

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, CA 95932

SPECIAL BOARD MEETING

**Board of Trustees
Colusa Unified School District
745 Tenth St., Colusa, CA**

AGENDA

**July 8, 2014
7:45 A.M.**

A. Call to Order and establish a quorum is present

B. Hearing of Public

The Board encourages public comment concerning any item of importance and will recognize requests to speak before the item is voted upon. To assure your right to address any action item, please notify the Superintendent's Office of your desire to speak by noon of the day prior to the Board Meeting. Those requesting to address the Board in advance will be granted up to five minutes to speak. Others will be limited to a total of three minutes.

Discussion/Possible Action:

- 1) Consider adoption of Resolution #2013-14.14 – Signatures of the Members of the Board.
- 2) Consider adoption of Resolution #2013-14.15 - Ordering a Bond election and establishing specifications of the election order and requesting consolidation with other elections.
- 3) Consider adoption of Resolution #2013-14.16 - Establishing a Community Day School and adopting Colusa County School District's Consortium Plan for serving expelled students.

C. Adjournment of Meeting

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, California 95932

RESOLUTION #2013-2014.14

Signatures of the Members of the Board

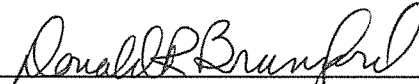
WHEREAS, the Governing Board of the School District recognizes its obligation to maintain statutory regulations regarding Governing Boards (Education Code Section 42633/85234).

THEREFORE BE IT RESOLVED, the following people are designated by their affixed signatures on the attached verification form as the members of the Governing Board of the Colusa Unified School District.

I, Don Bransford, clerk of the Governing Board of the Colusa Unified School District of Colusa County, California, do hereby certify that the foregoing is a full true and correct copy of a resolution adopted by the said Board at a regular meeting thereof held at its regular place of meeting, which resolution is on file in the office of said Board.

June 17, 2014

Date



Don Bransford, Clerk

PASSED AND ADOPTED this 17th day of June, 2014 by the following vote:

AYES: 5

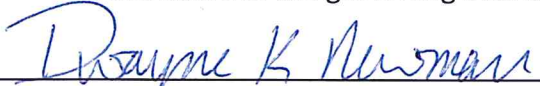
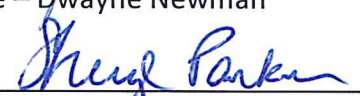
NOES: 0

ABSENT: 0

TO: Colusa County Superintendent of Schools
FROM: Governing Board, Colusa Unified School District
RE: APPROVAL OF WARRANT ORDERS – June 17, 2014 through December 31, 2014.






In Accordance with Education Codes Section §42632 and Section §42633, following are verified signatures of:

1. District officers or employees authorized to sign all orders for warrants against district funds in the name of the governing board.

 _____ Signature – Dwayne Newman	<u>District Superintendent</u> _____ Title
 _____ Signature – Sheryl Parker	<u>Business Manager</u> _____ Title

(Please write “not applicable” on signature lines not utilized for authorization).

2. Governing Board members, whose signatures also indicate approval of any authorization granted above:

 _____ Signature – Charles Yerxa	<u>President</u> _____
 _____ Signature – Don Bransford	<u>Clerk</u> _____
 _____ Signature – Terry Bressler	<u>Member</u> _____
 _____ Signature – Lincoln Forry	<u>Member</u> _____
 _____ Signature – Kelli Griffith Garcia	<u>Member</u> _____

(Approval of three board members is required on orders for warrants against district funds if no district officer or employee is authorized to sign on behalf of the governing board).

Signed  Clerk Date: June 17, 2014

COLUSA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 2013-14.15

RESOLUTION OF THE BOARD OF TRUSTEES OF THE
COLUSA UNIFIED SCHOOL DISTRICT
ORDERING A SCHOOL BOND ELECTION,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER,
AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS

WHEREAS, the Colusa Unified School District (the “District”) Board of Trustees (the “Board”) is authorized to order elections within the District and to designate the specifications thereof, pursuant to Education Code sections 5304 and 5322;

WHEREAS, the Board is further authorized to order elections, pursuant to Education Code sections 15264 *et seq.*, for the purpose of submitting to the electors the question of whether District bonds (“Bonds”) shall be issued and sold for specified purposes;

WHEREAS, the Board deems it necessary and advisable to submit a bond measure to the electors that, if approved by the requisite number of electors voting on the measure, would permit the District to issue the Bonds; and

WHEREAS, it is desirable that the election to determine whether the Bonds shall be issued and sold be consolidated with such other election or elections as may be held on the same day in the same territory or in territory that is in part the same.

