Also, the Local Control Accountability Plan, while not a requirement of ESEA, supports eight state priorities and provides additional funding sources to develop similar programs to assist students. These various plans provide programs and supplemental services for Gold Trail Union School District students and are reviewed annually and approved by the board.

Aidan Harte, CFO, will review and update the District's LEAP.

ATTACHMENTS

➤ **2019-2020 LEAP Amendment**

BUDGETED

☒ NA ☐ Yes ☐ No ☐ Cost Analysis Follows

RECOMMENDATION

The Board will take action to approve the Amendment.

NOTES

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

LEA Plan Update

2019-20

Local Education Agency Plans (LEA Plans) were developed in spring 2003 as five year plans, to be implemented from July 1, 2003 – June 30, 2008, in response to requirement in the 2001 reauthorization of the Elementary and Secondary Education Act (ESEA). While the Elementary and Secondary Education Act has been reauthorized as the Every Student Succeeds Act (ESSA) and signed into law on December 10, 2015, most of the provisions of the ESSA took effect in 2017-18 school year. Absent new guidance, this document provides an update on GTUSD's progress towards the 4 performance goals as defined in ESEA and describes LEA level plans. Considerably more detail about school performance and planned activities can be found in the Single Plan for Student Achievement (SPSA) for each school. Also, the Local Control Accountability Plan, while not a requirement of ESEA, supports eight state priorities and provides additional funding sources to develop similar programs to assist students. These various plans provide programs and supplemental services for Gold Trail Union School District students and are reviewed annually and approved by the board.

In August 2010, California adopted the Common Core State Standards with full implementation in 2013-14. In addition to the change in curriculum delivery the state is transitioning to a new assessment system called California Assessment of Student Performance and Progress (CAASPP). This transition creates challenges for plan development and monitoring success. The test results from last year's Smarter Balance assessments will be compared to the baseline set in 2014-15. We will use the results of these tests to adjust our curriculum to better align with the Common Core Standards. Since CAASPP testing begins with 3rd grade students – there is no state provided assessment tool to monitor student academic performance at the earlier grades. State provided interim assessment tools for grades 3 through 8 are limited and insufficient. With this in mind, and to provide opportunities during the year to provide intervention and re-teaching where needed, we have determined to focus our attention on locally developed assessments measured periodically during the year at all grade levels. It is with these challenges that the LEA and SPSA plans are crafted.

Along with the state testing results the district will consider other factors that may contribute to student success. Effective training, sufficient materials, class sizes, safe and adequate facilities, student engagement and parent involvement are all important to student success.

The LEA Plan is organized around 4 performance goals.

Goal 1: All students will make satisfactory progress or better, in language arts and math in the 2019-20 school year.

Specific district academic goals relating to the state standardized assessments (CAASPP) are included in the Local Control Accountability Plan. The district continues the process of

developing and implementing local assessments to monitor academic growth for students at all grade levels.

Students with behavior issues can impede their own and others' academic success. The district employs a full-time Behavioral Intervention Instructional Assistant whose responsibilities are to observe the teacher and the student interaction to identify student triggers. The Behavioral Intervention Instructional Assistant provides teacher coaching to develop strategies designed to diffuse inappropriate student behavior responses. Staff also work directly with the student to help them learn skills to more positively manage their classroom and playground behavior.

The district provide Title 1 support for students struggling academically in grades TK/K through 3 with Response to Intervention by re-teaching missing skills, tutoring, keeping them focused and on task in the classroom.

Prior to the start of the year in-coming kindergarten students are assessed using the Gessell Development Observation Tool that assesses school readiness for placement in K1 a one-year program or K2 a two year transitional program.

During the first four weeks of school or upon student enrollment teachers evaluate first through eighth grade students for grade level readiness in language arts and math.

Teachers meet in both grade level teams and across grade level groups to discuss effective teaching strategies, model lessons, develop pacing guides and coordinate student transition to the next grade level.

Goal 2: All limited English proficient, educationally and socioeconomically disadvantaged youth will make satisfactory progress or better, in language arts and math in the 2019-20 school year.

Students are continually assessed using SIPPS screening tests, district assessments in the areas of fluency, accuracy, and comprehension, as well as other standardized tests in the areas of language arts and math. All underperforming students are referred to the Student Success Team process. Team participants can be the classroom teacher, principal, resource specialist, behaviorist, and the parent(s). The team is configured based on the specific needs of the child who may be invited to attend if appropriate.

The team meets to discuss, in-depth, the individual concerns and needs of the student. Specific measurable interventions are planned and a follow up meeting is scheduled if necessary. Interventions may include small group instruction, translator aides and web based software programs like Read Naturally, Raz Kids, and Splash Math. Student progress is monitored for success. Where interventions are determined not successful the team meets to revise interventions or discuss the possible need for Special Education assessment.

The district continues to improve the English Learner outreach program to more effectively assist English Learners and their families. Our goal is to make the students and their families

more comfortable in the school environment which will invariably lead to student academic success. We accomplish this by providing translator services, English Learners parent nights, frequent contact with parents, and periodic contact with students who are bilingual with the ELPAC coordinator. In addition, we translate bulletins and emails sent home to parents of English Learner students.

Goal 3: All teachers are highly trained with specialized professional development using common core standards and continue to increase student use of technology to support academic success.

GTUSD's current staff is highly trained and 97% of staff are credentialed to teach English Learner (EL) students. The teacher not EL credentialed does not have EL students in her class and is scheduled to complete the training in 2019/20. All teachers on staff have been trained in the Common Core Standards curriculum delivery. The adopted calendar provides three staff days for in-service and training as well as seven early release days and prep periods for all staff to train, review and plan.

