

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**

August 8, 2017

5:15 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.]

5:15 P.M. OPEN SESSION

A. Call to Order/Establish Quorum

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 agendaized 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. Action Item:

1. Approval of Retirement Resolution #2017-18.01 – Pam Giuliano

F. Reports:

1. Recognitions & Celebrations

2. 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*

1. Colusa RedHawk Athletic Foundation
2. Friends of Music
3. Friends of Agriculture
4. Special Education Local Plan Area
5. District English Language Advisory Committee
6. Monthly Activities Reports

3. Superintendent's Report

a. Improving Achievement *(Standing Item)*

1. Discussion of Preliminary Smarter Balanced Assessments – State Tests

b. Budget Discussion

G. Information/Discussion/Possible Action Items

1. Consider Approval of 2017-18 Board Meeting Dates & Times
2. Consider Approval of Warrants: Batch #48-50 (2016-17)
3. Consider Approval of Warrants: Batch #1-4 (2017-18)
4. Consider Approval of Notice of Intent for Provisional Internship Permit
5. Consider Approval of Notice of Intent for Variable Term Waiver
6. Discussion of District Office Staffing
7. Fire Alarm Inspection & Testing Pre Approval for Amount Not to Exceed \$15,000
8. Consider Approval of Board Policies & Administrative Regulations:
 - a. Second Reading & Adoption of BP 0460 – Local Control & Accountability Plan
 - b. Second Reading & Adoption of BP 3260 & AR 3260– Fees & Charges
 - c. Second Reading & Adoption of AR 4112.22 – Staff Teaching English Learners
 - d. Second Reading & Adoption of E 4112.9, 4212.9, 4312.9 – Employee Notifications
 - e. Second Reading & Adoption of AR 4161.1, 4361.1 – Personal Illness/Injury Leave (Certificated)
 - f. Second Reading & Adoption of AR 4261.1 – Personal Illness/Injury Leave (Classified)
 - g. Second Reading & Adoption of BP 5111 – Admission
 - h. Second Reading & Adoption of BP 5111.1 – District Residency
 - i. Second Reading & Adoption of BP 5113 & AR 5113 – Absences & Excuses
 - j. Second Reading & Adoption of BP 5141.52 & AR 5141.52 – Suicide Prevention
 - k. Second Reading & Adoption of E 5145.6 – Parental Notifications
 - l. Second Reading & Adoption of BP 5148.2 & AR 5148.2 – Before & After School Programs
 - m. Second Reading & Adoption of BP 6111 – School Calendar
 - n. Second Reading & Adoption of BP 6142.2 & AR 6142.2 – World/Foreign Language Instruction
 - o. Second Reading & Adoption of BP 6144 – Controversial Issues
 - p. Second Reading & Adoption of BP 6174 & AR 6174 – Education for English Learners
 - q. Second Reading & Adoption of BP 6176 – Weekend/Saturday Classes
 - r. Second Reading & Adoption of BP 1312.3 & AR 1312.3 – Uniform Complaint Procedures
 - s. Second Reading & Adoption of BP 1340 – Access to District Records
 - t. Second Reading & Adoption of BP 2121 – Superintendent’s Contract
 - u. Second Reading & Adoption of BP 3551 & AR 3551– Food Service Operations/Cafeteria Fund
 - v. Second Reading & Adoption of AR 3580 – District Records
 - w. Second Reading & Adoption of BP 4127, 4227, 4327 & AR 4127, 4227, 4327 – Temporary Athletic Team Coaches
 - x. Second Reading & Adoption of BP 4312.1 – Administrative & Supervisory Personnel
 - y. Second Reading & Adoption of AR 5145.3 – Nondiscrimination/Harassment
 - z. Second Reading & Adoption of BP 6142.93 – Science Instruction
 - aa. Second Reading & Adoption of BP 6145 – Extracurricular & Cocurricular Activities
 - bb. Second Reading & Adoption of BP 6145.2 & AR 6145.2 – Athletic Competition
 - cc. Second Reading & Adoption of BP 6178.1 AR 6178.1 – Work-Based Learning
 - dd. Second Reading & Adoption of BP 7214 – General Obligation Bonds
 - ee. Second Reading & Adoption of BB 9012 – Board Member Electronic Communications
 - ff. Second Reading & Adoption of Colusa Unified School District Wellness Policy
 - gg. First Reading & Possible Adoption of BB 9320 – Meetings and Notices

- H. Motion to Approve Items on the Consent Action Agenda:
1. June 13, 2017 Regular Board Meeting Minutes
 2. June 20, 2017 Special Board Meeting Minutes
 3. Joint Sunshine Proposal for California School Employee Association & Colusa Unified School District
 4. Joint Sunshine Proposal for California Educators Association & Colusa Unified School District
 5. General Fund 01 Budget Revision
 6. Cafeteria Fund 13 Budget Revision
 7. Bond Fund 21 Budget Revision
 8. 2016-17 Administrative Salary Schedule
 9. Personnel Assignment Order
 10. June/July Payroll
 11. Memorandum of Understanding with Colusa County Office of Education – Career Technical Education Support
 12. Memorandum of Understanding with Sutter County Office of Education – Tri County ROP
 13. Surplus Form(s) – Nutrition Services Equipment
 14. California School Board Association Renewal (\$4,630)
 15. School Loop Renewal (\$3,816.50)
 16. Chico Roofing – CHS Phase I Change Order (\$15,528)
 17. Chico Roofing – CHS Phase II (\$149,950)
 18. D&S Asphalt – District Office Parking Lot (\$400)
 19. Dickson Mechanical – CHS Kitchen HVAC (\$7,500)
 20. Savage Plumbing – CHS Coach's Restroom (\$8,500)
 21. Wike Restoration – CHS Girls Locker Room (\$1,942.50)
 22. H&R Painting – CHS Cafeteria (\$4,400)
 23. Precision Cutting – EMS Sidewalk Trip Hazards (\$1,500)
- I. Hearing of the Public for Matters on Closed Session Agenda
- J. Adjourn to Closed Session to consider and/or take action upon any of the following items:
1. Negotiations Pursuant to Government Code 54957.6
Agency Designated Representatives: Dwayne Newman, Superintendent; Sheryl Parker, Chief Business Official

Employee Organizations: California Teachers Association, California State Employees Association, and Unrepresented Employees

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)
- K. Reconvene Open Session
- L. Adjournment of the Meeting

Colusa Unified School District

Board of Trustees, County of Colusa, State of California

Resolution #2017-18.01

*Whereas, the Governing Board of Colusa Unified School District is responsible for ensuring the highest quality education for all of its students, and desires to acknowledge and honor the contributions of **Pam Giuliano** for her service to the students of the Colusa Unified School District;*

*Whereas, the Governing Board wishes to thank **Pam Giuliano** for dedicating her career to serving the needs of the district's students;*

Whereas, by word and deed, your presence has enriched the lives of our students, and served as an example to all;

Whereas, as a school employee you have provided valuable services to the schools and students, and contributed to the establishment and promotion of a positive instructional environment;

Whereas, in recognition of your efforts, caring and commitment to the students of the district;

*Now, Therefore, Be It Resolved, that the Governing Board of the Colusa Unified School District, in passage of this resolution hereby gives its sincerest thanks and appreciation in honor of the service of **Pam Giuliano** to the education of our children.*

Passed and Adopted this 8th day of August, 2017 by the following vote:

Ayes:

Charles Yerxa, Board Member

Kelli Griffith-Garcia, Board Member

Michael Phenicie, Board Member

Melissa Yerxa Ortiz, Board Member

Kathie Whitesell, Board President

Dwayne Newman, Superintendent



PRELIMINARY

**CALIFORNIA ASSESSMENT OF
STUDENT PERFORMANCE AND
PROGRESS / SMARTER
BALANCED ASSESSMENT
RESULTS**

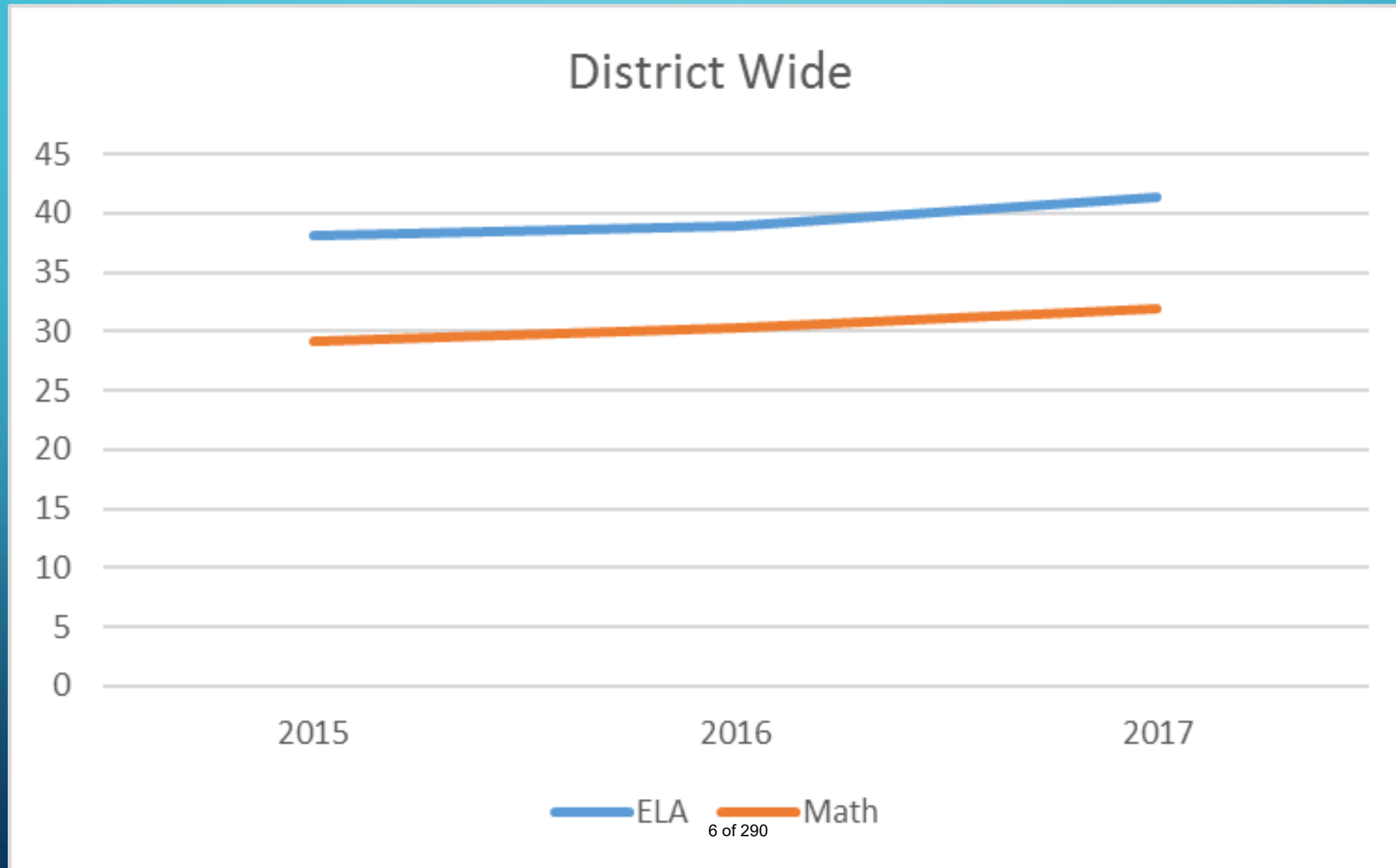
COLUSA UNIFIED SCHOOL DISTRICT

AUGUST 2017

ACRONYMS / TERMS

- CAASPP – California Assessment of Student Performance and Progress
- SBA – Smarter Balanced Assessment
- ELA – English Language Arts
- M&E – Met and Exceeded Standards
- Cohort – a group of the same students (almost)
- FRPM – Free and Reduced Price Meal program