NOW, THEREFORE, the Board does hereby resolve, determine, and order as follows:

Section 1. Election Order; Ballot Measure. Pursuant to Education Code sections 5304, 5322 and 15264 *et seq.* and article XVI, section 18(b) of the California Constitution, an election shall be held within the boundaries of the District on November 4, 2014, submitting to the voters of the District the question of whether Bonds of the District, in the amount of \$5,900,000 shall be issued and sold for the purposes of improving the quality of education in local schools and protecting the safety of the students of the District. Specifically, Bond proceeds shall be utilized for the purposes authorized by the Constitution and laws of the State of California, all as identified in the full text of the ballot measure, set forth in **Exhibit A** attached hereto and incorporated herein by reference, under the heading “School Facilities Projects to Be Funded with Proceeds of Bonds” (the “Bond Projects”). The Bonds proposed to be issued and sold shall bear interest at a rate not exceeding the statutory limit, and may be issued and sold up to the maximum number of years consistent with the underlying statutory authority for the issuance and sale of the Bonds.

Section 2. Use of Bond Proceeds; Certification of Evaluations; Audit Requirements.

(a) **Use of Bond Proceeds.** Proceeds from the sale of the Bonds may be used only for the purposes specified in article XIII A, section 1(b)(3), of the California Constitution.

(b) **Certification of Evaluations.** The Board hereby certifies that it evaluated safety, class size reduction, and information technology needs in developing the list of the Bond Projects.

(c) Completion of Facilities. Passage of the District's bond measure does not guarantee that all Bond Projects listed in **Exhibit A** will be completed. In addition, certain Bond Projects may require state matching funds. State matching funds may be subject to appropriation by the Legislature or approval of a statewide bond measure.

(d) Performance Audit. The Board shall conduct an annual, independent performance audit to ensure that the Bond funds have been expended only on the specific Bond Projects listed.

(e) Financial Audit. The Board shall conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of the proceeds have been expended for the Bond Projects.

Section 3. Accountability Requirements. The District hereby finds or directs that:

(a) Purpose. The purpose of the Bonds is to fund the Bond Projects, as listed in **Exhibit A**;

(b) Proceeds. The bond proceeds shall only be used on the Bond Projects; and

(c) Accounts. All proceeds of the Bonds shall be accounted for separately.

Section 4. Vote Required. Pursuant to section 18(b) of article XVI and section 1 of article XIII A of the California Constitution, the bond measure shall become effective only upon the affirmative vote of fifty-five percent (55%) of those voters voting on the measure.

Section 5. County Registrar of Voters to Conduct Election. Pursuant to Education Code section 5303, the Colusa County (the "County") Registrar of Voters is hereby requested to take all steps to prepare for and hold the election within the boundaries of the District in accordance with law and these specifications.

Section 6. Consolidation with Other Elections. Pursuant to sections 5342, 15121, and 15266 of the Education Code and part 3 (commencing with section 10400) of division 10 of the Elections Code, the County Board of Supervisors is requested to order consolidation by the County Registrar of Voters of the school bond election with the other elections to be held on the same day in the same territory or in territory that is in part the same. Pursuant to section 10403 of the Elections Code, the Board hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by section 10418 of the Elections Code.

Section 7. Canvass of Returns. The County Board of Supervisors is authorized to canvass the returns of the election pursuant to section 10411 of the Elections Code.

Section 8. Services of Registrar of Voters. Pursuant to section 5303 of the Education Code and section 10002 of the Elections Code, the County Board of Supervisors is requested to permit the County Registrar of Voters to render all services incident to the preparation for and holding of the election, for which services the District agrees to reimburse the County with such services to include the publication of a notice of school bond election, and the mailing of the

sample ballot and tax rate statement (described in section 9401 of the Elections Code) pursuant to the terms of section 5363 of the Education Code and the Elections Code.

Section 9. Brief Statement of the Bond Measure. A brief statement of the bond measure is included in **Exhibit A** under the heading “ Brief Statement of the Measure.” The District hereby requests the County Registrar of Voters to publish the brief statement of the bond measure, as appropriate, and to designate the measure on the ballot by a letter printed on the left margin of the square containing the brief statement of the measure as provided in section 13116 of the Elections Code.

Section 10. Full Text of the Measure. The District hereby requests the Registrar of Voters to publish the full text of the measure which is set forth in **Exhibit A**, attached hereto and incorporated herein by reference, in the ballot materials as appropriate.

Section 11. Specifications of the Election Order. The foregoing specifications of the election order are made pursuant to section 5322 of the Education Code.

Section 12. Delivery of Specifications of the Election Order. The District's Superintendent is hereby directed to deliver not later than July 3, 2014, a certified copy of this Resolution and the tax rate statement to the County Registrar of Voters and a copy of this Resolution to the County Board of Supervisors.

Section 13. General Authorization with Respect to the Bond Election. The members of the District's Board, the Superintendent and the other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things, to execute, deliver, and perform any and all agreements and documents they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet a tax rate statement and an argument in favor of passage of the ballot measure. All actions heretofore taken by the officers and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

Section 14. Encumbrance of Bond Funds. For the purpose of making bond funds unavailable as rent within the meaning of Education Code section 17032, the Board hereby encumbers all funds to be generated by the sale of the bonds in order to pay for the acquisition and construction of the Bond Projects authorized by the ballot measure.