Goal 4: All students will be educated in learning environments that are safe, drug free and conducive to learning.

The District participates in Tobacco Use and Prevention Education and conducts the California Healthy Kids Survey. We have expanded our survey to include grades 5 through 8 and will conduct the survey annually. The results of this survey are shared with the School Board and the community.

Student Behavior

Promoting kindness and respect for all students and staff is a priority. Character education to learn how to replace negative behavior with positive action will increase well being for all. Staff members are encouraged to model positive behavior to enhance the learning environment and improve student ability to practice these concepts.

Introducing these important concepts at an early age is critical. Our district behavior specialist assists students directly as well as assists teachers with positive behavioral strategies. Sutter's Mill School has weekly assemblies to address character development and appropriate behavioral expectations.

In grades 4 through 8, the Gold Trail student council governance is based on the program Where Everybody Belongs. This structure fosters a physically, emotionally and culturally responsive environment which engages students, develops leadership and creates a positive campus atmosphere. Gold Trail students also participate in the Teens Educating Against Classmate Harassment program, a bullying prevention program that empowers students to create a positive and respectful environment on our campuses.

Both school Principals have as a priority to be visible on campus and to have an open door policy for parent conferences.

Safety Plan

The District annually updates the comprehensive safety plan. The management team/school safety committee meets to review the safety plan in order to vigilantly increase safety awareness. Systems are evaluated for effectiveness and improvements are made where necessary. Fire drills are conducted monthly, and earthquake and lockdown drills are practiced regularly. A district wide bus evacuation for all persons on campus is planned and conducted annually with a debrief meeting following the drill to evaluate and improve the process.

Attendance and Truancy

The district has developed and implemented a Truancy Policy and common truancy letters to address students who are classified as truant. All schools use the El Dorado County School Attendance Review Board (SARB) to help with issues of truancy that cannot be resolved at the school level. Training was provided to the school administrators regarding attendance, attendance accounting, truancy and Average Daily Attendance. Attendance for each school is monitored and discussed at the site level on a monthly basis.

McKinney-Vento

The Superintendent is the district McKinney-Vento Liaison for homeless families. The district currently has 25 students who are classified as “homeless”. Staff at the schools have been trained regarding the McKinney-Vento requirements and provided with resources to discreetly assist homeless families. Eligible students receive free lunch and transportation, school supplies and other needed services and supplies to help them be successful in school.

Additional Mandatory Title I Descriptions

1. Planned School Allocations

The district meets the small district criteria as there is only one school per grade span and there are fewer than 1000 students in the district. Title I funding is allocated to Sutter’s Mill Elementary School.

2. Section 1115 Targeted Assistance Schools.

See Goal 2 for student identification and services provided.

3. Not in Program Improvement

4. Coordinate Title I and Title II.

All teachers are highly qualified. Title I and Title II funds are used to focus professional development for the principal and teachers on instructional strategies that research shows are most effective. Developing Common Core Standard curriculum delivery, BTSA and administrator training are the particular areas of focus.

Funding used to support these goals in the various school plans

ESSA - Title I, Disadvantaged

ESSA - Title II, Teacher and Principal

ESSA - Title III Part A Immigrant Students

ESSA – Title IV Part A, Student Support and Academic Enrichment Program (thru local consortium)

ESSA - McKinney-Vento Homeless

State - Local Control Funding Formula Base and Concentration Funding

State - Common Core Standards Funding

State – Lottery

State – Low Performing Student Grant

Local – Child Support Services

Mental Health - Prevention Early Intervention funding

Approved by the District Advisory committee –

AGENDA ITEM 16 DISCUSSION ITEM: Administrative Reports

BACKGROUND

S. Lyons, superintendent, will report on activities relevant to District and Sutter's Mill School business.

B. Holler, principal, will report on activities relevant to Gold Trail School business.

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				
<div> <div>2018-19 v 2019-20 Enrollment</div> </div>										
						2019-2020 Enrollment this month				
						TK	27	4	62	
						K	71	5	71	
						1	73	6	67	
						2	62	7	79	
						3	62	8	86	
						Total	295	Total	365	
						District Total Enrollment			660	

AGENDA ITEM: Closed Session
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17. CLOSED SESSION OPEN HEARING

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

18. CLOSED SESSION

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

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

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

NOTES

The Brown Act and Education Code delineate the circumstances under which a legislative body of a local agency may meet in closed session and limits legislative bodies to the types of closed sessions identified under Government Code 54962. The Brown Act and Education Code authorize closed sessions for the following:

- 1. Real Property Transactions*
- 2. Pending litigation*
- 3. Joint Powers Agency ("JPA") issues*
- 4. Public security*
- 5. Personnel exception*
- 6. Collective Bargaining*
- 7. Student Discipline*
- 8. Assessment Instruments*

AGENDA ITEM 19.0
Reconvene Public Session and Closed Session Disclosure

If Vote Taken in Closed Session

<i>ACTION</i>		<i>Moved</i>			<i>Seconded</i>	
<div><input type="checkbox"/> <i>Approved as is</i></div> <div><input type="checkbox"/> <i>Not approved</i></div> <div><input type="checkbox"/> <i>Amended to read:</i></div>						
<i>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 20.0
Future Meetings

Date: Thursday, March 12, 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)

BP 6145, Extra-curricular and Co-curricular Activities, (Annual Review)

English Learner Program Evaluation (Annual)

Facilities and Maintenance Report (Annual)

Local Control Accountability Plan (LCAP) Update

Physical Fitness Test District and School Summary (Annual)

Reduction of Certificated Employees, If Applicable

Second Period Interim Financial Report (Annual)

School Site Council Plans and Budgets (Annual)

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

AGENDA ITEM:
Adjournment

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