

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street

Colusa, CA 95932

(530) 458-7791 FAX (530) 458-4030

AGENDA

Board of Trustees Regular Meeting DISTRICT OFFICE CONFERENCE ROOM

January 20, 2015

6:00 p.m. Open Session with Closed Session to Follow

**PUBLIC COPY OF BOARD PACKET IS AVAILABLE FOR INSPECTION
AT THE CUSD DISTRICT OFFICE LOCATED AT 745 TENTH ST., COLUSA**

All meetings of the Governing Board are open to the general public, with the exception of the Closed Sessions, which are held to consider those items specifically exempt under the Ralph M. Brown Act. Anyone planning to attend a meeting who has a disability and needs special assistance should call the Superintendent's Office, 458-7791, at least 3 days in advance to make special arrangements.

Spanish translation is available at Regular Session Board Meetings. To arrange for translation services, please call the Superintendent's Office, 458-7791, at least 3 days in advance. [Se ofrece traducción en Español para la junta regular de la mesa directiva. Para solicitar servicios de traducción al español, por favor llame a la Oficina del Superintendente, al 458-7791, con 3 días de anticipación por lo menos.]

6:00 P.M. OPEN SESSION

A. Call to Order

B. Pledge of Allegiance

C. Hearing of Public for items on the Agenda

The Board encourages public comment concerning any item of importance and will recognize requests to speak before the item is discussed or 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.

D. Hearing of Public for items not on the Agenda

The Board encourages public comment concerning any item of importance and will recognize requests to speak on items not appearing on the Agenda. Speakers should be aware that the board may not be prepared to comment on the issues they raise, but may request those items to be properly agendized for inclusion in the discussions at a future 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.

E. Reports:

1. Student's Report

2. Recognitions & Celebrations

3. President's Report

a. Board of Trustee Time – *this is the time for individual Trustees to report on their Committee's activities and to specify any items they would like to see on the agenda for the next meeting*

b. Board Committees – Establish District Committee Members for 2015

4. Superintendent's Report

a. Improving Achievement *(standing item)*

1. LCAP Progress

- b. Management *(standing item)*
 - 1. Modernization Projects Update
 - 2. SELPA Update
- c. Budget *(standing item)*
 - 1. Update from the Governor's Budget Announcement
 - 2. Zero Based Budgeting
 - 3. Enrollment
- 5. Principal's Report *(standing item)* – Darren Brown
- F. CSEA (California School Employees Assn.) Representative's Report
- G. CEA (Colusa Educators Association) Representative's Report
- H. Information/Discussion/Possible Action Items
 - 1. Consider approval of Resolution #2014-15.06 – Signatures of the Board
 - 2. Consider approval of Resolution #2014-15.07 – Intention to Reimburse Expenditures
 - 3. Consider approval of Resolution #2014-15.08 – Establish Building Fund 21
 - 4. Consider Approval of Resolution #2014-15.09 – SB858 Local Reserve Cap
 - 5. Consider approval of Request for Allowance of Attendance Because of Emergency Conditions
 - 6. Consider appointment of members to Citizen's Oversight Committee
 - 7. Consider approval of Part Time MOT position
 - 8. Consider approval of CalSTRS Funding Coalition
 - 9. Consider buyout of SELPA modular lease
 - 10. Consider approval of Board Policies and Administrative Regulations:
 - a. First Reading of BP 0420 – School Plans/Site Councils
 - b. First Reading of AR 0420 – School Plans/Site Councils
 - c. First Reading of AR 0520.2 – Title I Program Improvement Schools
 - d. First Reading of BP 1431 – Waivers
 - e. First Reading of BP 3311 – Bids
 - f. First Reading of AR 3311 - Bids
 - g. First Reading of BP 3350 – Travel Expenses
 - h. First Reading of AR 3514 – Environmental Safety
 - i. First Reading of AR 3542 – School Bus Drivers
 - j. First Reading of BP 4112.42, 4212.42, 4312.42 – Drug & Alcohol Testing for School Bus Drivers
 - k. First Reading of AR 4112.42, 4212.42, 4312.42 – Drug & Alcohol Testing for School Bus Drivers
 - l. First Reading of AR 4161.11, 4261.11, 4361.11 – Industrial Accident/Illness Leave
 - m. First Reading of AR 4161.8, 4261.8, 4361.8 – Family Care & Medical Leave
 - n. First Reading of AR 5111.2 – Nonresident Foreign Students
 - o. First Reading of BP 5131.61 – Drug Testing
 - p. First Reading of BP 5141.27 – Food Allergies/Special Dietary Needs
 - q. First Reading of AR 5141.27 – Food Allergies/Special Dietary Needs
 - r. First Reading of BP 6144 – Controversial Issues
 - s. First Reading of BP 6162.6 – Use of Copyrighted Materials
 - t. First Reading of AR 6162.6 – Use of Copyrighted Materials
 - u. First Reading of BB 9010 – Public Statements

v. First Reading of BB 9250 – Remuneration, Reimbursement & Other Benefits

I. Motion to Approve Items on the Consent Action Agenda

1. Consider Approval of Consent Agenda: Regular and Customary Business Items:
 - a. Minutes of December 16, 2014 Regular Board Meeting
 - b. December Payroll
 - c. Personnel Assignment Order #2014-2015 #6
 - d. Warrants: Batch # 23-25
 - e. Associated Student Body Fund
 - f. Approval of Budget Revision
 - g. Williams Quarterly Report

J. Hearing of Public for Matters on Closed Session Agenda

K. Adjourn to Closed Session to consider and/or take action upon any of the following items:

1. Student Matters:
 - a. Out-of-School Suspensions
 - b. Inter-District Transfers
2. Personnel Matters:
 - a. Public Employment
 1. New Hires 2014/2015
 2. Extended Leave Requests
 - b. Public Employee Discipline/Dismissal/Release/Resignations
3. Negotiations:
 - a. Instructions to District Negotiators (*Executive Session of School Board and its designated representatives for the purpose of discussing its position regarding matters within the scope of representation and instructing its designated representatives.*)

L. Adjournment of the Meeting

BOARD MEMBERS ON DISTRICT COMMITTEES

January 20, 2015

CRAF	_____
Friends of Music	_____
Friends of Ag.	_____
Grounds	_____
SELPA	_____

KEY TEAM MEMBERS



STEVEN MCGUCKIN, AIA

PRIMARY CONTACT

- Co-facilitate Modernization Implementation Committee
- Validate The Facility Needs Assessment
- Overall Development of Modernization Implementation Plan
- Develop The Facilities Master Plan
- Coordinate A/E, GC, and Consultant Selection Process



PAUL CHAMBERS, AIA, LEED BD+C

SENIOR PROGRAM MANAGER

- Prepare Master Schedule to Manage all Projects
- Recommendations for Local Contractor Participation
- Oversee The Bidding and Contract Award Process
- Advise on DSA Close-out Process



SHARON THOMAS, AIA

ENERGY PROGRAM MANAGER

- District liaison for Prop 39 Energy Planning and implementation
- Review and Validate Energy Expenditure Plan by Energy Consultant
- Management of Design Professionals, Inspection, Contractor, and Agencies
- Oversight, Project Tracking and Reporting, as Required by Prop 39 Guidelines

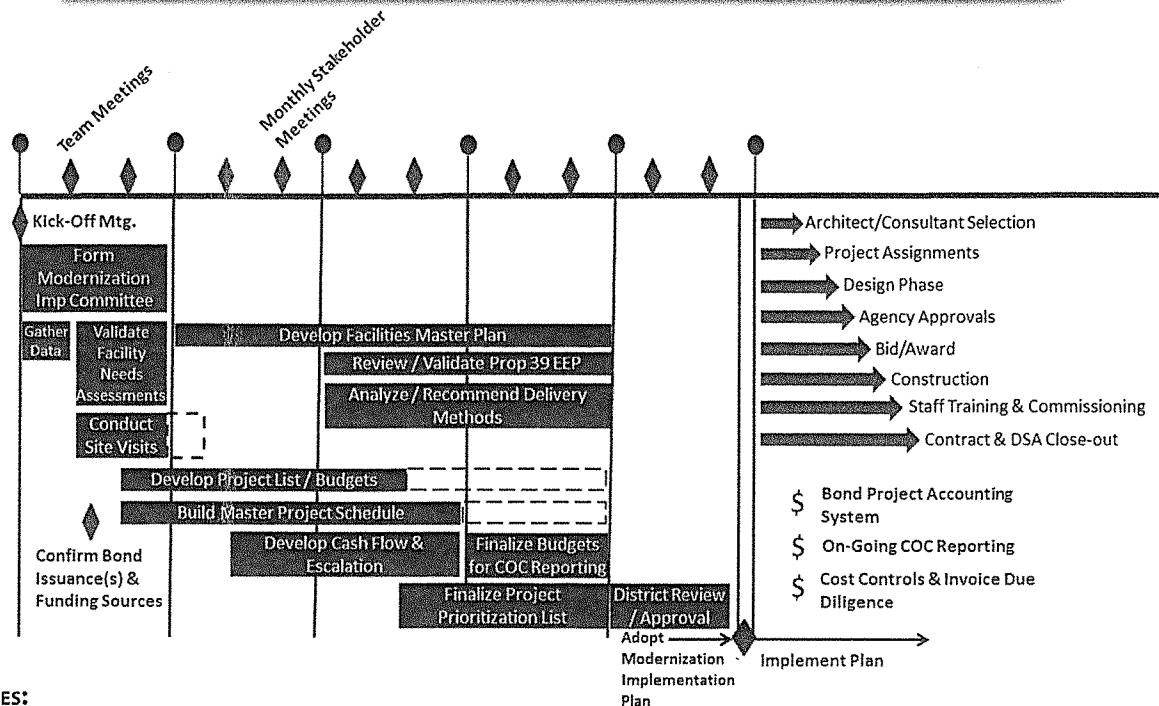


TIM DOANE

DIRECTOR OF BUDGET & ACCOUNTING

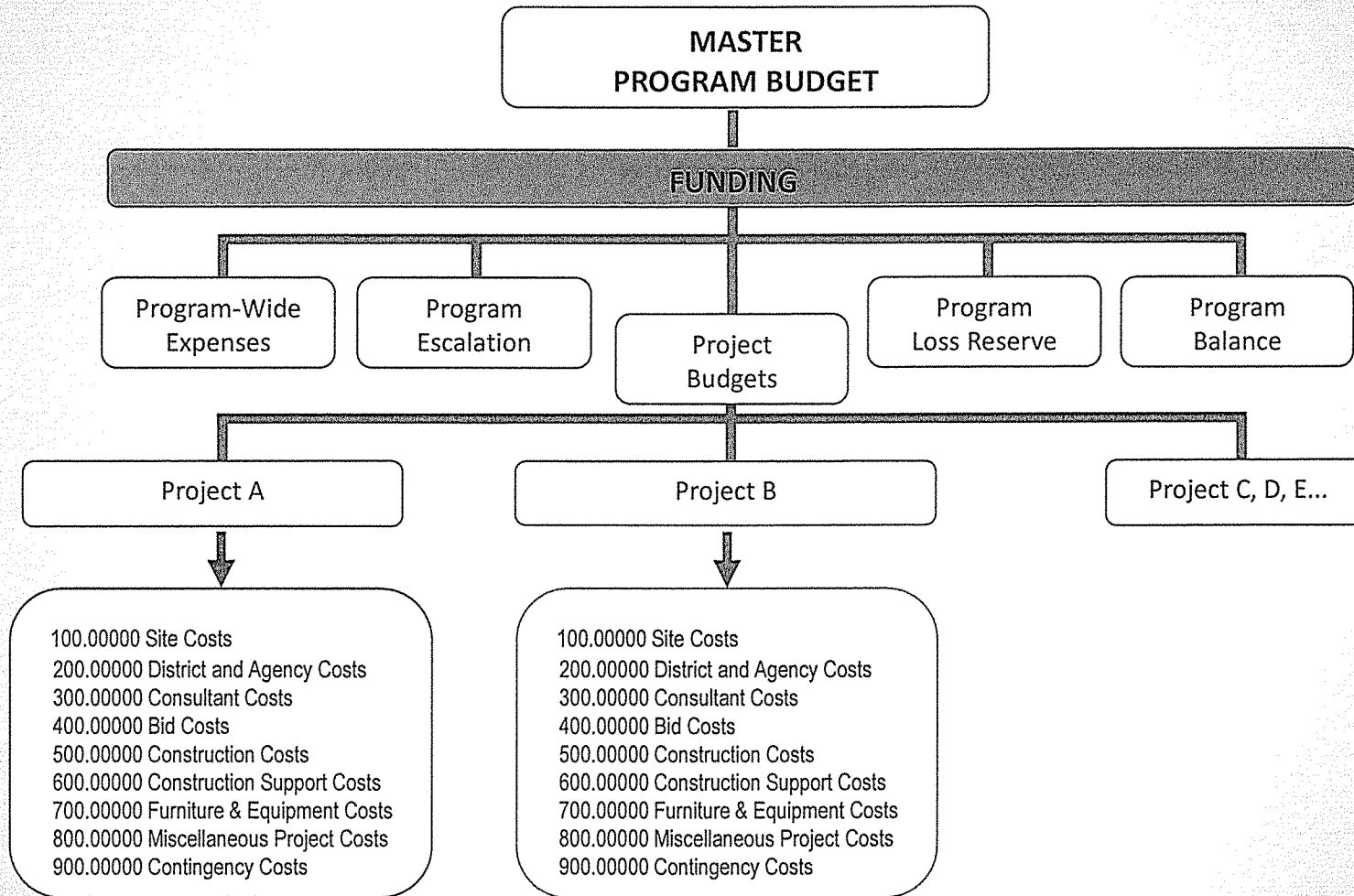
- Validate Escalation and Soft Costs
- Develop Master Program/Project Budgets
- Develop Cash Flow Analysis
- Identify Cost Efficiency Procedures
- Consult with CBO on Bond Project Accounting

DRAFT WORK PLAN



NOTES:

Capital Outlay Program Structure



H. I.

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, California 95932

RESOLUTION #2014-15.06

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, Kelli Griffith-Garcia, 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.

January 20, 2015
Date

Kelli Griffith-Garcia, Clerk

PASSED AND ADOPTED this 20thth day of January, 2015 by the following vote:

AYES:

NOES:

ABSENT:

TO: Colusa County Superintendent of Schools
FROM: Governing Board, Colusa Unified School District
RE: APPROVAL OF WARRANT ORDERS – January 1, 2015 through December 31, 2015.

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 District Superintendent
Title

Signature – Sheryl Parker Business Manager
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 – Lincoln Forry President

Signature – Kelli Griffith-Garcia Clerk

Signature – Charles Yerxa Member

Signature – Terry Bressler Member

Signature – Kathie Whitesell Member

(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: January 20, 2015

COLUSA UNIFIED SCHOOL DISTRICT

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, California 95932

RESOLUTION NO. 2014-15.07

**RESOLUTION DECLARING INTENTION TO REIMBURSE
EXPENDITURES FROM THE PROCEEDS OF OBLIGATIONS TO BE
ISSUED BY THE COLUSA UNIFIED SCHOOL DISTRICT**

RESOLVED, by the Board of Education of the Colusa Unified School District.

WHEREAS, the District proposes to undertake the Project referenced below, to issue debt for such Project and to use a portion of the proceeds of such debt to reimburse expenditures made for the Project prior to the issuance of the debt;

WHEREAS, United States Income Tax Regulations section 1.150-2 provides generally that proceeds of tax-exempt debt are not deemed to be expended when such proceeds are used for reimbursement of expenditures made prior to the date of issuance of such debt unless certain procedures are followed, one of which is a requirement that (with certain exceptions), prior to the payment of any such expenditures, the issuer declares an intention to reimburse such expenditure; and


WHEREAS, it is in the public interest and for the public benefit that the District declares its official intent to reimburse the expenditures referenced herein.

NOW THEREFORE, it is hereby **DECLARED** and **ORDERED**, as follows:


1. The District intends to issue obligations (the "Obligations") for the purpose of paying the costs of construction, acquisition, repair, equipping and upgrading of classrooms and other school facilities (the "Project").
2. The District hereby declares that it reasonably expects (i) to pay certain costs of the Project prior to the date of issuance of the Obligations and (ii) to use a portion of the proceeds of the Obligations for reimbursement of expenditures for the Project that are paid before the date of issuance of the Obligations.
3. The maximum principal amount of the Obligations is \$5,900,000.

ADOPTED, SIGNED AND APPROVED this 20th day of January, 2015.

**BOARD OF EDUCATION OF THE COLUSA
UNIFIED SCHOOL DISTRICT**

By: 
Lincoln Forry, President
CUSD Governing Board

ATTEST:

By: 
Kelli Griffith-Garcia, Clerk
CUSD Governing Board

COLUSA UNIFIED SCHOOL DISTRICT
745 Tenth Street
Colusa, California 95932

RESOLUTION 2014-15.08

**RESOLUTION OF THE GOVERNING BOARD OF THE
COLUSA UNIFIED SCHOOL DISTRICT
ESTABLISH FUND 21 – MEASURE A BOND FUND**

WHEREAS, Colusa Unified School District passed the Measure A Bond at the November 4, 2014 election; and

WHEREAS, California State law requires bond funds be accounted for in a separate fund; and

WHEREAS, the District wishes to open Fund 21-Building Fund in the County Treasury.

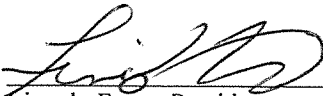
NOW, THEREFORE, BE IT RESOLVED the Colusa Unified School District shall open the Measure A Bond Fund 21 within the County Treasury.


PASSED AND ADOPTED by the Governing Board of the Colusa Unified School District this 20th day of January, 2015 by the following vote:

AYES: 5

NOES: 0

ABSENT: 0


Lincoln Forry, President
CUSD Governing Board


Kelli Griffith-Garcia, Clerk
CUSD Governing Board

H. 4.

Colusa Unified School District
745 Tenth St.
Colusa, CA 95932

Resolution #2014-15.09
January 20, 2015

Resolution on Local Reserves Cap
SB 858, Section 27/California Education Code 42127.01

WHEREAS, School district governing boards have the obligation to provide a quality education that is essential for an informed citizenry, a competitive economy, a fulfilling life for all students, and the foundation of our democratic society; and

WHEREAS, School district governing boards are responsible for maintaining fiscal solvency of the school systems they govern; and

WHEREAS, The Local Control Funding Formula (LCFF), based on the principle of subsidiarity, provides governing boards, working with interested stakeholders, with the authority to prioritize funds in order to provide quality education for all students, especially those who are English learners, from low income households and who are Foster Youth; and

WHEREAS, Funds for crucial services for school operations, such as payroll, classroom materials, school construction projects, technology, home-to-school transportation, deferred maintenance, etc. often require successful ongoing cash-flow management and disciplined planning, including the creation and maintenance of prudent financial reserves; and

WHEREAS, School district reserve levels, as well as their fund balances, are determined by governing boards to meet local priorities and allow districts to save for potential future expected and unexpected expenditures and for eventual economic downturns; and

WHEREAS, community funded schools (Basic Aid Districts) receive funds only twice a year and must rely on adequate reserves to manage cash flow for normal daily operations and for future purchases and unforeseen events; and

WHEREAS, the statutory minimum for school district reserves for economic uncertainties ranges from 1 to 5 percent, depending on district enrollment, and covers between one to five weeks of payroll, or less than 20 days of total cash flow; and

WHEREAS, Prudent budgeting raises expectations for school districts to establish and maintain reserves above the statutory minimum; and

WHEREAS, the governing board of the **Colusa Unified School District** currently maintains a reserve of approximately 12% for purposes of employee cost of living increases, purchases such as major textbook adoptions, planned projects for deferred maintenance/HVAC/roofing needs, vehicle/bus replacement and to meet cash flow needs to allow the district to make payroll etc. during the next economic downturn and when the revenues from Proposition 30 begin to sunset; and

WHEREAS, On June 20, 2014, the Governor signed into law SB 858 (Committee on Budget and Fiscal Review, Chapter 32, Statutes of 2014), now embodied in California Education Code 42127.10, and

WHEREAS, SB 858, Sec. 27 Education Code 42127.01, will become operative should voters pass Proposition 2 on the November 2014 state ballot, and will require school districts to spend their assigned and unassigned account balances down to no more than two to-three times the minimum level of the statutory reserve for economic uncertainties (depending on district size) in the fiscal year following the fiscal year in which the State of California makes a payment of any amount to the Public School System Stabilization Account; and

WHEREAS, Under SB 858 this provision, a deposit by the State of California of even \$1 to the Public School System Stabilization Account would result in school districts throughout California having to spend down billions of dollars in their reserves and ending balances; and

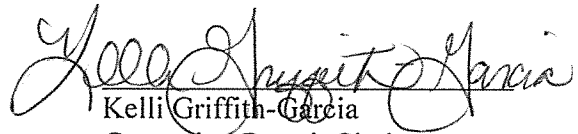
WHEREAS, It could take many years for the State of California to build up an adequate Public School System Stabilization Account; yet, in one year, school districts would be forced to spend down their reserves and ending balances to levels that could jeopardize fiscal solvency; and

WHEREAS, The LCFF is not fully implemented, many school districts are still funded below their 2007-08 levels, and districts cannot survive another downturn without fiscally responsible reserves; now,

THEREFOR, be it resolved the Board of Education of the **Colusa Unified School District** calls upon the Legislature and the Governor to repeal the language contained in Sec. 27 of SB 858 (Chapter 32, Statutes of 2014) now in Education Code 42127.01 immediately.



Lincoln Forry
Governing Board, President



Kelli Griffith-Garcia
Governing Board, Clerk

**REQUEST FOR ALLOWANCE OF ATTENDANCE
BECAUSE OF EMERGENCY CONDITIONS
Form J-13A (Rev. 01-05)**

School District (or Charter School) Name: Colusa Unified School District

School District (or Charter School) Address: 745 10th Street, Colusa, CA 95932

County-District Code: 06-61598

County Name: Colusa

This form replaces the Form J-13A (Rev. 4-90) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code* Section 41422
- *• When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in *Education Code* Section 46392
- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the governing board members and the county superintendent before it can be approved by the State Superintendent of Public Instruction.

The original form (with the board members' affidavit) and two copies should be filed with the county superintendent of schools. If the county superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

Office of Principal Apportionment and Special Education
School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

This form consists of five preprinted pages. Pages 1 and 5 (5C for charter schools) must accompany all submissions. Page 4 (Lost or Destroyed Attendance Records) will not need to be submitted by most districts. Multiple copies of Pages 2 and/or 3 may have to be submitted when claims are made on a school-by-school basis.

N/A

SCHOOL CLOSURE

Nature of Emergency (describe):

Name of School(s):
(if request covers all schools, write "all schools")

School Code(s):

We request that apportionments be maintained and instructional time credited for the above named school(s) without regard to the fact that the school(s) were closed on (dates):

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (ADA) (per Section 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *Education Code* Section 46200, et seq.

If the school closure resulted from a power outage or impassable roads caused by inclement weather, state the number of school closure days for the same conditions in each of the last five years:

MATERIAL DECREASE

Nature of Emergency (describe): **Severe Winter Storm/street flooding/power outages. Heavy Rainfall, Winds**

Name of School: **James Burchfield Primary School (06615986003495)**
George T. Egling Middle School (06615986057152)

School Code(s): see above

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) **December 11, 2014** during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day (**October** or May ADA): 990 students per day.
Estimated daily attendance multiplied by number of days of material decrease, yields 990 days of attendance requested.

State method of determining estimated daily attendance (**October** or May ADA):

ADA for school month beginning on October 6, 2014 and ending on October 31, 2014.

Actual apportionable attendance for days of material decrease:

Site George T. Egling Middle School	Date 12/11/14	Actual Attendance	398
Site James Burchfield Primary School	Date 12/11/14	Actual Attendance	338
TOTAL			736

N/A

LOST OR DESTROYED ATTENDANCE RECORDS

We request the use of estimated attendance in lieu of attendance that cannot be verified because of the loss or destruction of attendance records. This request is made in accordance with Section 46391. The entire period covered by the lost or destroyed records commences with _____, 2____, up to and including, _____, 2_____.

Describe circumstances and extent of records loss or destruction:

Describe how it is proposed to reconstruct attendance records or estimate attendance in the absence of records:

AFFIDAVIT OF GOVERNING BOARD MEMBERS

We, members constituting a majority of the governing board of the Colusa Unified school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

Lincoln Forry

Kelli Griffith-Garcia

Kathie Whitesell

Charles Yerxa

Terry Bressler

Printed Names

Signatures

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 20th day of January, 2015.