Section 15. State Matching Funds. Certain of the Bond Projects may require state matching funds for the completion of any phase thereof. Approval of the District's bond measure does not guarantee that the proposed Bond Projects will be funded beyond the local revenues generated by the measure. The District's proposal for the Bond Projects may assume receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

Section 16. Citizens' Oversight Committee. It is the intent of the Board that a citizens' oversight committee be appointed to ensure that the proceeds of the Bonds are spent only for the specific purposes and projects identified in this Resolution. The membership requirements and

procedures for such committee shall be established by the Board in accordance with the requirements of law.

Section 17. Official Intent to Reimburse Expenditures. The District intends to undertake the acquisition, construction, renovation, furnishing, and equipping of the Bond Projects as described in **Exhibit A**. The District intends to use the proceeds of its general obligation bonds described in this Resolution to finance the Bond Projects. The District may pay certain capital expenditures (the “Reimbursement Expenditures”) in connection with the Bond Projects prior to the issuance of the Bonds. The District reasonably expects that Bonds in an amount not expected to exceed \$5,900,000 will be issued by it for the purpose of financing the Bond Projects on a long-term basis and that certain of the proceeds of such debt obligations may be used to reimburse the District for the Reimbursement Expenditures.

The Board hereby declares the District’s official intent to use a portion of the proceeds of the Bonds to reimburse the District for the Reimbursement Expenditures. The foregoing statement is a declaration of official intent that is made under and only for the purpose of establishing compliance with the requirements of Treasury Regulations section 1.150-2.

Section 18. Tax Rate Statement. The Board hereby approves the form of the tax rate statement attached hereto as **Exhibit B** and incorporated herein by reference. The District hereby requests the County Registrar of Voters to publish the tax rate statement contained in **Exhibit B**.

Section 19. Effective Date. This Resolution shall take effect immediately upon its adoption.

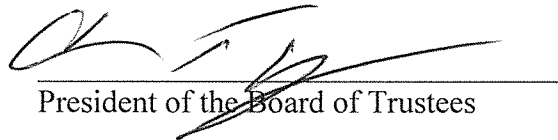
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Resolution No. 2013-14.15 of the Board of Trustees of the Colusa Unified School District Ordering a School Bond Election, Establishing Specifications of the Election Order, and Requesting Consolidation with Other Elections was **approved, passed, and adopted** on June 17, 2014, by the Colusa Unified School District Board of Trustees by the following vote:

AYES: Yerxa, Forry, Bressler
NOES: 0
ABSENT: Bransford, Griffith-Garcia
ABSTAIN: 0

At its meeting of July 8, 2014, the District's Board took action, by the following vote, **reconfirming its prior adoption** of Resolution No. 2013-14.15:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



President of the Board of Trustees

ATTEST:



Secretary of the Board of Trustees

EXHIBIT A

FULL TEXT OF THE MEASURE

Upon the passage of Measure _____, the Colusa Unified School District (the "District") shall be authorized to issue bonds in the aggregate amount of \$5,900,000, bearing interest at rates not exceeding the statutory limit, for the purpose of funding the school facilities projects listed below under the heading "School Facilities Projects to Be Funded with Proceeds of Bonds" (the "Bond Project List").

Proposition 39 Bond Accountability Measures

At its June 17, 2014 meeting, the Board of Trustees (the "Board") certified that it evaluated safety, class size reduction, and information technology needs in developing the Bond Project List set forth below. The proceeds of the Bonds shall be used only for the projects identified in the Bond Project List, and not for any other purpose (i.e., teacher and administrative salaries and other school operating expenses).

The proceeds of the bonds will be accounted for separately. The Board is bound to conduct financial and performance audits annually to account for the bond funds and to assure that funds have only been expended on the specific projects authorized. The District shall prepare and deliver an annual report to the Board containing the amount of funds collected and expended as well as the status of school facilities projects authorized to be funded by proceeds of the bonds.

The Board will appoint a citizens' oversight committee (the "Citizens' Oversight Committee") having a minimum of seven members and including at least one member active in a business organization representing the business community located within the District, one member active in a senior citizens' organization, one member active in a bona fide taxpayers' organization, one member who is the parent or guardian of a child enrolled in the District, and one member who is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization.

School Facilities Projects to Be Funded with Proceeds of Bonds

Install/update/replace/repair fire, intruder, and life safety systems as required by current codes. These systems could include, but are not be limited to: Ansul (kitchen fire suppression) systems; panic door hardware; fire detection and suppression systems; upgrade existing spaces for fire safety.

Install security/surveillance systems and fencing. Replace/repair systems necessary for enhanced student, staff, and/or public safety. Install updated entry systems to control access.

Replace/repair public address, intercom, clock and bell systems.