DISTRICT SBA M&E RESULTS & TRENDS





SBA ELA RESULTS

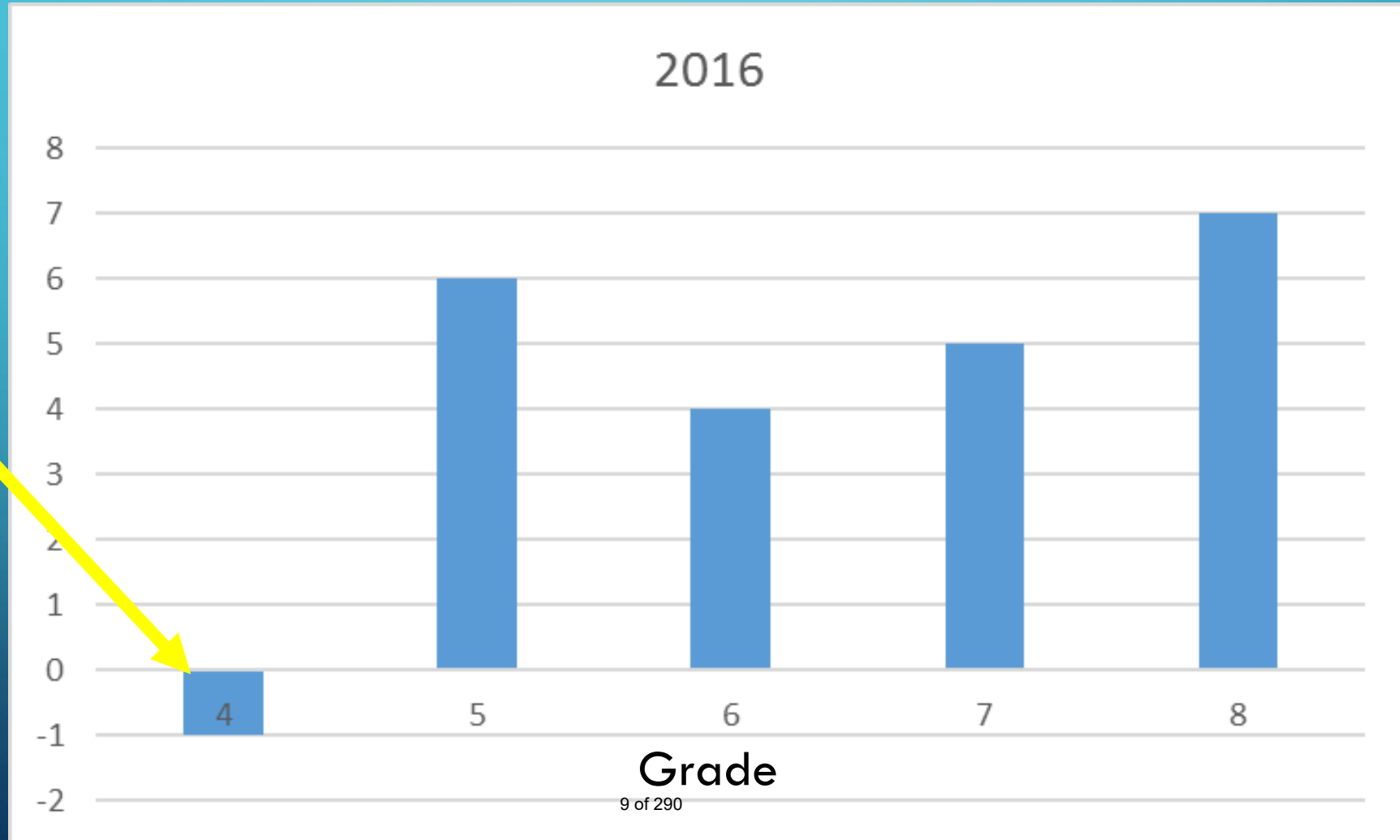
SPRING 2017 TESTING WINDOW

DISTRICT – WIDE ELA M&E %

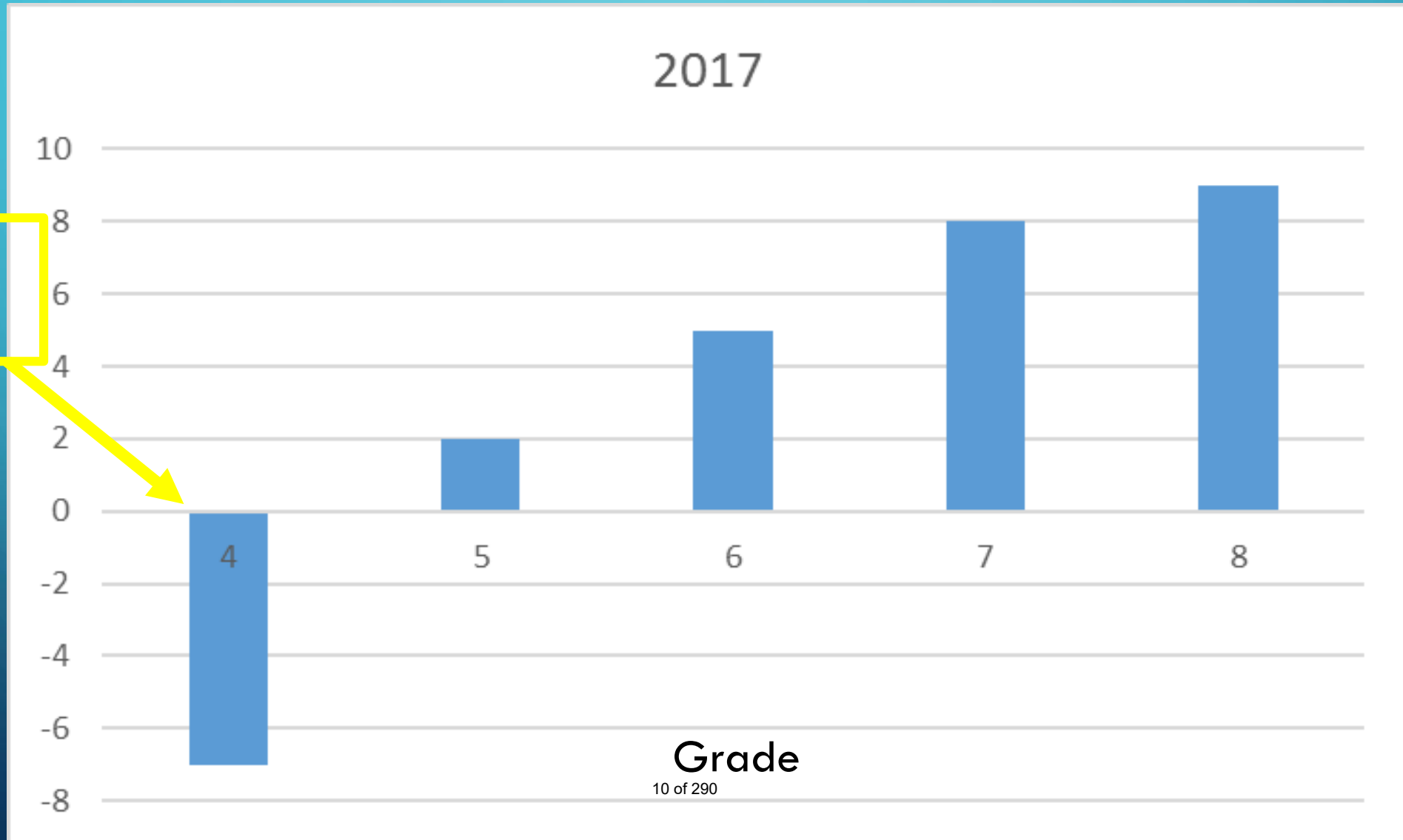


ELA COHORT GROWTH 2016

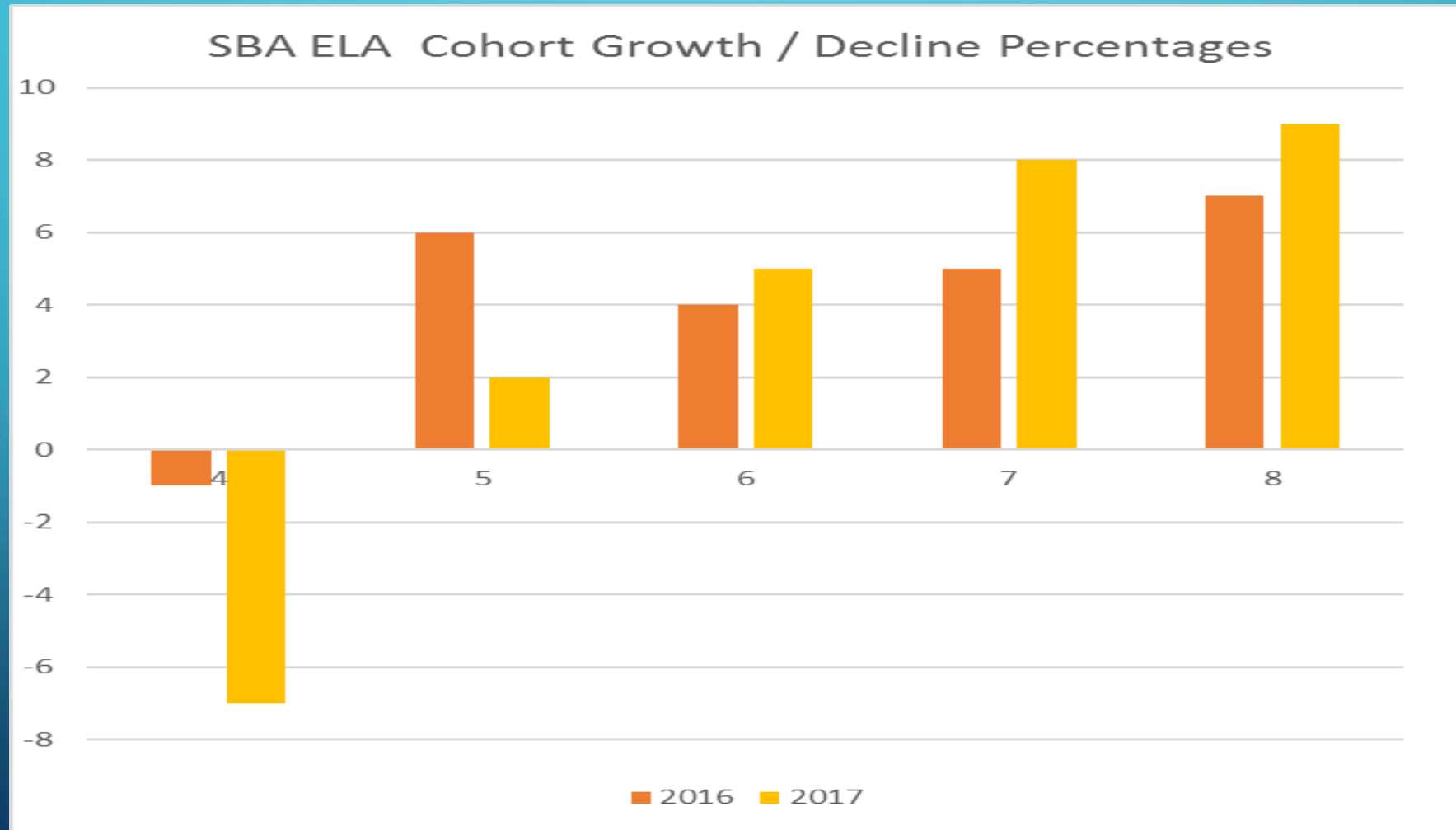
Were in 3rd
Grade in
2015



ELA COHORT GROWTH 2017



COMPARISON OF ELA COHORT GROWTH

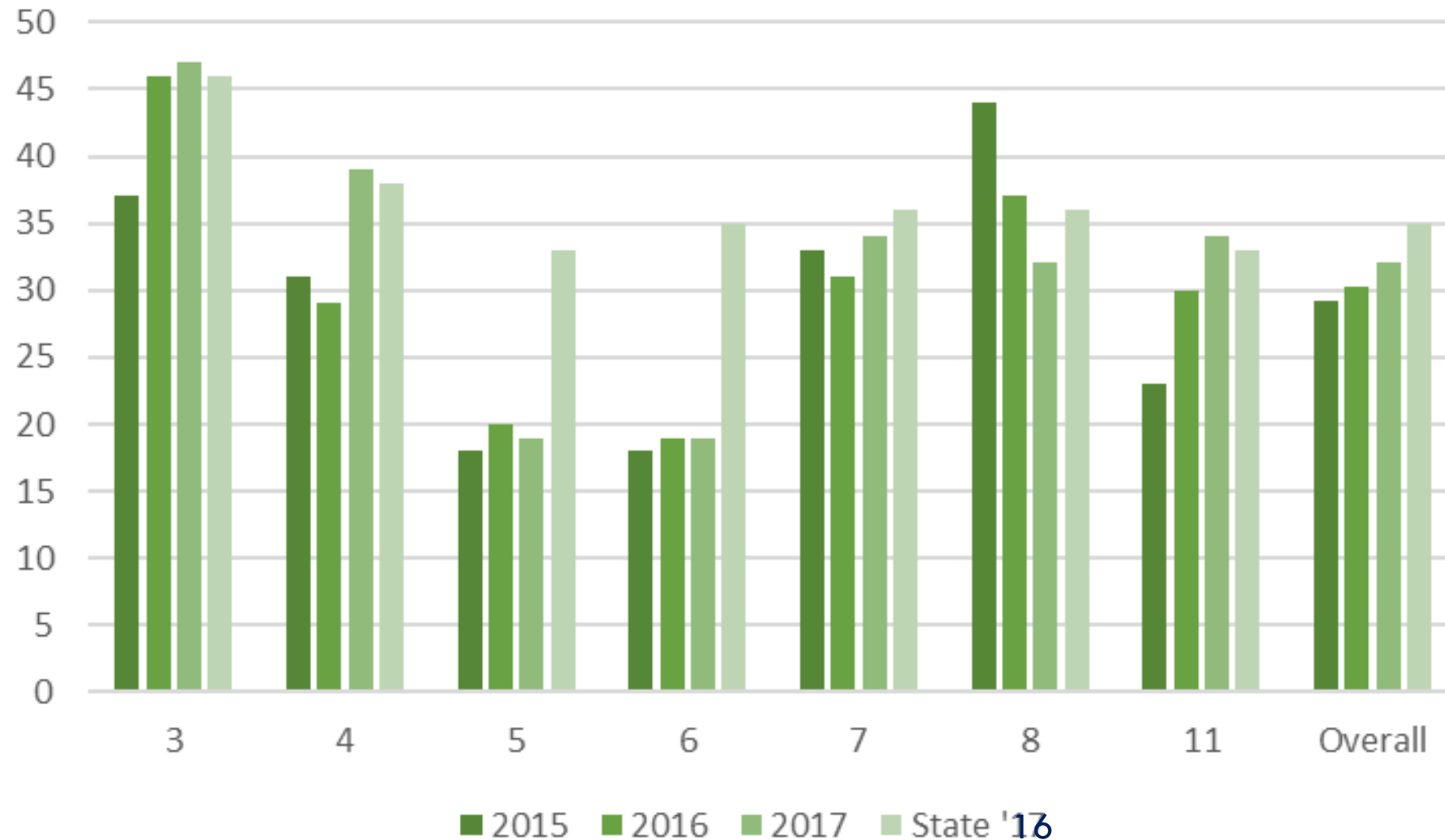




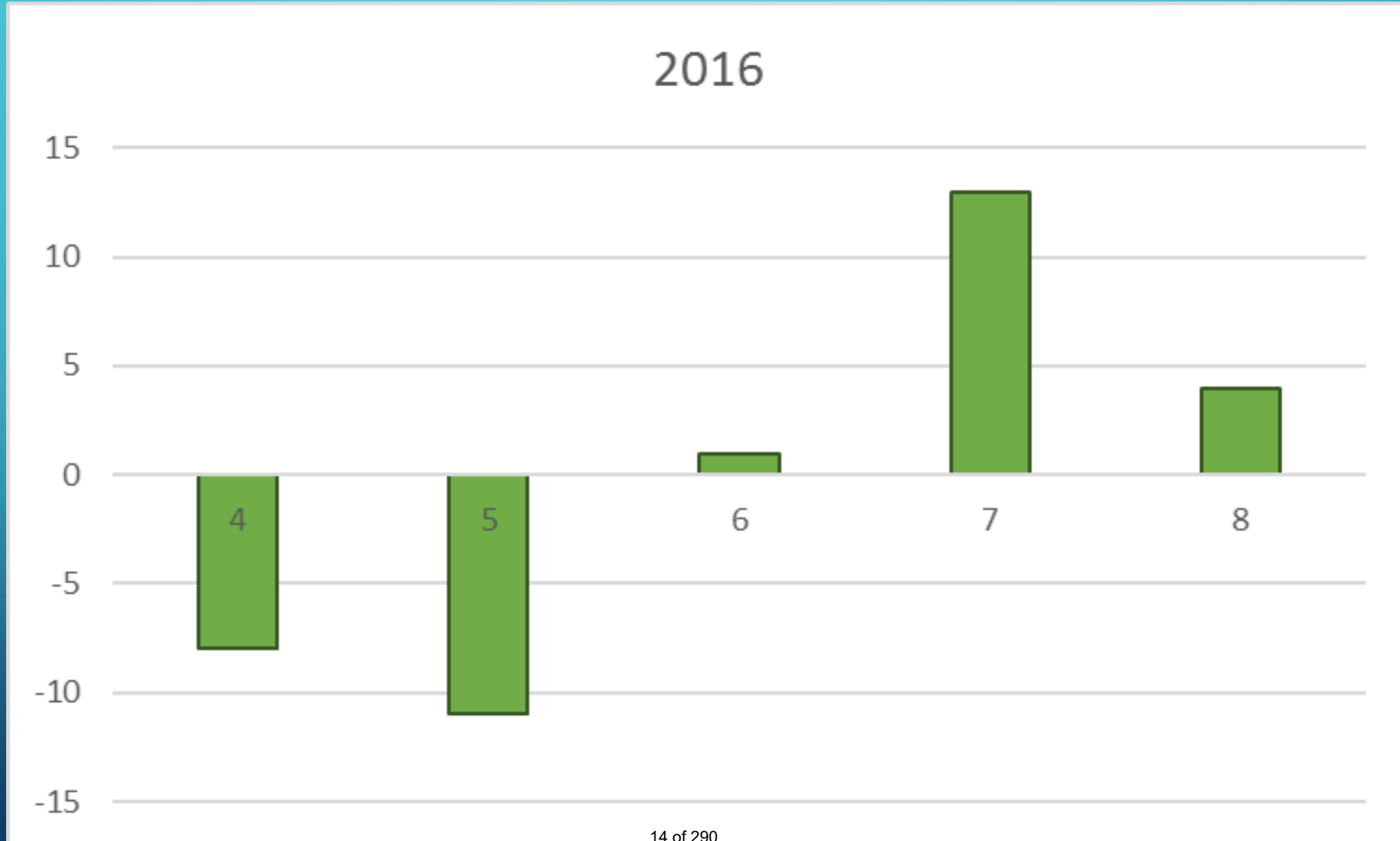
MATH SBA RESULTS

SPRING 2017 TESTING WINDOW

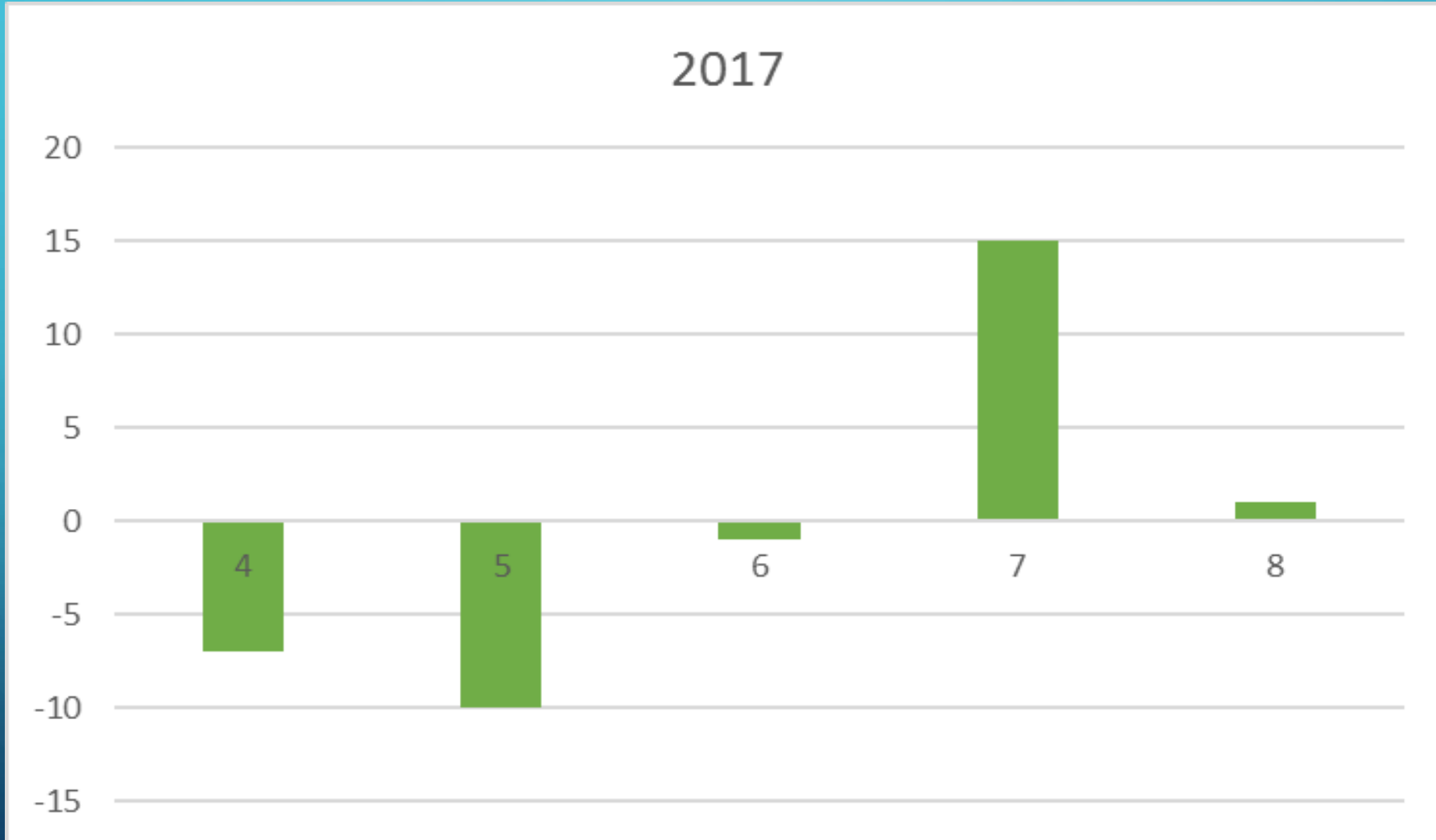
DISTRICT – WIDE SBA M&E MATH



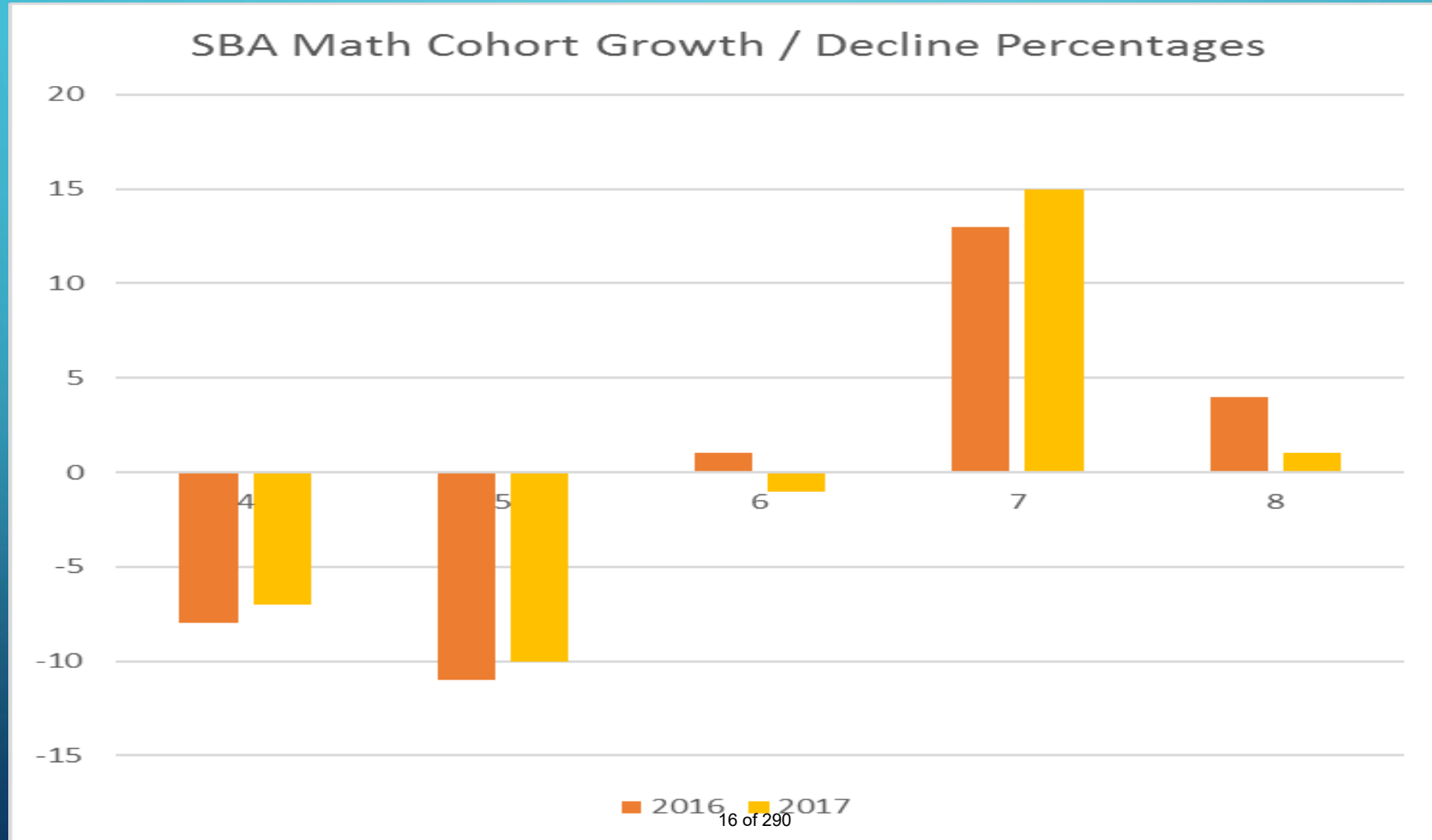
MATH COHORT GROWTH 2016



MATH COHORT GROWTH 2017



COMPARISON OF MATH COHORT GROWTH





SBA GAPS

SPRING 2017 TESTING WINDOW

SBA MATH GAPS

		Not	Econ.			Ethnic			Gender
	FRPM	FRPM	Gap	Hispanic	White	Gap	F	M	Gap
3	48	46	2	44	72	-28	47	48	-1
4	51	33	18	31	59	-28	39	38	1
5	12	44	-32	15	31	-16	17	22	-5
6	15	28	-13	15	37	-22	23	13	10
7	31	45	-14	31	49	-18	40	30	10
8	27	42	-15	27	45	-18	35	30	5
11	27	43	-16	27	40	-13	39	29	10
AVERAGE			-10.0			-20.4			4.3

CUSD SBA ELA GAPS

	FRPM	Not FRPM	Econ. Gap	Hispanic	White	Ethnic Gap	F	M	Gender Gap
3	36	45	-9	33	66	-33	44	32	12
4	20	35	-15	22	31	-9	37	14	23
5	27	50	-23	28	46	-18	41	28	13
6	34	45	-11	31	69	-38	50	18	32
7	34	59	-25	35	55	-20	47	34	13
8	45	63	-18	48	61	-13	52	49	3
11	58	70	-12	53	77	-24	68	60	8
AVERAGE			-16.1			-22.1			14.9

INTERNAL GAPS

In 2015 the average ELA Ethnic Gap was **29%**,
and the Math Ethnic Gap was **24%**

In 2017 the average ELA Ethnic Gap was **22%**,
and the Math Ethnic Gap was **20%**

In 2015 the average ELA Economic Gap was **33%**,
and the Math Ethnic Gap was **32%**

In 2017 the average ELA Economic Gap was **16%**,
and the Math Ethnic Gap was **10%**

CUSD vs. STATE-WIDE GAPS

- 2013 avg gap CUSD / State ELA scores **13.6%**
- 2016 avg gap CUSD / State ELA scores **7.1%**
- 2013 avg gap CUSD / State Math scores **18.2%**
- 2016 avg gap CUSD / State Math scores **6.0%**

Multi-Year Projection Summary - August 8, 2017

INCOME	14/15 ACTUALS	15/16 ACTUALS	16/17 BUDGET	17/18 BUDGET	18/19 BUDGET	19/20 BUDGET
8011-8089 TOTAL LCFF	10,874,660	12,397,758	13,107,388	13,422,519	13,755,350	14,305,040
TOTAL FEDERAL REVENUE	514,766	554,244	396,545	289,417	296,545	296,545
TOTAL STATE REVENUE	1,015,848	2,109,700	1,727,524	1,723,268	984,325	984,325
TOTAL LOCAL REVENUES	387,830	388,312	710,796	207,592	187,592	187,592
TOTAL REVENUES	12,793,104	15,450,014	15,942,253	15,642,796	15,223,812	15,773,502
EXPENDITURES						
TOTAL CERTIFICATED	5,939,658	6,468,062	6,300,344	6,351,032	6,391,032	6,431,032
TOTAL CLASSIFIED	1,847,681	2,047,601	2,171,313	2,267,172	2,254,172	2,286,172
TOTAL BENEFITS	<u>2,620,009</u>	<u>2,952,259</u>	<u>3,196,759</u>	<u>3,330,918</u>	<u>3,521,918</u>	<u>3,737,918</u>
SUBTOTAL SALARIES/BENEFITS	10,407,348	11,467,922	11,668,416	11,949,122	12,167,122	12,455,122
TOTAL BOOKS AND SUPPLIES	770,436	1,104,360	1,077,887	928,943	700,000	740,000
TOTAL TRAVEL, REPAIRS, UTILITIES, INS, OTHER	1,102,341	1,223,294	1,599,053	1,477,818	1,192,411	1,192,411
TOTAL CAPITAL OUTLAY	56,177	402,140	917,477	554,461		160,000
TOTAL SELPA, COMMUNITY SCH, DEBT PYMT	603,624	765,140	996,546	1,074,246	1,020,000	1,040,000
TOTAL EXPENDITURES	12,939,926	14,962,856	16,259,379	15,984,590	15,079,533	15,587,533
TOTAL REVENUES LESS EXPENDITURES	-146,822	487,158	-317,126	-341,794	144,279	185,969
		\$441,014 will carryover to be spent 16-17	\$441,014 was prior year income			
GENERAL FUND BEGINNING BALANCE	1,347,994	1,201,172	1,688,330	1,371,206	1,029,412	1,173,691
LESS AMOUNT ABOVE REVENUES LESS EXP	-146,822	487,158	-317,126	-341,794	144,279	185,969
Less Reserve for Revolving Cash		-30,350	-30,350	-30,350	-30,350	-30,350
less Reserves for Van/Bus, Tech, Textbooks		-125,000	-170,000	-140,000	-180,000	-220,000
UNDISTRIBUTED GENERAL FUND RESERVE	1,201,172	1,532,980	1,170,854	859,062	963,341	1,109,310
% UNDISTRIBUTED RESERVE	9.28%	10.25%	7.20%	5.37%	6.39%	7.12%
AMOUNT ABOVE (-BELOW) 5%	554,176	784,837	357,885	59,832	209,365	329,933
Percent of Budget for Personnel (includes SELPA)	84.3%	81.4%	78.0%	81.5%	87.5%	86.6%
TOTAL ADA	1386.33	1404.81	1405.05	1401.23	1401.23	1401.23
multiply x Average Amount per ADA	\$ 7,844	\$ 8,825	\$ 9,329	\$ 9,579	\$ 9,817	\$ 10,209
Total LCFF Funding Budgeted	\$ 10,874,660	\$ 12,397,756	\$ 13,107,388	\$ 13,422,519	\$ 13,755,350	\$ 14,305,040
% Increase over Prior Year	10.77%	14.01%	5.72%	2.40%	2.48%	4.00%
	8.88% STRS 11.7% PERS	10.73% STRS 11.847% PERS	12.58% STRS 13.888% PERS	14.43% STRS 15.8% PERS	16.28% STRS 18.7% PERS	18.13% STRS 21.6% PERS
	Impact of Minimum Wage Increase for Classified is not budgeted as it is unknown-must be negotiated					
	Min. Wage \$9	Min. Wage \$10	Min. Wage \$10.50	Min. Wage \$11	Min. Wage \$12	Min. Wage \$13

Colusa Unified School District 2017-18 Board Meeting Dates

Second Tuesday of Each Month

August 8, 2017 – 5:15 PM

September 12, 2017 – 4:00 PM (New Teacher Celebration)

October 10, 2017 – 5:15 PM

November 14, 2017 – 5:15 PM

December 12, 2017 – 5:15 PM

January 9, 2018 – 5:15 PM

February 13, 2018 – 5:15 PM

March 13, 2018 – 5:15 PM

April 10, 2018 – 4:00 PM (Tenured Teacher Reception)