Signature Dwayne K Newman Title Superintendent
Dwayne Newman Superintendent

of Colusa, County, California

Contact/Individual responsible for preparing this form:

Name: Sheryl Parker Title: Chief Business Official

Phone: 530-458-7791 Fax : 530-458-4030 E-mail: sparker@colusa.k12.ca.us

AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature _____ Date _____
Mike West, County Superintendent of Schools

Subscribed and sworn (or affirmed) before me, this ____ day of _____, 2____.

Signature _____, Title _____

of Colusa County, California

Contact/Individual responsible for preparing this form:

Name: _____ Title: _____

Phone: _____ Fax : _____ E-mail: _____

Egling Middle School

1/6/2015

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2014-2015

Daily Apportionment by Month

Page 1

Month 1						
Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
1	8/11/2014	#	0	0	0	
2	8/12/2014	#	0	0	0	
3	8/13/2014		509	503	6	98.82%
4	8/14/2014		512	500	12	97.66%
5	8/15/2014		512	504	8	98.44%
6	8/18/2014		512	503	9	98.24%
7	8/19/2014		512	505	7	98.63%
8	8/20/2014		512	506	6	98.83%
9	8/21/2014		512	504	8	98.44%
10	8/22/2014		511	500	11	97.85%
11	8/25/2014		511	500	11	97.85%
12	8/26/2014		511	504	7	98.63%
13	8/27/2014		511	502	9	98.24%
14	8/28/2014		511	505	6	98.83%
15	8/29/2014		511	498	13	97.46%
16	9/1/2014	#	0	0	0	
17	9/2/2014		510	494	16	96.86%
18	9/3/2014		510	496	14	97.25%
19	9/4/2014		512	500	12	97.66%
20	9/5/2014		513	496	17	96.69%
Month 1 Average:			511.29	501.18		98.02%

Month 2						
Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
21	9/8/2014		513	488	25	95.13%
22	9/9/2014		513	496	17	96.69%
23	9/10/2014		513	502	11	97.86%
24	9/11/2014		511	501	10	98.04%
25	9/12/2014		510	493	17	96.67%
26	9/15/2014		510	494	16	96.86%
27	9/16/2014		511	500	11	97.85%
28	9/17/2014		511	499	12	97.65%
29	9/18/2014		511	503	8	98.43%
30	9/19/2014		511	500	11	97.85%
31	9/22/2014		510	488	22	95.69%
32	9/23/2014		510	496	14	97.25%
33	9/24/2014		510	494	16	96.86%
34	9/25/2014		510	500	10	98.04%
35	9/26/2014		510	495	15	97.06%
36	9/29/2014		509	493	16	96.86%
37	9/30/2014		509	495	14	97.25%
38	10/1/2014		509	497	12	97.64%
39	10/2/2014		507	502	5	99.01%
40	10/3/2014		507	497	10	98.03%
Month 2 Average:			510.25	496.65		97.33%

Egling Middle School

1/6/2015

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2014-2015

Daily Apportionment by Month

Page 2

Month 3

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
41	10/6/2014		507	482	25	95.07%
42	10/7/2014		507	496	11	97.83%
43	10/8/2014		507	493	14	97.24%
44	10/9/2014		507	495	12	97.63%
45	10/10/2014		507	484	23	95.46%
46	10/13/2014		507	477	30	94.08%
47	10/14/2014		507	492	15	97.04%
48	10/15/2014		507	487	20	96.06%
49	10/16/2014		507	496	11	97.83%
50	10/17/2014		507	486	21	95.86%
51	10/20/2014		508	485	23	95.47%
52	10/21/2014		509	488	21	95.87%
53	10/22/2014		509	497	12	97.64%
54	10/23/2014		509	492	17	96.66%
55	10/24/2014		507	482	25	95.07%
56	10/27/2014		507	488	19	96.25%
57	10/28/2014		507	489	18	96.45%
58	10/29/2014		507	497	10	98.03%
59	10/30/2014		507	498	9	98.22%
60	10/31/2014	#	0	0	0	
Month 3 Average:			507.37	489.68		96.51%

Month 4

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
61	11/3/2014		504	475	29	94.25%
62	11/4/2014		504	483	21	95.83%
63	11/5/2014		503	493	10	98.01%
64	11/6/2014		503	489	14	97.22%
65	11/7/2014		503	488	15	97.02%
66	11/10/2014		503	482	21	95.83%
67	11/11/2014	#	0	0	0	
68	11/12/2014		503	483	20	96.02%
69	11/13/2014		503	495	8	98.41%
70	11/14/2014		503	486	17	96.62%
71	11/17/2014		503	490	13	97.42%
72	11/18/2014		503	488	15	97.02%
73	11/19/2014		503	491	12	97.61%
74	11/20/2014		503	482	21	95.83%
75	11/21/2014		506	484	22	95.65%
76	11/24/2014		506	486	20	96.05%
77	11/25/2014		506	474	32	93.68%
78	11/26/2014	#	0	0	0	
79	11/27/2014	#	0	0	0	
80	11/28/2014	#	0	0	0	
Month 4 Average:			503.69	485.56		96.40%

Egling Middle School

1/6/2015
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2014-2015

Daily Apportionment by Month

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Month 5						
Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
81	12/1/2014		504	481	23	95.44%
82	12/2/2014		504	486	18	96.43%
83	12/3/2014		504	492	12	97.62%
84	12/4/2014		504	490	14	97.22%
85	12/5/2014		504	489	15	97.02%
86	12/8/2014		504	475	29	94.25%
87	12/9/2014		503	484	19	96.22%
88	12/10/2014		503	477	26	94.83%
89	12/11/2014		503	398	105	79.13%
90	12/12/2014		503	456	47	90.66%
91	12/15/2014		502	459	43	91.43%
92	12/16/2014		502	472	30	94.02%
93	12/17/2014		502	468	34	93.23%
94	12/18/2014		502	470	32	93.63%
95	12/19/2014		502	438	64	87.25%
96	12/22/2014	#	0	0	0	
97	12/23/2014	#	0	0	0	
98	12/24/2014	#	0	0	0	
99	12/25/2014	#	0	0	0	
100	12/26/2014	#	0	0	0	
Month 5 Average:			503.07	469.00		93.23%
YTD Average Months 1 through 5:			507.38	489.21		96.42%

Burchfield Primary School

1/6/2015

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2014-2015

Daily Apportionment by Month

Page 1

Month 1						
Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
1	8/11/2014	#	0	0	0	
2	8/12/2014	#	0	0	0	
3	8/13/2014		480	480	0	100.00%
4	8/14/2014		482	476	6	98.76%
5	8/15/2014		482	474	8	98.34%
6	8/18/2014		482	471	11	97.72%
7	8/19/2014		482	464	18	96.27%
8	8/20/2014		484	478	6	98.76%
9	8/21/2014		484	469	15	96.90%
10	8/22/2014		486	470	16	96.71%
11	8/25/2014		486	464	22	95.47%
12	8/26/2014		486	460	26	94.65%
13	8/27/2014		486	474	12	97.53%
14	8/28/2014		486	474	12	97.53%
15	8/29/2014		486	461	25	94.86%
16	9/1/2014	#	0	0	0	
17	9/2/2014		486	468	18	96.30%
18	9/3/2014		486	474	12	97.53%
19	9/4/2014		486	472	14	97.12%
20	9/5/2014		486	473	13	97.33%
Month 1 Average:			484.47	470.71		97.16%

Month 2						
Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
21	9/8/2014		483	466	17	96.48%
22	9/9/2014		483	475	8	98.34%
23	9/10/2014		483	472	11	97.72%
24	9/11/2014		483	474	9	98.14%
25	9/12/2014		483	470	13	97.31%
26	9/15/2014		483	466	17	96.48%
27	9/16/2014		484	468	16	96.69%
28	9/17/2014		485	472	13	97.32%
29	9/18/2014		483	473	10	97.93%
30	9/19/2014		483	475	8	98.34%
31	9/22/2014		483	464	19	96.07%
32	9/23/2014		483	470	13	97.31%
33	9/24/2014		483	472	11	97.72%
34	9/25/2014		483	473	10	97.93%
35	9/26/2014		483	454	29	94.00%
36	9/29/2014		482	458	24	95.02%
37	9/30/2014		482	469	13	97.30%
38	10/1/2014		482	477	5	98.96%
39	10/2/2014		481	468	13	97.30%
40	10/3/2014		481	462	19	96.05%
Month 2 Average:			482.80	468.90		97.12%

Burchfield Primary School

1/6/2015

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2014-2015

Daily Apportionment by Month

Page 2

Month 3

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
41	10/6/2014		481	459	22	95.43%
42	10/7/2014		481	463	18	96.26%
43	10/8/2014		482	467	15	96.89%
44	10/9/2014		482	469	13	97.30%
45	10/10/2014		482	444	38	92.12%
46	10/13/2014		483	461	22	95.45%
47	10/14/2014		482	455	27	94.40%
48	10/15/2014		482	470	12	97.51%
49	10/16/2014		482	466	16	96.68%
50	10/17/2014		483	463	20	95.86%
51	10/20/2014		484	456	28	94.21%
52	10/21/2014		484	458	26	94.63%
53	10/22/2014		484	467	17	96.49%
54	10/23/2014		485	465	20	95.88%
55	10/24/2014		484	463	21	95.66%
56	10/27/2014		482	446	36	92.53%
57	10/28/2014		482	458	24	95.02%
58	10/29/2014		482	461	21	95.64%
59	10/30/2014		482	469	13	97.30%
60	10/31/2014	#	0	0	0	
Month 3 Average:			482.58	461.05		95.54%

Month 4

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
61	11/3/2014		480	430	50	89.58%
62	11/4/2014		480	444	36	92.50%
63	11/5/2014		478	448	30	93.72%
64	11/6/2014		477	452	25	94.76%
65	11/7/2014		477	446	31	93.50%
66	11/10/2014		477	447	30	93.71%
67	11/11/2014	#	0	0	0	
68	11/12/2014		477	459	18	96.23%
69	11/13/2014		477	458	19	96.02%
70	11/14/2014		477	455	22	95.39%
71	11/17/2014		476	455	21	95.59%
72	11/18/2014		476	456	20	95.80%
73	11/19/2014		476	457	19	96.01%
74	11/20/2014		478	456	22	95.40%
75	11/21/2014		479	452	27	94.36%
76	11/24/2014		479	444	35	92.69%
77	11/25/2014		479	451	28	94.15%
78	11/26/2014	#	0	0	0	
79	11/27/2014	#	0	0	0	
80	11/28/2014	#	0	0	0	
Month 4 Average:			477.69	450.63		94.33%

Burchfield Primary School

1/6/2015

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2014-2015

Daily Apportionment by Month

Page 3

Month 5

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
81	12/1/2014		479	435	44	90.81%
82	12/2/2014		479	445	34	92.90%
83	12/3/2014		479	462	17	96.45%
84	12/4/2014		479	454	25	94.78%
85	12/5/2014		479	458	21	95.62%
86	12/8/2014		479	452	27	94.36%
87	12/9/2014		479	458	21	95.62%
88	12/10/2014		479	461	18	96.24%
89	12/11/2014		478	338	140	70.71%
90	12/12/2014		478	436	42	91.21%
91	12/15/2014		478	445	33	93.10%
92	12/16/2014		478	442	36	92.47%
93	12/17/2014		478	454	24	94.98%
94	12/18/2014		478	454	24	94.98%
95	12/19/2014		478	439	39	91.84%
96	12/22/2014	#	0	0	0	
97	12/23/2014	#	0	0	0	
98	12/24/2014	#	0	0	0	
99	12/25/2014	#	0	0	0	
100	12/26/2014	#	0	0	0	
Month 5 Average:			478.53	442.20		92.41%

Month 8

Day #	Date	Holiday	Enrollment	Apportionment	Difference	Percent Present
141	2/23/2015		483	483	0	100.00%
142	2/24/2015		483	483	0	100.00%
143	2/25/2015		483	483	0	100.00%
144	2/26/2015		483	483	0	100.00%
145	2/27/2015		483	483	0	100.00%
146	3/2/2015		483	483	0	100.00%
147	3/3/2015		483	483	0	100.00%
148	3/4/2015		483	483	0	100.00%
149	3/5/2015		483	483	0	100.00%
150	3/6/2015		483	483	0	100.00%
151	3/9/2015		483	483	0	100.00%
152	3/10/2015		483	483	0	100.00%
153	3/11/2015		483	483	0	100.00%
154	3/12/2015		483	483	0	100.00%
155	3/13/2015		483	483	0	100.00%
156	3/16/2015		483	483	0	100.00%
157	3/17/2015		483	483	0	100.00%
158	3/18/2015		483	483	0	100.00%
159	3/19/2015		483	483	0	100.00%
160	3/20/2015		483	483	0	100.00%
Month 8 Average:			483.00	483.00		100.00%

YTD Averages Cannot Be Calculated Unless Selecting Consecutive Months

Colusa Unified School District

Citizen's Oversight Committee

1. Larry Yeghoian
2. Marta Stegall
3. Tiffany Sines
4. Debby Beymer
5. Christopher Fantl
6. Jon James
7. Jennifer Sutton
8. Cyndi Simmons

Chair

Megan Reilly
Los Angeles USD

Board Members

Scott Siegel
Ceres USD

Jim Novak
Desert Sands USD

Scott Patterson
Grossmont Union
HSD

CalSTRS Funding Coalition

H.8.

December 5, 2014

Mr. Dwayne Newman
Superintendent
Colusa USD
745 10th St
Colusa, CA 95932

Dear Mr. Newman:

The purpose of this letter is to request that your district become part of a coalition to advocate for a separate appropriation to fully fund the California State Teachers' Retirement System (CalSTRS). The CalSTRS rate increases, when fully implemented, will result in local educational agency (LEA) costs that are virtually double what they are today and will impair the ability of your district to implement the goals of the Local Control Funding Formula (LCFF) for your community.

While the CalSTRS unfunded liability was critical to resolve, we believe there is a better approach to address these cost increases before they negatively affect the important reforms that are underway within the LCFF framework. Without such action, we believe several events are inevitable:

- LEAs facing higher CalSTRS costs will scale back programs to pay for retirement costs
- The LCFF audits will find that LEAs adjusted their plans to pay for CalSTRS costs instead of completing their goals as stated in their respective LCAPs
- Communities will lose trust in their districts because the promised improvements of the LCFF will not be realized

In the first year of implementation—the smallest of the scheduled employer rate increases—your district's CalSTRS costs are estimated to increase by \$31,630; these are dollars that your community expects to go towards implementation of the LCFF. In the final year of the increase, Colusa USD's estimated costs will be at least \$550,000 higher than those costs in 2013-14—all of which would be absorbed into the LCFF under the current funding mechanism.

We are forming a coalition in support of providing school districts a dedicated appropriation to fund CalSTRS increases over the next several years to deal with the extraordinary costs required to fully fund CalSTRS. Please consider joining us in seeking a change to the law that will improve the method of funding CalSTRS for all districts.

Consultants

Jeff Bell

Michelle McKay
Underwood

School Services of
California, Inc.

Sincerely,



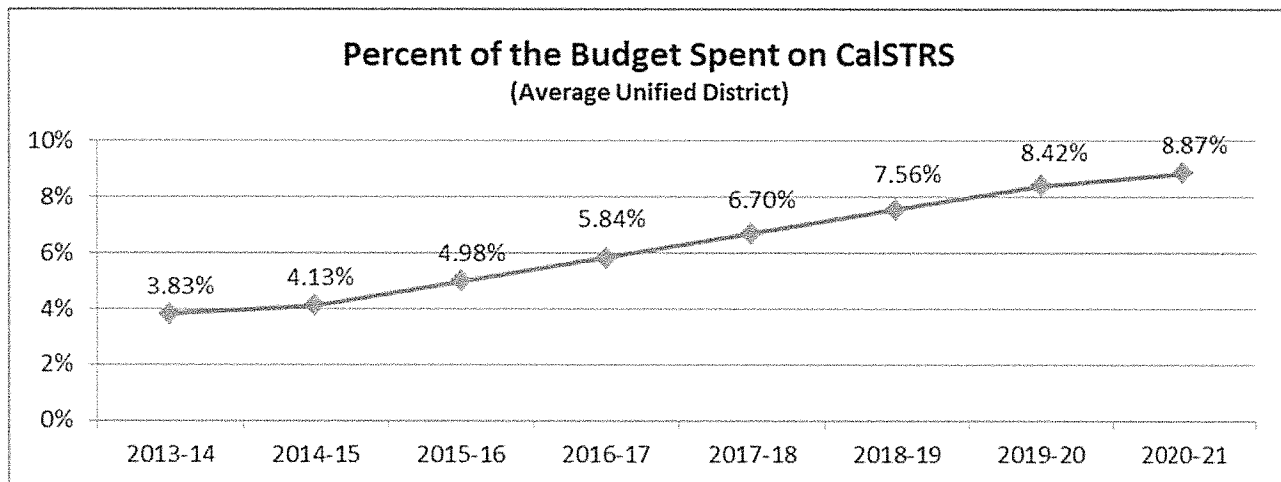
MEGAN REILLY
Chair

CalSTRS Funding Coalition

The rate increases to fully fund the California State Teachers' Retirement System were never discussed or contemplated when the Local Control Funding Formula (LCFF) was being developed. The CalSTRS rate increases, when fully implemented, will result in local educational agency (LEA) costs that are virtually double what they are today and will impair the ability of your district to implement the goals of the LCFF for your community.

The Issue

Many school districts will have CalSTRS cost increases that will significantly outstrip the additional funding provided through the LCFF—but this is not an issue of whether districts “win” or “lose” under the LCFF. As retirement benefit costs outpace LCFF base grant increases, LEAs will have little alternative but cut programs for all students to pay for the increases in CalSTRS contributions. For the average unified district, CalSTRS costs will increase from 3.8% to nearly 9% of the district's budget.



Effect on Colusa USD

In the first year of implementation—the smallest of the scheduled employer rate increases—we estimate your district's CalSTRS costs are increasing by \$31,630; these are dollars that your community expects to go towards implementation of the LCFF. In the final year of the increase, we estimate Colusa USD's costs will be at least \$550,000 higher than those costs in 2013-14—all of which would be absorbed into the LCFF under the current funding mechanism.

While the promise of the LCFF is to restore base funding to the 2007-08 levels adjusted for inflation, this will be insufficient with retirement costs doubling over the implementation of the LCFF.

The Solution

We believe there is a better way to address these cost increases before they negatively affect the important reforms that are underway within the LCFF framework. We believe that a separate, targeted appropriation within Proposition 98 to address the increases in CalSTRS employer contribution costs will alleviate the need for LEAs to redirect LCFF funding to pay retirement costs.

Please join us in seeking a change that will improve the method of funding CalSTRS for all districts and maintains the integrity of the Local Control Funding Formula.

Chair

Megan Reilly
Los Angeles USD

Board Members

Scott Siegel
Ceres USD

Jim Novak
Desert Sands USD

Scott Patterson
Grossmont Union
HSD

CalSTRS Funding Coalition



Guiding Principles

Executing a plan to address the long-standing need to provide a stable funding mechanism for the California State Teachers' Retirement System (CalSTRS) is vitally important. All three parties—the state, the employer, and the employee—should be responsible for increased contributions to fund the system. We applaud the resources being provided by the state outside of Proposition 98 for the benefit structure it has created and believe that the state's contribution should not be supplanted by increases to the employers or employees.

The rate increases to fully fund CalSTRS were never discussed or contemplated when the Local Control Funding Formula (LCFF) was being developed. The CalSTRS employer rate increases, when fully implemented, will result in local educational agency (LEA) costs that are virtually double what they are today and will impair the ability of districts to implement the goals of the LCFF for their communities.

While the promise of the LCFF is to restore base funding to the 2007-08 levels adjusted for inflation, this will be insufficient with retirement costs doubling over the implementation of the LCFF. We believe the requirement for LEAs to fund the CalSTRS contribution increases within the LCFF undermines the reform's goals and the promise of increased services for students in California.

By merely increasing the contributions required of the employers—school districts, county offices of education, and community college districts—without providing a dedicated funding source, the state is placing LEAs in a squeeze that can only result in a reduction in services to students while expectations for those services are increasing.

We are not asking for the state to change how much funding is provided in Proposition 98, nor are we asking for employers to pay less to fully fund CalSTRS. We are seeking a different funding method to deal with the extraordinary cost to bring CalSTRS back to a fully funded level and maintain transparency in the LCFF.

An appropriation within Proposition 98 that would be set aside to address the increases in CalSTRS employer contribution costs could ensure that LEAs are provided a dedicated fund source for this required expenditure that will grow at a predictable rate for all districts and alleviate the need for LEAs to disrupt the existing LCFF funding to pay retirement costs.

We believe this is a better way to address the CalSTRS cost increases imposed on LEAs before they negatively affect the important reforms that are underway through the LCFF.

Consultants

Jeff Bell

Michelle McKay
Underwood

School Services of
California, Inc.

Chair

Megan Reilly
Los Angeles USD

Board Members

Scott Siegel
Ceres USD

Jim Novak
Desert Sands USD

Scott Patterson
Grossmont Union
HSD

CalSTRS Funding Coalition



2014-15 Membership Application Membership Fee Structure

<u>District ADA</u>	<u>Dues</u>
0-999 ADA	\$500
1,000-9,999 ADA	\$1,000
More than 10,000 ADA	\$3,000

Yes! I want to join the CalSTRS Funding Coalition.

District:

Colusa USD

Contact Name:

Title:

Email address:

Phone:

District Mailing Address:

745 10th St Colusa, CA 95932

District ADA*	Dues Amount*	Reference Number
1,388	\$1,000	2014CalSTRS-249

*Based on 2013-14 P-2 ADA. Please adjust as necessary if current ADA is substantially different.

Authorized Signature

Consultants

Jeff Bell

Michelle McKay
Underwood

School Services of
California, Inc.

Make checks payable to School Services of California, Inc., C/O CalSTRS Funding Coalition. Please return this form with payment to Tina Gerges, 1121 L Street, Suite 1060, Sacramento, CA 95814.

Questions? Contact Marianne Richardson at marianner@sscal.com or (916) 446-7517

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420(a)

SCHOOL PLANS/SITE COUNCILS

The Governing Board believes that comprehensive planning at each district school is necessary in order to focus school improvement efforts on student academic achievement and facilitate the effective use of district resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (Education Code 52055.755, 64001)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.4 - Quality Education Investment Schools)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1431 - Waivers)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 4131 - Staff Development)

(cf. 5147 - Dropout Prevention)

(cf. 6020 - Parent Involvement)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6151 - Class Size)

(cf. 6164.2 - Counseling/Guidance Services)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6190 - Evaluation of the Instructional Program)

BP 0420(b)

SCHOOL PLANS/SITE COUNCILS (continued)

As appropriate, a school may incorporate any other school plan into the SPSA. (Education Code 64001)

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified

needs of the school and students. He/she shall submit to the Board his/her recommendations for plan approval or revision.

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

Whenever the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council or committee. The school site council or committee shall then revise and resubmit the SPSA to the Board for its approval.

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the site council.