Abate and remove hazardous materials identified prior or during construction.

Install/update/replace/repair American Disability Act systems as required by current codes. These systems could include, but are not be limited to: installation or repair of accessibility ramps to portable classrooms, handrails, signage, curb ramps, accessible doors and door hardware, accessible restrooms - both student and staff, accessible drinking fountains, site asphalt and/or concrete for path of travel and parking.

Other improvements required to comply with existing building codes, including the Field Act, and access requirements of the Americans with Disabilities Act.

Replace/repair/install heating, ventilation, and air conditioning systems with new energy efficient systems. Install energy management systems, to promote energy efficiency and cost reduction.

Upgrade electrical systems to current standards.

Replace/repair interior and exterior lighting systems and controls.

Replace/repair water and sewer systems. Upgrade student and staff restrooms to current health and hygiene standards.

Replace/repair roof and roof drainage systems at primary and high school. Replace areas damaged due to dry rot.

Replace flooring in middle school gym.

Replace old/worn carpet and tile in selected areas.

Science classroom upgrades including new flooring, lab furniture and equipment, water and gas supply lines, safety and work stations.

Library and other classroom upgrades including new flooring, fixtures, technology upgrades, furniture and equipment.

Install/repair/ replace technology infrastructure components related to the district computer network and supporting wireless network access.

Repair/replace vocational agriculture barn / sheds.

Replace furniture fixtures and equipment necessary to improve math, science, reading and writing skills.

Necessary site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of re-locatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping.

All work necessary and incidental to specific projects described above, including demolition of existing structures.

Address unforeseen conditions revealed by construction/modernization (such as plumbing or gas line breaks, dry rot, seismic, structural, etc.)

Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel.

Before bond projects are initiated, the Citizens' Oversight Committee will confirm that the specific projects, budgets and expenditures are feasible and efficient. The costs of the entire Bond Project List exceeds the amount of bonds authorized by Measure _____. Approval of the District's Measure _____ does not guarantee that the proposed school facilities projects in the District that are the subject of bonds under Measure _____ will be funded beyond the local revenues generated by Measure _____. The District's proposal for the school facilities projects may assume receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. The allocation of bond proceeds may also be affected by the final costs of each project. In the absence of state matching funds, which the District will pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects identified in Measure _____.

The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur. Necessary relocation assistance, site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of portable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Brief Statement of the Measure

The ballot measure shall read as follows:

MEASURE ____: "To improve Colusa students' math, science, reading, and writing skills, by repairing leaky roofs, deteriorating restrooms, plumbing, heating, wiring; providing modern computer technology; renovating outdated classrooms, libraries, agricultural/vocational facilities, science and computer labs; improving fire alarms and school safety; removing asbestos/hazardous materials; acquiring, renovating, constructing, equipping accessible classrooms, sites and facilities; shall Colusa Unified School District issue \$5,900,000 in bonds at legal rates, using independent citizen oversight, no money for administrators, all funds benefitting local schools?"

BONDS-YES

BONDS-NO

EXHIBIT B

TAX RATE STATEMENT

An election will be held in the Colusa Unified School District (the "District") on November 4, 2014, to authorize the sale of up to \$5.9 million in bonds for the District to continue improving the quality of education in local schools and protecting the safety of the students of the District. Specifically, bond proceeds shall be utilized for the purposes of acquisition, construction, renovation, furnishing, and equipping of school facilities, and equipment.

If the bonds are authorized and sold, debt service thereon will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with sections 9400-9404 of the Elections Code of the State of California. It is anticipated that the District will sell the bonds in two series.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the bonds, based on estimated assessed valuations available at the time of filing of this statement, is 47.61¢ per \$100 (\$47.61 per \$100,000) of assessed valuation in fiscal year 2015–2016.

2. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the last sale of the bonds, based on estimated assessed valuations available at the time of filing of this statement, is 47.97¢ per \$100 (\$47.97 per \$100,000) of assessed valuation in fiscal year 2017–2018.

3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 47.97¢ per \$100 (\$47.97 per \$100,000) of assessed valuation in fiscal years 2017–2018, and 2035–2036.

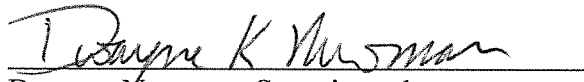
4. The best estimate of the average tax rate which would be required to be levied to fund this bond issue during the life of the bonds, based on estimated assessed valuations available at the time of filing of this statement, is 47.55¢ per \$100 (\$47.55 per \$100,000) of assessed valuation.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds.

The dates of sale and the amount of bonds sold at any given time will be determined by the District based on the need for construction funds and other factors, including the legal limitations on bonds approved by a 55% vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: June 17, 2014

A handwritten signature in black ink, reading "Dwayne K. Newman". The signature is written in a cursive style and is positioned above a horizontal line.