May 8, 2018 – 5:15 PM

June 12, 2018 - 5:15 PM

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JUNE 16, 2017			BATCH 48
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
1232	CA DEPT OF JUSTICE	\$ 209.00	01	DO	FINGERPRINT FEES
1220	CA INDUSTRIAL RUBBER	\$ 1,857.89	01	CHS	AG DEPT MATS FOR BARN
1224	COLUSA COUNTY FARM SUPPLY	\$ 150.00	01	MOT	GROUND SUPPLIES
1219	CCOE	\$ 1,935.19	01	DO	ASSESSMENT SOFTWARE FOR SPECIAL EDUCATION
1219	CCOE	\$ 16,167.00	01	DO	WORKER'S COMPENSATION
1234	COLUSA DAIRY	\$ 49.20	13	CAFET	FOOD
1216	CUSD CAFETERIA FUND	\$ 1,395.92	01	CHS/EMS	MISC. CATERING
1218	CUSD GENERAL FUND	\$ 1,024.00	95	EMS	BUS FOR 8TH GRADE TRIP
1233	CREATIVE BUS SALES	\$ 286.82	01	MOT	BUS PARTS
1227	CRYSTAL CREAMERY	\$ 4,147.34	13	CAFET	FOOD
1235	FRANZ FAMILY BAKERIES	\$ 183.60	13	CAFET	FOOD
1236	GENERAL PRODUCE	\$ 4,701.40	13	CAFET	FOOD
1225	GRIFF'S FEED AND SEED	\$ 238.44	01	MOT	GROUND SUPPLIES
1230	JEFF SAVAGE PLUMBING	\$ 381.82	01	MOT	PLUMBING REPAIR
1231	LCMS AWARDS	\$ 457.95	95	CHS	AWARDS
1221	MINDY LEDERER	\$ 135.00	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
1233	ERIKA LEMENAGER	\$ 346.66	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
1229	LES SCHWAB	\$ 227.65	01	CHS	TIRES FOR AG TRAILER
1228	MITEL LEASING	\$ 1,792.38	01	ALL	PHONE SYSTEM LEASE
1217	MITCHELL NAIL	\$ 67.05	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED
1239	OUR LADY OF LOURDES SCHOOL	\$ 196.68	01	OLL	REIMBURSE FOR SUPPLIES PURCHASED
1222	BARBARA REECE	\$ 33.24	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
1237	MELISSA SLOCUM	\$ 29.45	01	EMS	REIMBURSE FOR SUPPLIES PURCHASED
1240	STRICTLY TECH	\$ 1,280.57	01	OLL	TECH SUPPLIES
RC69	US BANK CALCARD VISA	\$ 7,923.42	ALL	ALL	SEE ATTACHED
1226	VALLEY TRUCK AND TRACTOR	\$ 26.39	01	MOT	MAINTENANCE SUPPLIES
TOTAL ALL FUNDS		\$ 48,914.06			

US BANK CALCARD VISA

Jeremy Miller

FD

9-Jun	AMAZON.COM	\$75.05	01	TECH SUPPLIES
8-Jun	AMAZON MKTPLACE PMTS	\$163.55	01	TECH SUPPLIES
7-Jun	HP *HP.COM STORE	\$2,522.61	01	TECH SUPPLIES

Darren Brown

8-Jun	SPORTDECALS	\$167.52	95	CHS ASB SHIRTS
8-Jun	COOLE SCHOOL	\$489.40	01	CHS SUPPLIES
7-Jun	OREGON SHAKESPEARE FESTIV	\$340.00	95	ASHLAND TRIP DEPOSIT
1-Jun	COLUMBIA HOTEL	\$1,048.20	95	ASHLAND TRIP DEPOSIT

Rosemary Hicks

5-Jun	DONUT WHEEL	\$11.10	01	BPS SUPPLIES
5-Jun	SAV-MOR FOODS#31	\$34.23	01	BPS SUPPLIES

Sheryl Parker

5-Jun	INLAND BUSINESS SYSTEMS	\$587.12	01	PRINTER MGMT MONTHLY FEE
5-Jun	STAPLES 00102863	\$298.10	01	DO SUPPLIES
5-Jun	IN *CLIMATE CONTROL, INC.	\$791.00	01	MOT HVAC REPAIR

Jody Johnston

8-Jun	JOSTENS INC.	\$667.57	01	EMS DIPLOMAS
7-Jun	TMS*THE PRINT SHOP	\$780.78	01	EMS PRINTING COSTS
6-Jun	ROSEVILLE GOLFLAND LTD	(\$125.00)	95	CREDIT FOR OVERPAY

Ron Rogers

7-Jun	COMPLIANCESIGNS.COM	\$16.00	01	MOT SUPPLIES
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Zeba Hone

9-Jun	SAV-MOR FOODS#31	\$49.07	01	DO SUPPLIES
5-Jun	RITE AID STORE - 6088	\$7.12	01	DO SUPPLIES

\$7,923.42

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JUNE 23, 2017			BATCH 49	
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION	
1243	JENNIFER ALANIZ	\$ 232.01	95	EMS	REIMBURSE FOR SUPPLIES PURCHASED	
1255	CVT	\$ 106,858.72	01	ALL	JULY HEALTH INSURANCE PREMIUMS	
1242	CUSD ASB FUND	\$ 1,500.00	01	CHS	TRANSFER MONEY TO FBIA FOR BUSINESS TRAVEL	
1245	CUSD CAFETERIA FUND	\$ 17,413.30	01	DO	DISTRICT PAY FOR REDUCED PRICE MEAL SUBSIDY	
RC71	CUSD EMER FD-CITY OF COLUSA	\$ 30.00	01	CHS	FOM FIREWORKS BOOTH PERMIT	
RC71	CUSD EMER FD- SOPHIE STOCKS	\$ 200.00	95	CHS	REFUND	
RC71	CUSD EMER FD CITY OF COLUSA	\$ 30.00	01	CHS	FOM LICENSE FOR FIREWORKS BOOTH	
RC71	CUSD EMER FD TERRY WELDON	\$ 37.50	13	CAFET	REFUND FUNDS ON CLOSED ACCOUNT	
RC71	CUSD EMER FD CUSD PETTY CASH S. PARKER	\$ 100.03	01	DO	POSTAGE AND SUPPLIES	
RC71	CUSD EMER FD EDD	\$ 1,275.94	01	DO	UNEMPLOYMENT PREMIUMS	
RC71	CUSD EMER FD CIVT	\$ 200.00	95	CHS	ASB VOLLEYBALL ENTRY FEE	
1264	CUSD GENERAL FUND	\$ 1,400.37	95	CHS	MOVE MONEY TO GENERAL FUND ASB DRAMA CLUB	
1265	CREATIVE BUS SALES	\$ 862.20	01	MOT	BUS REPAIR	
1262	D&S ASPHALT	\$ 14,582.00	21	BOND	ASPHALT AT BPS/EMS	
1254	HEATHER HAMILTON	\$ 104.86	01	BPS	REIMBURSE MILEAGE	
1256	SHERAYA HARMON	\$ 104.86	01	BPS	REIMBURSE MILEAGE	
1261	INFINITE CAMPUS	\$ 2,925.00	01	DO	TRAINING	
1248	LARA KELLEHER	\$ 100.58	01	EMS	REIMBURSE MILEAGE	
1247	RASAN KNOX	\$ 102.29	01	EMS	REIMBURSE MILEAGE	
1252	JEREMY MILLER	\$ 75.91	01	DO	REIMBURSE FOR SUPPLIES PURCHASED	
1257	MITEL	\$ 188.50	01	DO	SERVICE CALL ON PHONE SYSTEM SETUP	
1260	NORTH WOODWINDS	\$ 3,136.45	01	EMS/CHS	MUSICAL INSTRUMENT REPAIR/REPLACE	
1258	PG&E	\$ 27,365.12	01	ALL	ELECTRIC BILLING	
1241	RIVERSIDE LANES	\$ 752.10	01	EMS	BOWLING	
1249	JENNIFER ROGOWSKI	\$ 37.88	01	EMS	REIMBURSE MILEAGE	
1250	SELOVER'S	\$ 208.15	01	MOT	VEHICLE REPAIR	
1251	SPURR	\$ 1,924.24	01	ALL	NATURAL GAS BILLING	
1246	STRICTLY TECH	\$ 1,335.42	01	OLL	COMPUTERS	
1259	TEACHER DIRECT	\$ 38.26	01	OLL	SUPPLIES	
1253	CLAIR TOTH	\$ 52.43	01	BPS	REIMBURSE MILEAGE	
RC70	US BANK CALCARD VISA	\$ 42,369.31	ALL	ALL	SEE ATTACHED	
1244	YARY SPORTS PHOTOGRAPHY	\$ 1,880.00	95	EMS	8TH GRADE GRAD PICTURES	
TOTAL ALL FUNDS		\$ 227,423.73				

US BANK CALCARD VISA

Leasa Hill

RC70 FD DESCRIPTION

16-Jun	MARKET STREET GRIL	\$15.59	13	CAFET STAFF LUNCHEON
16-Jun	MARKET STREET GRIL	\$114.65	13	CAFET STAFF LUNCHEON
14-Jun	STAPLES 00102863	\$42.43	13	CAFET SUPPLIES

Jeremy Miller

12-Jun	AMAZON.COM	\$19.50	01	TECH SUPPLIES
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Rosemary Hicks

14-Jun	IN *GREENFIELD LEARNING	\$9,500.00	01	SOFTWARE CURRICULUM
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Clair Toth

15-Jun	DON HABANERO MEXICAN REST	\$37.01	01	BPS OFFICE STAFF LUNCH
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Sheryl Parker

19-Jun	VOLLEYBALLUSA.COM	\$4,833.10	01	VB EQUIPMENT TO BE PD BY CRAF
17-Jun	VERIZONWIRELESS	\$513.30	01	CELL PHONE BILLING
15-Jun	SPORTDECALS	\$789.00	95	CHS ASB SHIRTS
15-Jun	MJB WELDING	\$3,966.10	01	CHS AG SHOP EQUIPMENT
15-Jun	TRIMARK EQUIPMENT	\$10,297.07	13	CAFET EQUIPMENT
14-Jun	UNIVERSAL CHEERLEADERS ASSN	\$2,702.00	95	CHS CHEER CAMP REGISTRATION
14-Jun	FLORA FRESH	\$191.44	01	CHS FLORAL DESIGN SUPPLIES
14-Jun	DONUT WHEEL	\$20.35	01	DO MEETING SNACKS
14-Jun	AMAZON.COM	\$3,434.88	13	CAFET EQUIPMENT
14-Jun	PEACH TREE INN	\$639.58	01	CHS AG WORKSHOP HOTEL
14-Jun	DISCOVERY EDUCATION	\$1,300.00	01	OLL SOFTWARE CURRICULUM

Jody Johnston

15-Jun	VIRCO INC.	\$2,115.84	01	EMS CHAIRS, TABLES
12-Jun	GBC*ECOMMERCE	\$732.88	01	EMS MAINT AGREEMENT ON BINDER
12-Jun	SSI*SCHOOL SPECIALTY	\$673.82	01	SUMMER SCHOOL SUPPLIES
12-Jun	TRIUMPH LEARNING	\$377.76	01	SUMMER SCHOOL SUPPLIES

Zeba Hone

12-Jun	SUBWAY 00108084	\$28.36	01	DO MEETING SNACKS
13-Jun	VISTAPR*VISTAPRINT.COM	\$24.65	01	MOT BUSINESS CARDS

\$42,369.31

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JUNE 30, 2017			BATCH 50	
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION	
1272	JENNIFER BARBEE	\$ 109.14	01	BPS	REIMBUSRE MILEAGE	
1281	BAXTER AUTO PARTS	\$ 182.35	01	MOT	VEHICLE REPAIR	
1287	JILL BOEGER	\$ 26.57	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED	
1289	CITY OF COLUSA	\$ 120.00	01	BPS	POOL USE	
1285	CLIMATE CONTROL	\$ 505.27	01	MOT	HVAC REPAIR	
1271	CLOSE LUMBER	\$ 47.02	01	MOT	MAINTENANCE SUPPLIES	
1276	COLUSA CASINO	\$ 2,102.00	95	CHS	PROM	
RC74	CUSD EMER FD-MARY COLLIGAN	\$ 150.00	01	CHS	START UP CASH FOR FIREWORKS BOOTH	
RC74	CUSD EMER FD-BARBARA REECE	\$ 19.91	01	EMS	REIMBURSE PETTY CASH	
1267	CUSD GENERAL FUND	\$ 82.39	95	CHS	USE OF VAN	
1269	TIM CRABTREE	\$ 506.50	01	CHS	REIMBURSE MILEAGE/MEALS AT WORKSHOP	
1274	JOHNSTON PRINTING	\$ 53.63	01	CHS	PRINTING	
1275	JAMIE LAY	\$ 85.98	95	CHS	REIMBURSE FOR SUPPLIES PURCHASED	
1284	MERIDIAN DIESEL	\$ 490.00	01	MOT	BUS SERVICE	
1273	LORIE MEYERS	\$ 428.94	01	CHS	REIMBUSRE PETTY CASH	
1277	NSCIF	\$ 162.00	01	SPORTS	ENTRY FEE	
1280	READING OIL	\$ 550.91	01	MOT	FUEL FOR VEHICLES	
1288	RIVERSIDE LANES	\$ 220.00	01	BPS	REIMBURSE MILEAGE	
1282	CRISTINA RODRIGUEZ	\$ 197.15	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED	
1279	STANDARD INSURANCE	\$ 1,513.23	01	DO	JULY INCOME PROTECTION PREMIUMS	
1286	SUTTER BUTTES COMMUNICATIONS	\$ 205.04	01	EMS	RADIOS	
1268	HEATHER THOMAS	\$ 816.35	01	CHS	REIMBURSE FOR SUPPLIES PURCHASED	
RC73	US BANK CALCARD VISA	\$ 20,661.54	01	ALL	SEE ATTACHED	
RC72	US BANK CALCARD VISA	\$ 2,153.49	01	ALL	SEE ATTACHED	
1291	BOBBI WEIGLEIN	\$ 358.69	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED	
1266	WIKE RESTORATION	\$ 5,783.34	21	CHS	REMOVE ASBESTOS FLOOR	
1283	YUBA SAFE AND LOCK	\$ 369.53	01	MOT	LOCK REPAIR/REPLACE	
1278	ZIONS BANK	\$ 350.00	01	DO	BOND TRANFER ANNUAL FEES	
TOTAL ALL FUNDS		\$ 38,250.97				

US BANK CALCARD

Rosemary Hicks

FD DESCRIPTION

23-Jun	SWEET BEANS BAKERY	\$105.00	01	BPS STAFF LUNCH
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Leasa Hill

26-Jun	AMAZON MKTPLACE PMTS	\$257.48	13	CAFET SUPPLIES
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Sheryl Parker

26-Jun	IN *CLIMATE CONTROL, INC.	\$5,563.94	01	MOT HVAC REPAIR
26-Jun	USPS.COM POSTAL STORE	\$1,108.75	13	CAFET POSTAGE ENVELOPES
26-Jun	USPS.COM CLICKNSHIP	\$23.75	01	DO POSTAGE
26-Jun	USPS PO 0517280932	\$84.00	01	DO POSTAGE
26-Jun	BENCHMARKEDUCATION	\$4,719.00	01	BPS SUPPLIES
26-Jun	AMAZON	\$61.12	01	TECH SUPPLIES
26-Jun	CDWG	\$6,980.43	01	TECH SUPPLIES
26-Jun	VIRCO	\$1,758.07	01	EMS SUPPLIES

\$20,661.54

US BANK CALCARD VISA

Jeremy Miller

FD DESCRIPTION

21-Jun	CDW GOVT #JGK0519	\$40.00	01	TECH SUPPLIES
21-Jun	AMAZON MKTPLACE PMTS	\$250.72	01	TECH SUPPLIES
21-Jun	CDW GOVT #JGC7214	\$1,266.02	01	TECH SUPPLIES

Rosemary Hicks

22-Jun	AMAZON MKTPLACE PMTS	\$56.90	01	BPS SUPPLIES
21-Jun	AMAZON MKTPLACE PMTS	\$32.58	01	BPS SUPPLIES
21-Jun	LAKESHORE LEARNING MATER	\$380.75	01	BPS SUPPLIES
20-Jun	TARGET.COM *	\$107.23	01	BPS SUPPLIES

Zeba H

22-Jun	OFFICE DEPOT 1135	\$19.29	01	DO SUPPLIES
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\$2,153.49

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JULY 14, 2017			BATCH 1
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
3	ACSA	\$ 220.00	01	DO	DUES
45	ADVENTIST HEALTH	\$ 430.00	01	CHS	STUDENT DRUG TESTING
9	ALHAMBRA	\$ 241.17	01	DO/MOT	WATER
13	AMERICAN PROMOTIONAL EVENTS	\$ 10,994.84	01	CHS	FOM FIREWORKS
47	BENCHMARK EDUCATION	\$ 120,549.00	01	EMS/BPS	LANGUAGE ARTS ADOPTION
17	TERRY BILADEAU	\$ 18.00	01	MOT	REIMBURSE FOR SUPPLIES PURCHASED
36	CA BOARD OF EQUALIZATION	\$ 12.46	01	MOT	TAX ON DIESEL FUEL
40	CA DEPT OF JUSTICE	\$ 145.00	01	DO	FINGERPRINT FEES
3	CA BOARD OF EQUALIZATION	\$ 80.00	01	CHS	SALES TAX ON MDSE. SALES
19	CASCADE ATHLETIC	\$ 512.00	01	SPORTS	SUPPLIES
33	CHICO ROOFING	\$ 162,108.23	21	BOND	CHS ROOFING
30	CITY OF COLUSA	\$ 11,000.02	01	ALL	WATER/SEWER BILLING
10	COLUSA COUNTY ENVIRONMENTAL HEALTH	\$ 1,379.00	13	CAFET	ANNUAL HEALTH DEPT PERMITS
21	COLUS COUNTY FARM SUPPLY	\$ 508.10	01	MOT	GROUNDS SUPPLIES
2	COLUSA COUNTY OFFICE OF EDUCATION	\$ 368,551.00	01	DO	SELPA DEFICIT 25% ADVANCE FOR CASH FLOW
32	CUSD GENERAL FUND	\$ 256.16	95	CHS	CHS ASB INV TO GENERAL FUND
44	CUSD GENERAL FUND	\$ 1,332.00	25	DO	3% DEVELOPER FEES COLLECTED FOR ADMIN FEE
34	CUSD EMER FD-ERIK WRYNSKI	\$ 133.00	01	CHS	MEALS AT FBIA NATIONAL CONV.
34	CUSD EMER FD-EDD	\$ 2,413.68	01	DO	UNEMPLOYMENT AND SDI
12	BRIAN COPPIN	\$ 179.76	01	DO	REIMBURSE MILEAGE
41	CRYSTAL DAIRY	\$ 38.28	13	CAFET	FOOD
4	CSBA	\$ 6,708.00	01	DO	DUES
20	DAVIES OIL	\$ 1,361.76	01	MOT	FUEL FOR VEHICLES
9	FRONTLINE TECHNOLOGIES	\$ 4,895.61	01	DO	AESOP ANNUAL FEE
25	GRIFFS FEED AND SEED	\$ 53.57	01	MOT	GROUNDS SUPPLIES
1	HEARTLAND	\$ 1,563.50	13	ALL	ANNUAL CAFETERIA POS SOFTWARE
27	HERFF JONES	\$ 40.39	01	HMS	DIPLOMAS
13	LEASA HILL	\$ 135.89	13	CAFET	REIMBURSE MILEAGE
18	HILLYARD	\$ 21.91	01	MOT	CUSTODIAL SUPPLIES
12	ILLUMINATE EDUCATION	\$ 8,134.50	01	TECH	ANNUAL SOFTWARE FEE
6	INFINITE CAMPUS	\$ 17,141.50	01	TECH	ANNUAL SOFTWARE FEE
37	JEFF SAVAGE PLUMBING	\$ 13,850.00	25	DEVFEE	INSTALL SINKS IN NEW PORTABLES
38	JEFF SAVAGE PLUMBING	\$ 350.00	01	MOT	PLUMBING REPAIR
48	JOHN LAMBIRTH TRUCKING	\$ 2,031.75	01	MOT	CHIPPED WOOD FOR PLAYGROUNDS
17	KELLEHER PAINT	\$ 1,123.68	01	MOT	MAINTENANCE SUPPLIES
14	SHANNON LAUX	\$ 85.81	01	DO	REIMBURSE MILEAGE
16	MESSICK'S HARDWARE	\$ 1,547.07	01	MOT	MAINTENANCE SUPPLIES
16	MITEL LEASING	\$ 1,792.38	01	ALL	PHONE SYSTEM LEASE
39	MJB WELDING	\$ 38.00	01	CHS	AG DEPT SUPPLIES
11	NORCAL FLOORING	\$ 13,670.00	25	DEVFEE	REPLACE CARPETING IN OLD PORTABLES
28	RECOLOGY	\$ 464.31	01	MOT	DEBRIS BOX
24	RICHIES FLORIST	\$ 127.63	01	HMS	GRADUATION DECORATIONS
8	SHOUTPOINT	\$ 2,225.00	01	TECH	ANNUAL SOFTWARE FEE
31	SORENSEN PEST CONTROL	\$ 258.00	01	MOT	MONTHLY PEST CONTROL SERVICE
18	SUNRISE ENV.	\$ 243.99	01	MOT	MAINTENANCE SUPPLIES
26	SUPERIOR TIRE	\$ 37.70	01	MOT	TIRE REPAIR
5	SUTTER HIGH SCHOOL	\$ 525.00	01	SPORTS	VOLLEYBALL ENTRY FEE
14	TCSIG	\$ 163,826.90	01	DO	ANNUAL PROPERTY /LIABILITY INSURANCE
7	ROBERT THURBON	\$ 26,400.00	01	DO	ANNUAL LEGAL FEES
42	US BANK CALCARD VISA	\$ 5,461.54	01	BPS	SCHOOL SUPPLIES
11	US BANK EQUIPMENT FINANCE	\$ 2,427.96	01	ALL	COPIER LEASE PAYMENTS
RC1	US BANK CALCARD VISA	\$ 45,445.27	ALL	ALL	SEE ATTACHED
29	VALLEY TRUCK AND TRACTOR	\$ 408.33	01	MOT	MAINTENANCE SUPPLIES
TOTAL ALL FUNDS		\$ 1,005,774.19			