Legal Reference: (see next page)

BP 0420(c)

SCHOOL PLANS/SITE COUNCILS (continued)

Legal Reference:

EDUCATION CODE

52-53 *Designation of schools*

33133 *Information guide for school site councils*

35147 *Open meeting laws exceptions*

41500-41573 *Categorical education block grants*

52055.700-52055.770 *Quality Education Investment Act*

52176 *Advisory committees*

52500-52617 *Adult education*

52800-52887 *School-Based Program Coordination Act*

52890 *Qualifications and duties of outreach consultants*

54000-54028 *Educationally Disadvantaged Youth Programs*

54100-54145 *Miller-Unruh Basic Reading Act*

54425 *Advisory committees (compensatory education)*

54650-54659 *Education Improvement Incentive Program*

56000-56867 *Special education*

64000 *Categorical programs included in consolidated application*

64001 *Single school plan for student achievement, consolidated application programs*

HEALTH AND SAFETY CODE

104420 Tobacco use prevention

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

UNITED STATES CODE, TITLE 20

6311 Accountability, adequate yearly progress

6312-6319 Title I programs; plans

6421-6472 Programs for neglected, delinquent, and at-risk children and youth

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7165 Safe and Drug-Free Schools and Communities

7341-7355c Rural Education Initiative

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2013*WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

California Department of Education, Single Plan for Student Achievement:

<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>U.S. Department of Education: <http://www.ed.gov>WestEd: <http://www.wested.org>

Policy

CSBA MANUAL MAINTENANCE SERVICE

adopted:

August 2013

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0420(a)

SCHOOL PLANS/SITE COUNCILS**School Site Councils**

School site councils shall be established when required for participation in a categorical program. (Education Code 52852, 64001)

(cf. 0420.1 - School-Based Program Coordination)

The school site council shall be composed of the following: (Education Code 52852)

1. The principal
2. Teachers selected by the school's teachers
3. Other school personnel selected by the school's other personnel

4. Parent/guardian representatives, who may include parents/guardians of students attending the school and/or community members, selected by parents/guardians of students attending the school
5. In secondary schools, students attending the school selected by other such students

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For elementary school site councils, the remaining half shall be parent/guardian representatives. For secondary school site councils, the remaining half shall be equal numbers of parent/guardian representatives and students. (Education Code 52852)

AR 0420(b)

SCHOOL PLANS/SITE COUNCILS (continued)

A district employee may serve as a parent/guardian representative on the school site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 52852)

The bylaws of each school site council shall include the method of selecting members and officers, terms of office, responsibilities of council members, time commitment, and a policy of nondiscrimination.

School site councils may function on behalf of other committees in accordance with law. (Education Code 52176, 52870, 54425; 5 CCR 3932)

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

(cf. 1220 - Citizen Advisory Committees)

Single Plan for Student Achievement

In order for a school to participate in any state or federal categorical program specified in Education Code 52055.700 or 64000 on an ongoing basis, the school site council shall approve and annually review and update a single plan for student achievement (SPSA). If the school does not have a school site council, these responsibilities shall be fulfilled by a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed in the section "School Site Councils" above. (Education Code 52055.755, 64001)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0520.4 - Quality Education Investment Schools)

(cf. 1431 - Waivers)

AR 0420(c)

SCHOOL PLANS/SITE COUNCILS (continued)

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4131 - Staff Development)
(cf. 5147 - Dropout Prevention)
(cf. 6020 - Parent Involvement)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6151 - Class Size)
(cf. 6164.2 - Counseling/Guidance Services)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6184 - Continuation Education)

The SPSA shall be developed with the review, advice, and certification of any applicable school advisory committees. (Education Code 64001)

Such groups may include, but are not limited to, advisory committees established for categorical programs such as English learner, special education, gifted and talented education, and Economic Impact Aid programs; Western Association of Schools and Colleges leadership teams; district or school liaison teams for schools identified for program improvement; and other committees established by the school or district.

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6190 - Evaluation of the Instructional Program)

The SPSA shall be aligned with school goals for improving student achievement. School goals shall be based on an analysis of verifiable state data, including the Academic Performance Index (API) and the California English Language Development Test, and may consider any other data developed by the district to measure student achievement. (Education Code 64001)

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

AR 0420(d)

SCHOOL PLANS/SITE COUNCILS (continued)

The SPSA shall, at a minimum: (Education Code 64001)

1. Address how funds provided to the school through specified categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by the API
2. Identify the means of evaluating the school's progress toward accomplishing those goals

3. Identify how state and federal law governing the categorical programs will be implemented

In addition to meeting the requirements common to all applicable school plans, the SPSA shall address any content required by law for each individual categorical program in which the school participates.

In developing or revising the SPSA, the school site council or other schoolwide advisory group or school support group shall:

1. Analyze student achievement data. Using measures of student academic performance, the school shall identify significant patterns of low performance in particular content areas, student groups, and/or individual students and determine which data summaries to include in the plan as most informative and relevant to school goals.

(cf. 6011 - Academic Standards)

AR 0420(e)

SCHOOL PLANS/SITE COUNCILS (continued)

2. Assess the effectiveness of the school's instructional program in relation to the analysis of student data.
3. Identify a limited number of achievement goals and key improvement strategies to achieve the goals. School goals shall reflect the needs identified at the school site while aligning with goals identified in federally required district plans. The school shall specify the student group(s) on which each goal is focused, the methods or practices that will be used to reach the goal, and the criteria that will be used to determine if the goal is achieved.
4. Define timelines, personnel responsible, proposed expenditures, and funding sources to implement the SPSA.

The school site council or other schoolwide group shall approve the proposed SPSA at a meeting for which public notice has been posted and then submit the SPSA to the Governing Board for approval. (Education Code 35147, 64001)

The school site council or other schoolwide group shall regularly monitor the implementation and effectiveness of the SPSA and modify any activities that prove ineffective. At least once per year, the school shall evaluate results of improvement efforts and report to the Board, advisory committees, and other interested parties regarding progress toward school goals.

The school site council or other schoolwide group may amend the SPSA at any time. Any revisions that would substantively change the academic programs funded through the consolidated application shall be submitted to the Board for approval.

Regulation

CSBA MANUAL MAINTENANCE SERVICE

approved:

August 2013

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0520.2(a)

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Definitions

Adequate yearly progress (AYP) refers to a series of annual academic performance goals, as defined by the State Board of Education, that incorporate student participation levels on state assessments, minimum required percentages of students scoring at the proficient level or above on English language arts and mathematics state assessments, high school graduation rates, and growth on the state's Academic Performance Index (API). AYP includes measurable annual objectives for continuous and substantial improvement for the achievement of all students at the school and for any subgroup of students, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency, when the number of students in the subgroup is sufficient to yield statistically reliable results. (20 USC 6311)

(cf. 0500 - Accountability)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Program improvement (PI) school refers to a school that is receiving federal Title I funds and has failed to make AYP for each of two consecutive school years. (20 USC 6316)

A school shall be identified for PI by the California Department of Education (CDE) whenever, for each of two consecutive years, it either does not make AYP in the same content area (English language arts or mathematics) schoolwide or for any numerically significant student subgroup or does not make AYP on the same indicator (Academic

AR 0520.2(b)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Performance Index or high school graduation rate) schoolwide. If a small school has too few students to generate a school-level report, its results shall be aggregated into a district accountability measure.

Year 1 Program Improvement

When any Title I school is initially identified for PI: (20 USC 6316)

1. The Superintendent or designee shall provide students enrolled in the school the option of transferring, as described below in the section "Student Transfers," to another school, which may include a charter school, served by the district that has not been identified for PI.

(cf. 0420.4 - Charter School Authorization)
(cf. 5116.1 - Intradistrict Open Enrollment)

2. Not later than three months of being identified for PI, the school shall develop or revise a school plan, in consultation with parents/guardians, school staff, the district, and outside experts, for approval by the Governing Board. The plan shall cover a two-year period and address the components specified in 20 USC 6316.

(cf. 6020 - Parent Involvement)

To fulfill this requirement, the school may revise its Single Plan for Student Achievement to reflect the requirements of 20 USC 6316.

(cf. 0420 - School Plans/Site Councils)
(cf. 6171 - Title I Programs)

3. Within 45 days of receiving the plan, the Board shall establish a peer review process to assist with its review of the plan, work with the school as necessary, and approve the plan if it meets the requirements of law.

AR 0520.2(c)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

4. The school shall implement the plan no later than the beginning of the next full school year following the school's identification for PI, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan.
5. As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance from the district, CDE, an institution of higher education, a private organization, an educational service agency, or another entity with experience in helping schools improve academic achievement, including assistance in:
 - a. Analyzing data from state assessments and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school plan
 - b. Identifying and implementing professional development, instructional strategies, and methods of instruction that are derived from scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for PI

- c. Analyzing and revising the school's budget so that the school's resources are more effectively allocated to the activities most likely to increase student achievement and remove the school from PI status

(cf. 3100 - Budget)

Year 2 Program Improvement

For any Title I school that fails to make AYP by the end of the first full school year after being identified for PI, the Superintendent or designee shall take all of the following actions: (20 USC 6316)

1. Continue to provide all students enrolled in the school the option of transferring, as described below in the section "Student Transfers"
2. Arrange for the provision of supplemental educational services (SES) to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below in the section "Supplemental Educational Services"
3. Continue to provide for technical assistance in accordance with item #5 in the section "Year 1 Program Improvement" above

AR 0520.2(d)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Year 3 Program Improvement: Corrective Action

When a school continues to fail to make AYP by the end of the second full school year after identification for PI (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year 1 and Year 2 PI specified above. In addition, the Board shall take one or more of the following corrective actions: (20 USC 6316)

1. Replace school staff relevant to the failure

(cf. 4113 - Assignment)

(cf. 4114 - Transfers)

(cf. 4314 - Transfers)

2. Implement a new curriculum and related professional development

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Significantly decrease management authority at the school level

4. Appoint an outside expert to advise the school
5. Extend the school year or school day for the school

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

6. Restructure the internal organization of the school

AR 0520.2(e)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Year 4 Program Improvement and Beyond: Restructuring

For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all students enrolled in the school with the option to transfer to another school within the district and continue to make SES available to eligible students who remain in the school. In addition, the Board shall develop a plan and make necessary arrangements to implement one of the following options for alternative governance and restructuring, consistent with state law: (20 USC 6316)

1. Reopen the school as a charter school
2. Replace all or most of the school staff relevant to the failure
3. Enter into a contract with an entity with a demonstrated record of effectiveness to operate the school
4. Turn the operation of the school over to the CDE
5. Institute any other major restructuring of the school's governance arrangements that makes fundamental reforms

Notifications

Whenever a school is identified for PI, corrective action, or restructuring, the Superintendent or designee shall promptly notify parents/guardians of students enrolled in that school. The notification shall include: (20 USC 6316; 34 CFR 200.37)

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state

AR 0520.2(f)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

2. The reasons for the identification
3. An explanation of what the school is doing to address the problem of low achievement
4. An explanation of what the district or state is doing to help the school address the achievement problem
5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for PI
6. An explanation of the option to transfer to another school within the district, as described below in the section "Student Transfers"
7. If the school is in Year 2 of PI or beyond, an explanation of how parents/guardians can obtain SES for their child as described below in the section "Supplemental Educational Services"

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall disseminate information about corrective actions taken at any district school to the parents/guardians of each student in that school and to the public through such means as the Internet, the media, and public agencies. (20 USC 6316)

The Superintendent or designee shall promptly notify teachers and parents/guardians whenever a school is identified for restructuring and shall provide them adequate opportunities to comment before taking action and to participate in developing any plan for restructuring school governance. (20 USC 6316)

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

All notifications pertaining to PI shall be written in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316; 34 CFR 200.36)

AR 0520.2(g)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

To the extent practicable, the district shall partner with outside groups, such as faith-based organizations, community-based organizations, and business groups, to help inform eligible students and their families of the opportunities to transfer or to receive SES. (34 CFR 200.48)

Student Transfers

All students enrolled in a school in Year 1 of PI or beyond shall be provided an option to transfer to another school, which may include a charter school, served by the district provided that the school: (20 USC 6316; 34 CFR 200.44)

1. Has not been identified for PI, corrective action, or restructuring

In the event that all district schools are identified for PI, the district shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for interdistrict transfers.

(cf. 5117 - Interdistrict Attendance)

2. Has not been identified by the CDE as a "persistently dangerous" school pursuant to 20 USC 7912 and 5 CCR 11992-11994

(cf. 0450 - Comprehensive Safety Plan)

AR 0520.2(h)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Among the students offered an option to transfer out of a PI school, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316; 34 CFR 200.44)

If two or more district schools are eligible to accept transfers based on criteria listed in items #1-2 above, the district shall provide a choice of more than one such school and shall take into account parent/guardian preferences among the choices offered. (34 CFR 200.44)

The Superintendent or designee may consider school capacity in selecting schools that will be offered as alternatives for school choice, but shall not use the lack of school capacity to deny transfer opportunities to students. The district may increase capacity in eligible district schools to accommodate all students who wish to transfer.

The transfer option shall be offered so that students may transfer in the school year following the school year in which the district administered the assessments that resulted in the identification of the school for PI, corrective action, or restructuring. In order to provide adequate time for parents/guardians to exercise their transfer option before the school year begins, the Superintendent or designee shall notify parents/guardians of the available school choices sufficiently in advance of, but no later than 14 calendar days before, the start of the school year or on a date otherwise determined necessary by the CDE. (34 CFR 200.37, 200.44)

AR 0520.2(i)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Notice of the transfer option shall:

1. Inform parents/guardians that, due to the identification of the current school as in need of improvement, their child is eligible to attend another school, including a charter school, served by the district
2. Identify each school that the parent/guardian may select
3. Explain why the choices made available to the parents/guardians may have been limited
4. Describe the timelines and procedures that parents/guardians must follow in selecting a school for their child, including a requirement that parents/guardians rank-order their preferences of eligible schools as appropriate
5. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)
6. Explain the provision of transportation to the new school (34 CFR 200.37)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

AR 0520.2(j)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

(cf. 5148.2 - Before/After School Programs)

In addition to mailing notices directly to parents/guardians, the Superintendent or designee shall provide information about transfer options through broader means, such as the Internet, the media, and public agencies serving students and their families. (34 CFR 200.36)

(cf. 1100 - Communication with the Public)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

The district shall prominently display on its web site, in a timely manner each school year, a list of available schools to which eligible students may transfer in the current school year. The district shall also display data on the number of students who were eligible for and who participated in the student transfer option, beginning with data from the 2007-08 school year and each subsequent year thereafter. (34 CFR 200.39)

In accordance with timelines established for the transfer request process, the Superintendent or designee shall notify parents/guardians of their child's school assignment and shall establish a reasonable deadline by which parents/guardians must either accept the assignment or decline the assignment and remain in the school of origin.

The district shall provide, or shall pay for the provision of, transportation to the district school which the student chooses to attend. (20 USC 6316; 34 CFR 200.44)

AR 0520.2(k)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

(cf. 3540 - Transportation)

To ensure that transportation may be reasonably provided, the Superintendent or designee may establish transportation zones based on geographic location within the district. Transportation to schools within a zone shall be fully provided, while transportation outside the zone may be partially provided.

(cf. 3541 - Transportation Routes and Services)

Any student who transfers to another district school may remain in that school until he/she has completed the highest grade in that school. However, the district shall not be obligated to provide, or pay for the provision of, transportation for the student after the end of the school year that the school of origin is no longer identified for PI, corrective action, or restructuring. (20 USC 6316; 34 CFR 200.44)

Supplemental Educational Services

When required by law, SES shall be provided outside the regular school day and shall be specifically designed to increase achievement of eligible students from low-income families on state academic assessments and to assist them in attaining state academic standards. (20 USC 6316)

(cf. 6011 - Academic Standards)

(cf. 6179 - Supplemental Instruction)

When a school is required to provide SES, the Superintendent or designee shall provide annual notice to parents/guardians that includes: (20 USC 6316; 34 CFR 200.37)

1. The availability of SES

AR 0520.2(l)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies
3. The identity of approved providers of technology-based or distance learning services

4. The services, qualifications, and demonstrated effectiveness of each provider, including an indication of those providers who are able to serve students with disabilities or limited English proficiency
5. The benefits of receiving SES

In addition, the notification shall describe procedures and timelines that parents/guardians must follow to select a provider.

This notification shall be clearly distinguishable from other information sent to parents/guardians regarding identification of the school for PI, corrective action, or restructuring. (34 CFR 200.37)

The district shall prominently display on its web site, in a timely manner each school year, a list of state-approved providers serving the district in the current year and the location where services are provided. The district shall also display the number of students who were eligible for and who participated in SES, beginning with data from the 2007-08 school year and each subsequent year thereafter. (34 CFR 200.39)

The Superintendent or designee shall distribute sign-up forms for SES directly to all eligible students and their parents/guardians and make them available and accessible through broad means of dissemination such as the Internet, other media, and communications through public agencies serving eligible students and their families. (34 CFR 200.48)

AR 0520.2(m)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

The district shall provide a minimum of two enrollment windows, at separate points in the school year, that are of sufficient length to enable the parents/guardians of eligible students to make informed decisions about requesting SES and selecting a provider. (34 CFR 200.48)

Within a reasonable period of time established by the Superintendent or designee, parents/guardians shall select a SES provider from among those approved by the SBE. Upon request, the Superintendent or designee shall assist parents/guardians in choosing a provider. (20 USC 6316; 34 CFR 200.46)

The district shall not prohibit or limit an approved provider from promoting its program or the general availability of SES to members of the community. (5 CCR 13075.9)

No district employee who administers or provides SES, either solely or in collaboration with a SES provider, or who has a financial interest of any kind in a SES provider, shall use his/her position as a district employee to encourage district students or their parents/guardians to use the services of that provider. (5 CCR 13075.7)

(cf. 9270 - Conflict of Interest)

The Superintendent or designee shall ensure that eligible students with disabilities, students covered under Section 504 of the federal Rehabilitation Act, and students with limited English proficiency receive appropriate SES with any necessary accommodations or language assistance. (34 CFR 200.46)

(cf. 6159 - Individualized Education Program)

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

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

(cf. 6174 - Education for English Language Learners)

AR 0520.2(n)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

If no provider is able to make the services available to such students, the district shall provide the services with necessary accommodations or language assistance, either directly or through a contract. Services shall be consistent with a student's individualized education program (IEP) or Section 504 services plan, as applicable.

If available funds are insufficient to provide SES to each eligible student whose parents/guardians request those services, priority shall be given to the lowest achieving eligible students. (20 USC 6316)

If the number of parents/guardians selecting a particular provider exceeds the capacity of that provider, priority shall be given to the lowest achieving eligible students.

Once a SES provider has been selected by a parent/guardian, the Superintendent or designee shall enter into an agreement with the provider. The agreement shall: (20 USC 6316)

1. Require the district to develop, in consultation with the parents/guardians and the provider, a student learning plan which includes specific achievement goals for the student, a description of how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the student learning plan shall be consistent with the student's IEP.
2. Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.
3. Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.
4. Contain provisions with respect to the district making payments to the provider.

AR 0520.2(o)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

5. Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving SES.

(cf. 5125.1 - Release of Directory Information)

In developing the student learning plan as required by item #1 above, the Superintendent or designee shall consult with the parent/guardian of each student to, at a minimum, provide the parent/guardian an opportunity to express his/her views and have them considered. Consultation may include, but is not limited to, communication by telephone, email, home visits, parent/guardian meetings, and/or parent/guardian signature(s). Evidence of this consultation shall be included in the student learning plan. In the event that a consultation does not take place but the parent/guardian has selected an approved SES provider, the Superintendent or designee, or the provider acting on the district's behalf, shall show evidence of at least three separate attempts to contact the parent/guardian using at least two different means of communication. If the parent/guardian elects not to participate in the consultation, the Superintendent or designee, or approved provider acting on the district's behalf, must develop a student learning plan for the student. (5 CCR 13075.7)

The Superintendent or designee may request, but not require, that the SES provider develop the student learning plan on behalf of the district for each student served by the provider as indicated in the agreement. In such cases, the Superintendent or designee shall make available to the provider pertinent student academic achievement data with parent/guardian permission and other technical assistance that will facilitate the development of the plan. The Superintendent or designee shall maintain responsibility to review and approve the student learning plan to ensure that it is developed in consultation with the parent/guardian and contains all required information. (5 CCR 13075.7)

Eligible SES providers shall be given access to school facilities, using a fair, open, and objective process, on the same basis as other groups that seek access to school facilities. (34 CFR 200.48)

(cf. 1330 - Use of School Facilities)

Regulation
approved:
Community Relations

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BP 1431(a)

WAIVERS

The Governing Board recognizes that strict compliance with the law may sometimes hinder the district's ability to provide its students with an effective, well-rounded educational program. When it is in the interest of district students, the Board may request that the State Board of Education (SBE) waive any provision of state or federal law or regulation which it has authority to waive pursuant to Education Code 33050.

Any waiver request to be submitted to the SBE shall first be approved by the Board. The Superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

Prior to presenting the proposed request for Board approval, the Superintendent or designee shall consult with and obtain the approval of any advisory committee or site council when required by law.

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 1220 - Citizen Advisory Committees)

BP 1431(b)

WAIVERS (continued)

In addition, the Superintendent or designee shall involve the exclusive representative of district employees in the development of the waiver request, and shall include in the request the exclusive representative's position regarding the waiver. (Education Code 33050)

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

To receive public testimony on each waiver request proposal, the Board shall hold a properly noticed public hearing during a Board meeting. (Education Code 33050)

The notice, which shall state the time, date, location, and subject of the public hearing, may be printed in a newspaper of general circulation or posted at each school and three public places in the district.

(cf. 9320 - Meetings and Notices)

When the district has requested and received the same general waiver from the SBE for two consecutive years, the Board is not required to reapply annually if the information contained on the request remains current. However, the district shall apply annually for the renewal of any waiver regarding teacher credentialing. (Education Code 33051)

Legal Reference: (see next page)

WAIVERS (continued)

Legal Reference:

EDUCATION CODE

305-311 Structured English immersion program; parental exception waivers
5000-5033 Governing board elections
8750-8754 Grants for conservation education
10400-10407 Cooperative improvement programs
17047.5 Facilities used by special education students
17291 Portable school buildings
33050-33053 General waiver authority
37202 Equity length of time
41000-41360 School finance
41381 Minimum school day
41600-41854 Computation of allowances
41920-42842 Budget requirements; local taxation by school districts
44520-44534 New Careers Program
44666-44669 School-Based Management and Advanced Career Opportunities
44681-44689 Administrator Training and Evaluation
45108.7 Maximum number of senior management positions
48660-48666 Community day schools
48800 Attendance at community college
49550-49560 Meals for needy students
51224.5 Algebra instruction
51745.6 Charter school independent study ratio
51870-51874 Educational technology
52080-52090 Class size reduction grade 9
52122.6-52122.8 Class size reduction, impacted school sites
52160-52178 Bilingual-Bicultural Education Act of 1976
52180-52186 Bilingual teacher waiver
52200-52212 Gifted and Talented Pupils Program
52340-52346 Career Guidance Centers
52522 Plans for adult education
52850-52863 School-Based Program Coordination
54000-54028 Disadvantaged Youth Program
54100-54145 Miller-Unruh Basic Reading Program
54407 Waiver for compensatory education programs
56000-56867 Special education programs
58407 Waiver related to individualized instruction program
58900-58928 Restructuring demonstration programs
60119 Public hearing on sufficiency of instructional materials
60851 High school exit examination, waiver for student with disabilities

CODE OF REGULATIONS, TITLE 5

1032 Academic Performance Index
3100 Resource specialist caseload waivers
3945 Cooperative programs
9531 Instructional materials funding
11960 Charter school attendance
11963.4 Charter school percentage funding
13017 Waivers, compensatory education New Careers in Education Program

13044 Waivers, compensatory education Professional Development and Program Improvement Programs

Legal Reference continued: (see next page)

BP 1431(d)

WAIVERS (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

7115 Safe and Drug Free Schools, authorized activities

Management Resources:

WEB SITES

California Department of Education, Waiver Office: <http://www.cde.ca.gov/re/lr/wr>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Policy
 adopted:
Business and Noninstructional Operations

CSBA MANUAL MAINTENANCE SERVICE
 August 2013
 BP 3311(a)

BIDS

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the district and when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such leases and purchases shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4. (Public Contract Code 20116)

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

The Superintendent or designee shall develop the procedures to be used for rating bidders for award of contracts which, by law or Board policy, require prequalification. The procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

(cf. 9270 - Conflict of Interest)

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Legal Reference: (see next page)

BP 3311(c)

BIDS (continued)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*

17406 *Lease-leaseback contract*

17595 *Purchase of supplies through Department of General Services*

17602 *Purchase of surplus property from federal agencies*

38083 *Purchase of perishable foodstuffs and seasonable commodities*

38110-38120 *Apparatus and supplies*

39802 *Transportation services*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*

4330-4334 *Preference for California-made materials*

6252 *Definition of public record*

53060 *Special services and advice*

54201-54205 *Purchase of supplies and equipment by local agencies*

PUBLIC CONTRACT CODE

1102 *Emergencies*

2000-2002 *Responsive bidders*

3000-3010 *Roofing projects*

3400 *Bids, specifications by brand or trade name not permitted*

3410 *United States produce and processed foods*

6610 *Bid visits*

12200 *Definitions, recycled goods, materials and supplies*

20101-20103.7 *Public construction projects, requirements for bidding*

20103.8 *Award of contracts*

20107 *Bidder's security*

20111-20118.4 *Contracting by school districts*

20189 *Bidder's security, earthquake relief*

22002 *Definition of public project*

22030-22045 *Alternative procedures for public projects (UPCCAA)*

22050 *Alternative emergency procedures*

22152 *Recycled product procurement*

COURT DECISIONS

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 *Ops.Cal.Atty.Gen.* 1 (2006)

Management Resources:

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

Policy
adopted:
Business and Noninstructional Operations

CSBA MANUAL MAINTENANCE SERVICE
August 2013
AR 3311(a)

BIDS

Advertised/Competitive Bids

The district shall advertise for competitive bids to let any public project contract involving an expenditure of \$15,000 or more. *Public project* means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

The district shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment, but does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

AR 3311(b)

BIDS (continued)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

(cf. 1113 - District and School Web Sites)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
 - a. Cash
 - b. A cashier's check made payable to the district
 - c. A certified check made payable to the district

AR 3311(c)

BIDS (continued)

- d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a below shall be used. (Public Contract Code 20103.8)
 - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
 - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
 - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

AR 3311(d)

BIDS (continued)

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

9. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

Prequalification Procedure

When required by law or the Board, each prospective bidder shall complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall provide a standardized proposal form which requires a complete statement of the bidder's financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5, 20111.6)

Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. (Public Contract Code 20111.5)

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

AR 3311(e)

BIDS (continued)

The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (Public Contract Code 20111.5)

Award of Contract

The district shall award each contract to the lowest responsible bidder except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. For any transportation service contract involving an expenditure of more than \$10,000, which the Board contemplates may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)

3. When the contract is one for which the Board has established goals and requirements relating to participation of minority, women, disabled veteran, or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A

AR 3311(f)

BIDS (continued)

bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the date and time for Board consideration of the protest. The Board's decision shall be final.

Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.

2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.

AR 3311(g)

BIDS (continued)

6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

Sole Sourcing

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall not draft the bid specification in a manner that: (Public Contract Code 3400)

1. Directly or indirectly limits bidding to any one specific concern
2. Calls for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time

period is specified, the contractor may submit the data within 35 days after the award of the contract.

AR 3311(h)

BIDS (continued)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing), if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 - Actions by the Board)

Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

AR 3311(i)

BIDS (continued)

In addition, upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during

the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

(cf. 3510 - Green School Operations)

(cf. 3511 - Energy and Water Management)

(cf. 9320 - Meetings and Notices)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

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

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 20113)

(cf. 3517 - Facilities Inspection)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

Regulation
approved:
Business and Noninstructional Operations

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BP 3350(a)

TRAVEL EXPENSES

The Governing Board recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

BP 3350(b)

TRAVEL EXPENSES (continued)

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

Authorized employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on either a mileage or monthly basis as determined by the Superintendent or designee. (Education Code 44033)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

The Superintendent or designee shall establish a per diem allowance for meal costs incurred while traveling on district business based on the location and hours of travel. The per diem allowance shall not exceed the standard meal allowance for business-related travel prescribed for federal income tax purposes.

BP 3350(c)

TRAVEL EXPENSES (continued)

Any expense that exceeds the maximum rate of reimbursement established by the district shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a district form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet district criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

When approved by the Superintendent or designee, an employee may be issued a district credit card for use while on authorized district business. Receipts documenting the expenses incurred on a district credit card shall be submitted promptly following return from travel. Under no circumstances shall personal expenses be charged on a district credit card, even if the employee intends to subsequently reimburse the district for the personal charges.

When necessary, the Superintendent or designee may approve a cash advance, not to exceed the estimated out-of-pocket reimbursable expenses, to an employee authorized to travel on district business. Within 10 working days following return from travel, the employee shall submit a final accounting with all necessary supporting documentation. He/she shall refund to the district any amount of cash advance exceeding the actual approved reimbursable expenses.

Legal Reference: (see next page)

BP 3350(d)

TRAVEL EXPENSES (continued)

Legal Reference:

EDUCATION CODE

42634 *Itemization of expenses*

44016 *Travel expense to employment interview*

44032 *Travel expenses*

44033 *Automobile allowance*

44802 *Student teacher's travel expense*

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONSPer Diem Rates (For Travel Within the Continental United States), Publication 1542WEB SITES*Internal Revenue Service: <http://www.irs.gov>**U.S. General Services Administration, Per Diem Rates: <http://www.gsa.gov/perdiem>*

Policy
adopted:

Business and Noninstructional Operations

CSBA MANUAL MAINTENANCE SERVICE

August 2013

AR 3514(a)

ENVIRONMENTAL SAFETY

The Superintendent may designate and train one or more employees to oversee and coordinate the district's environmental safety program(s). The responsibilities of the coordinator(s) shall include, but are not limited to, overseeing assessments of district facilities, recommending strategies for the prevention and mitigation of environmental health risks, ensuring effective implementation of environmental safety strategies, and reporting to the Superintendent regarding the district's progress in addressing environmental safety concerns.

(cf. 3510 - Green School Operations)

(cf. 3511 - Energy and Water Management)

(cf. 3517 - Facilities Inspection)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5030 - Student Wellness)
(cf. 5142 - Safety)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7150 - Site Selection and Development)

Outdoor Air Quality

The Superintendent or designee may monitor local health advisories and outdoor air quality alerts, including forecasts of ozone levels, particle pollution, and/or ultraviolet radiation levels.

Whenever these measures indicate a significant health risk, the Superintendent or designee shall communicate with each principal so that outdoor activities, especially those requiring prolonged or heavy exertion, may be avoided, limited in duration, or modified as necessary for all persons or for persons who may be particularly susceptible to the health risk involved.

(cf. 5141.7 - Sun Safety)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Vehicle Emissions

AR 3514(d)

ENVIRONMENTAL SAFETY (continued)

In order to reduce public exposure to toxic air contaminants, school bus drivers and other drivers of commercial motor vehicles shall limit unnecessary idling of vehicles at or near schools in accordance with 13 CCR 2480.

(cf. 3540 - Transportation)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3542 - School Bus Drivers)

Any diesel-fueled school bus with a gross vehicle weight rating over 14,000 pounds manufactured on or after April 1, 1977 shall be equipped with a particulate filter designed to reduce particulate matter emissions, oxides of nitrogen emissions, and other pollutants. (13 CCR 2025)

Drinking Water

The quality and safety of the district's drinking water sources shall be regularly assessed.

Whenever testing of drinking water finds concentrations of lead that exceed federal and state standards in 40 CFR 141.80 and 22 CCR 64678, water outlets shall be flushed thoroughly each day before use or made inoperable until a plan for remediation can be implemented.

Whenever levels of arsenic, bacteria, or other contaminants in the drinking water are determined to be a concern, the Superintendent or designee may recommend basic filtration or pipe flushing when feasible.

AR 3514(e)

ENVIRONMENTAL SAFETY (continued)

Until drinking water is assured to be safe, the Superintendent or designee may explore alternatives, such as bottled water, to ensure that students have access to fresh drinking water at mealtimes and at other times throughout the day. As needed, he/she also may encourage appropriate governmental agencies to conduct regular testing of the water quality in district schools and to implement strategies to improve water quality in the community.

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

Drinking fountains in district schools shall be regularly cleaned and maintained to avoid the presence of dirt, mold, or other impurities or health concerns.

Asbestos Management

The Superintendent shall designate an employee who shall ensure that the district's responsibilities related to asbestos inspection and abatement are implemented in accordance with federal and state regulations. This employee shall receive adequate training to perform these duties, including, as necessary, training on the health effects of asbestos; detection, identification, and assessment of asbestos-containing materials; options for controlling asbestos-containing building materials; and relevant federal and state regulations. (40 CFR 763.84)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The designated employee shall ensure that the district complies with the following requirements:

1. School facilities shall be inspected for asbestos-containing materials as necessary in accordance with the following:
 - a. Any school building that is leased or acquired by the district shall be inspected for asbestos-containing materials prior to its use as a school building, unless exempted by federal regulations. (40 CFR 763.85, 763.99)
 - b. At least once every six months, the district shall conduct a periodic surveillance consisting of a visual inspection of each school building that contains or is assumed to contain asbestos-containing building materials. (40 CFR 763.92)

- c. At least once every three years, the district shall conduct a re-inspection of all known or assumed asbestos-containing building materials in each school building. (40 CFR 763.85)
2. Based on the results of the inspection, an appropriate response which is sufficient to protect human health and the environment shall be determined from among the options specified in 40 CFR 763.90. The district may select the least burdensome response, taking into consideration local circumstances, including occupancy and use patterns within the school building and economic concerns such as short-term and long-term costs. (40 CFR 763.90)
3. An asbestos management plan for each school site shall be maintained and regularly updated to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. (15 USC 2643; 40 CFR 763.93)

AR 3514(h)

ENVIRONMENTAL SAFETY (continued)

The asbestos management plan shall be available for inspection in district and school offices during normal business hours. Parent/guardian, teacher, and employee organizations shall be annually informed of the availability of these plans. (40 CFR 763.84)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

4. Staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress. (40 CFR 763.84)
5. Inspections, re-inspections, periodic surveillance, and response actions, including operations and maintenance, shall be conducted in compliance with state and federal regulations for the protection and safety of workers and all other individuals. (Education Code 49410.5; 40 CFR 763.84)

Asbestos inspection and abatement work and any maintenance activities that may disturb asbestos-containing building materials, except for emergency repairs or small-scale, short-duration maintenance activities, shall be completed by state-certified asbestos inspectors or contractors. (15 USC 2646; 40 CFR 763.84, 763.85, 763.91)

6. All custodial and maintenance employees shall be properly trained in accordance with applicable federal and/or state regulations. (40 CFR 763.84)

All district maintenance and custodial staff who may work in a building that contains asbestos-containing materials, regardless of whether they are required to work with

such materials, shall receive at least two hours of related asbestos awareness training. New maintenance and custodial staff shall receive such training within 60 days after beginning employment. Any maintenance or custodial staff who conduct activities that will disturb asbestos-containing materials shall receive 14 hours of additional training. The trainings shall address the topics specified in 40 CFR 763.92. (15 USC 2655; 40 CFR 763.84, 763.92)

7. Short-term workers, such as telephone repair workers, utility workers, or exterminators, who may come in contact with asbestos in a school shall be provided information regarding the locations of known or suspected asbestos-containing building materials. (40 CFR 763.84)
8. Warning labels shall be posted immediately adjacent to any known or suspected asbestos-containing building material located in routine maintenance areas in accordance with 40 CFR 763.95. (40 CFR 763.84)

AR 3514(i)

ENVIRONMENTAL SAFETY (continued)

The district shall maintain, in both the district and school offices and for a period of three years, records pertaining to each preventive measure and response action taken; staff training; periodic surveillances conducted; cleaning, operations, and maintenance activities; and any fiber release episode. (40 CFR 763.94)

Regulation
approved:
Business and Noninstructional Operations

CSBA MANUAL MAINTENANCE SERVICE
August 2013
AR 3542(a)

SCHOOL BUS DRIVERS

Qualifications

All drivers employed to operate school buses or student activity buses shall possess, and shall retain in their immediate possession while operating the bus, the following documents:
(Vehicle Code 12517, 12517.4)

1. A valid driver's license issued by the California Department of Motor Vehicles (DMV) for the appropriate class of vehicle to be driven and endorsed for school bus and/or passenger transportation
2. A certificate issued by the California Highway Patrol (CHP) which permits the operation of school buses or student activity buses, as applicable

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 4200 - Classified Personnel)

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

AR 3542(b)

SCHOOL BUS DRIVERS (continued)

When initially applying for or renewing a license or certificate to drive a school bus or student activity bus, and annually upon reaching age 65 years, the driver shall submit to the DMV and to the Superintendent or designee a report of a medical examination conducted in accordance with the timelines and procedures specified in Vehicle Code 12517.2. (Vehicle Code 12517.2; 13 CCR 1234)

The Superintendent or designee shall notify each driver of the expiration date of his/her driver's license, certificate, and medical certificate and shall ensure each document is renewed prior to expiration. (13 CCR 1234)

(4112.9/4212.9/4312.9 - Employee Notifications)

School bus and student activity bus drivers shall be subject to drug and alcohol testing in accordance with Board policy and the requirements of federal law.

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

The Superintendent or designee shall notify the DMV within five days whenever any driver refuses, fails to comply, or receives a positive test result on a drug or alcohol test; is dismissed for a cause related to student transportation safety; or is reinstated after being dismissed for a cause related to student transportation safety. (Vehicle Code 1808.8, 13376)

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

Training

In addition to any other training required to obtain or renew the certificate authorizing operation of a school bus or student activity bus, drivers shall receive training which includes, but is not limited to:

AR 3542(c)

SCHOOL BUS DRIVERS (continued)

1. First aid practices deemed necessary for school bus drivers, through a course of instruction that prepares drivers to pass the related DMV examination (Vehicle Code 12522)
2. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

(cf. 3541.2 - Transportation for Students with Disabilities)

3. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

To determine any other needs for professional development, the Superintendent or designee shall periodically review accident reports involving district drivers and may seek input from drivers, district and school administrators, students, and/or other stakeholders on desired topics for professional development.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Authority

Students transported in a school bus or student activity bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway, or road. (5 CCR 14103)

(cf. 5131.1 - Bus Conduct)

AR 3542(d)

SCHOOL BUS DRIVERS (continued)

The driver shall have the authority to discontinue the operation of a school bus or student activity bus whenever he/she determines that it is unsafe to continue.

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

This regulation and AR 5131.1 - Bus Conduct shall be made available to parents/guardians, students, teachers, and other interested parties. (5 CCR 14103)

Responsibilities

The driver's primary responsibility is to safely transport students to and from school and school activities. He/she shall follow procedures contained in district plans and regulations pertaining to transportation safety.

The driver shall stop to load or unload students only at school bus stops designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

(cf. 3541 - Transportation Routes and Services)

The driver shall activate the amber warning light system, flashing red signal lights, and stop arm signal and shall escort students in accordance with Vehicle Code 22112.

The driver shall not require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

The driver shall not drive a school bus or student activity bus while using a wireless telephone or using a wireless communications device for text-based communication, except when otherwise authorized by law and AR 3543 - Transportation Safety and Emergencies.

AR 3542(e)

SCHOOL BUS DRIVERS (continued)

The driver shall report the following to the Superintendent or designee:

1. The condition of the bus at the completion of each work day (13 CCR 1215)
2. His/her duty status for each 24-hour period, including, but not limited to, the number of hours on and off duty (13 CCR 1213)
3. Any traffic accident involving the bus (13 CCR 1219)

In addition to notifying the Superintendent or designee, the driver shall immediately notify the CHP of any traffic accident and, if the bus is operated under contract, his/her employer. (13 CCR 1219)

4. Traffic violations
5. Consistently late school dismissals which cause transportation delays
6. Overload runs
7. Recurring and serious student misbehavior
8. Parent/guardian and student complaints

Vehicle Idling

The driver of a school bus or student activity bus shall: (13 CCR 2480)

1. Turn off the bus engine upon stopping at a school or within 100 feet of a school and not restart the engine more than 30 seconds before beginning to depart
2. Not cause or allow the bus to idle at any location greater than 100 feet from a school for more than five consecutive minutes or for an aggregated period of more than five minutes in any one hour

AR 3542(f)

SCHOOL BUS DRIVERS (continued)

(cf. 3514 - Environmental Safety)

However, vehicle idling may be allowed under limited conditions, including, but not limited to, occasions when idling is necessary to: (13 CCR 2480)

1. Stop for an official traffic control signal or device, for traffic conditions under which the driver has no control, or at the direction of law enforcement
2. Ascertain that the bus is in safe operating condition and properly equipped
3. Operate equipment designed to safely load, unload, or transport students with disabilities
4. Operate a heater, air conditioner, defroster, or other equipment as necessary to ensure the safety or health of passengers
5. Cool down a turbo-charged diesel engine before turning off the engine
6. Recharge a battery or other energy storage unit of a hybrid electric bus or vehicle

The Superintendent or designee shall notify all drivers, upon employment and at least once per year thereafter, of the requirements specified above and the potential legal and employment consequences of failure to comply. All complaints of noncompliance shall be reviewed and remedial action taken as necessary. The Superintendent or designee shall retain records of the training and of any complaints and enforcement actions for at least three years. (13 CCR 2480)

Reports

The Superintendent or designee shall retain records of: (13 CCR 1234)

1. Each driver's duty status and supporting documents provided pursuant to 13 CCR 1201 and 1213. Such records shall be retained for six months and made available to the CHP upon request.
2. The different types of vehicles and vehicle combinations each driver has demonstrated capability to operate.
3. Records of each driver's license, certificate, medical certificate, first aid certificate, and training as specified in 13 CCR 1234.
4. Daily vehicle inspection reports prepared by drivers pursuant to 13 CCR 1215.

AR 3542(g)

SCHOOL BUS DRIVERS (continued)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

39800.5 *Qualifications of driver of 15-passenger van*

39830-39842 *School buses*

40080-40090.5 *Training required to obtain or renew bus driver certificate*

45125.1 *Criminal background checks for contractors*

56195.8 *Training in installation of mobile seating devices*

HEALTH AND SAFETY CODE

39640-39642 *Vehicle idling, penalties*

PENAL CODE

241.3 *Assault against school bus driver*

243.3 *Battery against school bus driver*

VEHICLE CODE

415 *Definition of motor vehicle*

545 *Definition of school bus*

546 *Definition of student activity bus*

1808.8 *Dismissal for safety-related cause*

2570-2574 *Contracts with private school bus contractors*

12516-12517.4 *Certification requirements*

12522 *First aid training for school bus drivers*

13370-13371 *Suspension or revocation of bus driver certificate*

13376 *Driver certificates; revocation or suspension; sex offense prosecution*

22112 *School bus signals; roadway crossings*

23123-23125 *Prohibitions against use of wireless telephone and text communications while driving; exceptions*

25257-25257.7 *School bus equipment*

34501.6 *School buses; reduced visibility*

CODE OF REGULATIONS, TITLE 5

14103 *Authority of the driver*

14104 *School bus driver instructor*

CODE OF REGULATIONS, TITLE 13

1200-1202.2 *Motor carrier safety*

1212-1228 *School bus driver requirements*

1234 *Reports regarding school buses and bus drivers*

2480 *Vehicle idling*

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 *Transportation drug and alcohol testing programs*

382.101-382.605 *Controlled substance and alcohol use and testing*

571.222 *Federal motor vehicle safety standard #222*

Management Resources:

DEPARTMENT OF MOTOR VEHICLES PUBLICATIONS

California Commercial Driver Handbook

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PUBLICATIONS

School Bus Driver In-Service Safety Series, October 2011

Management Resources continued: (see next page)

AR 3542(h)

SCHOOL BUS DRIVERS (continued)

Management Resources: (continued)

WEB SITES

California Air Resources Board: <http://www.arb.ca.gov>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tm>

California Highway Patrol: <http://www.chp.ca.gov>

California Department of Motor Vehicles: <http://www.dmv.ca.gov>

California Department of Justice: <http://oag.ca.gov>

National Transportation Safety Board: <http://www.nts.gov>

*U.S. Department of Transportation, National Highway Traffic Safety Administration:
<http://www.nhtsa.dot.gov>*

Regulation
approved:
All Personnel

CSBA MANUAL MAINTENANCE SERVICE

August 2013

BP 4112.42(a)

4212.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

4312.42

The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program designed to prevent the operation of buses or the

performance of other safety-sensitive functions by a driver who is under the influence of drugs or alcohol, including a driver of a school bus, student activity bus, or other school transportation vehicle or any other employee who holds a commercial driver's license which is necessary to perform duties related to district employment.

(cf. 3540 - Transportation)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4020 - Drug and Alcohol-Free Workplace)

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

A driver shall not report for duty or remain on duty when he/she has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when he/she has used any drug listed in 21 CFR 1308.12-1308.15, unless he/she is using the drug under the direction of a physician who has advised him/her that the substance will not adversely affect the driver's ability to safely operate a bus. In addition, a driver shall not consume alcohol while on duty or for four hours prior to on-duty time. (49 CFR 382.201-382.209, 382.213)

BP 4112.42(b)

4212.42

4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

The district's testing program for drivers shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306; 49 CFR 382.301-382.311)

Except as otherwise provided by law, the Superintendent or designee shall not release individual test results or medical information about a driver to a third party without the driver's specific written consent. (49 CFR 40.321)

Consequences Based on Test Results

Any driver who refuses to take a required drug or alcohol test, tests positive for drugs, or is found to have a blood alcohol concentration level that exceeds the levels specified in law shall be removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211.

No driver shall be temporarily removed from the performance of safety-sensitive functions based only on a laboratory report of a confirmed positive test before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver. (49 CFR 40.21, 382.107, 382.119)

Not later than five days after receiving notification of the test result or refusal to comply, the Superintendent or designee shall report any refusal, failure to comply, or positive test result

to the California Department of Motor Vehicles (DMV) using a form approved by the DMV. (Vehicle Code 13376)

BP 4112.42(c)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Voluntary Self-Identification

Whenever a driver admits to alcohol or drug misuse under the district's voluntary self-identification program, the Superintendent or designee shall ensure all of the following: (49 CFR 382.121)

1. No adverse action shall be taken against the driver by the district.
2. The driver shall be allowed sufficient opportunity to seek evaluation, education, or treatment to establish control over his/her drug or alcohol problem.
3. The driver shall be permitted to participate in safety-sensitive functions only after:
 - a. Successfully completing an education or treatment program, as determined by a drug and alcohol abuse evaluation expert, such as an employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor
 - b. Undergoing a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative result for drug use

A driver who admits to alcohol or drug misuse shall not be subject to federal requirements related to referral, evaluation, and treatment, provided that he/she does not self-identify in order to avoid drug or alcohol testing, makes the admission prior to performing a safety-sensitive function, and does not perform a safety-sensitive function until he/she has been evaluated and has successfully completed education or treatment requirements in accordance with program guidelines. (49 CFR 382.121)

Legal Reference: (see next page)

BP 4112.42(e)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

GOVERNMENT CODE

8355 Drug-free workplace; employee notification

VEHICLE CODE

13376 Driver certificates; revocation or suspension

34500-34520.5 Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety, especially:

1213.1 Placing drivers out-of-service

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

UNITED STATES CODE, TITLE 49

31306 Alcohol and drug testing

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.11-1308.15 Controlled substances

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 Procedures for transportation workplace drug and alcohol testing programs

382.101-382.605 Drug and alcohol use and testing; especially:

382.205 On-duty use

382.207 Pre-duty use

382.209 Use following an accident

Management Resources:

CALIFORNIA HIGHWAY PATROL PUBLICATIONS

Controlled Substances and Alcohol Testing Compliance Checklist, 2007

What is CSAT? Controlled Substances and Alcohol Testing, 2005

WEB SITES

California Highway Patrol: <http://www.chp.ca.gov>

Federal Motor Carrier Safety Administration: <http://www.fmcsa.dot.gov>

U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance:

<http://www.dot.gov/ost/dapc>

Policy
adopted:
All Personnel

CSBA MANUAL MAINTENANCE SERVICE

August 2013
AR 4112.42(a)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

Definitions

For purposes of drug testing required by the U.S. Department of Transportation (DOT), drugs included in the tests are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates. (49 CFR 40.3, 40.85, 382.107)

Alcohol concentration or level means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath. For purposes of the DOT alcohol testing program, an alcohol level between 0.02 and 0.04 requires removal of the bus driver for a 24-hour period following the test. An alcohol level of 0.04 or higher requires immediate removal of the driver from performing safety-sensitive functions until the driver has successfully completed the return-to-duty process. (49 CFR 382.107, 382.201, 382.505)

Safety-sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions include, but are not limited to, all time driving or otherwise in the bus; waiting at a district facility to be dispatched; inspecting, servicing, or conditioning the bus or bus equipment; loading or unloading the bus; supervising or assisting in the loading or unloading of the bus; and repairing, obtaining assistance, or remaining in attendance upon a disabled bus. (49 CFR 382.107)

(cf. 3540 - Transportation)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4020 - Drug and Alcohol-Free Workplace)

Designated Employer Representative

The Superintendent or designee shall identify a designated employer representative and shall provide his/her name and telephone number to the testing contractor to contact about any problems or issues that may arise during the testing process. (49 CFR 40.35, 40.215)

AR 4112.42(b)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

The designated employer representative shall be responsible for receiving test results and other communications, taking immediate action(s) to remove drivers from safety-sensitive functions, and making other required decisions in the testing and evaluation processes. (49 CFR 40.3)

Pre-employment Testing

When hiring a new driver, the Superintendent or designee shall, with the driver's written consent, request the driver's past drug and alcohol testing record, as specified in 49 CFR 40.25, from any employer who has employed the driver at any time during the previous two years. In addition, the Superintendent or designee shall ask the driver if he/she tested positive, or refused to test, on any pre-employment drug or alcohol test that was administered during the past two years in the course of applying for another safety-sensitive transportation position that he/she did not obtain. The driver shall not be permitted to perform safety-sensitive functions if he/she refuses to provide consent to obtain the information from previous employers, the information from previous employers is not received within 30 days of the date on which the driver first performed safety-sensitive functions for the district, or the driver or a previous employer reports a violation of a drug or alcohol regulation without subsequent completion of the return-to-duty process. (49 CFR 40.25, 382.413)

Upon making a contingent offer of employment to a driver and prior to the first time the driver performs safety-sensitive functions for the district, the Superintendent or designee shall require the driver to undergo testing for drugs and to receive a verified negative test result. This testing requirement may be waived if all of the following conditions exist: (49 CFR 382.301)

1. The driver has participated in a qualified drug testing program within the previous 30 days.
2. While participating in the program, the driver either was tested within the past six months or participated in a random drug testing program for the previous 12 months.
3. The Superintendent or designee has contacted the testing program(s) in which the driver has participated and has obtained information about the program and the driver's participation as specified in 49 CFR 382.301.
4. No prior employer of the driver of whom the district has knowledge has records of the driver's violation of federal drug testing regulations within the previous six months.