Dwayne Newman, Superintendent
Colusa Unified School District

RESOLUTION NO. #2013-14.16

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE
COLUSA UNIFIED SCHOOL DISTRICT
AUTHORIZING AND ORDERING THE CREATION OF A DISTRICT OPERATED
COMMUNITY DAY SCHOOL**

WHEREAS, the Colusa Unified School District (the "District") Board of Trustees (the "Board") is authorized to create and operate a Community Day School, pursuant to Education Code sections 48660 - 48666;

WHEREAS, the Board is desirous of serving the needs of expelled students in grades 7-12;

WHEREAS, the Board deems it necessary and advisable to open enrollment to similar students from the other public schools within Colusa County; and

WHEREAS, it is desirable that the Community Day School be operational for the 2014/2015 school year;

NOW, THEREFORE, the Board does hereby resolve, determine, and order the district administration to take all necessary and legal steps to open and operate a Community Day School under the authority of the afore mentioned Education Code:

This Resolution of the Board of Trustees of the Colusa Unified School District Authorizing and Ordering the Creation of a District Operated Community Day School is **approved, passed, and adopted** on June 17, 2014, by the Colusa Unified School District Board of Trustees by the following vote:

AYES: 5

NOES: 0

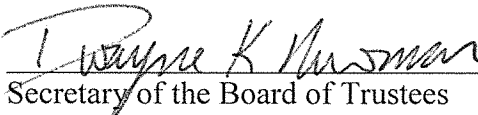
ABSTAIN: 0

ABSENT: 0



President of the Board of Trustees

ATTEST:



Secretary of the Board of Trustees

CERTIFICATION

I, Dwayne Newman, Secretary of the Board of Trustees of the Colusa Unified School District, Colusa County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly approved and adopted by the Board of Trustees of the District at a meeting held on July 8, 2014, of which meeting all the members of the Board of Trustees had due notice and at which a majority thereof were present, and that at the meeting the resolution was adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

An agenda for the meeting was provided in advance of the meeting, as required by law, to all members of the Board of Trustees and to all media outlets that have requested notification. Further the agenda was posted in advance of the meeting, as required by law, at the District at 745 Tenth Street, Colusa, CA 95932, a location freely accessible to members of the public, and a brief description of the resolution appeared on the agenda.

I have carefully compared the foregoing resolution with the original minutes of the meeting on file and of record in my office, and the foregoing is a full, true, and correct copy of the original resolution adopted at the meeting and entered in the minutes.

Dated: July 8, 2014



Dwayne K Newman

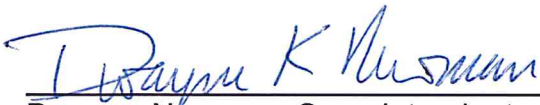
Dwayne Newman
Secretary of the Board of Trustees
Colusa Unified School District

Colusa County School Districts'
Consortium Plan

For

Serving Expelled Students

2014-2015



Dwayne Newman, Superintendent
Colusa Unified School District

Ron Turner, Superintendent
Maxwell Unified School District

Carol Geyer, Superintendent
Pierce Joint Unified School District

Jennifer Foglesong, Superintendent
Williams Unified School District

Colusa County School District's Consortium Plan for Serving Expelled Students

Introduction

Education Code 48926 requires a countywide plan, which shall include the following provisions:

- a. Enumerate existing educational alternatives for expelled youth
- b. Identify gaps in educational services to expelled pupils
- c. Identify strategies for filling those gaps in services
- d. Identify alternative placement for pupils who are expelled from districts within the county.

Educational programs within the County of Colusa provide a variety of opportunities for students who are in need of traditional and/or alternative education programs. Individual school districts offer a variety of program options within their respective schools. The Colusa Unified School District operates a Community Day School and Opportunity Classes.

A student whose behavior has resulted in expulsion is given a rehabilitation plan that is designed by the district of residence. The rehabilitation plan may involve one or more of the options outlined. A student who is simply in need of an educational alternative may also access these programs through a Parent request, and/or District referral process.

Education Code 48926:

The Superintendent of Colusa Unified School District operates a community day school pursuant to Section 1980, in conjunction with superintendents of the school districts within the county, shall develop a plan to provide education services to all expelled pupils in that county. The plan shall be adopted by the governing board of each school district within the county and by the County Board of Education.

The plan shall enumerate existing

- 1) educational alternatives for expelled pupils,
- 2) identify gaps in educational services to expelled pupils, and
- 3) strategies for filling those service gaps.
- 4) The plan shall also identify alternative placements for pupils who are expelled and have been placed in district alternative education programs, but who fail to meet

the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.

Each county superintendent of schools, in conjunction with the superintendents of the school districts, shall submit to the Superintendent of Public Instruction the county plan for providing educational services to all expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to Section 48916.1, on June 30th, thereafter.