US BANK CALCARD VISA

			FD	DESCRIPTION
7-Jul	ARNOLDS	\$3.95	13	CAFET SUPPLIES
Jeremy Miller				
7-Jul	CDW GOVT #JKM1301	\$466.54	01	TECH SUPPLIES
7-Jul	CDW GOVT #JKL0906	\$578.08	01	TECH SUPPLIES
Sheryl Parker				
3-Jul	FOLLETT SCHOOL SOLUTIONS	\$4,412.38	01	ANNUAL SOFTWARE FEE
3-Jul	QUILL CORPORATION	\$5,461.54	01	BPS SUPPLIES
30-Jun	AMAZON MKTPLACE PMTS	\$113.79	01	DO OFFICE SUPPLIES
30-Jun	ACT*ACTIVE.COM_COLUSAU	\$3,189.00	01	ANNUAL SOFTWARE FEE
30-Jun	AMAZON MKTPLACE PMTS	\$10.38	01	DO OFFICE SUPPLIES
30-Jun	CFBF-MEMBERSHIP	\$72.00	01	ANNUAL SOFTWARE FEE
29-Jun	CASBO	\$1,000.00	01	ANNUAL MEMBERSHIP
29-Jun	MYSTERY SCIENCE	\$499.00	01	EMS ANNUAL SOFTWARE FEE
28-Jun	INLAND BUSINESS SYSTEMS	\$587.12	01	PRINTER MGMT MONTHLY FEE
Nick Schantz				
29-Jun	THE HOME DEPOT #1019	\$119.50	01	MOT MAINTENANCE SUPPLIES
Jody Johnston				
7-Jul	SSI*SCHOOL SPECIALTY	\$404.13	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$420.39	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$419.59	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$395.50	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$439.13	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$405.29	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$336.62	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$335.28	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$410.61	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$421.53	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$1,901.88	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$92.69	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$177.14	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$428.52	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$394.96	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$105.62	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$423.31	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$105.62	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$105.62	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$398.72	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$37.22	01	EMS SUPPLIES
7-Jul	SSI*SCHOOL SPECIALTY	\$367.43	01	EMS SUPPLIES
7-Jul	SSI*CLASSROOM DIRECT	\$224.25	01	EMS SUPPLIES
6-Jul	SSI*SCHOOL SPECIALTY	\$207.53	01	EMS SUPPLIES
6-Jul	SSI*SCHOOL SPECIALTY	\$56.68	01	EMS SUPPLIES
5-Jul	SSI*SCHOOL SPECIALTY	\$165.56	01	EMS SUPPLIES
5-Jul	SSI*SCHOOL SPECIALTY	\$194.15	01	EMS SUPPLIES
5-Jul	SSI*SCHOOL SPECIALTY	\$261.78	01	EMS SUPPLIES
7-Jul	GOPHER SPORT	\$1,032.02	01	EMS SUPPLIES
7-Jul	EAI EDUCATION	\$174.85	01	EMS SUPPLIES
6-Jul	USPS.COM STAMP FLMNT SVCS	\$3,593.00	01	EMS POSTAGE ENVELOPES
6-Jul	AMAZON.COM AMZN.COM/BILL	\$56.83	01	EMS SUPPLIES
5-Jul	SPORTSMENS DEN	\$4,465.40	01	EMS PE UNIFORMS
4-Jul	EDUCATIONAL INNOVATIONS I	\$40.02	01	EMS SUPPLIES
4-Jul	MAP OF THE MONTH	\$218.00	01	EMS SUPPLIES
Ron Rogers				
6-Jul	STONEHOUSE SIGNS	\$158.63	01	MOT MAINTENANCE SUPPLIES
Zeba Hone				
28-Jun	ACSA	\$410.00	01	DO HELP WANTED AD FOR COUNSELOR
7-Jul	SAN JOAQUIN COUNTY OFF	\$450.00	01	DO ANNUAL SOFTWARE SUBS.
Rebecca Changus				
7-Jul	WORLDSTRIDES LAKE LAND	\$200.00	01	FOM MUSIC REGISTRATION
7-Jul	WORLDSTRIDES LAKE LAND	\$200.00	01	FOM MUSIC REGISTRATION
7-Jul	WORLDSTRIDES LAKE LAND	\$200.00	01	FOM MUSIC REGISTRATION
7-Jul	WORLDSTRIDES LAKE LAND	\$200.00	01	FOM MUSIC REGISTRATION
6-Jul	HMCO *BOOKS	\$9,538.08	01	CHS TEXTBOOKS
3-Jul	HMCO *BOOKS	\$2,773.00	01	CHS TEXTBOOKS
6-Jul	CORT FURNITURE RNTL#2502	\$486.95	01	CHS FURNITURE
3-Jul	CSU SACRAMENTO CCEWEB	\$280.00	01	CHS CLASSES FOR STUDENTS
3-Jul	CSU SACRAMENTO CCEWEB	\$280.00	01	CHS CLASSES FOR STUDENTS

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JULY 21, 2017			BATCH : 2	
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION	
19	TERRY BILADEAU	\$ 135.89	01	MOT	REIMBURSE MILEAGE	
55	CALSTRS	\$ 33,726.26	01	DO	GOLDEN HANDSHAKE ANNUAL PAYMENT	
26	CIVT	\$ 620.00	01	SPORTS	VOLLEYBALL ENTRY FEE	
20	CCOE	\$ 3,325.20	01	DO	SOFTWARE LICENCE ANNUAL FEE	
21	CUSD GENERAL FUND	\$ 1,029.88	95	CHS	ASB VB/FB USE OF VANS	
27	LOUDONS CRAFTS	\$ 400.00	95	CHS	CHEER SHIRTS	
25	PRECISION CONCRETE SAWING	\$ 1,500.00	01	MOT	REPAIR UNEVEN SIDEWALKS	
51	RECOLOGY	\$ 550.82	01	MOT	DEBRIS BOX	
49	SPURR	\$ 1,118.16	01	ALL	NATURAL GAS BILLING	
24	SUTTER BUTTES FIRE EXTINGUISHER	\$ 1,699.17	01	MOT	ANNUAL SERVICE	
22	THREE B'S TOILET RENTALS	\$ 214.50	01	MOT	PORTABLE TOILET RENTAL	
50	US BANK CALCARD VISA	\$ 2,161.43	01	ALL	MAY/JUNE COPIER USE	
RC2	US BANK CALCARD VISA	\$ 70,952.94	01/13	ALL	SEE ATTACHED	
23	MELISSA YERXA ORTIZ	\$ 39.98	01	DO	REIMBURSE SUPPLIES PURCHASED	
TOTAL ALL FUNDS		\$ 117,474.23				

US BANK CALCARD VISA

Leasa Hill

FD DESCRIPTION

12-Jul	AMAZON MKTPLACE PMTS	\$16.25	13	CAFETERIA SUPPLIES
12-Jul	AMAZON MKTPLACE PMTS	\$61.99	13	CAFETERIA SUPPLIES
12-Jul	SCHOOL NUTRITION	\$55.00	13	CAFETERIA MEMBERSHIP

Jeremy Miller

10-Jul	CDW GOVT #JKT0182	\$28,956.64	01	TECH CHROMEBOOKS
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Rosemary Hicks

27-Jun	THE LIBRARY STORE INC.	\$117.42	01	BPS SUPPLIES FOR LIBRARY
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Terry Biladeau

11-Jul	PACIFIC SUPPL-MARYSVILLE	\$53.63	01	MOT SUPPLIES
10-Jul	HAMPTON INN & SUITES VACA	\$170.61	01	MOT HOTEL FOR TRAINING
7-Jul	CAL INC TRAINING	\$200.00	01	MOT TRAINING

Nick Schantz

12-Jul	THE HOME DEPOT #1019	\$71.92	01	MOT MAINTENANCE SUPPLIES
10-Jul	THE HOME DEPOT #1019	\$274.86	01	MOT MAINTENANCE SUPPLIES

Jody Johnston

11-Jul	SSI*SCHOOL SPECIALTY	\$337.84	01	EMS SUPPLIES
11-Jul	SSI*SCHOOL SPECIALTY	\$629.83	01	EMS SUPPLIES
10-Jul	SSI*SCHOOL SPECIALTY	\$395.12	01	EMS SUPPLIES
12-Jul	THE MATH LEARNING CENTER	\$6,051.76	01	EMS TEXTBOOKS
10-Jul	AWL*PEARSON EDUCATION	\$952.38	01	EMS TEXTBOOKS
10-Jul	RPSI ENTERPRISES INC	\$65.32	01	EMS SUPPLIES
10-Jul	TEACH TCI	\$1,697.22	01	EMS TEXTBOOKS
7-Jul	CURRICULUM ASSOC	\$99.63	01	EMS SUPPLIES

Sheryl Parker

15-Jul	TRIMARK ECONOMY RESTAURANT	\$24,815.52	13	CAFETERIA EQUIPMENT REPLACEMENT
16-Jul	STORMWIND	\$3,990.00	01	TECH SOFTWARE ANNUAL FEE
14-Jul	ACCREDITING COMMISSION	\$1,940.00	01	ANNUAL ACCREDITATION FEE

\$70,952.94

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED JULY 28, 2017			BATCH : 3
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
42	MALLORY ALVES	\$ 647.92	01	BPS	REIMBURSE FOR WORKSHOP EXPENSES
60	CHRISTINA BAILEY	\$ 6.63	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
35	CA SSN FFA	\$ 885.00	01	CHS	STUDENT EVENT REGISTRATION
31	CVT	\$ 150,622.35	01	DO	AUGUST HEALTH INSURANCE
37	CHEVRON AND TEXACO	\$ 182.19	01	MOT	FUEL FOR VEHICLES
33	CITY OF COLUSA	\$ 480.00	01	EMS/BPS	USE OF POOL
56	CCOE	\$ 89.34	01	DO	STRS PENALTIES AND INTEREST
61	CUSD CAFETERIA FUND	\$ 33.00	01	BPS	SUPPLIES
RC3	CUSD EMER FD-US BANK CALCARD	\$ 6,791.12	ALL	ALL	SEE ATTACHED
30	CUSD GENERAL FUND	\$ 82.93	95	CHS	USE OF VAN
62	CUSD EMER FD-US BANK CALCARD	\$ 350.00	01	MOT	HVAC REPAIR
43	CREATIVE BUS SALES	\$ 1,516.73	01	MOT	BUS REPAIR
32	EPS SCHOOL SPECIALTY	\$ 950.28	01	HMS	WORKBOOKS
40	FAN CLOTH	\$ 301.00	95	CHS	ASB SUPPLIES
39	INFINITE CAMPUS	\$ 7,762.50	01	DO	INFINITE CAMPUS TRANSTION COSTS
59	LIFETOUCH	\$ 920.34	01	BPS	YEARBOOK PAYMENT
44	NORCAL FLOORING	\$ 8,100.00	01	MOT	REPLACE CARPET BPS ANNEX
36	PG&E	\$ 31,662.33	01	ALL	ELECTRIC BILLING
41	READING OIL	\$ 605.08	01	MOT	FUEL FOR VEHICLES
57	RIVERBANK PIZZA	\$ 297.47	01	EMS	PIZZA FOR STUDENTS
34	SUPERIOR REGION FFA	\$ 320.00	01	CHS	STUDENT EVENT REGISTRATION
38	VOLLEYBALLUSA	\$ 821.17	95	CHS	ASB VB SUPPLIES
TOTAL ALL FUNDS		\$ 213,427.38			

CUSD EMER FD - US BANK CALCARD VISA-CK5155

Jeremy Miller

FD DESCRIPTION

24-Jul	UPS*1ZK9FT150320024013	\$21.99	01	TECH SHIPPING
24-Jul	CDW GOVT #JNN6125	\$16,238.07	01	TECH SUPPLIES
17-Jul	CDW GOVT #JMF5154	\$1,052.91	01	TECH SUPPLIES
13-Jul	CDW GOVT #JLL3336	\$363.68	01	TECH SUPPLIES
5-Jul	CDW GOVT #JJZ1497	\$754.66	01	TECH SUPPLIES
5-Jul	CDW GOVT #JJZ1263	\$774.66	01	TECH SUPPLIES
26-Jun	CDWG	(\$6,980.43)	01	TECH SUPPLIES RETURN

Leasa Hill

24-Jul	AMAZON.COM	\$239.42	13	CAFETERIA SUPPLIES
18-Jul	AMAZON MKTPLACE PMTS	\$29.04	13	CAFETERIA SUPPLIES
20-Jul	USPS PO 0517280932	\$5.17	13	CAFETERIA POSTAGE
19-Jul	HUST BROS INC	\$126.48	01	MOT FORKLIFT STARTER

Terry Biladeau

20-Jul	PACIFIC SUPPLY-CHICO	\$191.12	21	ROOFING SUPPLIES-BOND
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Sheryl Parker

2-Jun	IN *CLIMATE CONTROL, INC.	(\$4,003.80)	01	MOT HVAC REPAIR CREDITS
26-Jun	BENCHMARKEDUCATION	(\$4,719.00)	01	BPS SUPPLIES CREDIT
18-Jul	CUSTOMINK LLC	\$418.25	95	CHS ASB TSHIRTS

Darren Brown

19-Jul	COLLEGEBOARD*STORE	(\$17.15)	01	CHS RETURN CREDIT
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Ron Rogers

24-Jul	AMAZON MKTPLACE PMTS	\$27.99	01	MOT SUPPLIES
18-Jul	TARGET 00003186	\$21.43	01	MOT SUPPLIES
17-Jul	PACIFIC SUPPL-MARYSVILLE	\$115.83	21	ROOFING SUPPLIES-BOND
12-Jul	ENTERPRISE RENT-A-CAR	\$40.96	01	MOT RENTAL DEPOSIT

Jody Johnston

24-Jul	J W PEPPER AND SON INC	\$1,040.17	01	EMS MUSIC SUPPLIES
24-Jul	SSI*SCHOOL SPECIALTY	\$298.19	01	EMS SUPPLIES
24-Jul	SSI*SCHOOL SPECIALTY	\$377.30	01	EMS SUPPLIES
20-Jul	SSI*SCHOOL SPECIALTY	\$12.68	01	EMS SUPPLIES
20-Jul	SSI*SCHOOL SPECIALTY	\$8.56	01	EMS SUPPLIES
20-Jul	SSI*SCHOOL SPECIALTY	\$428.70	01	EMS SUPPLIES
18-Jul	SSI*SCHOOL SPECIALTY	\$401.71	01	EMS SUPPLIES
13-Jul	SSI*SCHOOL SPECIALTY	\$287.55	01	EMS SUPPLIES
17-Jul	FOLLETT SCHOOL SOLUTIONS	\$290.90	01	EMS TEXTBOOKS
10-Jul	FOLLETT SCHOOL SOLUTIONS	\$1,075.52	01	EMS TEXTBOOKS

14-Jul	ACCREDITING COMMISSION	(\$1,940.00)	01	CREDIT
14-Jun	FLORA FRESH	(\$191.44)	01	CREDIT

\$6,791.12

COLUSA UNIFIED SCHOOL DISTRICT		WARRANTS TO BE RELEASED AUGUST 4, 2017			BATCH 4
BILL#	PAYEE	AMOUNT	FUND	LOC	DESCRIPTION
53	ALHAMBRA WATER	\$ 146.86	01	DO/MOT	WATER
45	AMERICAN FIDELITY	\$ 347.65	01	DO	DISABILITY PREMIUMS
59	BAXTER AUTO	\$ 140.40	01	MOT	VEHICLE REPAIR SUPPLIES
56	BENCHMARK	\$ 7,499.79	01	BPS	TEXTBOOKS
58	COLUSA MOTOR SALES	\$ 190.60	01	MOT	VEHICLE REPAIR SUPPLIES
57	DICKSON MECHANICAL	\$ 10,300.00	13	CAFET	BPS KITCHEN REMODEL
49	TRISH HAUGH	\$ 540.23	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
61	HAWKINS FENCE	\$ 2,540.00	01	MOT	FENCING REPAIRS
48	LEASA HILL	\$ 176.02	13	CAFET	REIMBURSE MILEAGE
52	KELLEHER PAINT	\$ 127.03	01	MOT	MAINTENANCE SUPPLIES
47	SHANNON LAUX	\$ 308.49	01	DO	REIMBURSE FOR SUPPLIES PURCHASED
51	ASHLEY MARTINEZ	\$ 175.39	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
60	MERIDIAN DIESEL	\$ 490.00	01	MOT	BUS MAINTENANCE
55	RIDEOUT	\$ 135.86	01	DO	WORKER'S COMP FIRST AID CLAIM
50	CRISTINA RODRIGUEZ	\$ 54.26	01	BPS	REIMBURSE FOR SUPPLIES PURCHASED
46	STANDARD INS	\$ 1,481.23	01	DO	INCOME PROTECTION PREMIUMS
54	SUPERIOR TIRE	\$ 37.70	01	MOT	TIRE
RC4	US BANK CALCARD VISA	\$ 19,929.14	01	ALL	SEE ATTACHED
TOTAL ALL FUNDS		\$ 44,620.65			

US BANK CALCARD VISA

Jeremy Miller

FD DESCRIPTION

26-Jul	CDW GOVT #JPD7358	\$14,208.31	01	TECH SUPPLIES
26-Jul	CDW GOVT #JNG0575	(\$363.68)	01	TECH SUPPLIES RETURN
26-Jul	CDW GOVT #JNF9514	(\$754.66)	01	TECH SUPPLIES RETURN

Sheryl Parker

31-Jul	ACCREDITING COMM FOR SCHO	\$1,940.00	01	ANNUAL ACCREDITATION FEE
26-Jul	USPS.COM CLICKNSHIP	\$23.75	01	DO POSTAGE
25-Jul	USPS.COM POSTAL STORE	\$286.75	01	DO POSTAGE
25-Jul	USPS.COM POSTAL STORE	\$281.00	01	DO POSTAGE

Nick Schantz

31-Jul	AMAZON MKTPLACE PMTS	\$92.68	01	MOT MAINTENANCE SUPPLIES
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Jody Johnston

31-Jul	CONSOLIDATED PLASTICS CO	\$419.00	01	EMS SUPPLIES
28-Jul	SSI*SCHOOL SPECIALTY	\$37.27	01	EMS SUPPLIES
27-Jul	VIRCO INC.	\$1,421.31	01	EMS SUPPLIES
25-Jul	DECKER EQUIPMENT	\$780.27	01	EMS SUPPLIES

Zeba Hone

31-Jul	AMAZON MKTPLACE PMTS	\$239.33	01	DO SUPPLIES
28-Jul	AMAZON.COM	\$1,166.91	01	DO SHREDDER
28-Jul	STAPLES DIRECT	\$71.80	01	DO SUPPLIES
27-Jul	SUBWAY 00108084	\$54.50	01	DO INTERVIEW PANEL LUNCH
26-Jul	SAV-MOR #31	\$24.60	01	DO INTERVIEW PANEL LUNCH

\$19,929.14

COLUSA UNIFIED SCHOOL DISTRICT

TRUSTEES:
MRS. KATHIE WHITESELL
MRS. KELLI GRIFFITH-GARCIA
MR. CHARLES YERXA
MRS. MELISSA YERXA ORTIZ
MR. MICHAEL PHENICIE

745 TENTH STREET, COLUSA, CA 95932
PHONE: (530) 458-7791 • FAX: (530) 458-4030

DWAYNE NEWMAN
DISTRICT SUPERINTENDENT



Notice of Intent

This is to serve as a public notice with the intent to employ the named person(s) below on the basis of a Provisional Internship Permit for the school year 2017-2018.

- | | |
|---------------|---|
| Name: | Christopher Bailey |
| Subject(s): | Math |
| Grade Levels: | 7 th & 8 th Grade |
| School Site: | Egling Middle School |

COLUSA UNIFIED SCHOOL DISTRICT

TRUSTEES:
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MR. MICHAEL PHENICIE

745 TENTH STREET, COLUSA, CA 95932
PHONE: (530) 458-7791 • FAX: (530) 458-4030

DWAYNE NEWMAN
DISTRICT SUPERINTENDENT



Notice of Intent

This is to serve as a public notice with the intent to employ the named person(s) below on the basis of a Variable Term Waiver Renewal for the Certificate of Completion of Staff Development (CCSD) for the school year 2017-2018. This waiver allows him to teach English Learner Students.

- | | |
|---------------|--------------------|
| Name: | Vernon Badaluco |
| Subject(s): | Leadership |
| Grade Levels: | 9-12th Grade |
| School Site: | Colusa High School |

August 8, 2017

TO: Board of Trustees

FROM: Sheryl Parker
Dwayne Newman

RE: Request for Additional District Office Position

History of District Office Staffing:

District Office Positions January 2010

All positions 12 months, 8 hours daily except where noted

Superintendent, Larry Yeghoian

Executive Administrative Assistant, Mary Lyttle

Bilingual Parent Liaison, 8 hours/day 193 days, Rosa Bautista

Business Manager (CBO), Sheryl Parker

Payroll/Personnel Technician, Shannon Laux

Account Clerk, Terry Weldon – Accounts Payable/ASB Accounting/Cafeteria Clerical Support

District Data and Testing Coordinator, Sipke Flanigan-Home School Secretary/Registrar, CALPADS (CSIS at the time), AERIES, District Testing Coordinator

Substitute Teacher Coordinator 3 hours/day, 183 days, Sandy Ward

Sipke Flanigan, District Data and Testing Coordinator, retired from the District February 2010 during the height of the recession. The position was eliminated to save District funds during a period where we were continuously cutting the budget looking for savings to meet huge cuts by the State.

Account Clerk assumed the CSIS, AERIES, District Testing Coordinator duties and kept the Cafeteria Clerical Support duties. Home School Secretary became the duty of the Executive Administrative Assistant as the Superintendent took on the duty of Home School Principal. Accounts Payable & ASB Accounting duties were added to the CBO job.

The Account Clerk at that time spent the majority of her day on Accounts Payable and ASB accounting. New processes were put in place to streamline the work but there is a multitude of paperwork that goes with AP. Handling AP/ASB adds many hours to the CBO workload.

Substitute Teacher Coordinator retired June 2010. The position was eliminated and replaced with a Computer Substitute Finding System AESOP. Payroll/Personnel Tech maintains the AESOP system, which adds hours to the workload, but it is much cheaper than having a person calling substitutes. The District now utilizes AESOP for some of its Absence tracking.

In December 2013, the board rejected a proposal to compensate the CBO for these additional duties, but approved hiring of a part time position. Annual savings at that time for the position was approximately \$65,000. At the time (2014), administration did not want to hire a part time position and proposed reassessing the workload after the new Executive Administrative Assistant took over some of the duties.

The new EAA (Zeba Hone) began work at the District office in May 2014. She assumed the following duties to decrease the CBO workload:

- Facility Use applications and billing
- Property/Liability Insurance
- Auditing of AP each week and Mailing AP Warrants
- Auditing Bank Statements and Journal Entries monthly

The EAA also began to do the following HR tasks:

- Creating processes for hiring
- Advertisement and listing of all new hires on Edjoin
- Processing job applications
- Arranging interviews – contacting interview committee members, giving Edjoin access to committee members, fielding questions, scheduling interviews, setting up the interview room, etc.

At the same time, new requirements were on the horizon that would add many hours of work to the District Business Office. The Affordable Care Act (ACA 1/1/15) and Paid Sick Leave (PSL 7/1/15) programs were put in place. Normally, recordkeeping for ACA and PSL is done by employees in the Human Resources/Payroll offices of most districts. However the CBO assumed the handling and processing of timesheets and records for these 2 programs.

District Office Today:

Comments from the CBO:

Dwayne asked me to say when I just felt I could not handle another thing and I am at that point. I work 9 hours most days in the office, take work home, work on weekends and vacations just to keep the work flowing and the deadlines being met. I have a projected retirement date of September 2022. It sounds like a long time away but 5 years will be here sooner than we would all like. I am the only CBO in the County that does Health Insurance billing, processing, handling, questions, counseling, and reporting along with the ACA/PSL recordkeeping. This job duty will most likely not be passed along to my replacement. These jobs should be handled by Human Resources/Payroll department. When I look to the future, I only see the need to hire another full time employee in the District Office.

In my experience hiring a part time employee is not a good solution for assistance in the District Office. Part time employees are usually looking for full time work so if we were to advertise a part time position, it is more likely to be vacated sooner than we would like. Of course there is no guarantee a full time person will stay, but the chances are greater. We would hope the person hired for this position would be building a career in our district. We will be investing a lot of time and money into training.

PROPOSAL:

Hire a full time position, 8 hours/day, 12 months. This person would be trained on payroll and all human resource processes. They would first learn how to do the job announcements and advertising for open positions in our district which would take those duties out of the Superintendent's office and put them in the Human Resources (HR) office where they belong. After the new person learns the HR side and how to assist with payroll, this person would be trained to handle the Health Insurance, ACA and PSL, which will then take duties from the CBO. We estimate it will take a new person 2-4 years to learn all the necessary tasks. The new person would be attending CASBO and QSS trainings on their job and assist with day to day things in the Payroll/HR Department.

Although the duties are currently being taken care of by the EAA, PPT, and CBO, it is not an optimal design right now or for the future of our district. We could be more efficient and build a true human resources department dedicated to taking care of all personnel matters. Customer Service is always our priority and it would be beneficial for our employees and the public to have one department to contact for all HR/Payroll needs.