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4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

In addition, the Superintendent or designee may require the driver to undergo pre-employment alcohol testing in accordance with the procedures in 49 CFR 40.1-40.605 and to receive a test result indicating an alcohol concentration level of less than 0.04. (49 CFR 382.301)

Post-Accident Testing

As soon as practicable following an accident involving a school bus or student activity bus, the Superintendent or designee shall ensure that the driver involved is tested for alcohol and/or drugs under either of the following conditions: (49 CFR 382.303)

1. The accident involved loss of human life.
2. The driver receives a citation for alcohol use within eight hours of the accident, or for drug use within 32 hours of the accident, and the accident involved bodily injury to a person who required immediate medical treatment away from the scene of the accident and/or disabling damage to one or more vehicles requiring towing.

The Superintendent or designee shall attempt to administer a required alcohol test up to eight hours following the accident and/or a drug test up to 32 hours following the accident. The results of an alcohol or drug test conducted by federal, state, or local officials having independent authority for the test shall be considered to meet this requirement. If the alcohol test is not administered within two hours following the accident, or the test for drugs is not administered within 32 hours following the accident, the Superintendent or designee shall make a record stating the reasons the test was not promptly administered. (49 CFR 382.303)

Random Testing

AR 4112.42(d)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

The Superintendent or designee shall ensure that random, unannounced drug and alcohol tests of bus drivers are conducted on testing dates reasonably spread throughout the year. Such tests shall be conducted during, immediately before, or immediately after the performance of safety-sensitive functions. (49 CFR 382.305)

The Superintendent or designee shall ensure that the percentage of district drivers randomly tested for drugs and alcohol meets or exceeds the minimum annual percentage rates specified in 49 CFR 382.305 or subsequently published in the Federal Register.

Each driver selected for random testing shall have an equal chance of being tested each time selections are made. (49 CFR 382.305)

Each driver who is selected for testing shall proceed to the test site immediately or, if performing a safety-sensitive function other than driving a bus, then as soon as possible after ceasing that function. (49 CFR 382.305)

Reasonable Suspicion Testing

A driver shall be required to submit to a drug or alcohol test whenever the Superintendent or designee has reasonable suspicion that the driver has violated the prohibitions against the use of drugs or alcohol. Such reasonable suspicion shall be based on specific, contemporaneous, articulable observations, conducted during, immediately before, or immediately after the performance of safety-sensitive functions, concerning the driver's appearance, behavior, speech, and/or body odors. Reasonable suspicion of drug use may also include indications of the chronic and withdrawal effects of drugs. (49 CFR 382.307)

The person who makes the required observations for reasonable suspicion testing for drugs or alcohol shall be trained in accordance with 49 CFR 382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not be the same person who conducts the alcohol test. (49 CFR 382.307)

Within 24 hours of the observed behavior or before the results of the drug or alcohol test are released, whichever is earlier, the Superintendent or designee shall prepare and sign a written record of the observations leading to a reasonable suspicion test. (49 CFR 382.307)

AR 4112.42(e)

4212.42

4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

An alcohol test required as a result of reasonable suspicion shall be administered within eight hours following the determination of reasonable suspicion. If the test is not administered within two hours, the Superintendent or designee shall prepare and maintain on file a record stating the reasons the test was not promptly administered. (49 CFR 382.307)

In the absence of a reasonable suspicion alcohol test, the district shall take no action against a driver based solely on the driver's behavior and appearance, except that the driver shall not be allowed to report for or remain on safety-sensitive functions until an alcohol test is administered and the results show a concentration less than 0.02 or 24 hours have elapsed following the determination of reasonable suspicion. (49 CFR 382.307)

Return-to-Duty Testing

The Superintendent or designee may permit a driver who has violated federal drug or alcohol regulations to return to safety-sensitive functions after the driver has successfully complied with the education and treatment services prescribed by a substance abuse professional and has taken a return-to-duty drug or alcohol test. The driver shall not resume performance of safety-sensitive functions unless the drug test shows a negative result and/or the alcohol test shows a concentration of less than 0.02. (49 CFR 40.305, 382.309)

Follow-Up Testing

Upon receiving a written follow-up testing plan from a substance abuse professional, the Superintendent or designee shall determine the actual dates for follow-up testing consistent with those recommendations and shall ensure that such tests are unannounced and follow no discernable pattern as to their timing. No additional tests beyond those included in the plan shall be imposed by the district. (49 CFR 40.307-40.309, 382.111)

Notifications

AR 4112.42(f)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

The Superintendent or designee shall provide each driver with materials explaining the federal regulations and the district's policy and procedure related to drug and alcohol testing and shall notify representatives of employee organizations of the availability of this information. This information shall include a detailed discussion of at least the following: (49 CFR 382.303, 382.113, 382.601)

1. The identity of the person designated by the district to answer driver questions about the materials
2. The categories of drivers who are subject to drug and alcohol testing
3. Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the workday the driver is required to be in compliance
4. Specific information concerning prohibited driver conduct
5. The circumstances under which a driver will be tested for drugs and/or alcohol, including post-accident testing
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver
7. The requirement that a driver submit to drug and alcohol tests

8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences
9. The consequences for drivers found to have violated the prohibitions against drug or alcohol use, including the circumstances under which drivers will be removed immediately from safety-sensitive functions and the requirements for education, treatment, and return-to-duty testing
10. The consequences for drivers found to have a blood alcohol concentration between 0.02 and 0.04

AR 4112.42(g)
4212.42
4312.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

11. Information concerning the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management

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

Each driver shall sign a statement certifying that he/she has received a copy of the above materials. The Superintendent or designee shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver. (49 CFR 382.601)

In addition, prior to administering each alcohol or drug test, the driver shall be notified that the test is required pursuant to Title 49, Part 382, of the Code of Federal Regulations. (49 CFR 382.113)

The driver shall be notified of the results of drug and alcohol tests in accordance with 49 CFR 382.411.

Records

The Superintendent or designee shall maintain records of the district's drug and alcohol testing program in accordance with 49 CFR 40.333 and 382.401. Such records shall be maintained in a secure location with controlled access and shall be disclosed only in accordance with 49 CFR 382.405.

(cf. 3580 - District Records)

Regulation
approved:
All Personnel

CSBA MANUAL MAINTENANCE SERVICE

August 2013

AR 4161.11(a)

4261.11

4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE

An eligible employee shall be entitled to a leave of absence for an industrial accident or illness arising in the course of his/her assigned duties. (Education Code 44984, 45192)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161/4261/4361 - Leaves)

For such leave, the employee shall be granted no more than 60 working days in any one fiscal year for the same industrial accident or illness.

Allowable industrial accident or illness leave shall not be accumulated from year to year. (Education Code 44984, 45192)

When an employee is absent from his/her duties because of an industrial accident or illness: (Education Code 44043, 44044, 44984, 45192)

AR 4161.11(b)

4261.11

4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

1. The leave shall start on the first day of absence.
2. During the period of absence, the employee shall be paid such portion of his/her wage or salary that, when added to the award granted under state workers' compensation laws, will not exceed his/her normal wage or salary.

3. The leave shall be reduced by one day for each day of authorized absence, regardless of an award granted under workers' compensation laws.
4. When the leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury.

During any paid leave of absence, the employee shall endorse to the district any workers' compensation checks received on account of an industrial accident or illness. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less any appropriate deductions, including, but not limited to, employee retirement contributions. (Education Code 44043)

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within California unless the Governing Board authorizes travel outside the state. (Education Code 44984, 45192)

AR 4161.11(c)
4261.11
4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

Absence for industrial accident or illness shall not be considered a break in service of the employee. An employee using such leave shall retain all status and benefits to which he/she would otherwise be entitled.

(cf. 4116 - Probationary/Permanent Status)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 4216 - Probationary/Permanent Status)

When available industrial accident or illness leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request any additional paid or unpaid leave available to the employee. (Education Code 45192)

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

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave provided pursuant to Education Code 44977, 44978, 44983, or 45191, as applicable, provided that such leave, when added to any continuing workers' compensation award, does not result in a payment to the employee of more than his/her full wage or salary. (Education Code 44984, 45192)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

If a certificated employee is unable to resume the duties of his/her position after exhausting all accumulated sick leave, including the consecutive five-month period provided by Education Code 44977, he/she shall, if not placed in another position, be placed on a

reemployment list for a period of 24 months if he/she is a probationary employee or 39

AR 4161.11(d)
4261.11
4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

months if he/she is a permanent employee. If the employee becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

If a classified employee has exhausted all available leaves of absence, paid or unpaid, and is not medically able to resume the duties of his/her position, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 39 months. If he/she becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other candidates except those on a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with seniority regulations. If the employee is medically released to return to duty but fails to accept an appropriate assignment, he/she shall be dismissed. (Education Code 45192)

(cf. 4217.3 - Layoff/Rehire)

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

Legal Reference: (see next page)

AR 4161.11(e)
4261.11
4361.11

INDUSTRIAL ACCIDENT/ILLNESS LEAVE (continued)

Legal Reference:

EDUCATION CODE

44043 Temporary disability

44044 Temporary disability checks; waiver of endorsement to district

44977 Salary deductions during absence from duties

44978 Provisions for certificated employee sick leave

44978.1 Inability of certificated employee to return to duty; placement in another position or on reemployment list

44983 Exception to sick leave

44984 Industrial accident and illness leave, certificated employees

45191 Personal illness and injury leave, classified employees

45192 Industrial accident and illness leave, classified employees

LABOR CODE

3200-6002 Workers' compensation

Management Resources:

WEB SITES

Department of Industrial Relations: <http://www.dir.ca.gov>

Regulation

approved:

All Personnel

FAMILY CARE AND MEDICAL LEAVE

CSBA MANUAL MAINTENANCE SERVICE

August 2013

AR 4161.8(a)

4261.8

4361.8

The district shall not interfere with, restrain, or deny the exercise or attempted exercise by any eligible employee of his/her right to any family care and medical leave or pregnancy disability leave (PDL) provided through the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Fair Employment and Housing Act (FEHA), nor shall it discharge or discriminate or retaliate against any employee for his/her involvement in any inquiry or proceeding related to any leave under any of these laws or his/her opposition to or challenge of any unlawful district practice in relation to any rights granted by any of these laws. (Government Code 12945, 12945.2; 29 USC 2615)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child (son or daughter) means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child. (Government Code 12945.2; 29 USC 2611)

Eligible employee for FMLA and CFRA purposes means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the previous 12-month period. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 29 USC 2611; 29 CFR 825.110)

Employee disabled by pregnancy means a woman who, in the opinion of her health care provider, is unable because of pregnancy to perform any one or more of the essential

AR 4161.8(b)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

functions of her job or to perform any of them without undue risk to herself, her pregnancy's successful completion, or other persons; or who is suffering from severe "morning sickness" or needs to take time off for any pregnancy-related condition including, but not limited to, prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, post-partum depression, childbirth, loss or end of pregnancy, or recovery from childbirth or loss or end of pregnancy. (2 CCR 7291.2)

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 7297.0; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either of the following: (Government Code 12945.2; 29 USC 2611; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility
2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

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FAMILY CARE AND MEDICAL LEAVE (continued)

Spouse means a partner in marriage as defined in Family Code 300. In addition, for purposes of CFRA, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5, 300; 2 CCR 7297.0; 29 CFR 825.122)

Eligibility

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Family Code 297.5; Government Code 12945.2; 29 USC 2612; 29 CFR 825.112)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child
2. To care for the employee's child, parent, or spouse with a serious health condition
3. The employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position
4. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)

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FAMILY CARE AND MEDICAL LEAVE (continued)

5. To care for a covered servicemember with a serious injury or illness if the employee is the spouse, child, parent, or next of kin, as defined, of the servicemember

In addition, the district shall grant any pregnant female employee PDL during pregnancy, when she is disabled by pregnancy, childbirth, or any related medical condition. (Government Code 12945; 2 CCR 7291.4)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. (Government Code 12945.2; 29 USC 2612)

This 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

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FAMILY CARE AND MEDICAL LEAVE (continued)

In addition, for each pregnancy, a female employee shall be entitled to PDL for the period of the disability not to exceed four months. (Government Code 12945; 2 CCR 7291.9)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may

request to take CFRA leave of up to 12 work weeks for the reason of the birth of her child, if the child has been born by this date (e.g., baby bonding), whether or not she or the child has a serious health condition or disability. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945, 12945.2; 2 CCR 7291.13, 7297.6)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. The basic minimum duration of leave for the birth or placement of a child shall be two weeks. However, the district shall grant a request for leave of less than two weeks' duration on any two occasions. (2 CCR 7297.3; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 weeks. This restriction shall apply whether the parents are married, not married, or registered domestic partners. (Government Code 12945.2; 2 CCR 7297.1; 29 USC 2612)

Use/Substitution of Paid Leave

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FAMILY CARE AND MEDICAL LEAVE (continued)

An employee shall substitute his/her accrued vacation leave, other accrued time off, and any other paid or unpaid time off negotiated with the district for any FMLA or CFRA leave not involving his/her own serious health condition or pregnancy disability. For the employee's PDL or FMLA or CFRA leave due to his/her own serious health condition, the employee shall use accrued sick leave pursuant to the collective bargaining agreement and/or Board policy and may use accrued vacation leave and other paid or unpaid time off at his/her option. (Government Code 12945, 12945.2; 2 CCR 7291.11; 29 USC 2612)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4161/4261/4361 - Leaves)

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

(cf. 4261.1 - Personal Illness/Injury Leave)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or his/her child, parent, or spouse may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district may limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave, not to be greater than one hour. (2 CCR 7291.9, 7297.3; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position if the employee is pregnant and provides medical certification from her health care provider of the medical need for intermittent leave or leave on a reduced work or leave

schedule or if the employee's need for the intermittent leave or leave on a reduced work or leave schedule is foreseeable based on his/her planned medical treatment or that of a family member. This alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 7291.8, 7297.3; 29 USC 2612)

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FAMILY CARE AND MEDICAL LEAVE (continued)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Request for Leave

An employee shall provide at least verbal notice sufficient to make the district aware of the need to take PDL or family care and medical leave and the anticipated timing and duration of the leave. (2 CCR 7291.17, 7297.4)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement; however, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 7297.4)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. (2 CCR 7297.4)

When the need for the PDL or family care and medical leave is foreseeable, the employee shall provide the district with at least 30 days advance notice before the leave. The employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 7291.17, 7297.4)

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4261.8
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FAMILY CARE AND MEDICAL LEAVE (continued)

When the 30 days notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. (2 CCR 7291.17, 7297.4)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for his/her own or his/her child's, parent's, or spouse's serious health condition, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 7297.4; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 7297.0; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse with a serious health condition, both of the following:
 - a. Statement that the serious health condition warrants the participation of the employee to provide care during a period of the treatment or supervision of the child, parent, or spouse
 - b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse

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FAMILY CARE AND MEDICAL LEAVE (continued)

4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

In addition, at the employee's option, the certification may include a diagnosis identifying the serious health condition. (2 CCR 7297.0)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA as long as there is no harm to the employee. (29 CFR 825.301)

If the Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, he/she may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 29 USC 2613)

For PDL, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if he/she has reason to question the appropriateness of the leave or its duration. (2 CCR 7291.17)

For PDL that is foreseeable and for which at least 30 days notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 7291.17)

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4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because she is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 7291.17)

The Superintendent or designee shall not request any genetic information, as defined in 42 USC 2000ff, from any employee or his/her family member except as necessary to comply with a certification requirement for PDL or FMLA/CFRA leave purposes or with the prior

written authorization of the employee. Any such genetic information received by the district shall be kept confidential in accordance with law. (42 USC 2000ff-1, 2000ff-5)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 7291.17; 29 USC 2613)

Fitness for Duty Certification/Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for his/her own serious health condition, the employee shall present certification from the health care provider that he/she is able to resume work.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

The certification from the employee's health care provider shall address the employee's ability to perform the essential functions of his/her job.

Rights to Reinstatement

Upon granting an employee's request for PDL or family care and medical leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 7291.10; 29 USC 2614)

However, the district may refuse to reinstate an employee returning from family care and medical leave to the same or a comparable position if all of the following apply: (Government Code 12945.2; 29 USC 2614)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of district employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.
3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

(cf. 4117.3 - Personnel Reduction)

(cf. 4217.3 - Layoff/Rehire)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 7291.10)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, he/she

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FAMILY CARE AND MEDICAL LEAVE (continued)

shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 29 USC 2614)

For up to a maximum of four months for PDL or 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the district for premiums paid during the leave if he/she fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control. (Government Code 12945.2; 2 CCR 7291.11; 29 USC 2614; 29 CFR 825.213)

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

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not be required to make plan payments for an employee during the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 7291.11)

Military Family Leave Resulting from Qualifying Exigencies

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FAMILY CARE AND MEDICAL LEAVE (continued)

An eligible employee may take up to 12 work weeks of unpaid leave during the 12-month period established by the district while a military member is on covered active duty or call to covered active duty status for one or more qualifying exigencies. (29 USC 2612; 29 CFR 825.126)

Military member means an employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126)

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty in support of a contingency operation pursuant to law. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment)
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange childcare or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider

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4261.8
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FAMILY CARE AND MEDICAL LEAVE (continued)

6. Spend time (up to 15 days of leave per instance) with a military member who is on short-term, temporary, Rest and Recuperation leave during deployment

7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting such leave for the first time shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

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4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date of leave taken, to an eligible employee to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, an employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness

2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in loco parentis. (29 CFR 825.127)

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4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered him/her unable to perform the duties of his/her office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition

- c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to his/her military service or that would do so but for treatment received by the veteran

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4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

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4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications about state and federal law related to PDL or FMLA/CFRA leave:

1. **General Notice:** Information explaining the provisions of the FEHA and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 7291.16, 7297.9; 29 USC 2619)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days notice of the need for the leave, when the need for the leave is reasonably foreseeable. (2 CCR 7291.17, 7297.4)

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

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FAMILY CARE AND MEDICAL LEAVE (continued)

2. **Eligibility Notice:** When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave. (2 CCR 7291.16; 29 CFR 825.300)
3. **Rights and Responsibilities Notice:** Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to substitute paid leave, whether the district will require substitution of paid leave, conditions related to any substitution, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis

- e. If applicable, the employee's status as a "key employee," potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
- f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave

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FAMILY CARE AND MEDICAL LEAVE (continued)

- g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

- 4. **Designation Notice:** When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

If the district requires paid leave to be substituted for unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a fitness-for-duty certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

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4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

Legal Reference: (see next page)

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FAMILY CARE AND MEDICAL LEAVE (continued)

Legal Reference:

EDUCATION CODE

44965 *Granting of leaves of absence for pregnancy and childbirth*

FAMILY CODE

297-297.5 *Rights, protections, and benefits under law; registered domestic partners*

300 *Validity of marriage*

GOVERNMENT CODE

12940 *Unlawful employment practices*

12945 *Pregnancy; childbirth or related medical condition; unlawful practice*

12945.1-12945.2 *California Family Rights Act*

12946 *Fair Employment and Housing Act: discrimination prohibited*

CODE OF REGULATIONS, TITLE 2

7291.2-7291.17 *Sex discrimination: pregnancy and related medical conditions*

7297.0-7297.11 *Family care leave*

UNITED STATES CODE, TITLE 1

7 *Definition of marriage*

UNITED STATES CODE, TITLE 29

2601-2654 *Family and Medical Leave Act of 1993, as amended*

UNITED STATES CODE, TITLE 42

2000ff-1-2000ff-11 *Genetic Information Nondiscrimination Act of 2008*

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 *Family and Medical Leave Act of 1993*

COURT DECISIONS

United States v. Windsor, (2013) 699 F.3d 169

Re Marriage Cases, (2008) 43 Cal.4th 757

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:

FEDERAL REGISTER

The Family and Medical Leave Act; Final Rule; February 6, 2013. Vol. 78, No. 25, pages 8903-8947

U.S. DEPARTMENT OF LABOR PUBLICATIONS

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

U.S. Department of Labor, FMLA: <http://www.dol.gov/whd/fmla>

Regulation
approved:
Students

CSBA MANUAL MAINTENANCE SERVICE
August 2013
AR 5111.2(a)

NONRESIDENT FOREIGN STUDENTS

The Superintendent or designee shall, on behalf of the district, seek and obtain from the U.S. Department of Homeland Security's (DHS) Student and Exchange Visitor Program (SEVP) certification of eligibility to enroll nonimmigrant foreign students in district schools and recertification for the continuing eligibility of the district every two years. (8 CFR 214.3)

(cf. 6145.6 - International Exchange)

On a case-by-case basis, the Superintendent or designee may accept for admission into any of grades 9-12 any nonimmigrant foreign student with or seeking an F-1 visa. Any such student shall be admitted for a maximum of one year and shall pay the district the full, unsubsidized per-student cost of attendance at the school. (8 USC 1184)

(cf. 5111.1 - District Residency)

In determining whether to admit a student, the Superintendent or designee shall consider whether the following conditions exist: (8 CFR 214.3; 22 CFR 41.61)

1. A suitable program exists at the school the student has selected.
2. The student's English proficiency is sufficient for successful study at that school.

AR 5111.2(b)

NONRESIDENT FOREIGN STUDENTS (continued)

3. Space is available at the school.
4. The student has provided proof of financial responsibility.

In addition to fulfilling all other requirements for school entry, the student shall submit evidence that he/she has been fully immunized in accordance with California law.

(cf. 5141.31 - Immunizations)

In accordance with law, the Superintendent or designee shall retain and, when required, report to DHS any records for nonimmigrant foreign students required for the operation of the SEVP. Upon request, he/she also shall furnish to DHS representatives other records maintained by the district for nonimmigrant foreign students. (8 CFR 214.3)

(cf. 5125 - Student Records)

The Superintendent or designee shall ensure that any individual dealing with enrollment of nonimmigrant foreign students is trained on the use of the Student Exchange Visitor Information System.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference: (see next page)

AR 5111.2(c)

NONRESIDENT FOREIGN STUDENTS (continued)

Legal Reference:

EDUCATION CODE

48050-48054 Nonresidents

UNITED STATES CODE, TITLE 8

1184 Foreign students

1372 Reporting requirements, nonimmigrant foreign students

CODE OF FEDERAL REGULATIONS, TITLE 8

214.3 Petition for school approval

214.4 Withdrawal of school approval

CODE OF FEDERAL REGULATIONS, TITLE 22

41.61 Students; academic and nonacademic

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

0319.97 Amendments to F-1 Student Visa Requirements, LO: 1-97

U.S. DEPARTMENT OF STATE PUBLICATIONS

Foreign Students (F-1) in Public Schools

WEB SITES

U.S. Department of Homeland Security, Student and Exchange Visitor Program:

<http://www.ice.gov/sevis>

U.S. Department of State: http://travel.state.gov/visa/temp/types/types_1269.html#1

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

Regulation
approved:
Students

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BP 5131.61(a)

DRUG TESTING

The Governing Board is committed to providing a safe, drug-free school environment to maximize the health and safety of district students and to protect them from dangers associated with illegal drug use and drug abuse. To support the district's drug abuse prevention efforts, the Board desires to establish a drug testing program in the district's high schools that will discourage illegal drug use among students and timely identify and refer drug users to appropriate counseling and rehabilitative services.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

Any drug testing program to be implemented by the district shall be developed in consultation with drug treatment and prevention professionals, the laboratory contracted to conduct the tests, and district legal counsel. In addition, the Superintendent or designee may invite input from students, staff, parents/guardians, community members, and representatives of local health care agencies, community service agencies, and businesses.