Education Code 48916.1:

- a. At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education program is provided to the pupil who is subject to the expulsion order for the period of the expulsion. Except for pupils expelled pursuant to subdivision (d) of Section 48915, the governing board of a school district is required to implement the provision of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.
- b. Notwithstanding any other provision of law, any educational program provided pursuant to subdivision (a) may be operated by the school district, the county superintendent of schools, or a consortium of districts or in joint agreement with the county superintendent of schools.
- c. Any educational program provided pursuant to subdivision (b) may not be situated within or on the grounds of the school from which the pupil was expelled.
- d. If the pupil subject to the expulsion order was expelled from kindergarten or grades 1 to 6, inclusive, the education program provided pursuant to subdivision (b) may not be combined or merged with educational programs offered to pupils in any of the grades 7 to 12, inclusive. The district or county consortium is the only program required to be provided to expelled pupils as determined by the governing board of the school district.
- e. Each school district shall maintain data as specified in this subdivision and report the data annually to the State Department of Education, commencing June 1, 1997, on forms provided by the State Department of Education. The school district shall maintain the following data:
 1. The number of pupils recommended for expulsion;
 2. The grounds for each recommended expulsion;
 3. Whether the pupil was subsequently expelled;
 4. Whether the expulsion order was suspended;
 5. The type of referral made after the expulsion; and
 6. The disposition of the pupil after the end of the period of expulsion.
- f. When a school district does not report outcome data as required by this subdivision, the Superintendent of Public Instruction may not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with the provisions of this subdivision. Before withholding the apportionment of funds to a school district pursuant to this subdivision, the

Superintendent of Public Instructions shall give written notice to the governing board of the school district pursuant to this subdivision, the Superintendent of Public Instruction shall give written notice to the governing board of the school district that the school district has failed to report the data required by paragraph (1) and that the school district has 30 calendar days from the date of the written notice of noncompliance to report the requested data and thereby avoid the withholding of the apportionment of funds.

- g. If the county superintendent of schools is unable for any reason to serve the expelled pupils of a school district within the county, the governing board of that school district may enter into an agreement with a County Superintendent of Schools in another county to provide education services for the district's expelled pupils.

Existing School District Alternatives for Expelled Students

Each school district will take steps to see that services are provided for students who have an expulsion hearing. A student whose behavior has resulted in expulsion shall be given a rehabilitation plan that is designed by the district of residence. Any recommended placement should be monitored and appropriate documentation maintained. This plan may involve one or more of the options outlined below.

The governing board of each school district will determine which educational alternatives are appropriate and available. Educational alternatives throughout Colusa County for students recommended for expulsion include, but are not limited to, the following options:

1. *Expulsion, suspended order, with placement on the same school campus;*
2. *Expulsion, suspended order, with placement on a different campus within the district;*
3. *Expulsion, suspended order, with placement in District Independent Study, if the parent consents;*
4. *Expulsion, suspended order, with subsequent transfer to another district following interdistrict request processes;*
5. *Expulsion, suspended order, with transfer to the Colusa Unified School District Community Day School Program;*
6. *Expulsion with subsequent transfer to Community Day school within another district; or*
7. *Expulsion with referral to the Colusa Unified School District Community Day School Program.*

Colusa County Consortium Plan

For Serving Expelled Students

The Colusa Unified School District Board of Education and the Governing Boards of each school district within Colusa County believe that all students are entitled to an appropriate public education. Access to educational services will assist students to achieve their educational, career, and life goals; minimize future involvement with the Juvenile Court System for those students at risk; and maximize the opportunity for a higher quality of life.

The Colusa Unified School District Board of Education, the Colusa County Superintendent of Schools, and the Governing Boards for the three other Colusa County School Districts shall make every effort to keep all students in a school where an appropriate education can be provided, including those students who are expelled.

Educational programs within Colusa County provide numerous opportunities for students who are in need of traditional and/or alternative education programs. School districts in Colusa County offer a broad spectrum of educational alternatives, including, but not limited to:

- Counseling Services
- After School Tutoring
- Alternative Educational Programs, i.e. Continuation/Alternative High Schools, Independent Study, Home Schooling, In-House Suspension and Home Suspension
- Peer Tutoring/Peer Counseling
- DART Referrals
- ~~Referrals~~
- Parent Contacts and Home Visits

Together, the four Colusa County School Districts offer a significant continuum of services providing alternatives to students prior to expulsion and services for expelled students.

Colusa Unified School District Overview

The Colusa Unified School District will offer an educational option for expelled students through the Community Day School, provided ADA is adequate to support the program.

The Colusa County Consortium Community Day School program is a permissive educational program that provides the four local school districts with an educational option for expelled youth.

Colusa County Educational Alternatives for Expelled Youths

The Colusa County Consortium offers the following options for expelled youth:

1. Colusa Unified School District Community Day School

Gaps in Educational Services

Six major gaps exist in respect to providing a comprehensive system of educational services to expelled students.

1. The school districts in Colusa County are small and generally expel a small number of students during the course of a school year. Developing programs for such students, located in each district, is not financially possible. The districts must work to develop solutions that are both educationally sound and financially possible.