Job Duties that have increased since 2010:

1. ACA Affordable Card Act-Annual ACA Reporting is very time consuming as well as recordkeeping for each payroll twice a month.
2. PSL Paid Sick Leave-time consuming recordkeeping for each payroll twice a month.
3. Credentials and the need for waivers, permits, emergency credentials, as well as renewal reminders for current credentialed staff. a It takes additional time with each applicant to determine a possible need for a waiver, permit, or emergency credential should an assignment and their current credential qualifications not match. Because all credential activity must be submitted through CCOE to the state, the PPT has frequent interaction and meetings with the CCOE credential analyst for these increased needs and remains in contact with the staff member for follow up information.
4. Legal requirements for STRS/PERS Reporting-Payroll reporting has been shifting from CCOE to the Districts in the past 18 months. It takes more time to prepare and review payroll in our office now that CCOE no longer audits payroll (since November 2016). Also, STRS/PERS requirements change annually so constant training, close monitoring, and consistent practices are required.
5. There is a significant increase in the number of timesheets to process each payroll as we have more substitute teachers, and more days that substitutes are paid as there is more staff development offered, etc.
6. Hiring increase. In 2009-10 we hired 5 employees all year. In 2016-17, we have hired 35 employees so far which includes classified staff, classified substitutes, walk on coaches, and certificated staff. (This does not include certificated substitutes; see comment following on certificated substitutes). Each of these new employees requires a 30-40 minute orientation done after the initial contact via email with detailed instructions of the hiring process.

The District is part of a consortium for hiring certificated substitute teachers. The consortium alleviates the tasks of advertising and fingerprinting subs but the District is required to obtain copies of basic legal information from every substitute in order to process a payment. We currently have 122 of the 134 processed to work in our district. There are 12 other substitutes that have not returned paperwork and have been sent (numerous) reminders via email and US mail to complete necessary forms.

7. Absence tracking Recordkeeping (more absences due to more staff development training and more employees)
8. Leaves - There are several Federal, State, and California Department of Education laws, as well as, bargaining unit contract language which is applied differently to certificated staff and classified staff that require PPT to learn and keep in compliance. Leaves are applied for a range of reasons such as workman's compensation claims and pregnancy leaves. With these increases in leave comes increases in the correspondence necessary to the employee informed and to document that we remain in compliance. The laws are constantly changing. Each time correspondence is sent to an employee about their leave, we must revisit the language and often contact our attorney as these are legal notices. There seem to be more leaves than ever before as we increase the number of employees who work in the District. In 2011 the PPT printed 255 W-2 forms, last year that number increased to 315.

CSBA Sample

Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: The following policy is **optional**. Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). ~~A template for the plan and related requirements for LCAP development are contained in 5 CCR 15494.15497.5, as amended by Register 2015, No. 2.~~ Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

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

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

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

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

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

(cf. 0420 - School Plans/Site Councils)

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

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

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

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

(cf. 1220 - Citizen Advisory Committees)
(cf. 4140/4240/4340 - Bargaining Units)
(cf. 6020 - Parent Involvement)

Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

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

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

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

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

Submission of Plan to County Superintendent of Schools

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

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

Monitoring Progress

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

(cf. 0500 - Accountability)

Technical Assistance/Intervention

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

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

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

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

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

Legal Reference:

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

15494-15497.5 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev.

October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

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

LCFF Frequently Asked Questions

WEB SITES

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

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

(10/13 4/15) 3/17

Board Policy

Business and Noninstructional Operations

BP 3260(a)

FEES AND CHARGES

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, ~~and or~~ providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. However, ~~the~~ The district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. ~~It also and~~ shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

The Superintendent or designee may provide additional information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Complaints

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification **of uniform complaint procedures required** to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

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

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services

8250 Child care and development services for children with disabilities

8263 Child care eligibility

8422 21st Century High School After School Safety and Enrichment for Teens programs

8482.6 After School Education and Safety programs

8760-8774 Outdoor science and conservation programs

17453.1 District sale or lease of Internet appliances or personal computers to students or parents

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38086.1 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39801.5 Transportation for adults

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents

48904 Liability of parent or guardian

49010-49013 Student fees

49065 Charge for copies

49066 Grades, effect of physical education class apparel

49091.14 Prospectus of school curriculum

51810-51815 Community service classes

52612 Tuition for adult classes

52613 Nonimmigrant **foreign nationals** ~~aliens~~

56504 School records; students with disabilities

60410 Students in classes for adults

GOVERNMENT CODE

6253 *Request for copy; fee*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

CODE OF REGULATIONS, TITLE 5

350 *Fees not permitted*

4600-4687 *Uniform complaint procedures*

UNITED STATES CODE, TITLE 8

1184 *Foreign students*

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

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

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees: Damage to School Property, Fiscal Management Advisory 16-01, September 16, 2016

Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony,

Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

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Administrative Regulation

Business and Noninstructional Operations

AR 3260(a)

FEES AND CHARGES

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion **within the state or** to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

10. Sale or lease of ~~Internet appliances or~~ personal computers **or of Internet appliances that allow a person to connect to or access the district's educational network, for the purpose of providing access to the district's educational computer network, provided that the items are sold or leased to parents/guardians** at no more than cost, ~~as long as~~ **and** the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

11. ~~Fees for any~~ **An adult education or secondary school** community service class in civic, vocational, ~~ill~~iteracy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810, ~~51815~~)

(cf. 6142.4 - Service Learning/Community Service Classes)

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)
(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)
(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Funds)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3554 - Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or **willfully** damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, **or classes** for which high school credit is granted when taken by a person who does not hold a high school diploma, or, **effective July 1, 2015**, classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

20. ~~After School Education and Safety Programs as long as no eligible student is denied the ability to participate because of inability to pay the fee~~ **Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth** (Education Code **8422**, 8482.6)

(cf. 5148.2 - Before/After School Programs)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)

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Administrative Regulation

Certificated Personnel

AR 4112.22(a)

STAFF TEACHING ENGLISH **LANGUAGE** LEARNERS

Definitions

~~English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a

student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Instruction for English language development (ELD) means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English, that is specially designed to meet the needs of English learners. (Education Code 44253.2)

Primary language instruction includes both *primary language development* designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and *content instruction delivered in the primary language* in any subject area. (Education Code 44253.2)

(cf. 6174 - Education for English ~~Language~~-Learners)

Teacher Qualifications

~~The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary language instruction. Only a teacher who possesses an appropriate authorization issued by the Commission on Teacher Credentialing (CTC) shall provide ELD, SDAIE, and/or primary language instruction in a class with one or more English learners.~~

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4113 - Assignment)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

~~A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)~~

(cf. 4131 - Staff Development)

The **Governing Board district** may, for the purpose of providing primary language instruction, hire bilingual teachers who are employed in public or private schools of a foreign country, state, territory, or possession, provided such teachers speak English fluently and hold the necessary sojourn credential issued by the CTC. After the initial two-year sojourn credential expires, the teacher may annually apply to the CTC for an extension for a total

period of not more than five years. Any application for renewal shall include verification by the Superintendent or designee that termination of the employment would adversely affect an existing bilingual program and that attempts to secure the employment of a qualified certificated California teacher have been unsuccessful. (Education Code 44856)

Legal Reference:

EDUCATION CODE

306 Definition, English learner

44253.1-44253.11 **Qualifications of teachers of English learners**

44258.9 County superintendent review of teacher assignments

44259.5 Standards for teachers of all students, including English language learners

44380-44386 Alternative certification

44856 Employment of teachers from foreign countries

52160-52178 Bilingual-Bicultural Act of 1976

62001-62005. 5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

80015 Requirements for the CLAD certification or English learner authorization

80015.1-80015.4 Requirements for CLAD, English learner authorization or bilingual authorization

80021 Short-Term Staff Permit

80021.1 Provisional Internship Program

80024.7-80024.8 Emergency CLAD and bilingual permits

UNITED STATES CODE, TITLE 20

6601-6651 Training and recruiting high-quality teachers

6801-7014 Language instruction for English learners and immigrant students

7801 Definition of English learner

COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Administrator's Assignment Manual

Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California

CL-622 Serving English Learners, ~~December 2010~~

CL-626B Bilingual Authorizations, ~~November 2010~~

CL-626C Crosscultural, Language and Academic Development (CLAD) Certificate, ~~November 2010~~

CL-568 The Sojourn Certificated Employee Credential, ~~August 2009~~

CL-824 Certificate of Completion of Staff Development

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

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

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

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Exhibit

All Personnel

E 4112.9(a)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11023 11024	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR 6112	Public hearing on alternative schedule
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
Electronically to all employees, no more than twice per school year per child needing medication	Education Code 49414.7	AR 5141.21	Request for volunteers to administer emergency antiseizure medication; training to be provided

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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I. To All Employees (continued)

To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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I. To All Employees (continued)

To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality

			rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11096; 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees and job applicants	34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress

II. To Certificated Employees

To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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II. To Certificated Employees (continued)

Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance

employee or at least once every other year for permanent employee

By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employees in district with ADA of 250 or more by March 15 of employee's second consecutive year of employment	Education Code 44929.21	AR 4117.6	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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II. To Certificated Employees (continued)

To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination

On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To classified employee charged with mandatory leave of absence offense, in merit system district	Education Code 44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, procedures, and employee rights
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy

IV. To Administrative/Supervisory Personnel

To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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IV. To Administrative/Supervisory Personnel (continued)

Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

In the event of a breach of security of district records, to affected employees	Civil Code 1798.21 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To employees returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification

subsequent arrest notification

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204, 5193	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

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Administrative Regulation

Certificated Personnel

AR 4161.1(a)
4361.1

PERSONAL ILLNESS/INJURY LEAVE

Certificated employees employed five school days **a-per** week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) **per** school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave **per year** due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

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

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

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

3. Personal necessity (Education Code 44981)

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

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/**4261.11**/4361.11 - Industrial Accident/Illness Leave)

6. ~~In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 246.5)~~ a. Need of the employee or his/her family member, as

defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care **(Labor Code 233, 246.5)**

b-7. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking **(Labor Code 233, 246.5)**

For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a newly hired certificated employee who is a military veteran with a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)

The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Note: Pursuant to Education Code 44978.2, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Notification of Absence

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

OPTION 1:

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or **injuryaccident**, continues to be absent from his/her duties for an additional period **of** up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. **(Education Code 44977)**

An employee shall not be provided more than one five-month period per illness or **injuryaccident**. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

Absence Beyond Five-Month Period/Reemployment List

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Differential Pay for Parental Leave

As amended, Education Code 44977.5 provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 44977.5 does not require an

employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Lea

~~In addition, d~~During each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of ~~maternity or paternity~~ **parental** leave (baby bonding) pursuant to Government Code 12945.2 shall receive, **differential pay** for up to 12 ~~school-work~~ weeks. ~~his/her regular salary minus the actual cost of a substitute to fill the position or, if no substitute was employed, the amount that would have been paid had a substitute been employed.~~ The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such ~~maternity or paternity~~ **parental** leave. **Such parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 44977.5 shall not require 1,250 hours of service with the district during the previous 12 months.** (Education Code 44977.5)

Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

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

Healthy Workplaces, Healthy Families Act Requirements

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting **and/or** using sick leave is prohibited by law and **that** an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

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

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:

EDUCATION CODE

44964 Power to grant leave of absence in case of illness, accident, or quarantine

44965 Granting of leaves of absence for pregnancy and childbirth

44976 Transfer of leave rights when school is transferred to another district

44977 Salary deduction during absence from duties up to five months after sick leave is exhausted

44977.5 ~~Salary deduction during absence from duties for maternity or paternity~~ **Differential pay during parental** leave up to 12 weeks after sick leave is exhausted

44978 Provisions for sick leave of certificated employees

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

44978.2 Leave for military service connected disability

44979 Transfer of accumulated sick leave to another district

44980 Transfer of accumulated sick leave to a county office of education

44981 Leave of absence for personal necessity

44983 Exception to sick leave when district adopts specific rule

44984 Industrial accident or illness

44986 Leave of absence for disability allowance applicant

LABOR CODE

220 Sections inapplicable to public employees

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

234 Absence control policy

245-249 Healthy Workplaces, Healthy Families Act of 2014

CODE OF REGULATIONS, TITLE 5

5601 Transfer of accumulated sick leave

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 29

1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

(12/14 3/16) 3/17

Administrative Regulation

Classified Personnel

AR 4261.1(a)

PERSONAL ILLNESS/INJURY LEAVE

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)
2. Pregnancy, childbirth, and recovery (Education Code 45193)

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

3. Personal necessity as specified in Education Code 45207

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

4. Medical or dental appointments, in increments of not less than one hour
5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. ~~4161.11~~/4261.11/~~4361.11~~ - Industrial Accident/Illness Leave)

6. ~~In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 245.5, 246.5)~~ a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care **(Labor Code 233, 246.5)**

- ~~b.~~7. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking **(Labor Code 233, 246.5)**

For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a newly hired classified employee who is a military veteran with a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)

The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

A classified employee who has exhausted all paid leaves, including sick leave, shall for the remainder of the five-month period of absence to which he/she is entitled, receive his/her salary minus the actual amount paid a substitute to fill the employee's position during his/her absence. (Education Code 45196)

The five-month period shall commence on the first day of the leave of absence and shall run concurrently with any other paid leave.

Differential Pay for Parental Leave

During each school year, any classified employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. Such parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental

leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 45196.1 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

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

Short-Term and Substitute Employees

OPTION 1:

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

OPTION 2:

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall accrue, on a regular basis, paid sick leave of up to 24 hours by the 120th calendar day of his/her employment or each calendar year or 12-month period. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

OPTION 3:

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)

Note: The following paragraph applies to all the above options.

AR 4261.1(j)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Any short-term or substitute employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. (Labor Code 246)

Note: The following paragraph applies to all of the above options and reflects the intent of the Healthy Workplaces, Healthy Families Act to enable California workers to address their own and their family's health needs and to provide them with economic security when they need to take time off work for reasons of domestic violence, sexual assault, or stalking. The following paragraph may be revised to include

additional reasons for which short-term or substitute employees may use sick leave, pursuant to district policy or practice. Pursuant to Labor Code 247.5, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~, a district is not required to inquire into the purposes for which an employee uses paid leave.

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
AR 4261.1(k)

PERSONAL ILLNESS/INJURY LEAVE (continued)

- b. The amount of sick days provided by Labor Code 245-249
- c. The terms of use of paid sick days
- d. That discrimination or retaliation against an employee for requesting **and/or** using sick leave is prohibited by law and **that** an employee has the right to file

a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

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

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves of absence and vacations

45191 Leaves of absence for illness and injury

45191.5 Leave for military service connected disability

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted

45202 Transfer of accumulated sick leave and other benefits

LABOR CODE

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

245-249 Healthy Workplaces, Healthy Families Act of 2014

COURT DECISIONS

California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 111 (1970)

Board Policy

Students

BP 5111(a)

ADMISSION

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 6173.3 - Education for Juvenile Court School Students)

The Superintendent or designee shall not inquire into or request documentation of a student's citizenship or immigration status, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Any information obtained about a student's or parent/guardian's citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

Legal Reference:

EDUCATION CODE

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

46600 Agreements for admission of students desiring interdistrict attendance

48000 Minimum age of admission (kindergarten)

48002 Evidence of minimum age required to enter kindergarten or first grade

48010 Minimum age of admission (first grade)

48011 Admission from kindergarten or other school; minimum age

48050-48053 Nonresidents

48200 Children between ages of 6 and 18 years (compulsory full-time education)

48350-48361 Open Enrollment Act

48850-48859 Educational placement of homeless and foster youth

48645.5 Enrollment of former juvenile court school students

49076 Access to records by persons without written consent or under judicial order

49408 Information of use in emergencies

49452.9 Health care coverage options and enrollment assistance

49700-49704 Education of children of military families

HEALTH AND SAFETY CODE

120325-120380 Education and child care facility immunization requirements

121475-121520 Tuberculosis tests for students

CODE OF REGULATIONS, TITLE 5

200 Promotion from kindergarten to first grade

201 Admission to high school

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 5

552a Note Refusal to disclose social security number

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

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

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, May 6, 2014 May 8, 2014

WEB SITES

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

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

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

U.S. Department of Justice: <https://www.justice.gov>

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Board Policy

Students

BP 5111.1(a)

DISTRICT RESIDENCY

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - *Nonresident Foreign Students*)

(cf. 6145.6 - *International Exchange*)

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

(cf. 6178.2 - *Regional Occupational Center/Program*)

Legal Reference:

EDUCATION CODE

220 *Prohibition of discrimination*

35160.5 *Intradistrict open enrollment*

35351 *Assignment of students to particular schools*

46600-46611 *Interdistrict attendance permits*

48050-48054 *Nonresidents*

48200-48208 *Compulsory education law, especially:*

48204 *Residency requirements*

48204.1-48204.2 *Evidence of residency*

48300-48316 *Student attendance alternatives, school district of choice program*

48350-48361 *Open Enrollment Act transfers*

48852.7 *Education of homeless students; immediate enrollment*

48853.5 *Education of foster youth; immediate enrollment*

48980 *Notifications at beginning of term*

52317 *Regional occupational program, admission of persons including nonresidents*

FAMILY CODE

6550-6552 *Caregivers*

GOVERNMENT CODE

6205-6210 *Confidentiality of residence for victims of domestic violence*

CODE OF REGULATIONS, TITLE 5

432 *Retention of student records*

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, May 6, 2011 May 8, 2014

WEB SITES

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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

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

U.S. Department of Justice: <https://www.justice.gov>

12/15

Board Policy

Students

BP 5113(a)

ABSENCES AND EXCUSES

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Chronic Absence and Truancy)

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

(cf. 6154 - Homework/Makeup Work)

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation. (Education Code 46014)

Inasmuch as **school attendance and** class participation **is an are** integral **part of to** students' learning experiences, parents/guardians and students shall be encouraged to schedule medical **and other** appointments during non-school hours.

~~At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)~~
[MOVED TO AR]

~~*(cf. 5145.6 - Parental Notifications)*~~

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

Effect of Absence on Grades/Credits—[SECTION DELETED]

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

~~2550-2558.6 Computation of revenue limits~~

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48210-48216 Exclusions from attendance

48240-48246 Supervisors of attendance

48260-48273 Truants

48292 Filing complaint against parent

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

48980 Parental notifications

49067 Unexcused absences as cause of failing grade

49701 Provisions of the interstate compact on educational opportunities for military children

ELECTIONS CODE

12302 Student participation on precinct boards

FAMILY CODE

6920-6929 Consent by minor **for medical treatment**

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

87 *Ops.Cal.Atty.Gen.* 168 (2004)

66 *Ops.Cal.Atty.Gen.* 244 (1983)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CSBA PUBLICATIONS

Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010

WEB SITES

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

Administrative Regulation

Students

AR 5113(a)

ABSENCES AND EXCUSES

Excused Absences

A student's absence shall be excused for **any of** the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment **during school hours** of a child to whom the student is the custodial parent (Education Code 48205)

(cf. 5146 - Married/Pregnant/Parenting Students)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion
 - d. Attendance at religious retreats **for no more than** ~~not to exceed~~ four hours per semester

- e. Attendance at an employment conference
 - f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

9. To spend time with **an** **his/her** immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

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

10. To attend his/her naturalization ceremony to become a United States citizen. (Education Code 48205)

1011. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy, **subject to the following conditions:** (Education Code 46014)

a. The student's parent/guardian shall provide written consent for the absence.

a.b. In such instances, tThe student shall attend at least the minimum school day.

bc. The student shall be excused from school for this purpose on no more than four days per school month.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Method of Verification

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:

- a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
 4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may **request a note from the contact a** medical office to confirm the time of the appointment.
 - b. **When If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.** ~~has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.~~

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

1. **Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property**

AR 5113(e)

ABSENCES AND EXCUSES (continued)

- designated by a religious group, church, or denomination (Education Code 46014, 48980)**
2. **Notify students in grades 7-12 and the parents/guardians of all students that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)**

3. Notify parents/guardians that a student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of Education Code 48205 in the notice (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6154 - Homework/Makeup Work)

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Board Policy

Students

BP 5141.52(a)

SUICIDE PREVENTION

The Governing Board recognizes that suicide is a **major leading** cause of death among youth and ~~should be taken seriously that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In order to~~ attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop ~~preventive strategies and intervention procedures~~ **measures and strategies for suicide prevention, intervention, and postvention.**

In developing measures and strategies for use by the district, ~~The Superintendent or designee may involve~~ **consult with** school health professionals, school counselors, **school psychologists, school social workers,** administrators, other staff, parents/guardians, students, local health agencies, **and mental health** professionals, and community organizations. ~~in planning, implementing, and evaluating the district's strategies for suicide prevention and intervention.~~

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

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

Prevention and Instruction

Such measures and Suicide prevention strategies ~~may~~ **shall** include, but **are** not ~~be~~ limited to,:

1. **Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students in the secondary grades**

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

2. **Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others**

(cf. 6142.8 - Comprehensive Health Education)

3. Efforts ~~to promote~~ **for promoting** a positive school climate that enhances students' feelings of connectedness with the school and **that** is characterized by caring staff and harmonious interrelationships among students

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

~~The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self-destructive behaviors, including potential suicide, and to identify suicide prevention strategies. [MOVED TO AR]~~

~~(cf. 6142.8 - Comprehensive Health Education)~~

4. The ~~Superintendent or designee may offer parents/guardians education or provision of information to parents/guardians regarding~~ which describes **risk factors and warning signs of suicide**, the severity of the youth suicide problem, the district's suicide prevention curriculum, ~~risk factors and warning signs of suicide~~, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.
5. ~~Students shall be encouraged~~ **Encouragement for students** to notify a teacher, principal, counselor, **appropriate school personnel** or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.
6. **Crisis intervention procedures for addressing suicide threats or attempts**
7. **Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide**

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

Staff Development [MOVED TO AR]

Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies and may include information on:

1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors

(cf. 5131.6—Alcohol and Other Drugs)

2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior

3. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

4. School and community resources and services

(cf. 5141.6—School Health Services)

(cf. 6164.2—Guidance/Counseling Services)

5. District procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide

(cf. 4131—Staff Development)

(cf. 4231—Staff Development)

(cf. 4331—Staff Development)

Intervention

Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the principal or school counselor. The principal or counselor shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources in the school or community.

(cf. 5141—Health Care and Emergencies)

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.
[MOVED TO AR]

(cf. 5138—*Conflict Resolution/Peer Mediation*)

Note: For sample procedures to be followed in the event of a suicide attempt on campus, see the accompanying administrative regulation.

The Superintendent or designee shall establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.