(cf. 1020 - Youth Services)

Participation in the district's drug testing program shall require the written consent of students' parents/guardians. The Superintendent or designee shall provide information about

BP 5131.61(b)

DRUG TESTING (continued)

the program, including the district's policy and procedures, to all high school students and their parents/guardians at the beginning of each school year. All informational materials provided for this purpose shall contain clear statements about how the program will be implemented, including, but not limited to, a list of every substance that to be tested for and how students may be withdrawn from participation in the program.

(cf. 5145.6 - Parental Notifications)

Drug testing procedures shall ensure appropriate student privacy while maintaining the viability of the process. If urinalysis testing is used, the supervisor collecting the specimen shall be the same gender as the student and the specimen shall be collected in a private facility behind a closed stall.

Parents/guardians shall be notified after any positive test results are confirmed. Test results shall be kept separate from the student's other educational records and shall be disclosed only to school staff designated by the Superintendent or designee as responsible for program implementation. The district shall not release test results to law enforcement authorities except in compliance with a court order.

(cf. 5125 - Student Records)

The Superintendent or designee shall provide training to principals, coaches, and other district staff involved in implementing the district's drug testing program.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Students who test positive in any voluntary drug testing program shall be encouraged to participate in an assistance program and may be required to take subsequent drug tests. No disciplinary or punitive action shall be taken against any student who tests positive in the voluntary drug testing program.

(cf. 5141.6 - School Health Services)

BP 5131.61(c)

DRUG TESTING (continued)

Random Drug Testing for Athletics

The Superintendent or designee may establish a nonvoluntary, random drug testing program for students participating in athletics.

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

No fee shall be charged for student participation in the district's drug testing program.

(cf. 3260 - Fees and Charges)

The Superintendent or designee shall develop:

1. Informational materials to be provided to participating students and their parents/guardians about the drug testing program

The informational materials shall require parents/guardians to notify the school when their child is taking any medication by presenting either a copy of the prescription or a physician's written verification of this fact.

2. A drug testing consent form to be signed by the student and his/her parent/guardian prior to allowing the student to participate in athletics

BP 5131.61(d)

DRUG TESTING (continued)

The consent form shall specify the substances to be tested for and shall clearly indicate that the consent can be withdrawn and that the only consequence for such withdrawal will be that the student will no longer be able to participate in athletics

3. Procedures addressing how students will be selected, how often tests will be conducted, how samples will be collected and transported, and how results will be confirmed

Any student participating in athletics who fails a required drug test shall be disqualified from participating in the athletic activity in accordance with district policy and shall be referred to an assistance program.

At the beginning of each school year, the Superintendent or designee shall conduct an orientation session for students participating in athletics and their parents/guardians, to explain the district's policy and outline the procedures for drug testing and the consequences if a positive result is obtained.

Legal Reference: (see next page)

BP 5131.61(e)

DRUG TESTING (continued)

Legal Reference:

EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation

44049 Known or suspected alcohol or controlled substance abuse by student

51262 Use of anabolic steroids; legislative finding and declaration

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

COURT DECISIONS

Brown v. Shasta Union High School District, No. C061972, 2010 WL 3442147 (Cal. App. 3d Sept. 2, 2010)

Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, (2002) 122 S.Ct. 2559

Vernonia School District v. Acton, (1995) 115 S.Ct. 2385

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

Management Resources:

OFFICE OF NATIONAL DRUG CONTROL POLICY PUBLICATIONS

What You Need To Know About Drug Testing in Schools, August 2002

WEB SITES

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

National Institute on Drug Abuse: <http://www.nida.nih.gov>

Office of National Drug Control Policy: <http://www.whitehousedrugpolicy.gov>

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

Policy
adopted:
Students

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BP 5141.27(a)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS

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

The Governing Board desires to prevent students' exposure to foods to which they are allergic or intolerant and to provide for prompt and appropriate treatment in the event that a severe allergic reaction occurs at school.

The Superintendent or designee shall develop guidelines for the care of food-allergic students. Such guidelines shall include, but are not limited to, strategies for identifying students at risk for allergic reactions, avoidance measures, education of staff regarding typical symptoms, and actions to be taken in the event of a severe allergic reaction.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 3554 - Other Food Sales)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5030 - Student Wellness)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

Parents/guardians shall be responsible for notifying the Superintendent or designee, in writing, regarding any food allergies or other special dietary needs of their child in accordance with administrative regulation.

(cf. 5125 - Student Records)

BP 5141.27(b)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

When a student's food allergy or food intolerance substantially limits one or more major life activities, his/her parents/guardians shall be informed of the district's obligation to evaluate the student to determine if he/she requires accommodations pursuant to Section 504 of the federal Rehabilitation Act. The student shall be evaluated in accordance with law and the procedures specified in AR 6164.6 - Identification and Education Under Section 504. If that process results in the development of a Section 504 plan, the district shall provide the accommodations and/or aids and services identified in the plan.

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6164.6 - Identification and Education Under Section 504)

If a student's diet restrictions and needed services are addressed in an individualized education program (IEP), the Superintendent or designee shall ensure compliance with the IEP including any necessary food substitutions.

(cf. 6159 - Individualized Education Program)

Students shall not be excluded from school activities nor otherwise discriminated against, harassed, intimidated, or bullied because of their food allergy.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)

Any complaint of alleged noncompliance with this policy shall be addressed through appropriate district complaint procedures.

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FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3555 - Nutrition Program Compliance)

The district's food services program may, but is not required to, accommodate individual student preferences or diets that are not supported by a statement from the student's health care provider.

Legal Reference: (see next page)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

Legal Reference:

EDUCATION CODE

234.1 Prohibition against discrimination, harassment, intimidation, and bullying

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49423 Administration of prescribed medication for student

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

15562 Reimbursement for meals, substitutions

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 29

701-795a Rehabilitation Act, including:

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Program

1771-1791 Child nutrition, especially:

1773 School Breakfast Program

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

225.16 Meal programs, individual substitutions

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004

FOOD ALLERGY RESEARCH AND EDUCATION PUBLICATIONS

School Guidelines for Managing Students with Food Allergies

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Legal and Practical Issues Relating to Accommodating Students with Peanut Allergies, Inquiry and Analysis, April 2009

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Accommodating Children with Special Dietary Needs in the School Nutrition Programs: Guidance for School Food Service Staff, 2001

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

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, January 2012

WEB SITES

California Department of Education, Health Services: <http://www.cde.ca.gov/ls/he/hn>

Food Allergy Research and Education: <http://www.foodallergy.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Agriculture: <http://www.fns.usda.gov>

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

Policy
adopted:
Students

CSBA MANUAL MAINTENANCE SERVICE
August 2013
AR 5141.27(a)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS

Definitions

Special dietary needs include food intolerances, allergies, and other medical needs that may require avoidance of specific foods.

Food allergies are abnormal responses of the body's immune system to certain foods or ingredients.

Anaphylaxis is a potentially life-threatening hypersensitivity to a substance and may be caused by a food allergy. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

Epinephrine auto-injector is a disposable drug delivery system with a spring-activated concealed needle that is designed for emergency administration of epinephrine to persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)

Notification by Parent/Guardian

The parents/guardians of any student who has a known food allergy or other special dietary need shall notify the Superintendent or designee, in writing, and provide written medical documentation, signed by the student's health care provider, that describes the nature of the student's condition, instructions, and necessary medications. If the student's condition requires food substitutions or modifications in school meals, the written statement shall also describe the specific foods to be restricted and the foods that should be substituted.

Health Plan

Upon receiving notice of a student's food allergy or other special dietary need, the Superintendent or designee shall ensure that a written health plan is developed, in consultation with the student's parents/guardians and health provider, to manage the student's needs while at school or at a school-sponsored activity. The plan shall seek to minimize the student's risk of exposure to the allergen and address actions to be taken if exposure occurs. As appropriate, the plan may include specific food prohibitions and substitutions, an identification of common school rooms where the student may be exposed, staff

AR 5141.27(b)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

responsibilities, information and training to be provided to staff, accommodations and services to facilitate the student's participation in the educational program, and medical/emergency protocols.

When a student with a food allergy or other special dietary need has been identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 or the Individuals with

Disabilities Education Act, necessary accommodations and services shall be identified as part of the student's Section 504 services plan or individualized education program, as appropriate.

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

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

Prevention Strategies

To minimize students' exposure to foods to which they are allergic, the Superintendent or designee shall, at a minimum, implement the following preventive measures:

1. Notification to District Staff

When notified by the parent/guardian that a student has a food allergy, the Superintendent or designee shall inform the student's principal, teacher(s), bus driver, school nurse, coach, and/or any other personnel responsible for supervising the student.

The principal or designee shall notify substitute staff of the identity of any students with known food allergies and the school's response plan.

(cf. 5125 - Student Records)

AR 5141.27(c)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

2. Food Services

The district's food services program shall make food substitutions in breakfasts, lunches, and after-school snacks when students are considered to have a disability under Section 504 that restricts their diet and when a health care provider has signed a statement of need that includes recommended alternate foods. (7 CFR 210.10, 220.8)

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

(cf. 3552 - Summer Meal Program)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5148.2 - Before/After School Programs)

Substitutions may be made on a case-by-case basis for students who do not have a disability under Section 504 but who cannot consume the regular breakfast, lunch, or after-school snack because of medical or other special dietary needs, when supported by a statement of need signed by a health care provider. (7 CFR 210.10, 220.8, 225.16)

The district's food services staff shall check food labels or specifications to ensure that foods do not contain traces of substances to which the student is allergic.

Under no circumstances shall food services staff prescribe nutritional requirements or revise a diet order prescribed by a health care provider.

Food substitutions shall not result in any additional cost to the student.

3. Class Parties/School Activities

Without identifying the student, the principal or teacher may notify parents/guardians of other students in the class that a student is allergic to a specific food and may request that certain foods not be provided at class parties or other school events.

AR 5141.27(d)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

Whenever the ingredients in any food served at class parties or other school activities are unknown, the student shall be encouraged to avoid the food.

4. Sanitation and Cleaning

To avoid spreading allergens, cafeteria tables and classroom surfaces shall be cleaned with fresh cloth or disposable paper towels utilizing cleaning products known to effectively remove food proteins, excluding waterless cleaners or instant hand sanitizers that do not involve a wet-wash step. Cross-contact from a sponge or cloth used to clean allergen-containing tabletops shall be avoided.

Staff shall use and promote hand-washing using soap and water before and after food handling.

Students shall be notified that exchanging meals or utensils is prohibited.

5. Professional Development

Schoolwide professional development shall be provided to appropriate staff on the identification and management of food allergies, including avoidance measures, typical symptoms, the proper use of epinephrine auto-injectors, documentation and storage of medication, and emergency drills.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. Supervision of Students

When available, staff who are trained and knowledgeable about symptoms of anaphylaxis and actions to take in an emergency shall provide supervision in the classroom and cafeteria, on the playground, and on field trips or other school activities whenever students known to have a food allergy are present.

(cf. 6153 - School-Sponsored Trips)

7. Health Education

The district's health education curriculum may include instruction on food allergies in order to assist food-allergic students in taking responsibility for monitoring their diet and to teach other students about the dangers of sharing foods or utensils with others.

(cf. 6142.8 - Comprehensive Health Education)

AR 5141.27(e)

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

Emergency Response

Epinephrine auto-injectors or other medicine provided for use in the event of an anaphylactic shock reaction shall be stored and used in accordance with law and BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions.

(cf. 4119.43 - Universal Precautions)

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

In addition, staff shall call 911 and seek immediate medical attention for a student experiencing an anaphylactic shock reaction.

(cf. 5141 - Health Care and Emergencies)

As soon as possible, school staff shall contact the student's parents/guardians or other person identified as an emergency contact.

When a student with a known allergy will be off school grounds, such as on a field trip, he/she shall be accompanied by a kit containing at least two doses of epinephrine, other medications as noted by the student's health care provider, and, as appropriate, the student's individualized food allergy plan.

Policy
adopted:
Instruction

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BP 6144(a)

CONTROVERSIAL ISSUES

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6143 - Courses of Study)

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.
3. The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view.

BP 6144(b)

CONTROVERSIAL ISSUES (continued)

4. No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.
7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the Board requires that he/she be notified of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

BP 6144(c)

CONTROVERSIAL ISSUES (continued)

When required by law or otherwise deemed appropriate by the teacher or administrator, parents/guardians shall be notified prior to instruction related to any controversial issue and parent/guardian consent shall be obtained for student participation. Students whose parents/guardians decline such instruction may be offered the option to participate in an alternative activity of similar value.

A student or parent/guardian with concerns regarding instruction about controversial issues shall be directed to appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

51500 Prohibited instruction or activity

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate

51933 Sex education courses

51938 Right of parent/guardian to excuse child from sexual health instruction

60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials

60045 Criteria for instructional materials

Policy
adopted:
Instruction

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BP 6162.6(a)

USE OF COPYRIGHTED MATERIALS

The Governing Board recognizes that district staff and students may use a variety of copyrighted materials in the educational program and other district operations. When such materials have not been purchased by the district for the intended use, the Board expects staff and students to respect the protections afforded by federal law to the copyright owners of those materials and respect any limitations by the copyright holder to the license of such materials.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4040 - Employee Use of Technology)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 5131.9 - Academic Honesty)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6163.1 - Library Media Centers)

BP 6162.6(b)

USE OF COPYRIGHTED MATERIALS (continued)

Any literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual or motion picture, sound, architectural, or other original work shall be assumed to be a copyrighted work, regardless of whether the work appears in print, audio, video, electronic, or other fixed and tangible form.

Before reproducing a copyrighted material for instructional or other district purposes, a staff member shall determine if the material is in the public domain or if the intended use of the material meets the criteria for fair use or another exception pursuant to 17 USC 107-122. If the material is not in the public domain or no recognized exception applies, the staff member shall seek permission of the copyright holder before using the material.

The Superintendent or designee shall inform staff that inclusion of an attribution citing the author and source of a copyrighted material does not absolve the staff member from the responsibility to either obtain permission or satisfy criteria for fair use or another exception.

If a staff member is uncertain as to whether the intended use of the material meets the criteria for fair use or another exception, he/she shall take the safest course and seek permission from the copyright holder to use the material or, if it is impracticable to obtain permission, shall contact the Superintendent or designee for clarification and assistance.

Students shall not copy or distribute copyrighted works to others. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

(cf. 3300 - Expenditures and Purchases)
(cf. 3312 - Contracts)
(cf. 6163.4 - Student Use of Technology)

Legal Reference: (see next page)

BP 6162.6(c)

USE OF COPYRIGHTED MATERIALS (continued)

Legal Reference:

EDUCATION CODE

35182 Computer software

UNITED STATES CODE, TITLE 17

101-122 Subject matter and scope of copyright, especially:

102 Definitions

106 Copyright protection

107 Fair use of copyrighted works

110 Limitations on exclusive rights: Exemption of certain performances and displays

504 Penalties for copyright infringement

COURT DECISIONS

Cambridge University Press et al. v. Becker et al. (N.D. Ga. 2012) 863 F.Supp.2d 1190

Campbell v. Acuff-Rose Music, Inc., (1994) 510 U.S. 569

Marcus v. Rowley, (9th Cir., 1982) 695 F.2d 1171

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Copyright Law: Do Schools Need a License to Show a Movie?, School Law Review, July 2010

U.S. COPYRIGHT OFFICE PUBLICATIONS

Circular 21: Reproduction of Copyrighted Works by Educators and Librarians, rev. 2009

Circular 22: How to Investigate the Copyright Status of a Work, rev. 2013

Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office, rev. 2012

WEB SITES

Copyright Society of the USA: <http://www.csusa.org>

National School Boards Association: <http://www.nsba.org>

University of California, Copyright Education:

<http://copyright.universityofcalifornia.edu/usingcopyrightedworks.html>

U.S. Copyright Office: <http://www.copyright.gov>

Policy
adopted:
Instruction

CSBA MANUAL MAINTENANCE SERVICE
August 2013
AR 6162.6(a)

USE OF COPYRIGHTED MATERIALS

Prior to reproducing, distributing, displaying, posting, performing, or otherwise using a copyrighted material for an instructional purpose or in the course of other district business, district staff shall determine whether it is necessary to request permission of the copyright holder. Unless the staff member is reasonably certain that the material is in the public domain or the intended use meets the criteria for an exception specified in 17 USC 107-122 and this administrative regulation, he/she shall either obtain permission from the copyright holder or avoid use of the material. In addition, permission of the copyright holder shall be requested whenever district staff intend to publicly disseminate a copyrighted work, such as by posting on the district or school web site or using another method of communications accessible to the public.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4040 - Employee Use of Technology)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 5131.9 - Academic Honesty)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6163.1 - Library Media Centers)

Any reproduction or other use of a copyrighted work shall include the copyright notice.

District staff shall not reproduce and distribute copyrighted works of any type in any of the following circumstances:

1. When the copyrighted work is a "consumable" work such as a workbook, standardized test, answer sheet, or similar material
2. To substitute for the purchase of the work
3. To create, replace, or substitute for anthologies or collective works

Request for Permission to Use Copyrighted Material

AR 6162.6(b)

USE OF COPYRIGHTED MATERIALS (continued)

As necessary, district staff desiring to use a copyrighted material shall identify and contact the copyright holder to request permission to use the material. The request shall include the following information:

1. Title, author(s), editor(s) or publisher, producer(s) or distributor
2. Edition, copyright, and/or production year

3. Exact amount of material to be used, such as the number of lines, pages, or chapters or percentage of the work
4. Nature of the use, such as the course in which it will be used, the grade level of the students, the number of students, and the frequency of use
5. How the material will be reproduced and distributed

If the copyright holder requires a fee to grant permission, district staff shall seek approval from the Superintendent or designee prior to incurring the cost.

Criteria for Fair Use

In considering whether a copyrighted work may be used without the copyright holder's permission on the grounds that the intended use is "fair use" pursuant to 17 USC 107, including reproduction in copies, phonorecords, or any other reproductive form for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, district staff shall consider all of the following factors: (17 USC 107)

1. The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes

AR 6162.6(c)

2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for or value of the copyrighted work

Any determination of fair use shall weigh together all the factors specified in items #1-4 above in addition to any applicable guidelines presented in this administrative regulation for specific types of copyrighted works.

Guidelines for Copying Text

AR 6162.6(d)

Staff may reproduce text from a copyrighted work from a printed resource, the Internet, or other source, without permission from the copyright holder, under the following conditions:

1. A single copy of a chapter of a book, article from a periodical or newspaper, short story, short essay, short poem, chart, graph, diagram, drawing, cartoon, or picture may be made by or for a teacher for his/her scholarly research or use in teaching or preparation to teach a class.
2. Multiple copies, not to exceed one copy per student in a course, may be made by or for a teacher for classroom use or discussion, provided that:
 - a. The amount to be copied does not exceed:
 - (1) 250 words for a complete poem or excerpt from a poem
 - (2) 2,500 words for a complete article, story, or essay
 - (3) 1,000 words or 10 percent of the whole (with a minimum of 500 words), whichever is less, for an excerpt from a larger prose work
 - (4) One illustration (e.g., chart, graph, diagram, cartoon, or picture) per book or periodical issue
 - b. The copying is for only one course in the school.
 - c. With the exception of newspapers and other news periodicals, not more than one work is copied from the same author per term, not more than three works are copied from the same collective work or periodical volume per term, and there are no more than nine instances of multiple copying per course per term.
 - d. A delay to request permission from the copyright holder would preclude the most effective instructional use of the material.

Guidelines for Reproducing Sheet and Recorded Music

District staff may reproduce sheet music and recorded music without permission from the copyright holder under the following conditions:

AR 6162.6(e)

1. Emergency copies may be made when purchased copies needed for an imminent performance are not available, provided that replacement copies shall be purchased in due course.

2. Single or multiple copies of excerpts of works may be made for academic purposes other than performances, provided that the excerpt does not constitute an entire performable unit (e.g., a section, movement, or aria), no more than 10 percent of the total work is used, and the number of copies made does not exceed one per student.
3. Printed copies that have been purchased may be edited or simplified provided that the character of the work is not distorted and lyrics are not added or altered.
4. A single copy of a recorded performance by students may be made for evaluation or rehearsal purposes.
5. A single copy of recordings of copyrighted music owned by the district or individual teacher may be made for the purpose of constructing exercises or examinations.

Guidelines for Performing or Displaying Copyrighted Works

In the course of face-to-face instruction in a classroom or similar place devoted to instruction, teachers or students may recite, render, play, dance, act, or show a copyrighted work either directly or by means of any device or process or, in the case of a motion picture or other audiovisual work, show its images in any sequence or to make the sounds accompanying it audible, provided that: (17 USC 101, 110)

1. The performance or display is given by means of a lawfully obtained copy of the work.
2. The performance or display is made by, at the direction of, or under the actual supervision of a teacher as an integral part of a class session.
3. The performance or display is directly related and of material assistance to the teaching content of the transmission.

AR 6162.6(f)

4. The transmission is limited to students enrolled in the course or to Governing Board members or employees as part of their official duties or employment.
5. If the work is to be digitally transmitted, the district has applied technological protections that reasonably prevent retention of the work in accessible form for longer than the class session and the unauthorized further dissemination of the work.

Any use of a motion picture or other audiovisual work outside the curriculum, such as for entertainment, a school or class reward, or a fundraiser, shall require permission from the copyright holder or a special viewing license.

Guidelines for Recording Broadcast Programming

Teachers may make recordings of television programs for use in a classroom for educational purposes under the following conditions:

1. Only programs provided to the public free of charge may be recorded and shown. Any use of programming from paid television services shall require permission of the copyright holder.
2. The recording may be shown only during the first 10 consecutive school days after it is made. It may be used once by an individual teacher in the course of relevant teaching activities and may be repeated once only when instructional reinforcement is necessary.
3. A limited number of copies may be reproduced from each recording to meet the legitimate needs of the teacher. Each copy shall be subject to all the provisions governing the original recording.

AR 6162.6(g)

4. The recording may be retained for 45 calendar days after it is made and then shall be erased or destroyed. However, after the first 10 consecutive school days, the recording may only be used for purposes of determining whether or not to include the broadcast program in the teaching curriculum. If the teacher decides to keep the program for use in the curriculum, he/she shall request permission from the copyright owner.
5. Off-air recordings need not be used in their entirety, but the content of recorded programs may not be altered.

Guidelines for Copying Computer Programs or Software

District staff shall observe all licensing agreements between vendors and the district, including monitoring the number of users permitted by an agreement. Unless the applicable licensing agreement authorizes multiple users of a single computer program or software, the district shall not make multiple copies.

Copies of district-owned software may be made under either of the following conditions: (17 USC 117)

1. The copy is needed as an essential step in using the computer program with a particular machine.

2. The copy is used for archival or "backup" purposes only. This copy may be held only as a file copy and must be destroyed in the event that continued possession of the program ceases to be rightful, unless the copyright owner authorizes its sale, lease, or transfer as part of the sale, lease, or transfer of the original program.

Regulation
approved:
Board Bylaws

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BB 9010(a)

PUBLIC STATEMENTS

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative.

(cf. 2110 - Superintendent Responsibilities and Duties)
(cf. 9121 - President)
(cf. 9200 - Limits of Board Member Authority)

When speaking for the district, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board. (Government Code 54963)

(cf. 9005 - Governance Standards)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

In addition, the Board encourages members who participate on social networking sites, blogs, or other discussion or informational sites to conduct themselves in a respectful, courteous,

BB 9010(b)

and professional manner and to model good behavior for district students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 1340 - Access to District Records)

(cf. 9012 - Board Member Electronic Communications)

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

54963 Confidential information in closed session

Management Resources:

WEB SITES

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

Bylaw
adopted:
Board Bylaws

CSBA MANUAL MAINTENANCE SERVICE
August 2013
BB 9250(a)

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

Compensation

The members of the Governing Board view their Board service as a voluntary contribution to the community and elect not to receive the compensation to which they are entitled pursuant to Education Code 35120.

Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement.

(cf. 1160 - Political Processes)

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

(cf. 3513.1 - Cellular Phone Reimbursement)

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (Education Code 35044)

(cf. 9240 - Board Development)

BB 9250(c)

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS (continued)

Authorized purposes may include, but are not limited to, attendance at educational seminars or conferences designed to improve Board members' skills and knowledge; participation in regional, state, or national organizations whose activities affect the district's interests; attendance at district or community events; and meetings with state or federal officials on issues of community concern.

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the

Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

Health and Welfare Benefits for Current Board Members

BB 9250(d)

Board members may participate in the health and welfare benefits program provided for district employees.

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

Health and welfare benefits for Board members shall be no greater than that received by the district's nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

The district shall pay the premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that it pays for district employees.

BB 9250(e)

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS (continued)

Health and welfare benefits provided to Board members shall be extended at the same level to their spouse/registered domestic partner and to their eligible dependent children as specified in law and the health plan.

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, CA 95932

I. I. a.

UNOFFICIAL MINUTES

Board of Trustees Regular Board Meeting

December 16, 2014

CALL TO ORDER	The meeting was called to order at 6:00 p.m. in the CUSD Conference Room by Board President Charles Yerxa, who established a quorum was present. Attending were Lincoln Forry, Terry Bressler, Charles Yerxa, Kelli Griffith-Garcia and Kathie Whitesell. Also in attendance were Superintendent Dwayne Newman, staff, and community member.
PLEDGE OF ALLEGIANCE	Charles Yerxa led the Pledge of Allegiance.
HEARING OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA	None
HEARING OF THE PUBLIC FOR ITEMS ON THE AGENDA	None
STUDENT'S REPORT	ASB President, Jordan Helmer, was not present for the meeting. Mr. Brown spoke on behalf of Jordan and encouraged those in attendance to visit Winterfest at CHS on December 18 th .
RECOGNITION & CELEBRATIONS	Darren Brown recognized Rhondda Landreth for her hard work and dedication towards increasing attendance at CHS.
PRESIDENTS REPORT	Mr. Yerxa asked that discussion on CalSTRS be added to next month's agenda.
SUPERINTENDENTS REPORT IMPROVING ACHIEVEMENT	<ul style="list-style-type: none">• LCAP Needs Assessment Process – Mr. Newman will be holding public meetings on January 21, 2015 and also February 18, 2015 to discuss the LCAP and also the Modernization Bond. A Board Retreat was scheduled for January 29, 2015 to discuss long term planning, achievement data, and further district improvement.
SUPERINTENDENTS REPORT MANAGEMENT	<ul style="list-style-type: none">• RFQ for Owner's Rep – Mr. Newman explained the Request for Qualifications process and the need for the district to have a representative to ensure quality, timeliness, and maintain cohesion throughout the modernization process.• Applications for Project Manager – Mr. Newman discussed the pros and cons of hiring a Project Manager position as part of the CUSD staff versus hiring a consultant. Both types of positions are posted and interviews will take place after the New Year.• SELPA Update – Mr. Newman explored the leasing agreements and costs associated for the SELPA modulars. Other participating districts in the SELPA and Mr. Newman have decided that they no longer want the SELPA paying for modulars that are currently sitting on district property and would rather own them outright. The lease on the current modular that is sitting on the property at Egling Middle School could be bought

Board of Trustees Regular Meeting
December 16, 2014

out for \$12,500.00. Mr. Newman will continue to explore potential savings opportunities regarding this matter.

- Emergency Response Plan Update – Emergency kits and Reunification kits are in progress. Mr. Newman received positive feedback regarding the level of preparedness the district demonstrated during the last big storm.
- Crosswalk Safety - Mr. Newman presented information from the City Traffic Planner regarding the crosswalk safety.

**SUPERINTENDENT'S REPORT
ENROLLMENT**

Enrollment and ADA are both holding steady.

PRINCIPAL'S REPORT

Barbara Hankins highlighted many of the great bullying prevention programs within Colusa Unified School District.

**CSEA REPRESENTATIVE'S
REPORT**

None

**CEA REPRESENTATIVE'S
REPORT**

Pam Giuliano reported that meetings should take place in January to finalize calendars and any other necessary issues.

**INFORMATION/DISCUSSION
/ POSSIBLE ACTION ITEMS**

ACTION ITEM #141527

Motion was made by Terry Bressler, seconded by Kelli Griffith-Garcia to name Lincoln Forry as the Governing Board President.

Vote: Unanimous

ACTION ITEM #141528

Motion was made by Terry Bressler, seconded by Lincoln Forry to name Kelli Griffith-Garcia as the Governing Board Clerk.

Vote: Unanimous

ACTION ITEM #141529

Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve Resolution #2014-15.05 – School Bond Election Results.

Vote: Unanimous

Mr. Newman reported that three people have volunteered to be members of the Citizen's Oversight Committee. Those individuals are: Larry Yeghoian, Marta Stegall, and Tiffany Sines. No action was taken on this agenda item.

ACTION ITEM #141530

Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt BP 1312.3 – Uniform Complaint Procedures

Vote: Unanimous

Board of Trustees Regular Meeting
December 16, 2014

ACTION ITEM #141531 Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt AR 1312.3 – Uniform Complaint Procedures

Vote: Unanimous

ACTION ITEM #141532 Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt BP 5131.2 – Bullying.

Vote: Unanimous

ACTION ITEM #141533 Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt BP 5145.3 – Nondiscrimination/Harassment.

Vote: Unanimous

ACTION ITEM #141534 Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt AR 5145.3 – Nondiscrimination/Harassment.

Vote: Unanimous

ACTION ITEM #141535 Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt BP 5145.7 – Sexual Harassment.

Vote: Unanimous

ACTION ITEM #141536 Motion was made by Terry Bressler, seconded by Charles Yerxa to approve and adopt AR 5145.7 – Sexual Harassment.

Vote: Unanimous

ACTION ITEM #141537 Motion was made by Charles Yerxa, seconded by Kathie Whitesell to approve all consent agenda items.

The following Consent Agenda items were approved:

- a. Minutes of November 18, 2014 Regular Board Meeting
- b. November Payroll
- c. Personnel Assignment Order # 2014-2015 #5
- d. Warrants: Batch #20-22
- e. Approve Surplus Equipment

Vote: Unanimous

HEARING OF THE PUBLIC FOR
MATTERS ON CLOSED
SESSION AGENDA

None

ADJOURN TO CLOSED
SESSION

The Board adjourned to Closed Session at 7:35 p.m. to consider and/or take action upon any of the following items:

Board of Trustees Regular Meeting
December 16, 2014

1. Student Matters:
 - a. Out of School Suspensions
 - b. Inter-District Transfers
2. Personnel Matters:
 - a. New Hires 2014/2015
 - b. Public Employee Discipline/Dismissal/Release/Resignations
 - c. Principal's Update to the Board on Probationary Teaching Staff
3. Negotiations
 - a. Instruction to District Negotiators (*Executive Session of School Board and its designated representatives for the purpose of discussing its position regarding matters within the scope of representation and instructing its designated representatives.*)

RECONVENE FROM CLOSED
SESSION

The Board reconvened from Closed Session at 9:35 p.m. Board President, Lincoln Forry reported out that the Board reviewed the Out of School Suspensions, Inter-District Transfers, and New Hires.

ADJOURNMENT

The meeting adjourned at 9:45 p.m.

Respectfully submitted by Zeba Hone,
Executive Administrative Assistant

APPROVED BY:

I. I. C.

Colusa Unified School District
Personnel Assignment Order
2014-2015 #6

EMPLOYMENT, RESIGNATIONS, AND OTHER

CERTIFICATED

Employment / Appointments:

<u>Name</u>	<u>Position</u>	<u>Status</u>	<u>Salary</u>	<u>Date</u>
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Retirement:

Resignation:

Leaves:

Terminated:

Non-Reelection:

Transfers:

(Requests approved by Superintendent)

CLASSIFIED

Employment / Appointments:

<u>Name</u>	<u>Position</u>	<u>Date</u>
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Leaves:

Molly Critchfield

EMS Paraeducator

1/12/2015

Mary Critchfield

EMS Cook

1/6/2015

Resignation:

Retirement:

Increase of Hours:

Job transfer:

Termination:

I. l. d.

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED DECEMBER 19, 2014			BATCH 23
REF #	VENDOR	AMOUNT	FUND	LOC	DESCRIPTION
612	A-Z BUS SALES	\$ 392.56	01	MOT	BUS REPAIR SUPPLIES
603	BAILEY, CHRISTINA	\$ 58.51	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
621	CVT	\$ 100,846.70	01	ALL	JANUARY HEALTH INSURANCE PREMIUMS
622	CHERRYDALE FARMS	\$ 4,791.61	01	BPS	FUNDRAISER
605	CCOE	\$ 14,069.00	01	ALL	WORKER'S COMP PREMIUMS
610	COLUSA DAIRY	\$ 45.80	01	BPS	POPSICLE SALES
RC58	CUSD EMER FD-SPEEDLING NURSERIES	\$ 3,579.02	01	EMS	POINSETTA FUNDRAISER
RC58	CUSD EMER FD-SILVIA MARTIN VOID CHECK	\$ (15.00)	01	EMS	VOID CHECK
RC58	CUSD EMER FD-DO PETTY CASH-S.PARKER	\$ 139.07	01	DO	POSTAGE & SUPPLIES
RC58	CUSD EMER FD-SAN DIEGO COE	\$ 400.00	01	CHS	TUITION FOR B. KIRKMAN COMPLIANCE UNITS
RC58	CUSD EMER FD-CITY OF COLUSA	\$ 70.00	01	CHS	RENTAL OF BANNER FROM CITY OF COLUSA
RC58	CUSD EMER FD-EMS PETTY CASH .B.REECE	\$ 13.30	01	EMS	POSTAGE & SUPPLIES
RC58	CUSD EMER FD-STAFANIE SCHANTZ	\$ 720.40	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED
RC58	CUSD EMER FD-DSA	\$ 656.10	01	MOT	CLOSEOUT FEES FOR OLD PROJECTS
616	CREATIVE BUS SALES	\$ 48.39	01	MOT	BUS SUPPLIES
602	JENNIFER HARDWICK	\$ 50.04	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
617	HARPER'S AUTO REPAIR	\$ 1,528.83	01	MOT	VAN REPAIR
604	MARIBEL HUGHES	\$ 6.36	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
618	INTERQUEST DETECTION CANINES	\$ 700.00	01	HS/EMS	DRUG DOG VISITS
615	MERIDIAN DIESEL	\$ 529.00	01	MOT	BUS SERVICE/REPAIR
614	NORTH VALLEY DIESEL	\$ 370.00	01	MOT	BUS REPAIR
607	NSCIF	\$ 1,023.46	01	SPORTS	MISC. ENTRY FEES FOR 3 DIFFERENT EVENTS
620	SUTTER BUTTES COMMUNICATIONS	\$ 389.25	01	MOT	BUS RADIO QUARTERLY FEE
613	THREE B'S TOILET RENTALS	\$ 161.25	01	ALL	PORTABLE TOILET RENTAL
619	US BANK EQUIPMENT FINANCE	\$ 2,101.63	01	ALL	COPIER LEASE
RC57	US BANK CALCARD VISA	\$ 28,716.75	01	ALL	SEE ATTACHED
	GENERAL FUND 01	\$ 166,948.16			
RC55	US BANK CALCARD VISA	\$ 579.82	13	CAFÉ	FOOD AND SUPPLIES
	CAFETERIA FUND 13	\$ 579.82			
	CAPITAL FACILITIES FUND 25	\$ -			
609	CASCADE ATHLETIC SUPPLY	\$ 672.14	95	CHS	BASEBALL SUPPLIES
RC59	CUSD EMER FD-BRIAN DAVIS	\$ 164.31	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
RC59	CUSD EMER FD-JIM PINGREY	\$ 250.00	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
RC59	CUSD EMER FD-SETH WILLS	\$ 150.00	95	CHS	REFUND FOOTBALL FEES
RC59	CUSD EMER FD-JOHN MADROSEN	\$ 358.05	95	CHS	RENTAL OF PHOTO BOOTH FOR WINTERFEST
RC59	CUSD EMER FD-ANN KALISUCH	\$ 17.95	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
606	SACRAMENTO RIVERCATS	\$ 250.00	95	CHS	BASEBALL TICKET DEPOSITS
608	US AWARDS	\$ 916.75	95	CHS	AWARDS
RC56	US BANK CALCARD VISA	\$ 4,468.03	95	CHS/EMS	SEE ATTACHED
	STUDENT BODY FUND 95	\$ 7,247.23			
	TOTAL ACCOUNTS PAYABLE	\$ 174,775.21			

US BANK CALCARD VISA

Sheryl Parker

FD01-RC57 FD13-RC55 FD95-RC56

15-Dec	VZWLSS*MY VZ VB P	\$938.85	\$938.85		DISTRICTWIDE CELL PHONE BILLING
15-Dec	MESSICK HARDWARE	\$1,450.65	\$1,450.65		MOT MAINTENANCE SUPPLIES
15-Dec	AMAZON.COM	\$42.96	\$42.96		DO SUPPLIES
15-Dec	STAPLES DIRECT	\$64.49	\$64.49		DO SUPPLIES
11-Dec	FLORA FRESH	\$66.28	\$66.28		CHS FLORAL DESIGN SUPPLIES
10-Dec	J W PEPPER	\$53.82	\$53.82		CHS MUSIC SUPPLIES
10-Dec	EARTHGRAINS A/R	\$81.18		\$81.18	CAFET FOOD
10-Dec	EARTHGRAINS A/R	\$111.84		\$111.84	CAFET FOOD
10-Dec	EARTHGRAINS A/R	\$278.27		\$278.27	CAFET FOOD
10-Dec	RECOLOGY BUTTE COLUSA	\$2,567.37	\$2,567.37		ALL GARBAGE SERVICE
10-Dec	QUILL CORPORATION	\$4,180.31	\$4,180.31		BPS SUPPLIES
10-Dec	MTB WELDING SUPPLY, INC.	\$257.62	\$257.62		CHS AG SHOP SUPPLIES
9-Dec	JW WOOD CO INC	\$661.67	\$661.67		MOT MAINTENANCE SUPPLIES
9-Dec	IN *CLIMATE CONTROL, INC.	\$1,126.22	\$1,126.22		MOT HVAC REPAIR
2-Dec	CDW GOVERNMENT	\$2,491.98	\$2,491.98		TECH SUPPLIES
9-Dec	FLORA FRESH	\$156.04	\$156.04		CHS FLORAL DESIGN SUPPLIES
2-Dec	FLORA FRESH	\$106.59	\$106.59		CHS FLORAL DESIGN SUPPLIES
1-Dec	STAPLES 00102863	\$96.74	\$96.74		DO SUPPLIES
28-Nov	VZWLSS*MY VZ VB P	\$107.05	\$107.05		DISTRICTWIDE CELL PHONE BILLING
28-Nov	ADVANCED DOCUMENT CONC	\$2,053.55	\$2,053.55		ALL COPIER MAINTENANCE AGREEMENTS
26-Nov	LIFETOUGH NSS CORPORATE	\$949.31	\$949.31		BPS YEARBOOK
26-Nov	USPS.COM CLICK66100611	\$18.11	\$18.11		DO POSTAGE

Mike Phenicie

8-Dec	J W PEPPER	\$38.08	\$38.08		CHS MUSIC SUPPLIES
8-Dec	WAL-MART #1903	\$37.63	\$37.63		CHS MUSIC SUPPLIES
4-Dec	WORLDSTRIDES	\$1,125.00	\$1,125.00		CHS REGISTER FOR CARNEGIE
4-Dec	WORLDSTRIDES	\$1,225.00	\$1,225.00		CHS REGISTER FOR CARNEGIE
3-Dec	CASCIO *INTERSTATEMUSC	\$83.37	\$83.37		CHS MUSIC SUPPLIES

Leasa Hill

9-Dec	THE WEBSTRAUNT STORE	\$108.53		\$108.53	CAFET SUPPLIES
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Jeremy Miller

10-Dec	WAL-MART #1575	\$25.74	\$25.74		TECH SUPPLIES
9-Dec	CDW GOVERNMENT	(\$1,558.75)	(\$1,558.75)		TECH RETURN SUPPLIES
9-Dec	CDW GOVERNMENT	(\$1,558.75)	(\$1,558.75)		TECH RETURN SUPPLIES
28-Nov	CDW GOVERNMENT	\$2,762.75	\$2,762.75		TECH SUPPLIES FOR WIRELESS
28-Nov	CDW GOVERNMENT	\$1,788.80	\$1,788.80		TECH SUPPLIES FOR WIRELESS
26-Nov	DOLLAR GENERAL #14864	\$16.13	\$16.13		TECH SUPPLIES

Rosemary Hicks

1-Dec	KAPLAN EARLY LEARN	\$75.20	\$75.20		BPS SUPPLIES
28-Nov	B STREET THEATRE	\$750.00	\$750.00		BPS 1ST GRADE FIELDTRIP

Zeba Hone

15-Dec	WM SUPERCENTER #1903	\$30.01	\$30.01		DO SUPPLIES
11-Dec	OFFICE DEPOT 1135	\$45.87	\$45.87		DO SUPPLIES
8-Dec	OFFICE DEPOT 1135	\$166.63	\$166.63		DO SUPPLIES
5-Dec	ND CENTER FOR DISTANCE ED	\$370.00	\$370.00		HMS WORKBOOKS

Nic Schantz

12-Dec	PLATT ELECTRIC 082	\$257.84	\$257.84		MOT MAINTENANCE SUPPLIES
10-Dec	PLATT ELECTRIC 082	\$661.63	\$661.63		MOT MAINTENANCE SUPPLIES
4-Dec	PLATT ELECTRIC 082	\$336.69	\$336.69		MOT MAINTENANCE SUPPLIES
26-Nov	AMERICAN TIME	\$225.16	\$225.16		MOT MAINTENANCE SUPPLIES
26-Nov	SMARTSIGN	\$95.20	\$95.20		MOT MAINTENANCE SUPPLIES
5-Dec	AMAZON.COM	\$343.28	\$343.28		MOT MAINTENANCE SUPPLIES
26-Nov	AMAZON.COM	\$44.10	\$44.10		MOT MAINTENANCE SUPPLIES
25-Nov	AMAZON.COM	\$8.82	\$8.82		MOT MAINTENANCE SUPPLIES

Jody Johnston

5-Dec	QUILL CORPORATION	\$1,431.90	\$1,431.90		EMS SUPPLIES
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4-Dec	QUILL CORPORATION	\$515.64	\$515.64			EMS SUPPLIES
28-Nov	QUILL CORPORATION	\$65.78	\$65.78			EMS SUPPLIES
28-Nov	QUILL CORPORATION	\$199.27	\$199.27			EMS SUPPLIES
26-Nov	MAREDY CANDY COMPANY	\$90.00			\$90.00	EMS FUNDRAISER

Dwayne Newman

8-Dec	SAN JOAQUIN COUNTY OFF	\$20.00	\$20.00			DO WORKSHOP REGISTRATION FEE
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Jim LaGrone

15-Dec	AUTOZONE #3710	\$10.73	\$10.73			MOT AUTO SUPPLIES
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Darren Brown

15-Dec	BYU CONTINUING ED2	\$140.00	\$140.00			CHS ONLINE CLASS REGISTRATION
12-Dec	TCT*ANDERSON'S	\$427.92			\$427.92	CHS ASB SUPPLIES
8-Dec	ELECTRO-MECH SCOREBOARD C	\$52.00	\$52.00			CHS SUPPLIES
1-Dec	NORTH STATE SCREEN PRINTI	\$258.00			\$258.00	CHS SHIRTS
10-Dec	GLAZIER CLINICS	\$397.00			\$397.00	CHS FOOTBALL CLINIC
10-Dec	VICTORIA SUPPLY INC.	\$81.67	\$81.67			CHS SUPPLIES
9-Dec	CAROLINA BIOLOGIC SUPPLY	\$280.91	\$280.91			CHS SCIENCE SUPPLIES
8-Dec	EASTBAY INC	\$1,627.66			\$1,627.66	CHS ASB SUPPLIES
8-Dec	SFI*PHOTOSBYSHUTTERFLY	\$145.66			\$145.66	CHS ASB SUPPLIES
8-Dec	SAV-MOR FOODS	\$167.64			\$167.64	CHS ASB SUPPLIES
8-Dec	ORIENTAL TRADING CO	\$75.95			\$75.95	CHS ASB SUPPLIES
5-Dec	BIO RAD* VIBROWN12/03/1	\$220.92	\$220.92			CHS SCIENCE SUPPLIES
4-Dec	AMAZON MKTPLACE PMTS	\$93.05	\$93.05			CHS SUPPLIES
4-Dec	AMAZON MKTPLACE PMTS	\$6.14	\$6.14			CHS SUPPLIES
2-Dec	AMAZON MKTPLACE PMTS	\$69.31	\$69.31			CHS SUPPLIES
3-Dec	ROUND TABLE PIZZA - COLU	\$73.28			\$73.28	CHS ASB SUPPLIES
3-Dec	USPS 05172809334414268	\$45.34	\$45.34			CHS POSTAGE
2-Dec	SPORTDECALS	\$699.02	\$699.02			CHS SHIRTS
2-Dec	SPORTDECALS	\$1,016.02			\$1,016.02	CHS SHIRTS
26-Nov	TCT*ANDERSON'S	\$188.90			\$188.90	CHS ASB SUPPLIES

\$ 33,764.57 \$ 28,716.72 \$ 579.82 \$ 4,468.03

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED January 9, 2015			BATCH 24
REF #	VENDOR	AMOUNT	FUND	LOC	DESCRIPTION
633	A-Z BUS SALES	\$ 378.98	01	MOT	BUS REPAIR SUPPLIES
640	ALHAMBRA WATER	\$ 159.41	01	BPS/MOT/DC	WATER
667	AMERICAN FIDELITY ASSURANCE	\$ 333.54	01	DO	DISABILITY INSURANCE
663	CHRISTINA BAILEY	\$ 7.72	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
662	TIFFANY BAILEY	\$ 145.45	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
661	JENNIFER BARBEE	\$ 18.76	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
659	BAXTER AUTO	\$ 59.41	01	MOT	VEHICLE REPAIR SUPPLIES
642	BIG T'S TREES	\$ 140.00	01	MOT	TREE TRIMMING
646	CA BOARD OF EQUALIZATION	\$ 6,588.00	01	ALL	SALES TAX ON OUT OF STATE PURCHASES
651	CVT	\$ 572.91	01	DO	HEALTH INSURANCE PREMIUM ADJUSTMENT
634	CASCADE ATHLETIC SUPPLY	\$ 93.10	01	SPORTS	SUPPLIES
666	CELL ENERGY	\$ 94.47	01	MOT	BATTERIES
650	CHEVRON & TEXACO	\$ 241.35	01	MOT	FUEL FOR VEHICLES
625	CHICO LASER SAVERS	\$ 139.72	01	EMS	LASER PRINTER CARTRIDGES
668	CITY OF COLUSA	\$ 6,283.85	01	ALL	WATER AND SEWER BILLING
629	COLUSA MOTOR SALES	\$ 24.05	01	MOT	VEHICLE REPAIR SUPPLIES
657	CUSD CAFETERIA FUND	\$ 111.57	01	DO	LUNCHES FOR INTERVIEW PANEL/OPEN HOUSE FOOD
RC60	CUSD EMER FD-US BANK CALCARD VISA	\$ 4,692.83	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
656	DAVISON DRUGS	\$ 39.47	01	CHS	SUPPLIES
655	GOLDEN BEAR ALARMS	\$ 157.50	01	ALL	ALARM MONITORING
631	HAPER'S AUTO	\$ 1,481.59	01	MOT	VEHICLE REPAIRS
653	HD SUPPLY	\$ 63.05	01	MOT	MAINTENANCE SUPPLIES
627	HIGHWAY 20 SIGNWORKS	\$ 90.30	01	MOT	SIGN
669	ROBERTA JAMES	\$ 52.64	01	HMS	REIMBURSE MILEAGE
636	DEANNA JARRETT	\$ 43.95	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
638	ERIKA LEMENAGER	\$ 270.13	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
630	LIFETIME LEARNING	\$ 750.00	01	HMS	CURRICULUM ONLINE SUBSCRIPTION
673	MERIDIAN DIESEL	\$ 839.59	01	MOT	BUS REPAIR
641	PG&E	\$ 13,452.03	01	ALL	ELECTRIC BILLING
635	RIVERBANK PIZZA	\$ 110.13	01	EMS	PIZZA
658	SCHMIDT CONSTRUCTION	\$ 3,230.00	01	MOT	SIDEWALK REPAIR AND LEVELING AT BPS
628	SELOVER'S PAINT & BODY	\$ 445.58	01	MOT	VAN REPAIRS
632	STAN'S ELECTRIC	\$ 170.00	01	MOT	ELECTRIC REPAIR
654	STANDARD INSURANCE	\$ 1,689.35	01	DO	INCOME PROTECTION POLICY
639	TEACHER'S BOOK'S CONNECTION	\$ 50.00	01	EMS	BOOKS
675	THREE B'S TOILET RENTALS	\$ 161.25	01	ALL	PORTABLE TOILET RENTALS
648	SOCORRO VARGAS	\$ 24.19	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
643	VOLTAGE SPECIALISTS	\$ 2,126.00	01	MOT	ELECTRIC REPAIR/SERVICE
624	WILLIAMS JR HIGH SCHOOL	\$ 80.00	01	SPORTS	ENTRY FEE
	GENERAL FUND 01	\$ 166,948.16			
645	CA BOARD OF EQUALIZATION	\$ 245.00	13	CAFÉ	SALES TAX ON ADULT MEALS
RC61	CUSD EMER FD-US BANK CALCARD VISA	\$ 851.46	13	CAFÉ	FOOD
670	ED JONES FOOD SERVICE	\$ 12,738.50	13	CAFÉ	FOOD
671	GENERAL PRODUCE	\$ 2,706.70	13	CAFÉ	FOOD
649	LEASA HILL	\$ 151.76	13	CAFÉ	REIMBURSE MILEAGE
	CAFETERIA FUND 13	\$ 16,693.42			
674	GORDON LEMKE	\$ 1,575.00	25	DEVFEE	INSPECTOR FOR PORTABLE
	CAPITAL FACILITIES FUND 25	\$ 1,575.00			
647	SUSAN BARRETT	\$ 226.96	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
644	CA BOARD OF EQUALIZATION	\$ 2,312.00	95	CHS	SALES TAX ON FUNDS RAISED
652	CCOE	\$ 1,219.71	95	CHS	REIMBURSE FOR STIPEND PAID FOR CONCESSION MGMT
RC62	CUSD EMER FD-US BANK CALCARD VISA	\$ 1,338.28	95	CHS	AS PER ATTACHED
626	BOBBY KIRKMAN	\$ 577.22	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
664	LCMS	\$ 63.69	95	CHS	AWARDS
637	ERIKA LEMENAGER	\$ 69.40	95	EMS	REIMBURSE FOR SUPPLIES PURCHASED
672	JOE MUZZALUPO	\$ 395.00	95	CHS	DJ FOR SNOWBALL DANCE
	STUDENT BODY FUND 95	\$ 6,202.26			
	TOTAL ACCOUNTS PAYABLE	\$ 69,907.72			