Colusa Consortium Strategy for Addressing This Gap:

- A. Students expelled under mandatory expulsion Education Codes will be referred to the Colusa Unified School District Community Day School.
 - B. Depending on the Education Code violation, students may be placed on a suspended expulsion and allowed to remain on the school site with a mandatory behavior contract, terms and conditions.
 - C. Depending on the Education Code violation, a student may be placed on a suspended expulsion and placed at a District Alternative/Continuation High School or in Independent Study, with a mandatory behavior contract, terms and conditions.
 - D. An expelled student may possibly attend another district under a mandatory behavior contract, as determined by established interdistrict agreements.
 - E. Districts will continue to explore other possible means of discipline in lieu of expulsion when a student commits an expellable offense. Districts will continue to explore other means of discipline prior to expelling a student.
2. The district-operated Community Day School option for expelled students, as described in current California Education Code, is difficult for the local districts to develop due to the following reasons:
 - A. The six (6) hour, or 360 minute day exceeds the required hours for a minimum school day (240 minutes), the required hours for a continuation school day (15 hours per week), and the required hours for students enrolled in the various elementary school programs, and the current 240 minutes used by the Colusa County Community School program.
 - B. Access to the additional funding is restricted by having the student complete six hours of hour-by-hour attendance accounting in order for the district to receive the additional funding, and requiring additional attendance booking and record keeping.

- C. The District Community Day School program limits the available instructional strategies which can be used, such as contracted study, which limits the program flexibility required for success.
- D. The separation of students in grades K-6 from students in grades 7- 12 also creates boundaries that will be financially and/or geographically difficult.
- E. The cap on the number of students able to be served by small districts severely limits the availability for each individual school district to operate their own Community Day School.

Colusa County/District Strategy for Addressing This Gap:

- A. Expelled students in grades 7-12 will be referred to the Colusa Unified School District Community Day School
3. A student could be expelled from the District under Education Code 48915 and referred to a Community Day School.

Colusa County/District Strategy for Addressing This Gap:

- A. Colusa Unified School District will develop, in collaboration with the Colusa County Probation Department, alternative strategies for those expelled students who commit another violation of Education Code 48915 while attending Colusa Unified School District Community Day School.
 - B. The truancy notification process will begin on students with three (3) unexcused absences or three (3) tardies of thirty minutes or more. Probation will be notified immediately for those students on probation and not attending school.
 - C. A County Student Study Team may be established to evaluate the student's needs and suggest alternative placements.
 - D. When all educational options available to Colusa County have been exhausted, placement in a contiguous county will be explored. Colusa Unified School District will establish a reciprocal consideration relationship with Glenn, Yolo and Sutter counties in order to address the service gap.
4. Students who are expelled by the individual small school districts within Colusa County vary as to age, grade level and expulsion offenses. The wide range of age, grade level and seriousness of the offense makes it difficult to provide appropriate programs for these districts.

Colusa County/District Strategy for Addressing This Gap:

- A. Expelled students will be referred to the Colusa Unified School District Community Day School. Colusa Unified School District staff will develop alternative strategies for working with these students. The Community Day School staff will offer curriculum for grades 7-12.
5. There are significant geographical distances between local small districts, thus the Colusa Unified School District operated Community Day School would require either extensive busing, which is not financially feasible for the districts, or parent provided transportation, which is often impossible for the parents.

Colusa County/District Strategy for Addressing This Gap

- A. Colusa County Transit will be available at a minimum cost to transport students and/or parents will be responsible to transport their children to school. Special Education Students may access transportation through the IEP process. Other transportation options will continue to be explored.
- 6. Students in Kindergarten and grades one through six who are expelled do not have the same educational options available as do expelled students who are in grades seven through twelve. The number of expelled students in grades one through six are not significant enough to develop an elementary school classroom or program. The geographic spread of the schools and the scarcity of expulsion cases present a challenge to establishment of a program to serve this group.

Colusa County/District Strategy for Addressing This Gap:

- A. A separate Community Day School may be established to serve students in grades one through six if the number of mandatory expulsions in the county increase to provide sufficient ADA to fund an additional school. Elementary students may not be housed at the same campus as students in grades 7-12. Current Colusa County Office of Education programs for expelled students are all housed on a single site.
- B. A student may possibly attend another district under a mandatory behavior contract, per existing interdistrict agreements.
- C. The elementary districts will use all their local alternatives in providing educational programs for their expelled students.
- D. Districts will monitor changes under the Community Day School and community school legislation. Joint planning may result in options that do not currently exist between participating districts.
- E. In the event that a program serving K-6 expelled students is established by the Colusa County Office of Education, an alternative location will be developed in conjunction with the districts.

Process for Referral to the Colusa Unified School District Community Day School

Step I

The school district of residence continues to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an education program is provided to the expelled student within or outside the school district.