Legal Reference:

EDUCATION CODE

215 Student suicide prevention policies

32280-32289 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

Legal Reference: (continued)

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5883 Mental Health Services Act

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Youth Suicide Prevention Guidelines for California Schools, 2005

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS

California Strategic Plan for Suicide Prevention: Every Californian is Part of the Solution, 2008

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Preventing Suicide: A Toolkit for High Schools, 2012

National Strategy for Suicide Prevention: Goals and Objectives for Action, 2004rev. 2012

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <https://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <https://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>
California Department of Mental Health, Children and Youth Programs:
http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth
California Department of Health Care Services, Suicide Prevention Program:
<http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>
Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>
National Association of School Psychologists: <https://www.nasponline.org>
National Institute for Mental Health: <http://www.nimh.nih.gov>
Trevor Project: <http://thetrevorproject.org>
U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services
Administration: <http://www.samhsa.gov>

(6/96 7/09) 3/17

Administrative Regulation

Students

AR 5141.52(a)

SUICIDE PREVENTION

Staff Development

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students at the secondary level. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

AR 5141.52(b)

SUICIDE PREVENTION (continued)

1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness,

or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth

2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors

(cf. 5131.6 - Alcohol and Other Drugs)

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent
4. Protective factors that may help to decrease a person's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health
6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

7. District procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide

Instruction

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. ~~Identify alternatives to suicide and d~~Develop coping and resiliency skills **and self-esteem**
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking **services for** mental health, substance abuse, and/or suicide prevention **services**

(cf. 1020 - Youth Services)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6164.2 - Guidance/Counseling Services)

Intervention

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, he/she shall promptly notify the principal or school counselor.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

(cf. 5141 - Health Care and Emergencies)

A school employee shall act only within the authorization and scope of his/her credential or license. An employee is not authorized to diagnose or treat mental illness unless he/she is specifically licensed and employed to do so. (Education Code 215)

When a suicide attempt or threat is reported, the principal or designee shall **ensure student safety by taking the following actions:**

~~1. Ensure the student's physical safety by one of the following, as appropriate:~~

~~a.1. Securing immediate medical treatment and/or mental health services as necessary if a suicide attempt has occurred~~

~~b.2. Securing-Notifying~~ law enforcement and/or other emergency assistance if a suicidal act is being actively threatened

~~c.3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene~~

4. Removing other students from the immediate area as soon as possible

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5141 - Health Care and Emergencies)

2. Designate specific individuals to be promptly contacted, including the school counselor, psychologist, nurse, superintendent, and/or the student's parent/guardian, and, as necessary, local law enforcement or mental health agencies
3. The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat as soon as feasible

(cf. 5125 - Student Records)

4. The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether he/she is required, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at the school
6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions

Postvention

In the event that a suicide occurs or is attempted on campus, the principal or designee shall follow the crisis intervention procedures contained in the school safety plan. After consultation with the Superintendent or designee and the student's parents/guardians about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. He/she shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

(cf. 1112- Media Relations)

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

(6/96 7/09) 3/17

Exhibit

Students

E 5145.6(a)

PARENTAL NOTIFICATIONS

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. ~~The Budget Act of 2015 (AB 93, Ch. 10, Statutes of 2015) extends the suspension of these requirements through the 2015-16 fiscal year.~~ **The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year.** As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides,

			integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules
When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 46010.1	BP AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of ss Sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255- 32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	BP 5113 AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	BP 5113 AR 5113 AR BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code	BP 5141.31	School immunization program

year

48980, 49403

E 5145.6(c)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such

activities; inspection rights
and procedures

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.61	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program

Education or Board Policy/

When to Notify	Other Legal Code	Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students enter ing grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education; right to view A/V materials, who's teaching whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse
When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			

Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
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Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
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When student has been placed in structured English immersion program	Education Code 310 311; 5 CCR 11309	AR 6174	Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements
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When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
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When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

When student is identified as English learner and district receives Title I or Title III funds for English learner programs , not later than 30 days after beginning of school year or within two weeks of placement if identified during	Education Code 440; 20 USC 7012 6312	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, option to remove student from program at any time , exit requirements of program
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school year

When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3112 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When a student is classified a as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	IIIIIIIIIIIIAR	5125.2 Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension

When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
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Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
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One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
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When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
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When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
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When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
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When parent/guardian's challenge of student record is	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction
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denied and parent/guardian appeals	of record; if denied, right to submit written objection
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When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
To person holding educational rights, within 30 days of foster youth, or homeless youth's, or former juvenile court school student being transferred between high schools	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
Within 14 days of instruction At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey	Education Code	AR 5022	Notice that the survey will

regarding health risks and behaviors to students in 7-12	51938		be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection

When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/ guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6316	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures

IV. Special Education Notices

Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
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When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who in attendance will attend , participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. Classroom Notices			
In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities

Board Policy

Students

BP 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program **in a supervised environment. and provide safe alternatives for students.** In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, **local control and accountability plan, its** curriculum, and **district and state** academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5)

Note: The

To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

~~The establishment of a~~ Any program **to be established** shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. **(Education Code 8483.4)**

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Each program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, **the each** program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.7 - Physical Education and Activity)

OPTION 1: No fee shall be charged for participation in the program.

OPTION 2: A family fee may be charged to participating families based on the actual cost of services, as long as the fee is waived or reduced for families with students who are eligible for free or reduced-price meals. ~~The fee may be waived or subsidized based on economic need or other critical needs.~~ (Education Code 8422, 8482.6)

Note for CUSD Board: Currently we anticipate 60 students on the waiting list for ASES at EMS and about 56 at BPS. Given that level of interest, should we begin to think about charging a small fee to offset the cost of the additional staff necessary, and expand both those programs?

In regard to the After School Education and Safety program and/or 21st Century Community Learning Center program, no fee shall be charged for a student identified as a homeless or foster youth. (Education Code 8482.6)

(cf. 3260 - Fees and Charges)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

Eligible students ages 11-12 years shall be placed in a before-school or after-school program, if and when available, rather than subsidized child care and development services. During the time that the before-school or after-school program does not operate, **such** students ~~ages 11-12 years~~ may be provided the option of enrolling in child care and development services in accordance with the priorities established in AR 5148 - Child Care and Development. (Education Code 8263.4)

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

(cf. 0500 - Accountability)

Every three years, the ~~program~~ **Superintendent or designee** shall review ~~its the~~ after-school program plan, including, **but not limited to**, program goals, program content, and outcome

measures. Documentation of the program plan shall be maintained for a minimum of five years. (Education Code 8482.3)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

8263 Eligibility and priorities for subsidized child development services

8263.4 Enrollment of students ages 11-12 years

8273.1 Family fees, exemptions

8350-8359.1 Programs for CalWORKS recipients

8360-8370 Personnel qualifications

8420-8428 21st Century After-School Program for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

8490-8490.7 Distinguished After School Health Recognition Program

17264 New construction; accommodation of before- and after-school programs

35021.3 After-school physical recreation instructors

45125 Criminal record check

45330 Paraprofessionals; instructional aides

45340-45349 Paraprofessionals; instructional aides

49024 Criminal background check; Activity Supervisor Clearance Certificate

49430-49434 Nutrition standards

49540-49546 Child Care Food Program

49553 Free or reduced-price meals

60851.1 Suspension of high school exit examination

~~69530-69547.9~~ **69430-69460** Cal Grant program

UNITED STATES CODE, TITLE 20

6311 State plans

6314 Title I schoolwide programs

7171-7176 21st Century Community Learning Centers

UNITED STATES CODE, TITLE 42

1766-1766a Child and Adult Care Food Program

11434a Education for homeless children and youths

CODE OF FEDERAL REGULATIONS, TITLE 7

226.17 **Child care center n**utrition standards

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016

Request for Application for Programs Proposing to Serve High School Students, September 2016

21st Century Community Learning Centers (21st CCLC) FAQs Elementary/Middle School Programs, September 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014

Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014

21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012

California After School Physical Activity Guidelines, 2009

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

California Department of Education, Before and After School: <http://www.cde.ca.gov/ls/ba>
California Healthy Kids Survey: <https://chks.wested.org>
California School-Age Consortium: <http://calsac.org>
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
Partnership for Children and Youth: <http://partnerforchildren.org>
U.S. Department of Agriculture: <http://www.fns.usda.gov/cnd/care/afterschool.htm>
U.S. Department of Education: <http://www.ed.gov>

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Administrative Regulation

Students

AR 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Grades K-9

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program **may shall** serve students in **any of** grades K-9 **as the district may determine based on local needs**. (Education Code 8482.3, **8484.7, 8484.75, 8484.8**)

~~Consistent with state funding priorities, the district shall, to the extent feasible, give priority to establishing ASES programs that serve students in schools with the highest percentage of students eligible for free and reduced price meals.~~

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

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs or serve a high percentage of students from low-income families. (Education Code 8484.8; 20 USC 7173)

~~(cf. 6171 - Title I Programs)~~

~~Consistent with federal funding priorities, the district shall, to the extent feasible, give priority to establishing 21st CCLC programs in schools that are identified for program improvement under 20 USC 6316 and/or programs that will provide year-round expanded learning opportunities.~~

~~(cf. 0520.2 - Title I Program Improvement Schools)~~

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6178 - Career Technical Education)

2. Nutrition

- a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

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

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)
- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the ~~district~~ **Superintendent or designee** may, with the approval of the Superintendent of Public Instruction, provide services at another school site. **Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the**

transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes **either any** of the following: (Education Code 8482.8)

- (1) Fewer than 20 students participating in the program component
- (2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
- (3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school**

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 45330, 45344, 45344.5)

(cf. 4222 - Teacher Aides/Paraprofessionals)

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

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

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

- c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1)

- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)

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

- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

- (1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (Education Code 8483, 8483.1)**

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

- (2) Second pPriority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1)**
- (23) Third pPriority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.**

(cf. 6179 - Supplemental Instruction)

- (34) Any remaining capacity shall be filled by students selected at random.**
- (45) A waiting list shall be established to accommodate additional students if space becomes available.**

7. Attendance/Early Release

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis
2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

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Board Policy

Instruction

BP 6111(a)

SCHOOL CALENDAR

For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.

(cf. 0200 - Goals for the School District)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

(cf. 6112 - School Day)
(cf. 6115 - Ceremonies and Observances)
(cf. 6117 - Year-Round Schedules)
(cf. 6177 - Summer **School Learning Programs**)

The district shall offer ~~180~~ **a minimum of 175** days of instruction per school year, ~~except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2. until it equals or exceeds the local control funding formula target established for it pursuant to Education Code 42238.02, at which time it shall offer 180 days or more of instruction per school year. (Education Code 41420, 46208)~~

(cf. 1431 - Waivers)

Staff development days shall not be counted as instructional days.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Notification of the schedule of minimum days **and student-free staff development days** shall be sent to all parents/guardians at the beginning of the school year. If any minimum days **or student-free staff development days** are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

(cf. 1400 - Relations Between Governmental Agencies and the Schools)
(cf. 5113 - Absences and Excuses)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

~~37252-37254.1 Summer school~~

~~37300-37307 Year Round School Demonstration Project~~

37600-37672 Continuous school programs: year-round schools, especially:

37618 School calendar

37700-37714~~2~~ Four-day week

41420 Apportionment withholding, schools not maintained for 175 days

41422 Schools not maintained for 175 days

42238.02 Local control funding formula

46200-46206~~8~~ Incentives for longer instructional day and year

46300 Method of computing ADA

48980 Notice at beginning of term

~~REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS~~

~~44579-44579.6 Instructional Time and Staff Development Reform Program~~

ELECTIONS CODE

12283 School closures, election days

COURT DECISIONS

Butt v. State of California, (1992) 4 Cal 4th 668

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Davis Joint Unified School District, (1984) PERB Decision No. 474

Management Resources:

WEB SITES

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

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

California Public Employment Relations Board: <http://www.perb.ca.gov>

Secretary of State's Office: <http://www.sos.ca.gov>

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Board Policy

Instruction

BP 6142.2(a)

WORLD/FOREIGN LANGUAGE INSTRUCTION

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

Districts that do not maintain secondary schools may adapt this policy to reflect any elementary school programs designed to develop student's literacy in a language other than English. Education Code 51212 states legislative intent to encourage programs of world language (foreign language) instruction as early as feasible for the district.

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop linguistic proficiency and cultural literacy in one or more world languages in addition to English.

Note: The California Department of Education's (CDE) Foreign Language Framework for California Public Schools encourages districts to offer as many language course options as possible. Within the context of the

CDE's framework, American Sign Language is recognized as a foreign language. The following paragraph may be revised to reflect language courses available in the district.

The Superintendent or designee shall recommend world languages to be taught in the district's educational program based on student interest, community needs, and available resources. He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language. American Sign Language courses shall be open to all students regardless of hearing status.

(cf. 6174 - Education for English ~~Language~~ Learners)

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

(cf. 6143 - Courses of Study)

Students shall obtain credit toward high school graduation requirements for completion of a one-year course ~~during grades 9-12~~ in a world language or American Sign Language ~~during~~ **grades 9-12**.

(cf. 5126 - Awards for Achievement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall ~~also~~ be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. 1240 - Volunteer Assistance)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards.

(cf. 4131 - Staff Development)

Legal Reference:

EDUCATION CODE

300-311310 *Education for English learners*
 42238.02 *Local control funding formula; class size requirements*
 44253.1-44253.11 *Qualifications of teachers of English learners*
 44256-44257 *Credential requirements, including teachers of foreign language*
 48980 *Parental notifications*
 51212 *Legislative intent to encourage foreign language instruction in grades 1-6*
 51220 *Courses of study, grades 7-12*
 51225.3 *High school graduation requirements*
 51243-51245 *Alternative credits toward graduation for foreign language instruction in private school*
 60119 *Public hearings, instructional materials*
 60605.3 *Content standards for foreign world language instruction*
 60605.5 *Revision of state standards for world language instruction*
CODE OF REGULATIONS, TITLE 5
 1632 *Alternative credits toward graduation for foreign language instruction in private school*
 11309 *English immersion programs, parental exception waivers*

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS
English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Two-Way Language Immersion Program FAQ
World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009
Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003
CENTER FOR APPLIED LINGUISTICS PUBLICATIONS
Guiding Principles for Dual Language Education, Second Edition, 2007
COLLEGE BOARD PUBLICATIONS
A Challenge to Change: The Language Learning Continuum, 1999
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
CL-622 Serving English Learners
UNIVERSITY OF CALIFORNIA PUBLICATIONS
A-G Guide
WEB SITES
 CSBA: <http://www.csba.org>
 American Council on the Teaching of Foreign Languages: <http://www.actfl.org>
 California Association of for Bilingual Education: <http://www.bilingualeducationgocabe.org>
 California Department of Education, Foreign Language: <http://www.cde.ca.gov/ci/fl>
 California Foreign Language Project: <http://www.stanford.edu/group/CFLP>
 California Language Teachers' Association: <http://www.clta.net>
 Center for Applied Linguistics: <http://www.cal.org>
 College Board: <http://www.collegeboard.co>
 University of California, a-g Course Approval: <http://www.ucop.edu/a-gGuide/agaguide>

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Administrative Regulation

Instruction

AR 6142.2(a)

WORLD/FOREIGN LANGUAGE INSTRUCTION

Content of Instruction

The district's instructional program for world languages shall be designed to help students gain knowledge about new language systems and use that knowledge to communicate. Students shall receive instruction which is aligned with state academic standards appropriate to their age and stage of linguistic and cultural proficiency in the following **five** categories:

1. Content: Students shall be presented with a wide variety of content that is age and stage appropriate and increases in complexity.

(cf. 6011 - Academic Standards)

2. Communication: Students shall be taught to effectively convey and receive messages by engaging in or interpreting written, spoken, and/or signed languages.
3. Cultures: Students shall receive instruction that allows them to make connections and comparisons between language and culture.

(cf. 6142.94 - History/Social Science Instruction)

4. Structures: The curriculum shall address components of grammar, syntax, and language patterns appropriate to the language being taught.
5. Settings: To help students comprehend meaning and use language that is culturally appropriate, students shall develop knowledge of the context or setting in which language is used, such as common daily settings, interpersonal settings, and informal and formal settings.

(cf. 6151 - Class Size)

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Board Policy

Instruction

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.~~ **In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.**
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.~~ **grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.**

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(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~~ **Superintendent or designee shall notify him/her** 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)

When required by law, **such as in regards to comprehensive sexual health and HIV prevention education,** ~~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 that they may request in writing that their child be excused from the instruction.~~ Students whose parents/guardians decline such instruction may be offered ~~the option to participate in~~ an alternative activity of similar **educational** value.

A student or parent/guardian with concerns regarding instruction about controversial issues **may communicate directly with the teacher or principal and/or use** ~~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*

48950 Freedom of speech

51240 Excuse from health instruction due to religious beliefs

51500 *Prohibited instruction or activity*

51510 *Prohibited study or supplemental materials*

51511 *Religious matters properly included in courses of study*

51513 Materials containing questions about beliefs or practices

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

51930-51939 California Healthy Youth Act; comprehensive sexual health and HIV prevention education

~~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*

COURT DECISIONS

***Johnson v. Poway Unified School District*, (2011) 658 F.3d 954 (9th Cir.)**

***Mayer v. Monroe County Community School Corporation*, (2007) 474 F.3d 477 (7th Cir.)**

***Garcetti v. Ceballos*, (2006) 547 U.S. 410**

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Board Policy

Instruction

BP 6174(a)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board intends to provide English learners with challenging curriculum and instruction that develop proficiency in English **as rapidly and effectively as possible** while facilitating student achievement in the district's regular course of study.

The district shall identify in its local control and accountability plan (LCAP) **goals and** specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, **implementation**, and evaluation of **English language development** programs **for English learners**.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English **Language** Learners)

The **Superintendent or designee** **district** shall provide **effective professional development** to teachers **(including teachers in classroom settings that are not the settings of language instruction educational programs)**, administrators, and other school **or community-based**

organization personnel staff research-based professional development that is designed to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. **Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom.** (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~The Superintendent or designee shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. In addition,~~ **To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.**

~~*(cf. 0420 - School Plans/Site Councils)*~~

~~*(cf. 1220 - Citizen Advisory Committees)*~~

~~*(cf. 6020 - Parent Involvement)*~~

Identification and Assessment

The Superintendent or designee shall maintain procedures for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with **allowable** testing variations in accordance with 5 CCR 853.5 and 853.7. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6152.51 - State Academic Achievement Tests)

Placement of English Learners Language Acquisition Programs

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

Language acquisition programs are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English

language development standards. The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language. (Education Code 306)

~~Students who are English learners shall be educated through "structured English immersion" (also known as "sheltered English immersion"), as defined in law and the accompanying administrative regulation, for a temporary transition period not normally intended to exceed one year.~~

The district shall offer English learners a structured English immersion program to ensure that English learners have access to the core academic content standards, including the English language development standards, and become proficient in English. ~~In the structured English immersion program, N~~nearly all of the classroom instruction ~~in the district's structured English immersion program~~ shall be provided in English, but with the curriculum and presentation designed for students who are learning the language English. (Education Code 305-306)

~~"Nearly all," f~~For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310)

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

When an English learner is determined pursuant to state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

~~When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)~~

~~(cf. 6162.5—Student Assessment)~~

~~An English learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:~~

~~At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)~~

[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]

Program Evaluation

Note: The following section may be revised to reflect indicators agreed upon by the Board and Superintendent or designee for measuring the effectiveness of the district's educational program for English learners.

Education Code 52061 requires that the annual update of the LCAP include a review of progress toward the goals included in the LCAP, an assessment of the effectiveness of the specific actions described in the LCAP toward achieving the goals, and a description of changes the district will make as a result of this review and assessment.

Pursuant to Education Code 313.2, the CDE is required to annually determine the number of students in each district and school who are, or at risk of becoming, long-term English learners and to report that information to districts and schools. Definitions of "long-term English learner" and "English learner at risk of becoming a long-term English learner" are contained in Education Code 313.1.

The federal Every Student Succeeds Act (ESSA) (P.L. 114-95) repealed 20 USC 6842, thereby eliminating the requirement that districts receiving federal Title III funding (20 USC 6841-6849) reach "annual measurable achievement objectives," including annual increases in the number or percentage of English learners making progress in English proficiency. Instead, 20 USC 6311, as amended by the ESSA, requires the inclusion of a performance indicator on English language proficiency within the state accountability system under Title I.

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas

5. Progress toward any other goals for English learners identified in the district's LCAP
6. A comparison of current data with data from at least the previous year

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference:

EDUCATION CODE

300-340 English language education, **especially:**

305-310 Language acquisition programs

313-313.5 Assessment of English proficiency

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

42238.02-42238.03 Local control funding formula

44253.1-44253.11 Qualifications for teaching English learners

48980 Parental notifications

48985 Notices to parents in language other than English

52052 ~~Academic Performance Index; n~~ Numerically significant student subgroups

52060-52077 Local control and accountability plan

52130-52135 Impacted Languages Act of 1984

52160-52178 Bilingual Bicultural Act

56305 CDE manual on English learners with disabilities

~~60200.7 Suspension of state instructional materials adoptions~~

60603 Definition, recently arrived English learner

60605.87 Supplemental instructional materials, English language development

60640 California Assessment of Student Performance and Progress

60810-60812 Assessment of language development

62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

853.5-853.7 Test administration; universal tools, designated supports, and accommodations

11300-11316 English learner education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility

1701-1705 Equal Educational Opportunities Act

6311 Title I state plan

6312 ~~Title I~~ Local education agency plans

6801-~~6871~~**7014** Title III, language instruction for ~~limited English proficient~~ **English learners** and immigrant students

~~7012 Parental notification~~

7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited

200.16 Assessment of English learners

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al., (1989) 724 F.Supp. 698

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources: (see next page)

BP 6174(k)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Management Resources:

CSBA PUBLICATIONS

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

California English Language Development Test (CELDT): 2013-14 CELDT Information Guide, 2013

Common Core State Standards for Mathematics, rev. 2013

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

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

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Administrative Regulation

Instruction

AR 6174(a)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Definitions

~~*English learner*, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

***English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)**

***Native speaker of English* means a student who has learned and used English in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)**

~~*English language classroom* means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)~~

~~*English language mainstream classroom* means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)~~

~~*Structured English immersion* (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)~~

~~*Bilingual education/native language instruction* means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)~~

Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through **the** use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the state's designated English language proficiency test **for initial identification**. (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment **of the state's designated English language proficiency test** shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.76. Variations and accommodations in test administration may be provided **to English learners** pursuant to 5 CCR 11516-11516.76.

Any student with a disability **who is identified as an English learner** shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. ~~that are appropriate and necessary to address the student's individual needs. If he/she~~ **the student** is unable to participate in the assessment or a portion of the assessment **even** with such accommodations, ~~he/she shall be administered~~ an alternate assessment for English language proficiency **shall be administered to the student** as set forth in his/her IEP. (5 CCR 11516-11516.7; **20 USC 1412**)

(cf. 6152.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

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

Parental Notifications

~~The Superintendent or designee shall provide the following written notifications to parents/guardians of English learners:~~

1. ~~Assessment Notification: The district~~ **The Superintendent or designee** shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

2. ~~Placement Notification: At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver.~~ (Education Code 310; 5 CCR 11309)

~~3. Title III Notifications: Each~~ **The** parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title **I or Title III** funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC ~~7012-6312~~)

a1. The reason for the ~~student's classification~~ **identification of the student** as an English learner **and the need for placement in a language acquisition program**

b2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

e3. A description of the **language acquisition** program ~~for English language development instruction in which the student is, or will be, participating,~~ including a description of all of the following:

~~(1)~~**a.** **The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction**

b. The manner in which the program will meet the educational strengths and needs of the student

~~(2)~~**c.** The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards **for grade promotion and graduation**

~~(3)~~**d.** The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

~~(4)~~**e.** Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

4. **Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request**

~~d.~~**5.** Information regarding a parent/guardian's option to decline to **allow enroll** the student ~~to be enrolled~~ in the program or to choose ~~to allow the student to be enrolled in an alternative program~~ **another program or method of instruction, if available**

e.6. Information designed to assist a parent/guardian in selecting among available programs, if more than one program **or method** is offered

~~4. Annual Measurable Objectives Notification: If the district fails to make progress on the annual measurable achievement objectives for English learners established pursuant to 20 USC 6842, the Superintendent or designee shall, within 30 days after~~

~~such failure occurs, send a notification regarding such failure to the parents/guardians of each student identified for participation in a language instruction educational program supported by Title III funds. (20 USC 7012)~~

~~Parental Exception Waivers~~

[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The **following** measures ~~shall be~~ used to determine whether an English learner shall be reclassified as fluent English proficient **shall include, but not be limited to**: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state's English language proficiency assessment
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committee

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the **Governing** Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
- ~~7. Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316~~

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The

committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

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Board Policy

Instruction

BP 6176(a)

WEEKEND/SATURDAY CLASSES

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

~~*(cf. 4113 - Assignment)*~~

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)

(cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors (Education Code 37223)

(cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for ~~unexcused~~ absences occurring during the week (Education Code 37223)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 6154 - Homework/Makeup Work)

4. The programs of an **regional occupational center or program (ROC/P)** (Education Code 37223)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6179 - Supplemental Instruction)

6. Enrichment classes in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps and as otherwise provided by law, aAny class offered on a Saturday or Sunday pursuant to Education Code 37223, ~~except in ROC/Ps,~~ shall be one offered **during the regular** Monday through Friday ~~during the regular~~ school week. (Education Code 37223)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)

A student shall be excused from a weekend class if **the student's parent/guardian notifies the school in writing that** such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

A teacher shall not be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, a full-time teacher employed by the district prior to the implementation of weekend classes shall not be required, without his/her consent, to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. (Education Code 44824)

(cf. 4113 - Assignment)

Note: Education Code 49550 requires that districts provide at least one nutritionally adequate meal each school day (breakfast and/or lunch) for students who are eligible for free and reduced-price meals; see BP/AR 3553 - Free and Reduced-Price Meals. If the school participates in the National School Lunch or Breakfast Program, it must make meals available to all students in attendance.