CUSD EMERGENCY FUND - US BANK CALCARD VISA - CK4929

Sheryl Parker

FD01-RC60

FD13-RC61

FD95-RC62

22-Dec	RSD 52	\$1,336.49	\$1,336.49			MOT HVAC REPAIR SUPPLIES
17-Dec	SCHOOL SERVICES OF CALIFO	\$195.00	\$195.00			DO WORKSHOP REGISTRATION

Leasa Hill

18-Dec	WAL-MART #2053	\$10.56	\$10.56			DO SUPPLIES
17-Dec	C&C SMART FOOD51705655	\$851.46		\$851.46		CAFETERIA SUPPLIES
17-Dec	C&C SMART FOOD51705655	\$143.19	\$143.19			DO SUPPLIES
17-Dec	C&C SMART FOOD51705655	(\$37.96)	(\$37.96)			DO CREDIT

Jeremy Miller

18-Dec	DNH*GODADDY.COM	\$209.97	\$209.97			TECH ONLINE LICENSES
17-Dec	CDW GOVERNMENT	\$16.82	\$16.82			TECH SUPPLIES

Mike Phenicie

16-Dec	CASCIO *INTERSTATEMUSC	\$712.18	\$712.18			FOM SUPPLIES
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Maria Espinoza

18-Dec	WM SUPERCENTER #1903	\$14.91	\$14.91			BPS SUPPLIES
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Rosemary Hicks

18-Dec	RITE AID STORE 6088	\$42.00	\$42.00			BPS SUPPLIES
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Darren Brown

15-Dec	APPERSON	\$41.31	\$41.31			CHS SUPPLIES
19-Dec	STARBUCKS #14071 YUBA CIT	\$150.00	\$150.00			CHS SUPPLIES
19-Dec	WALGREENS #7433	\$9.00			\$9.00	CHS ASB SUPPLIES
19-Dec	RALEY'S #230	\$22.31	\$22.31			CHS SUPPLIES
18-Dec	UNIFORMS EXPRESS CHULA V	\$555.45			\$555.45	CHS ASB UNIFORMS
17-Dec	QUILL CORPORATION	\$402.22	\$402.22			CHS SUPPLIES
15-Dec	EASTBAY INC	\$773.83			\$773.83	CHS ASB UNIFORMS
10-Dec	AMAZON.COM	\$125.56	\$125.56			CHS BOOKS
3-Dec	STAPLS6826903165000	\$37.56	\$37.56			CHS SUPPLIES

Nic Schantz

17-Dec	OFFICE DEPOT 1135	\$66.62	\$66.62			MOT OFFICE SUPPLIES
15-Dec	TRACTOR SUPPLY #726	\$730.98	\$730.98			MOT MAINTENANCE SUPPLIES
12-Dec	PLATT ELECTRIC 082	\$473.11	\$473.11			MOT MAINTENANCE SUPPLIES

\$6,882.57 \$4,692.83 \$851.46 \$1,338.28

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JANUARY 16, 2015			BATCH 25
REF #	VENDOR	AMOUNT	FUND	LOC	DESCRIPTION
690	A-Z BUS SALES	\$ 384.05	01	MOT	BUS REPAIR SUPPLIES
680	APPEAL-DEMOCRAT	\$ 276.60	01	DO	HELP WANTED AD
687	TIFFANY BAILEY	\$ 54.11	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
685	CA BOARD OF EQUALIZATION	\$ 10.41	01	DO	TAX ON DIESEL FUEL
697	CA DEPT OF JUSTICE	\$ 49.00	01	DO	FINGERPRINT FEE
678	COLUSA COUNTY OFFICE OF EDUCATION	\$ 14,069.00	01	DO	WORKER'S COMP PREMIUMS
686	CUSD CAFETERIA FUND	\$ 69.00	01	BPS	ASES PIZZA PARTY
699	ASHLEY CSICSERY	\$ 22.87	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
676	FRONTIER	\$ 5,311.92	01	ALL	PHONE BILLING
689	GRIFF'S FEED AND SEED	\$ 403.70	01	MOT	GROUNDS SUPPLIES
698	JENNIFER HARDWICK	\$ 21.43	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
696	HARPER'S AUTO REPAIR	\$ 676.65	01	MOT	VEHICLE REPAIR
688	MARIBEL HUGHES	\$ 8.98	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
701	JEFF SAVAGE PLUMBING	\$ 635.09	01	MOT	PLUMBING REPAIRS
693	KELLEHER PAINT	\$ 775.64	01	MOT	MAINTENANCE SUPPLIES
702	MITEL LEASING	\$ 1,472.06	01	ALL	PHONE SYSTEM LEASE
684	OREGON MEMORIALS	\$ 193.00	01	CHS	STADIUM PAVER
692	SORENSEN PEST CONTROL	\$ 258.00	01	ALL	PEST CONTROL SERVICE
677	SPURR	\$ 3,700.48	01	ALL	NATURAL GAS BILLING
695	STAN'S ELECTRIC	\$ 127.50	01	MOT	ELECTRIC REPAIR
683	SUTTER COUNTY SUPT OF SCHOOL	\$ 175.00	01	EMS	WORKSHOP REGISTRATIONS
694	VOLTAGE SPECIALISTS	\$ 666.00	01	MOT	MAINTENANCE ELECTRIC REPAIRS
700	YSSRA	\$ 3,155.00	01	SPORTS	OFFICIALS FOR SOCCER
679	YUBA SAFE & LOCK	\$ 206.25	01	MOT	LOCK REPAIR/REPLACEMENT
	GENERAL FUND 01	\$ 32,721.74			
703	CRYSTAL CREAMERY	\$ 2,843.75	13	CAFÉ	FOOD
704	DANIELSEN COMPANY	\$ 7,017.76	13	CAFÉ	FOOD
	CAFETERIA FUND 13	\$ 9,861.51			
691	D&S ASPHALT SEALING	\$ 3,850.00	25	DEVFEE	PAVING AROUND PORTABLE
	CAPITAL FACILITIES FUND 25	\$ 3,850.00			
681	JENNIFER ALANIZ	\$ 103.29	95	EMS	REIMBURSE FOR SUPPLIES PURCHASED
682	TEIA MILLER	\$ 47.23	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED
	STUDENT BODY FUND 95	\$ 150.52			
	TOTAL ACCOUNTS PAYABLE	\$ 46,583.77			

Associated Student Body Fund

Egling Middle School and Colusa High School
as of January 12, 2014

I. l. e.

Colusa High School

Account	Name of Club	Balance
800	Colusa HS ASB	\$ (488.08)
801	ASB Football Concessions	\$ 8,080.79
802	ASB Student Store	\$ 2,337.48
811	Art Club	\$ 742.44
812	Ashland Shakespeare Trip	\$ 141.23
820	Block C - Other	\$ -
821	Block C - Baseball	\$ 5,731.23
822	Block C - Boys Basketball	\$ 190.99
823	Block C - Boys Soccer	\$ 150.49
824	Block C - Boys Tennis	\$ 521.00
825	Block C - Cross Country	\$ (83.62)
826	Block C - Football	\$ 1,177.00
827	Block C - Girls Basketball	\$ (16.81)
828	Block C - Girls Soccer	\$ (41.21)
829	Block C - Girls Tennis	\$ 346.58
830	Block C - Golf	\$ -
832	Block C - Softball	\$ 2,176.46
833	Block C - Track and Field	\$ 1,416.67
834	Block C - Volleyball	\$ 3,471.95
835	Block C - Wrestling	\$ 25.00
835	Block C - Weight Room	\$ (54.15)
836	Block C - JV Boys Basketball	\$ 5.00
846	Class of 2015	\$ 7,308.01
847	Class of 2016	\$ 887.97
848	Class of 2017	\$ (240.18)
849	Class of 2018	\$ 148.55
860	COLUS Yearbook	\$ 12,488.55
863	CSF	\$ 1,338.54
865	FBLA	\$ 5,536.43
870	FFA	\$ (639.39)
876	Drama Club	\$ 577.60
885	Friday Night Live	\$ 1,255.54
887	Spanish Club	\$ 144.81
888	Spirit Club	\$ 3,427.09
890	Cooking Club	\$ (25.74)
892	Science Club	\$ 91.52
TOTAL CHS		\$ 58,129.74

Egling Middle School

950	Egling MS ASB	\$ 544.90
955	Club Live	\$ 1,000.92
960	Kids Can Save	\$ 479.34
965	Library	\$ 890.51
985	Sweatshirts	\$ 546.83
990	Yearbook	\$ 834.57
995	8th Grade	\$ (23.20)
TOTAL EMS		\$ 4,273.87
TOTAL FUND 95 ASB		\$ 62,403.61

COLUSA UNIFIED SCHOOL DISTRICT
2014-15 BUDGET REVISION
January 20, 2015

2014-15 BEGINNING BALANCE	1,347,994
ESTIMATED INCOME	<u>12,478,066</u>
TOTAL INCOME/BEGINNING BALANCE	13,826,060

Resource Code and Program

0000 Add Settlement Check from CALSTRS	21,000
3550 Increase Perkins	2,487
9030 Decrease Med-Cal funds from CCOE	(7,381)
9099 Add Alumni Donation	16,333
REVISED TOTAL INCOME	12,510,505
REVISED TOTAL INCOME + BEGINNING BALANCE	13,858,499

EXPENDITURES

Current Expenditure Budget	12,339,890	
Reserve for Revolving Cash	20,350	
Reserve for Textbook Adoption	75,000	
Reserve for Bus/Van Replacement	25,000	
Undistributed Reserve	<u>1,365,820</u>	<u>1,486,170</u>
		13,826,060

0000 Contribution to Cafeteria Fund	30,000
3550 Increase Perkins	2,487
9030 Decrease Med-Cal funds from CCOE	(7,381)
9099 Add Alumni Donation	16,333

Revised Expenditure Budget	12,381,329	
Reserve for Revolving Cash	20,350	
Reserve for Textbook Adoption	75,000	
Reserve for Bus/Van Replacement	25,000	
Undistributed Reserve	<u>1,356,820</u>	<u>1,477,170</u>
		13,858,499

PASSED AND ADOPTED this 20th Day of January, 2015 at a meeting of the Board of Trustees of Colusa Unified School District.

AYES:

NOES:

ABSENT:


Dwayne Newman, Superintendent

1/20/15

Multi-Year Projection Summary - January 20, 2015

	13/14 ACTUALS	14/15 BUDGET	15/16 BUDGET	16/17 BUDGET	17/18 BUDGET
TOTAL REVENUES	11,791,322	12,510,505	12,872,272	13,464,855	13,770,255
TOTAL EXPENSES & TRANSFERS OUT	11,778,667	12,381,329	12,390,594	12,580,816	12,671,332
TOTAL REVENUES LESS EXPENDITURES	12,655	129,176	481,678	884,038	1,098,923
GENERAL FUND BEGINNING BALANCE	1,335,339	1,347,994	1,477,170	1,958,848	2,842,886
LESS AMOUNT ABOVE REVENUES LESS EXP	12,655	129,176	481,678	884,038	1,098,923
<i>Less Restricted Fund Balance Prop 39/Common Core</i>	<i>-227,281</i>				
<i>Less Restricted Fund Balance Bus/Vehicle Replacement</i>		<i>-25,000</i>	<i>-50,000</i>	<i>-75,000</i>	<i>-75,000</i>
<i>Less Special Reserve for Textbook Replacement</i>		<i>-75,000</i>	<i>-150,000</i>	<i>-225,000</i>	<i>-225,000</i>
UNDISTRIBUTED GENERAL FUND RESERVE	1,120,713	1,377,170	1,758,848	2,542,886	3,641,809
% UNDISTRIBUTED RESERVE	9.51%	11.12%	14.20%	20.21%	28.74%
3% UNDISTRIBUTED RESERVE IS	353,360	371,440	371,718	377,424	380,140
AMOUNT ABOVE (-BELOW) 3%	767,353	1,005,730	1,387,130	2,165,462	3,261,670
5% UNDISTRIBUTED RESERVE IS	588,933	619,066	619,530	629,041	633,567
AMOUNT ABOVE (-BELOW) 5%	531,780	758,104	1,139,318	1,913,845	3,008,243

RECOMMENDED RESERVE 3% Plus one Year LCFF Growth

LCFF Growth Amount over Prior Year	\$ 483,946	\$ 1,132,411	\$ 663,931	\$ 648,359	\$ 342,582
Plus 3% Reserve	\$ 353,360	\$ 371,440	\$ 371,718	\$ 377,424	\$ 380,140
Total Recommended Reserve	\$ 837,306	\$ 1,503,851	\$ 1,035,649	\$ 1,025,783	\$ 722,722
AMOUNT ABOVE (-BELOW) RECOMMENDED RESERVE	\$ 283,407	\$ (126,681)	\$ 723,199	\$ 1,517,103	\$ 2,919,087

LCFF FUNDING ESTIMATE:

TOTAL ADA	1395.63	1405.63	1415.63	1415.63	1415.63
multiply x SSC Calculated recommended amount per ADA	\$ 7,034	\$ 7,786	\$ 8,200	\$ 8,658	\$ 8,900
Total LCFF Funding Budgeted	\$ 9,817,350	\$ 10,944,235	\$ 11,608,166	\$ 12,256,525	\$ 12,599,107
% Increase over Prior Year	4.60%	11.48%	6.07%	5.59%	2.80%
CUSD P-2 ADA	1387.81	1397.81	1410.09	1410.09	1410.09
Adult Transition Class Reported by CCOE	5.54	5.54	5.54	5.54	5.54
Community School ADA Reported by CCOE	2.28	2.28	0	0	0
TOTAL ADA CUSD LCFF	1395.63	1405.63	1415.63	1415.63	1415.63
			-74K ROP	-130K ROP	-167K ROP

NOTE:13-14 Deficit Sending \$214,393 does not reflect above due to accounting for Common Core and Prop 39 funds

ASSUMPTIONS

Add 10 ADA
1 Teacher BPS
1.5 Teacher EMS
.5 Admin
1 Utility Worker
1 Bilingual Para CHS

Colusa Unified School District - January 20, 2015

	8.25% STRS 11.1% PERS	8.88% STRS 11.7% PERS	10.73% STRS 12.6% PERS	12.58% STRS 15% PERS	14.43% STRS 16.6% PERS
INCOME	13/14 ACTUALS	14/15 BUDGET	15/16 BUDGET	16/17 BUDGET	17/18 BUDGET
8011-8089 TOTAL LCFF	9,817,350	10,944,235	11,608,166	12,256,525	12,599,107
8019 PRIOR YEAR ADJUSTMENTS	-5,526				
TOTAL REVENUE LIMIT SOURCES	9,811,824	10,944,235	11,608,166	12,256,525	12,599,107
TOTAL FEDERAL REVENUE	513,251	515,582	438,559	438,558	438,559
STATE REVENUES					
8550 MANDATED COSTS	49,128	154,208	50,000	50,000	50,000
8560 LOTTERY	234,017	217,776	217,776	217,776	217,776
8590 OTHER STATE	<u>739,852</u>	<u>347,401</u>	<u>341,362</u>	<u>341,362</u>	<u>341,362</u>
TOTAL STATE REVENUE	1,022,997	719,385	609,138	609,138	609,138
OTHER LOCAL REVENUES					
8650 LEASES AND RENTALS	12,108	9,000	9,000	9,000	9,000
8660 INTEREST	7,906	5,000	5,000	5,000	5,000
8677 INTERAGENCY REVENUES	244,730	241,470	163,909	108,134	70,951
8699 OTHER LOCAL INCOME	<u>178,506</u>	<u>75,833</u>	<u>38,500</u>	<u>38,500</u>	<u>38,500</u>
TOTAL LOCAL REVENUES	443,250	331,303	216,409	160,634	123,451
TOTAL REVENUES	11,791,322	12,510,505	12,872,272	13,464,855	13,770,255
EXPENDITURES					
1100 TEACHER'S SALARIES	4,627,859	4,728,135	4,798,342	4,821,325	4,844,539
1200 PUPIL SUPPORT SALARIES	294,042	242,030	248,656	251,143	253,654
1300 SUPERVISOR/ADMIN. SALARIES	564,779	677,268	612,941	613,000	613,000
1900 OTHER CERTIFICATED SALARIES	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL CERTIFICATED	5,486,680	5,647,433	5,659,939	5,685,468	5,711,193
2100 INSTRUCTIONAL AIDES	324,984	350,097	417,307	423,493	429,771
2200 CLASSIFIED SUPPORT	508,314	522,796	567,288	570,288	573,000
2300 CLASSIFIED ADMINISTRATORS	266,938	289,761	288,836	295,590	295,590
2400 CLERICAL AND OFFICE	448,589	446,075	466,458	470,000	475,000
2900 OTHER CLASSIFIED SALARIES	<u>106,358</u>	<u>123,165</u>	<u>123,895</u>	<u>125,000</u>	<u>125,000</u>
TOTAL CLASSIFIED	1,655,183	1,731,894	1,863,784	1,884,371	1,898,361
3100 STRS	447,106	503,477	616,209	715,232	824,125
3200 PERS	155,558	174,248	203,119	255,356	255,356
3300 SOCIAL SECURITY	189,285	216,856	228,398	206,354	206,354
3400 HEALTH	1,168,885	1,195,295	1,223,981	1,174,724	1,174,724
3500 UNEMPLOYMENT INSURANCE	4,425	3,635	3,750	5,000	5,000
3600 WORKER'S COMPENSATION	157,340	175,318	180,572	180,000	180,000
3900 OTHER BENEFITS	<u>142,214</u>	<u>100,539</u>	<u>97,815</u>	<u>93,155</u>	<u>35,062</u>
TOTAL BENEFITS	2,264,813	2,369,368	2,553,844	2,629,821	2,680,621
	9,406,676	9,748,695	10,077,567	10,199,659	10,290,175
4100 TEXTBOOKS	20,379	40,000	50,000	50,000	50,000
4300 INSTRUCTIONAL SUPPLIES	<u>639,353</u>	<u>712,522</u>	<u>507,361</u>	<u>530,050</u>	<u>530,050</u>
TOTAL BOOKS AND SUPPLIES	659,732	752,522	557,361	580,050	580,050
5200 TRAVEL AND CONFERENCE	38,020	29,402	29,402	24,681	24,681
5300 DUES AND MEMBERSHIPS	10,626	12,061	12,061	12,061	12,061
5400 INSURANCE	114,095	110,000	110,000	110,000	110,000
5500 UTILITIES	432,480	410,000	420,000	430,000	430,000
5600 CONTRACTS, RENTS, LEASES	200,231	195,436	195,436	195,436	195,436
5750 DIRECT COSTS FOR CAFETERIA FD	-44,838	-45,000	-45,000	-45,000	-45,000
5800 OTHER SERV. & OPERATING EXP.	231,065	366,760	247,885	248,047	248,047
5900 COMMUNICATIONS	<u>18,399</u>	<u>20,837</u>	<u>20,837</u>	<u>20,837</u>	<u>20,837</u>
TOTAL CONTRACTS/OTHER EXPENSE	1,000,078	1,099,496	990,621	996,062	996,062
6500 EQUIPMENT REPLACEMENT	<u>34,666</u>				
TOTAL CAPITAL OUTLAY	34,666	0	0	0	0
7142 COMMUNITY SCHOOL/SELPA	642,668	715,571	730,000	770,000	770,000
7350/7613 Interfund (to/from Cafeteria)	-20,198	10,000	-20,000	-20,000	-20,000
7649 OTHER LOAN PAYMENTS	<u>55,045</u>	<u>55,045</u>	<u>55,045</u>	<u>55,045</u>	<u>55,045</u>
TOTAL 7000 OTHER OUTGO	677,515	780,616	765,045	805,045	805,045
TOTAL EXPENDITURES & TRANSFERS OUT	11,778,667	12,381,329	12,390,594	12,580,816	12,671,332

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WILLIAMS UNIFORM COMPLAINT PROCEDURE
QUARTERLY REPORT
COLUSA UNIFIED SCHOOL DISTRICT

October 1, 2014 TO December 31, 2014

Education Code 35186(d) requires that a district report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.

☒ No complaints have been received this quarter.

The following complaints have been received this quarter.

Education Code 35186(e)(1) requires that districts investigate and resolve complaints when a complainant alleges that (a) students do not have standards-aligned instructional materials to use in class; or (b) for use at home or after school in order to complete required homework assignments; or (c) are in poor or unusable condition.

☐ Complaints have been received regarding insufficient instructional materials.

District Resolutions:

Education Code 36186(e)(1) requires that districts investigate and resolve complaints when a complainant alleges that (a) students do not have standards-aligned textbooks or state- or district-adopted textbooks required for use in class; or (b) for use at home or after school in order to complete required homework assignments; or (c) are in poor or unusable condition.

☐ Complaints have been received regarding insufficient textbooks.

District Resolutions:

Education Code 35186(e)(3) requires that districts investigate and resolve complaints when a complainant alleges that facilities have conditions that pose an emergency or urgent threat to the health or safety of students or staff.

☐ Complaints have been received that facilities have emergency/urgent threat conditions.

District Resolutions:

Education Code 35186(e)(2) requires that districts investigate and resolve complaints when a complainant alleges that (a) a qualified certificated teacher has not been assigned to a vacant position to a class for an entire year; (b) a teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner students in the class; or (c) a teacher is assigned to teach a class for which the teacher lacks subject matter competency.

☐ Complaints have been received regarding unqualified teachers.

District Resolutions:

The district investigated and remedied any valid complaint within a reasonable time period not exceeding 30 working days from the date the complaint was received. EC 35186 (b)

Superintendent

Date