Step II

Expelled students who fail to meet the terms and conditions of the district rehabilitation plan may be referred to a different district school, another district program, or the Colusa Unified School District Community Day School.

Colusa Unified School District, Community Day School staff and district staff will review the district rehabilitation plan, and develop an individual learning plan for each student, based on their individual needs and circumstances. Parents will be included and expected to work cooperatively in addressing the needs of their children. Part of this plan may include returning to the school district of residence, once established goals are met. Alternative strategies will be developed by Community Day School staff for those students who have difficulty meeting the terms and conditions of their District designed rehabilitation plan. Transportation services are not provided.

Students referred to the Colusa Unified School District Community Day School from the other districts are under the plan developed by each district and will be held accountable to both the referring district and Colusa Unified School District. If a placement at Colusa Unified School District Community Day School (CUSDCDS) does not result in meeting the student's needs or the student commits an offense that precludes their continued attendance at CUSDCDS, the student will be referred back to the district.

The district will provide documents required for enrollment (i.e. referral form, California Statewide Student Identifier number, cumulative file, expulsion-rehabilitation plan) at the time of referral from the district governing board to the Colusa Unified School District. Colusa Unified School District Community Day School will provide districts with progress reports and notification of a student's change in residence, termination from the program or completion of requirements for graduation. District administrators will be provided data necessary to meet all reporting requirements of Ed Code 48916.

Revenue generated by the student ADA while in attendance at the Community Day School, and any special one-time funds, constitute the source of funding for the Colusa Unified School District Community Day School. In the event the costs of operating programs that have been requested by the districts should exceed revenue generated by ADA and associated funds, excess costs will be billed back to the districts based on an agreed upon formula 50% of which is an even split of costs, with the other 50% being

weighted based upon prior year ADA. Districts shall be directly involved in creating new programs that address specific district needs and which may generate costs to the districts.

Any student referred to the Colusa Unified School District Community Day School that has an active Individual Education Plan, must include IEP language that identifies how the provisions of the IEP will be implemented at the new placement. Prior to placement at the Community Day School, the IEP team, with representatives from the Community Day School and the district, will determine that the Community Day School is an appropriate placement and the IEP can be implemented at that site. SELPA coordination will be necessary to insure that the student's needs can and will be addressed by appropriately credentialed staff. Every effort must be made to insure compliance with PL 101476 in the event of a special education student expulsion. It is anticipated that Colusa Unified School District and the Special Education staff at the referring district site will coordinate the efforts to determine the most appropriate placement and continuity of IEP implementation.

Should it become necessary to reevaluate the appropriateness of services and/or placement as mandated in a student's IEP, while the student is in attendance in a Colusa Consortium program, representatives from the referring district will be invited to participate in any meetings where change of services or placement will be discussed.

Districts agree to notify the Colusa Unified School District by February 1, of the school year prior to implementing alternative programs of any decision that would result in a significant loss of ADA for the Community Day School. The notification would allow the Colusa Unified School District to adjust staff size for the following year and present March 15 notification as required by Ed Code. Should a district fail to notify the Colusa Unified School District in a timely manner, and deficits result, that district will be included in the bill back based on figures generated from the prior attendance period, whether the district remains in the program or not.

The monthly meetings of the Superintendents Council will provide a structure to facilitate dialogue between the Community Day School and the districts to address curriculum coordination, graduation requirements, standardized testing, courses of study, and other topics of mutual interest.

**EXPULSION
RECOMMENDED PLAN OF REHABILITATION**

Student _____ DOB _____ School Site _____ Grade _____

Expulsion Order Effective Dates: _____ / _____ / _____ to _____ / _____ / _____

Reason for Expulsion (Ed. Code Violation) _____

Elements of the Recommended Rehabilitation Plan

REQUIRED:

- Enroll in another school district, community school, or community day school
- Periodic review for readmission and/or assessment
- Restricted from school campus/activities
- Turn in books and all property of school district
- Restitution
- Maintain appropriate behavior and not pose a danger to others
- Compliance with conditions of expulsion
- Other Rehabilitative Programs

RECOMMENDATIONS FOR:

- Tutoring
- Special Education Assessment
- Job Training
- Counseling
- Employment
- Other Recommendations

OTHER: (If the student is being recommended to CUSDCDS.)

- A list of the most recent curriculum materials used by the student before exiting the district. Include name of publisher, edition, and title of all texts. Also include a copy of the district curriculum maps and any information about where the student was at in the curriculum when they exited the district.
- A copy of all achievement test results for the past three years. Include both state and local benchmark assessments.
- Recommendations for social, emotional, or other counseling which might benefit the student.
- Additional criteria the district requires or will review prior to readmission:

Student performance in the area checked above will be reviewed as part of the readmission process. Successful completion of the Rehabilitation Plan will assist in determining if readmission is warranted.

District Superintendent _____ Date _____ Pupil _____ Date _____