According to the California Department of Education's (CDE) Management Bulletin NSD-SNP-03-2013, this requirement extends to Saturday classes unless the district or school receives a waiver. The CDE will consider a waiver when any two of the following criteria exist: (1) serving meals during the Saturday session would result in a financial loss to the district equal to one-third of the food service's net cash resources; (2) the Saturday session at the school is less than four hours and is completed by noon allowing students to go home during the lunch period; (3) less than 10 percent of the needy students attending the

Saturday session are at the school for more than three hours per day; and/or (4) the school does not have proper refrigeration facilities to enable meals to be prepared on Friday and served on Saturday.

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

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

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

(cf. 5030 - Student Wellness)

Legal Reference:

EDUCATION CODE

37223 Weekend classes

~~37252-37253 Supplemental instruction~~

~~41505-41508 Pupil Retention Block Grant~~

41601 Reports of average daily attendance

44824 Weekend classes, assignment of certificated employees

48070-48070.5 Promotion and retention, supplemental instruction

48205 Excused absence for personal reasons

48260 Truants, definition

49550 Meals for needy students

52060-52077 Local control and accountability plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services
Division Management Bulletin NSD-SNP-03-2013, February 2013*

WEB SITES

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

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Board Policy

Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, consolidated categorical aid programs, and any other district-implemented program which is listed in Education Code 64000(a) (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English ~~Language~~ Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic

BP 1312.3(c)

UNIFORM COMPLAINT PROCEDURES (continued)

group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

- 8.** Any complaint, by or on behalf of a former juvenile court school student who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173.3 - Education for Juvenile Court School Students)

- 8-9.** Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

BP 1312.3(e)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 6152 - Class Assignment)

- 9-10.** Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

- 10-11.** Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

- 11-12.** Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. **As appropriate** ~~For~~ any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep **confidential** the identity of the complainant, and/or the subject of the complaint if he/she is different from

the complainant, **confidential when appropriate and** as long as the integrity of the complaint process is maintained.

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

(cf. 5125 - Student Records)

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

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents

49490-49590 Child nutrition programs

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, ~~and~~ homeless children, **and former juvenile court school students;**
course credits; graduation requirements

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

~~52800-52870 School-based program coordination~~

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 20 (continued)

6301-6577 Title I basic programs

6801-~~6871~~**7014** Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
 6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
 35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
 99.1-99.67 Family Educational Rights and Privacy Act
 100.3 Prohibition of discrimination on basis of race, color or national origin
 104.7 Designation of responsible employee for Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
 106.8 Designation of responsible employee for Title IX
 106.9 Notification of nondiscrimination on basis of sex
 110.25 Notification of nondiscrimination on the basis of age

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Sexual Violence, April 2011
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education: <http://www.cde.ca.gov>
 Family Policy Compliance Office: <http://familypolicy.ed.gov>
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>
 U.S. Department of Justice: <http://www.justice.gov>

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Administrative Regulation

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)
 (cf. 1312.2 - Complaints Concerning Instructional Materials)
 (cf. 1312.4 - Williams Uniform Complaint Procedures)
 (cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

(cf. 5145.3 - Nondiscrimination/Harassment)
 (cf. 5145.7 - Sexual Harassment)

Superintendent

(title or position)

745 Tenth Street, Colusa, CA 95932

(address)

530.458.7791

(telephone number)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall **cover include** current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth,

~~and~~ homeless students, **and former juvenile court school students** to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.3 - Education for Juvenile Court School Students)

The annual notification, ~~and~~ complete contact information of the compliance officer(s), **and information related to Title IX as required pursuant to Education Code 221.61** ~~may~~ **shall** be posted on the district web site and, ~~if available, may be~~ provided through district-supported social media, **if available**.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:

- a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
- b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
- c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
- d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
- e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation **reveals-confirms** that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

- f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
- g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

- i. A foster youth, ~~or homeless student~~, **or former juvenile court school student** who transfers into a district high school or between district high schools **as applicable** shall be notified of the district's responsibility to:
 - (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
 - (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
 - (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- j. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

- k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
- l. Copies of the district's UCP are available free of charge.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment,

intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her

that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

OPTION 2:

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. **When required by law, the matter shall be considered in closed session.** The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law

3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
 - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to the CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

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Board Policy

Community Relations

BP 1340(a)

ACCESS TO DISTRICT RECORDS

The Governing Board recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

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

(cf. 3580 - *District Records*)

(cf. 4112.5/4212.5/4312.5 - *Criminal Record Check*)

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

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

(cf. 5020 - *Parent Rights and Responsibilities*)

(cf. 5125 - *Student Records*)

(cf. 5125.1 - *Release of Directory Information*)

(cf. 6162.5 - *Student Assessment*)

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

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

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

(cf. 4040 - *Employee Use of Technology*)

(cf. 9012 - *Board Member Electronic Communications*)

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

Legal Reference:

EDUCATION CODE

35145 *Public meetings*

35170 *Authority to secure copyrights*

35250 *Duty to keep certain records and reports*

41020 *Requirement for annual audit*

42103 *Publication of proposed budget; hearing*

44031 *Personnel file contents and inspections*

44839 *Medical certificates; periodic medical examination*

49060-49079 **Pupil Student** records

49091.10 Parental review of curriculum and instruction

~~52850 Applicability of article (School Based Program Coordination Plan availability)~~

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6270 California Public Records Act

6275-6276.48 Other exemptions from disclosure

53262 Employment contracts

54957.2 Minute book record of closed sessions

GOVERNMENT CODE (continued)

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Political Reform Act, public records; inspection and reproduction

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual **pupil student** records

COURT DECISIONS

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

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

ATTORNEY GENERAL OPINIONS

71 Ops.Cal.Atty.Gen. 235 (1988)

64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act, 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us> <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

Board Policy

Administration

BP 2121(a)

SUPERINTENDENT'S CONTRACT

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to work together to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for stability in district administration and shall ensure the best use of district resources.

(cf. 0200 - Goals for the School District)
(cf. 2120 - Superintendent Recruitment and Selection)
(cf. 4312.1 - Contracts)
(cf. 9000 - Role of the Board)

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

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position

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

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

(cf. 3350 - Travel Expenses)

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

(cf. 4040 - Employee Use of Technology)

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

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4161.2/4261.2/4361.2 - Personal Leaves)
(cf. 4161.5/4261.5/4361.5 - Military Leave)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

6. General duties and responsibilities of the position

(cf. 2110 - Superintendent Responsibilities and Duties)

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

(cf. 2140 - Evaluation of the Superintendent)

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

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

Note: Pursuant to Education Code 35031, **if the Governing Board decides not to reemploy the Superintendent, it must notify the Superintendent him/her at least 45 days in advance before the contract expires if it decides to not reemploy him/her.** If the Board fails to provide the required prior written notice, the Superintendent shall be deemed reemployed for a term of the same length as the one completed, under the same terms and conditions, and with the same compensation.

10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 **calendar** days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in **writing and in** a timely manner of the requirement to give notice

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

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date

12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in his/her official capacity in the performance of duties related to his/her employment

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

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

representatives concerning negotiations with prospective employees. Boards wishing to discuss the Superintendent's salary in closed session under the "labor exception" are encouraged to consult legal counsel before doing so.

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

The following paragraph should be revised to reflect district practice.

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

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

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

The Board shall take final action on the Superintendent's contract ~~in an open meeting during~~ **an open session of a regularly scheduled Board meeting, which and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits.** (Government Code 3511.1, 53262, 54953, 54957.6)

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

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Termination of Contract

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

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

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

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

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

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

Legal Reference:

EDUCATION CODE

35031 Term of employment

41325-41329.3 Conditions of emergency apportionment

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

6250-6270 California Public Records Act

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of superintendent

54954 Time and place of regular meetings

54956 Special meetings

54957 Closed session personnel matters

54957.1 Closed session, public report of action taken

54957.6 Closed sessions regarding employee matters

UNITED STATES CODE, TITLE 26

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

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS

1.105-11 Self-insured medical reimbursement plan

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

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

Management Resources:

CSBA PUBLICATIONS

Superintendent Contract Template, 2015
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Local Legislative Bodies, 2003
WEB SITES
CSBA: <http://www.csba.org>
Association of California School Administrators: <http://www.acsa.org>
California Office of the Attorney General, ~~Department of Justice:~~ <http://eaag.state.ca.us>;
<https://oag.ca.gov>

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Board Policy

Business and Noninstructional Operations

BP 3551(a)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)
(cf. 3300 - Expenditures and Purchases)
(cf. 3311 - Bids)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that all food service personnel possess **appropriate the required** qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program **in accordance with law**.

(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any

meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. **Such students shall not be overtly identified or treated differently from other students.**

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, and shall clearly communicate these procedures and related district policies to students and parents/guardians. The procedures adopted by the Superintendent or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance, and shall not overtly identify students with unrecovered or delinquent debt or treat them differently than other students.

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)

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

(cf. 3460 - Financial Reports and Accountability)

Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

Procurement of Foods

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. *Domestic commodity or product* means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the exception.

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, **meal charges**, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 - Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

38080-38086 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services; restrictions

49490-49493 School breakfast and lunch programs

49500-49505 School meals

49554 Contract for services

49550-49562 Meals for needy students

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

225 Cost Principles for State, Local, and Indian Tribal Governments

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

250.1-250.70 USDA foods

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, Management Bulletin, SNP-03-2017, April 2017

Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA-SNP-06-2015, May 2015

Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013

Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012

Storage and Inventory Management of United States Department of Agriculture (USDA) Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010

Management Bulletin USDA SNP 01 2008, February 2008

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, Management Bulletin 00-111, July 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Financial Management of the School Meal Programs, Correspondence, August 30, 2013

FAQs About School Meals

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

U.S. DEPARTMENT OF EDUCATION GUIDANCE

FAQs About School Meals

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

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

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Administrative Regulation

Business and Noninstructional Operations

AR 3551(a)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Payments for Meals

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

At the beginning of the school year, **and whenever a student enrolls during the school year**, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. **The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:**

- 1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year**
- 2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually**
- 3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year**
- 4. Posting the policy on the district's web site**
- 5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance**

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 - Parental Notifications)

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, shall not require a student to pay a bill that appears to be the result of identity theft, and shall open a new account with a new account number for a student who appears to be the subject of identity theft.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

Unpaid and Delinquent Meal Charges

Students and their parents/guardians shall be notified whenever their account has a **zero low or negative** balance. Whenever a student's account has an unpaid balance of \$50 or more, parents/guardians shall be notified in writing that full payment is due within seven school days from the date of the notice.

In cases of repeated nonpayment by a student, the Superintendent or designee may contact parents/guardians to discuss the reasons for the nonpayment. The Superintendent or designee may evaluate individual circumstances to determine if the student's parents/guardians need assistance completing an application for free or reduced-price meals or need referral to social services.

The Superintendent or designee may enter into a repayment plan with a student's parents/guardians for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

Reimbursement Claims

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the CDE using the online Child Nutrition Information and Payment System.

Cafeteria Fund

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, **2 CFR Part 200 Appendix VII 2-CFR-225**, and the California School Accounting Manual. **(Education Code 38091, 38101; 2-CFR-225)**

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (2 CFR ~~210.14~~ **220.14**)

U.S. Department of Agriculture Foods

The Superintendent or designee shall ensure that foods received through the U.S. Department of Agriculture (USDA) are handled, stored, and distributed in facilities which: (7 CFR 250.14)

1. Are sanitary and free from rodent, bird, insect, and other animal infestation
2. Safeguard foods against theft, spoilage, and other loss
3. Maintain foods at proper storage temperatures
4. Store foods off the floor in a manner to allow for adequate ventilation
5. Take other protective measures as may be necessary

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA **donated** foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR ~~250.60~~ **250.59**)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services,

including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

(cf. 3312 - Contracts)

(cf. 3515.6 - Criminal Background Checks for Contractors)

(cf. 3600 - Consultants)

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

(cf. 4212 - Appointments and Conditions of Employment)

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Administrative Regulation

Business and Noninstructional Operations

AR 3580(a)

DISTRICT RECORDS

Classification of Records

Records means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

(cf. 1340 - Access to District Records)

Before January 1, the Superintendent or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

Records of continuing nature (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership. (5 CCR 16022)

(cf. 3440 - Inventories)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

(cf. 5125 - Student Records)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (Education Code 35254)

Class 1 - Permanent Records

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports
 - a. Official budget
 - b. Financial reports of all funds, including cafeteria and student body funds
 - c. Audit of all funds
 - d. Average daily attendance, including Period 1 and Period 2 reports
 - e. Other major annual reports, including:
 - (1) Those containing information relating to property, activities, financial condition, or transactions
 - (2) Those declared by Governing Board minutes to be permanent

(cf. 3100 - Budget)

(cf. 3452 - Student Activity Funds)

(cf. 3460 - Financial Reports and Accountability)

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

2. Official Actions
 - a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
 - b. The call for and the result of any elections called, conducted, or canvassed by the Board

- c. Records transmitted by another agency pertaining to its action with respect to district reorganization

(cf. 7214 - General Obligation Bonds)

(cf. 9324 - Minutes and Recordings)

3. Personnel Records

Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

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

4. Student Records

The records of enrollment and scholarship for each student required by 5 CCR 432 and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance, except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has expired.

(cf. 5111.1 - District Residency)

(cf. 5141 - Health Care and Emergencies)

(cf. 5143 - Insurance)

5. Property Records

Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, the amount paid, and comparable data if the unit is disposed of.

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

Class 2 - Optional Records

Any records considered temporarily worth keeping, but which ~~is~~ **are** not a Class 1 records, may be classified as a Class 2 (Optional) records and shall be retained until ~~it is~~ reclassified as a Class 3 (Disposable) records. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

Class 3 - Disposable Records

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

(cf. 5113.2 - Work Permits)

Electronically Stored Information

~~All district-related electronically stored information generated or received by a district employee shall be saved to an electronic file on the district's computer and retained for at least 180 days, or shall be printed by the employee and physically filed in a way that it can be easily retrieved when needed.~~ **All electronically stored information related to the conduct of district business, including information created, saved, sent, or received on a district employee's or Board member's personal account or device, shall be saved as an electronic file to a district-provided account or device and retained in accordance with the section "Classification of Records" above. Such information includes, but is not limited to, email, text messages, instant messages, computer files, and other electronic communications related to district business. In addition, when appropriate, the information may be printed and physically filed in a way that allows it to be easily retrieved when needed.**

(cf. 9012 - Board Member Electronic Communications)

~~However, any district-related electronically stored information that qualifies as a record, as defined above, shall be classified and retained as specified in the section "Classification of Records" above.~~

~~District related electronically stored information includes, but is not limited to, any email, voicemail, text message, word processing document, spreadsheet, or text document related to district business or generated in the course of an employee's official duty.~~

Employees shall be required to regularly purge their email accounts and district-issued computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to district business. The Superintendent or designee may check for appropriate use of any district-owned equipment at any time.

(cf. 4040 - Employee Use of Technology)

Any ~~employee~~ **person** to whom a district-owned computer, cell phone, or other electronic communication device is provided shall be notified about the district's electronic information management system and, as necessary, provided training on **the** effectively ~~using~~ **use of** the device.

~~*(cf. 4131 - Staff Development)*~~

~~*(cf. 4231 - Staff Development)*~~

~~*(cf. 4331 - Staff Development)*~~

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Board Policy

All Personnel

BP 4127(a)

4227

TEMPORARY ATHLETIC TEAM COACHES

4327

The Governing Board desires to employ highly qualified coaches for the district's sports and interscholastic athletic programs in order to enhance the knowledge, skills, motivation, and safety of student athletes.

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee may **employ hire** a certificated or noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. (5 CCR 5590)

(cf. 4121 - Temporary/Substitute Personnel)

When hiring a person to fill a position as a temporary athletic team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

All coaches shall be subject to Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.63 - Steroids)
(cf. 5141.1 - Child Abuse Prevention and Reporting)

Noncertificated coaches **shall** have no authority to **give assign** grades to students. (5 CCR 5591)

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

Qualifications and Training

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

OPTION 1: Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, **possess submit to the Superintendent or designee either** an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing **or a Department of Justice and Federal Bureau of Investigation criminal background clearance.** (Education Code 49024)

~~An individual who obtained both a Department of Justice and Federal Bureau of Investigation criminal background clearance through the district prior to July 9, 2010 shall have satisfied this requirement. (Education Code 49024)~~

OPTION 2: ~~Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, obtain a Department of Justice and Federal Bureau of Investigation criminal background check through the district. (Education Code 49024)~~

~~An individual who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied district requirements for the criminal background check. (Education Code 49024)~~

(cf. 1240 - Volunteer Assistance)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)

In addition, the Superintendent or designee shall regularly report to the Board regarding the extent to which the district's coaches have completed the trainings

required by law, including those required pursuant to Education Code 33479.6 and 49032, and by district policy.

Legal Reference:

EDUCATION CODE

35179-35179.7 Interscholastic athletics

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

44010 Sex offense

44011 Controlled substance offense

44332-44332.5 Temporary certificates

44424 Conviction of a crime

44808 Liability when students are not on school property

44916 Written statement indicating employment status

44919 Classification of temporary employees

45125.01 Interagency agreements for criminal record information

45347 Instructional aides subject to requirements for classified staff

45349 Use of volunteers to supervise or instruct students

49024 Activity Supervisor Clearance Certificate

49030-49034 Performance-enhancing substances

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5531 Supervision of extracurricular activities

5590-5596 Duties of temporary athletic team coaches

COURT DECISIONS

Neily v. Manhattan Beach Unified School District, (2011) 192 Cal. App. 4th 187

Kavanaugh v. West Sonoma County Union High School District, (2003) 29 Cal. 4th 911

CTA v. Rialto Unified School District, (1997) 14 Cal. 4th 627San Jose Teachers Association, CTA,

NEA v. Barozzi, (1991) 230 Cal.App.3d 1376

Management Resources:

CSBA PUBLICATIONS

Steroids and Students: What Boards Need to Know, Policy Brief, July 2005

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

Pursuing Victory with Honor, 1999

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

WEB SITES

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

California Athletic Trainers' Association: <http://www.ca-at.org>

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

California Interscholastic Federation: <http://www.cifstate.org>

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

National Athletic Trainers' Association: <http://www.nata.org>

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Administrative Regulation

All Personnel

AR 4127(a)

4227

TEMPORARY ATHLETIC TEAM COACHES

4327

Qualifications

~~The Superintendent or designee shall establish minimum qualifications criteria for temporary athletic team coaches. These criteria shall include, but are not necessarily be~~ limited to, competencies in the following areas: (5 CCR 5593)

1. Care and prevention of athletic injuries, basic sports injury first aid, and emergency procedures, as evidenced by one or more of the following:
 - a. Completion of a college-level course in the care and prevention of athletic injuries and possession of a valid cardiopulmonary resuscitation (CPR) card
 - b. A valid sports injury certificate or first aid card, and a valid CPR card
 - c. A valid Emergency Medical Technician (EMT) I or II card
 - d. A valid trainer's certification issued by the National or California Athletic Trainers' Association (NATA/CATA)
 - e. Possession of both valid CPR and first aid cards and practical experience under the supervision of an athletic coach or trainer or experience assisting in team athletic training and conditioning
2. Coaching theory and techniques in the sport or game being coached, as evidenced by one or more of the following:
 - a. Completion of a college course in coaching theory and techniques
 - b. Completion of inservice programs arranged by a school district or county office of education
 - c. Prior service as a student coach or assistant athletic coach in the sport or game being coached
 - d. Prior coaching in community youth athletic programs in the sport being coached
 - e. Prior participation in organized competitive athletics at **the** high school level or above in the sport being coached

3. Knowledge of the rules and regulations pertaining to the sport or game being coached, the league rules, and, at the high school level, regulations of the California Interscholastic Federation (CIF)
4. Knowledge of child or adolescent psychology, as appropriate, as it relates to sport participation, as evidenced by one or more of the following:
 - a. Completion of a college-level course in child psychology for elementary school positions and adolescent or sports psychology for secondary school positions
 - b. Completion of a seminar or workshop on human growth and development of youth
 - c. Prior active involvement with youth in school or community sports program

The Superintendent or designee may waive competency requirements for persons enrolled in appropriate training courses leading to acquisition of the competency, provided such persons serve under the direct supervision of a fully qualified coach until the competencies are met. (5 CCR 5593)

~~Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Governing Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)~~

Volunteers who supervise or direct an athletic program shall meet the qualification criteria specified in 5 CCR 5593 required for temporary athletic team coaches employed by the district. Any volunteer who does not meet such criteria shall serve only under the supervision of a fully qualified coach and shall not be given charge of an athletic program.

(cf. 1240 - Volunteer Assistance)

Additional Qualifications of Noncertificated Personnel and Volunteers

In addition to the qualifications listed above, any noncertificated employee or volunteer assigned as a temporary athletic team coach shall: (5 CCR 5592)

1. Be free from tuberculosis and any other contagious disease that would prohibit certificated teachers from teaching, as verified by a written statement, renewable every four years, from a licensed physician or other person approved by the district

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

2. Not have been convicted of any offense referred to in Education Code 44010, 44011, or 44424, or any offense involving moral turpitude or evidencing unfitness to associate with children

Any noncertificated employee or volunteer assigned as a temporary athletic team coach shall obtain an Activity Supervisor Clearance Certificate or a criminal background check in accordance with Board policy. (Education Code 49024)

(cf. 1240 - Volunteer Assistance)

High School Coaching Education Program Training

Each **employee or volunteer** high school athletic team coach ~~or volunteer coach~~ shall complete, at his/her expense, a coaching education program that meets the standards developed by the CIF **and includes, but is not limited to, training in regard to sport psychology, sport pedagogy, sport physiology, sport management, statewide and school regulations, and CPR and first aid, including the signs, symptoms, and appropriate response to concussions.** A high school coach who has completed the education program in another California school district shall be deemed to have met the requirement for this district. **An individual who has not completed the education program may be assigned as a coach for no longer than one season of interscholastic competition.** (Education Code **35179.1**, 49032)

In addition, prior to coaching an athletic activity and every two years thereafter, athletic coaches shall complete an approved training course on the nature and warning signs of sudden cardiac arrest. (Education Code 33479.2, 33479.6, 33479.7)

Code of Ethical Conduct

Employees providing supervisory or instructional services in interscholastic athletic programs and activities shall: (5 CCR 5596)

1. Show respect for players, officials, and other coaches
2. Respect the integrity and judgment of game officials
3. Establish and model fair play, sportsmanship, and proper conduct
4. Establish player safety and welfare as the highest priority
5. Provide proper supervision of students at all times
6. Use discretion when providing constructive criticism and when reprimanding players
7. Maintain consistency in requiring all players to adhere to the established rules and standards of the game
8. Properly instruct players in the safe use of equipment
9. Avoid exerting undue influence on a student's decision to enroll in an athletic program at any public or private postsecondary educational institution

10. Avoid exerting undue influence on students to take lighter academic course(s) in order to be eligible to participate in athletics
11. Avoid suggesting, providing, or encouraging any athlete to use nonprescription drugs, anabolic steroids, or any substance to increase physical development or performance that is not approved by the U.S. Food and Drug Administration, U.S. Surgeon General, or the American Medical Association

(cf. 5131.63 - Steroids)

12. Avoid recruitment of athletes from other schools
13. Follow the rules of behavior and the procedures for crowd control as established by the district and the league in which the district participates

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Board Policy

Administrative and Supervisory Personnel

BP 4312.1(a)

CONTRACTS

The Governing Board recognizes the importance of **employing** qualified and competent individuals to **lead manage** district programs and to assist the Superintendent in coordinating efforts to achieve district goals and objectives. To that end, the Board may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

(cf. 0000 - Vision)

(cf. 2121 - Superintendent's Contract)

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

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4313.2 - Demotion/Reassignment)

(cf. 4314 - Transfers)

The Board may offer a continuing contract of up to four years to any deputy, associate, or assistant superintendent; any certificated employee holding a position requiring a supervision or administration credential; or any senior manager of the classified service. (Education Code 35031, 44929.20)

Prior to entering into any such contract, the Board and Superintendent shall consider the financial impact of the contract on the district. The proposed contract shall also be reviewed by legal counsel to ensure that all legally required provisions are included in the contract and to address any potentially adverse obligations **to for** the district.

(cf. 3460 - Financial Reports and Accountability)

The Board ~~shall~~ **may** deliberate in the closed session of a regular meeting about the terms of an employment contract for a deputy, associate, or assistant superintendent; other certificated employee holding a position requiring a supervision or administration credential; or a senior manager of the classified service. **Discussions regarding salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception") for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the employee. Such deliberations shall not be held during a special meeting.** (Government Code **54956**, 54957, **54957.6**)

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

(cf. 1340 - Access to District Records)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9324 - Minutes and Recordings)

Extension of Contract/ ~~and~~ Reemployment

A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

(cf. 4315 - Evaluation/Supervision)

During the term of the contract and with the consent of the employee involved, the Board may reelect or reemploy the employee starting on the next succeeding first day of July and based on terms and conditions mutually agreed upon by the Board and the employee. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 **calendar** days prior to the expiration of the term of the contract. (Education Code 35031)

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

Termination of Contract

The Board may terminate an employment contract prior to its expiration date in accordance with the conditions and process specified in the contract.

Every employment contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the **contract is terminated** ~~Board finds it necessary to terminate the contract~~ prior to its expiration date. (Government Code **3511.2**, 53260)

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

Note: Pursuant to Government Code 53243-53243.4, as added by AB 1344 (Ch. 692, Statutes of 2011), effective January 1, 2012, any management employee contract to be executed or renewed by the Board must contain a provision requiring the employee to fully reimburse the district in circumstances specified below.

In addition, all employment contracts shall include a provision that, if the employee is convicted of a crime involving an abuse of his/her office or position, he/she shall fully reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination and for any funds expended by the district in his/her criminal legal defense. (Government Code 53243-53243.4, 53260)

Legal Reference:

EDUCATION CODE

35030 Title of deputy, associate or assistant superintendent for certain positions

35031 Term of employment

44842 Automatic declining of employment

44843 Notice of employment to county superintendent

44929.20 Continuing contract

44951 Continuation in position unless notified

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of district executive

54954 Time and place of regular meetings

54956 Brown Act - Open meeting laws; special meetings

54957 Closed session, personnel matters

ATTORNEY GENERAL OPINIONS

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

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: The Board's Relationship to District Staff, 2007

ATTORNEY GENERAL PUBLICATIONS

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

WEB SITES

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

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

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

Administrative Regulation

Students

AR 5145.3(a)

NONDISCRIMINATION/HARASSMENT

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent

(title or position)

745 Tenth Street, Colusa, CA 95932

(address)

530.458.7791

(telephone number)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public; **by** posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.

2. **Post in a prominent and conspicuous location on the district and school web sites**

information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)

- a. The name and contact information of the district's Title IX coordinator, including the phone number and email address
- b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
- c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

2.3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

3.4. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

- 4.5.** The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

- 5.6.** Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

- 6.7.** At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

- 7.8.** At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of **the** types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent

6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential.

When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this ~~procedure~~ **administrative regulation**, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her

parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns **shall will, in general,** not constitute a violation of this administrative regulation or the accompanying district policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

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Board Policy

Instruction

BP 6142.93(a)

SCIENCE INSTRUCTION

The Governing Board believes that science education should focus on giving students an understanding **of the biological and physical aspects of science, of** key scientific concepts, **and a capacity for methods of scientific inquiry and investigation ways of thinking.** Students should become familiar with the natural world and the interrelationship of science, mathematics, **and technology, and engineering.** As part of **their** science instruction, students should learn how to apply scientific knowledge and **reasoning ways of thinking for individual and social purposes.**

(cf. 0440 - District Technology Plan)

(cf. 5145.8 - Refusal to Harm or Destroy Animals)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

Philosophical and religious theories that are based, at least in part, on faith and are not subject to scientific test and refutation shall not be discussed during science instruction.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

The district's academic standards for science instruction shall meet or exceed the California Next Generation Science Standards (CA-NGSS). The Superintendent or

designee shall ensure that curricula used in district schools are aligned with these standards and the state curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

The Superintendent or designee shall ensure that students have access to and are enrolled in a broad course of study including science courses.

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall provide certificated staff with opportunities to participate in professional development activities designed to enhance their knowledge of district-adopted academic standards, instructional strategies for teaching science, and changes in scientific theories.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

~~As a matter of principle, science teachers are professionally bound to limit their teaching to content that meets the criteria of scientific fact, hypothesis and theory as these terms are used in natural sciences. A scientific fact is an understanding based on confirmable observations and is subject to test and rejection. A scientific hypothesis is an attempt to frame a question as a testable proposition. A scientific theory organizes and explains a range of natural phenomena on the basis of facts and hypotheses. Scientific theories are constantly subject to testing, modification and refutation as new evidence and new ideas emerge.~~

~~Philosophical and religious theories are based, at least in part, on faith and are not subject to scientific test and refutation. Such beliefs shall not be discussed in science classes, but may be addressed in the social science and language arts curricula.~~

~~*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*~~

~~*(cf. 6142.91 - Reading/Language Arts Instruction)*~~

The Superintendent or designee shall develop and implement appropriate safety measures for science laboratory classes, including, but not limited to, staff and student safety training, use of eye safety devices, hearing protection, first aid procedures, regular equipment maintenance, safe use of heat sources, safe use and disposal of hazardous chemicals, proper ventilation, prevention of exposure to bloodborne pathogens from sharp instruments, fire prevention and control, an emergency response plan, and evacuation procedures. Parents/guardians shall be informed of the types of science laboratory activities that will be conducted and encouraged to sign consent forms for their child's participation.

(cf. 3514.1 - Hazardous Substances)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

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

(cf. 5142 - Safety)

The Superintendent or designee shall regularly report to the Board regarding the implementation and effectiveness of the science curriculum at each grade level. At a minimum, each report shall address the extent to which the program is aligned with the CA-NGSS, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference:

EDUCATION CODE

8774 Residential outdoor science program

32030-32034 Eye safety

32255-32255.6 Student's right to refrain from harmful or destructive use of animals

33475-33475.5 Model curriculum on stem cell science

49340-49341 Hazardous substances education

51210 Areas of study, grades 1 through 6

51210.3 Elementary science coach

51220 Areas of study, grades 7 through 12

51225.3 High school graduation

52060-52077 Local control and accountability plan

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATION, TITLE 5

14030 Science laboratories, design specifications

CODE OF REGULATIONS, TITLE 8

5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan

Management Resources:

CSBA PUBLICATIONS

Supporting Implementation of the California Next Generation Science Standards (CA-NGSS),

Governance Brief, November 2016

~~CDE~~ CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Framework for California Public Schools: Kindergarten Through Grade Twelve, 1990 2016

Next Generation Science Standards Systems Implementation Plan for California, 2014

California Next Generation Science Standards, 2013

Science Safety Handbook for California Public Schools, 2012

SBE POLICIES

Policy Statement on the Teaching of Natural Sciences, January 13, 1989

WEB SITES

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

California Alliance for Next Generation Science Standards: <http://cdefoundation.org/stem/ca4ngss>

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

California Science Teachers Association: <http://www.cascience.org>

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

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Board Policy

Instruction

BP 6145(a)

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

(cf. 1330 - Use of School Facilities)
(cf. 5137 - Positive School Climate)
(cf. 6145.2 - Athletic Competition)
(cf. 5148.2 - Before/After School Programs)

Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. No extracurricular or cocurricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or cocurricular activity be required or refused on those bases. ~~Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity.~~ (5 CCR 4925)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 6145.5 - Student Organizations and Equal Access)

Any complaint alleging unlawful discrimination in the district's extracurricular or cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Unless specifically authorized by law, no ~~fee shall be charged to students~~ **student shall be charged a fee** for **his/her** participation in **educational activities, including** extracurricular and cocurricular activities ~~related to the educational program, including and~~ materials or equipment related to **the activity such activities. (Education Code 49010, 49011)**

(cf. 3260 - Fees and Charges)
(cf. 3452 - Student Activity Funds)

Eligibility Requirements

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. Maintenance of minimum progress toward meeting high school graduation requirements

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

(cf. 6146.1 - High School Graduation Requirements)

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

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

Any decision regarding the eligibility of **any homeless student, foster youth, child in foster care** or a child of an active duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

Student Conduct at Extracurricular/Cocurricular Events

When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

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

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

Annual Policy Review

The Board shall annually review this policy and implementing regulations. **(Education Code 35160.5)**

Legal Reference:

EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation
 35179 Interscholastic athletics; associations or consortia
 35181 Students' responsibilities
 48850 Participation of **homeless students and** foster youth in extracurricular activities and interscholastic sports
 48930-48938 Student organizations
49010-49013 Student fees
 49024 Activity Supervisor Clearance Certificate
 49700-49704 Education of children of military families
CALIFORNIA CONSTITUTION
 Article 9, Section 5 Common school system
CODE OF REGULATIONS, TITLE 5
 350 Fees not permitted
 4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance
 5531 Supervision of extracurricular activities of pupils
UNITED STATES CODE, TITLE 42
 2000h-2-2000h-6 Title IX, 1972 Education Act Amendments
COURT DECISIONS
Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CSBA PUBLICATIONS
Student Fees Litigation Update, ELA Advisory, May 20, 2011
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Pupil Fees, Deposits, ~~or~~ and Other Charges, Fiscal Management Advisory **11-01, November 9, 2011-12-02, April 24, 2013**
CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURE
Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009
COMMISSION ON TEACHER CREDENTIALING **CODED CORRESPONDENCE PUBLICATIONS 10-11**
Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), **Coded Correspondence 10-11**, July 20, 2010
WEB SITES
 CSBA: <http://www.csba.org>
 California Association of Directors of Activities: <http://www.cadal.org>
 California Department of Education: <http://www.cde.ca.gov>
California Interscholastic Federation: <http://www.cifstate.org>
 Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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Board Policy

Instruction

BP 6145.2(a)

ATHLETIC COMPETITION

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The **district's** athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)
 (cf. 5030 - Student Wellness)

(cf. 5137 - Positive School Climate)
(cf. 6142.7 - Physical Education and Activity)
(cf. 7110 - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)
(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 1325 - Advertising and Promotion)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, **including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname.** The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, **and that students are permitted to participate in athletic activities consistent with their gender identity.**

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Any complaint regarding the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

California Interscholastic Federation

~~The Board maintains membership~~ **Any district school that participates** in the California Interscholastic Federation (CIF) ~~and requires that interscholastic shall conduct its~~ athletic activities ~~be conducted~~ in accordance with ~~Board policy, administrative regulations, and~~ CIF bylaws and rules **and any applicable district policy and regulation.** The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

~~Upon recommendation of the Superintendent, the Board shall annually designate an employee from each high school to serve as a representative to the local CIF league from each school that participates in CIF sports. Appointees shall represent the district in performing all duties required by the CIF league. In making this selection, the Board shall consider the employee's~~ **The Superintendent or designee shall recommend a candidate**

for the position who demonstrates an understanding of the district's goals for student learning and interscholastic **and extracurricular** activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and **individual** interpersonal communication and leadership skills.

The **designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and** Superintendent or designee shall ensure that the district representatives ~~to CIF~~ report regularly to the Board on league, section, and statewide issues, ~~as well as activities and prospective actions~~ related to athletic programs.

(cf. 0500 - Accountability)

Student Eligibility

Eligibility requirements for **student** participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement **and residency**, shall be the same as those set by the district for participation in extracurricular and cocurricular activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5111.1 - District Residency)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, **including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.**

(cf. 3260 - Fees and Charges)

(cf. 5143 - Insurance)

Sportsmanship

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship, and the Codes of **Ethics Conduct** adopted by CIF.

Students and staff ~~may~~ **shall** be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.4 - Student Disturbances)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)
(cf. 5131.63 - Steroids)
(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - School Health Services)
(cf. 5141.7 - Sun Safety)
(cf. 5143 - Insurance)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

In the event **that of an injury occurs or a perceived imminent risk to a student's health, such as a concussion or passing out, fainting, or other sign of sudden cardiac arrest, during or immediately after an athletic activity,** the coach or **any** other **appropriate** district employee **who is present** shall ~~observe universal precautions and~~ shall remove the student athlete from the activity, **and observe universal precautions in handling blood or other bodily fluid, and** or seek medical treatment for the student as appropriate.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)

Whenever an injury is suffered by a student, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
17578 Cleaning and sterilizing of football equipment
17580-17581 Football equipment

32220-32224 Insurance for athletic teams, especially:

32221.5 Required insurance for athletic activities

33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program

33354 California Department of Education authority over interscholastic athletics

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

35160.5 District policies; rules and regulations

35179 Interscholastic athletics

35179.1 California High School Coaching Education and Training Program

35179.5 Interscholastic athletics; limitation on full-contact practices

48850 Interscholastic athletics; students in foster care **and homeless students**

48900 Grounds for suspension and expulsion

48930-48938 Student organizations

49010-49013 Student fees

49020-49023 Athletic programs; legislative intent, equal opportunity

49030-49034 Performance-enhancing substances

49458 Health examinations, interscholastic athletic program

49475 Health and safety, concussions and head injuries

49700-49701 Education of children of military families

51242 Exemption from physical education for high school students in interscholastic athletic program

PENAL CODE

245.6 Hazing

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs, especially:

4920-4922 Nondiscrimination in intramural, interscholastic, and club activities

5531 Supervision of extracurricular activities of students

5590-5596 Employment of noncertificated coaches

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

CODE OF FEDERAL REGULATIONS, TITLE 34

106.31 Nondiscrimination on the basis of sex in education programs or activities

106.33 Comparable facilities

106.41 Nondiscrimination in athletic programs

COURT DECISIONS

Mansourian v. Regents of University of California, (2010) **594 F. 3d 1095** **602 F. 3d 957**

McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275

Kahn v. East Side Union High School District, (2004 **2003**) 31 Cal. 4th 990

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

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination, March 2017

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

Student Fees Litigation Update, Education Legal Alliance Advisory, May 20, 2011

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

A Guide to Equity in Athletics

Guidelines for Gender Identity Participation

Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes and Parents/Guardians

Pursuing Victory with Honor, 1999

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Heads Up: Concussion in High School Sports, Tool Kit, June 2010

Heads Up: Concussion in Youth Sports, Tool Kit, July 2007

Acute Concussion Evaluation (ACE) Care Plan, 2006

WEB SITES

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

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

California Interscholastic Federation: <http://www.cifstate.org>

Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>

National Federation of State High School Associations: <http://www.nfhs.org>

National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>

U.S. Anti-Doping Agency: <http://www.usada.org>

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

(11/09 11/11) 5/17

Administrative Regulation

Instruction

AR 6145.2(a)

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or any other basis specified in law. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student's records. (Education Code 221.5)

(cf. 5125 - Student Records)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation,

gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests: (Education Code 230)

- a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
 - b. Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and a continuing practice of program expansion that is demonstrably responsive to
 - c. Where the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #1b above, whether the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program
2. The provision and maintenance of equipment and supplies
 3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
 4. Travel and per diem allowances
 5. Opportunities to receive coaching and academic tutoring
 6. Assignment and compensation of coaches and tutors
 7. Provision of locker rooms, practice facilities, and competitive facilities
 8. Provision of medical and training facilities and services
 9. Provision of housing and dining facilities and services
 10. Publicity
 11. Provision of necessary funds

~~Beginning with the 2015-16 school year and every year thereafter, each school that offers competitive athletics shall, at the end of the school year, post the following information~~
post on its school web site, or on the district web site if the school does not have a web site,
~~at the end of the school year the following information:~~ (Education Code 221.9)

1. The total enrollment of the school, classified by gender
2. The number of students enrolled at the school who participate in competitive athletics, classified by gender
3. The number of boys' and girls' teams, classified by sport and by competition level

(cf. 1113 - District and School Web Sites)

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site. (Education Code 221.9)

(cf. 3580 - District Records)

Health and Safety Concussions and Head Injuries

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response. **(Education Code 35179.1, 49032)**

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider. (Education Code 49475)

A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, *full-contact practice* means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game. (Education Code 35179.5)

Sudden Cardiac Arrest

The Superintendent or designee shall distribute the California Interscholastic Federation (CIF) information sheet on sudden cardiac arrest to all student athletes who will be participating in a CIF-governed athletic activity and to their parents/guardians. The student and parent/guardian shall sign and return the information sheet prior to the student's participation in the athletic activity. If an athletic activity is not covered by the CIF, the student and his/her parent/guardian shall, prior to participating in the athletic activity, sign and return an acknowledgement that they have received and reviewed the sudden cardiac arrest information posted on the California Department of Education's web site. (Education Code 33479.2, 33479.3)

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the nature and warning signs of sudden cardiac arrest. (Education Code 33479.6, 33479.7, 35179.1, 49032)

If a student athlete passes out or faints, or is known to have passed out or fainted, while participating in or immediately following his/her participation in an athletic activity,

the student shall be removed from participation at that time. If a student exhibits any other symptoms of sudden cardiac arrest, including seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue, he/she may be removed from participation by a coach or other employee who observes these symptoms. If any such symptoms are observed, notification shall be given to the student's parent/guardian so that the parent/guardian can determine the treatment, if any, the student should seek. A student who has been removed from participation shall not be permitted to return until he/she is evaluated and given written clearance to return to participation by a health care provider. (Education Code 33479.2, 33479.5)

~~The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.~~[MOVED TO BP]

Additional Parental Notifications

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall, **in addition to providing his/her parents/guardians with information on the signs and symptoms of concussions and sudden cardiac arrest as described above,** send a notice to the student's parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator

(cf. 1312.3 - Uniform Complaint Procedures)

2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8

3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 3530 - Risk Management/Insurance)

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions

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

6. States the district's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

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

7. Includes a copy of the local California Interscholastic Federation (CIF) league rules

8. Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids, **unless prescribed by a licensed health care practitioner**, or **prohibited** dietary supplements **that include substances** banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

(12/14 10/15) 5/17

Board Policy

Instruction

BP 6178.1(a)

WORK-BASED LEARNING

The Governing Board desires to facilitate **the preparation of secondary school students for college and career by providing** work-based learning opportunities which link classroom learning with real-world experiences. **The district's W**ork-based learning **program opportunities offered by the district** shall be designed to teach **students** the skills, attitudes, and knowledge necessary for successful employment and to reinforce mastery of both academic and career technical education (CTE) standards.

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

The district's work-based learning program may offer opportunities offered by the district may include for paid and/or unpaid work experiences, including, but not limited to:

- 1. W**ork experience education as defined in Education Code 51764;
- 2. C**ooperative CTE or community classrooms as defined in Education Code 52372.1;
- 3. J**ob shadowing **experience** as defined in Education Code 51769;
- 4. S**tudent internships;
- 5. A**pprenticeships;
- 6. S**ervice learning;
- 7. E**mployment in social/civic or school-based enterprises, ~~and~~
- 8. T**echnology-based or other simulated work experiences

(cf. 6142.4 - Service Learning/Community Service Classes)

The Superintendent or designee may provide students ~~E~~mployment opportunities **with** ~~may be provided by any public and or private employers in areas within or outside the district, either within California or~~ **including** in any contiguous state. (Education Code [51768](#))

The Board may elect to pay wages to students participating in a work-based learning program, but shall not make payments to or for private employers except for students with disabilities who are participating in work experience education programs funded by the state for such students. (Education Code 51768)

Any district plan for work-based learning shall be submitted to the Board for approval. When required, the plan shall be submitted to the California Department of Education or other state agency or official.

The Superintendent or designee shall involve local businesses or business organizations in planning and implementing work-based learning opportunities that support the district's vision and goals for student learning and local workforce development efforts. He/she also may work with postsecondary institutions, community organizations, and others to identify opportunities for work-based learning.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

When required by law, the Superintendent or designee shall develop a written training agreement with the employer that describes the conditions and requirements to be met by all parties and shall develop an individual training plan for each student which outlines the objectives or competencies that the student is expected to accomplish at the work site. (5 CCR 10070-10071, 10087, 10108)

To ensure appropriate guidance and supervision of participating students and maximize the educational benefit from placement in any work-based learning program, District staff shall coordinate with the workplace supervisors or mentors. ~~to ensure appropriate guidance and supervision of participating students and maximum educational benefit from placement in the program.~~

A minor student shall be **allowed** ~~issued a work permit before beginning~~ employment through a paid work-based learning program **only if he/she has been issued a work permit,** in accordance with law, Board policy, and administrative regulation. (Education Code 49113, 49160)

(cf. 5113.2 - Work Permits)

All laws or rules applicable to minors in employment relationships shall be applicable to students enrolled in work-based learning programs. (Education Code 51763)

The Superintendent or designee shall ensure that any student participating in a work-based learning program off school grounds is covered under the employer's or district's insurance, as applicable, in the event the student is injured.

(cf. 3530 - Risk Management/Insurance)
(cf. 5143 - Insurance)

The Superintendent or designee shall ensure that any teacher-coordinator of a work-based learning program possesses the appropriate credential issued by the Commission on Teacher Credentialing. (5 CCR 10075, 10080, 10100)

(cf. 4112.2 - Certification)

The Superintendent or designee shall maintain records ~~for~~ **related to** each student's participation in the **district's work-based learning** program, including, but not limited to, the student's individualized training plan, ~~his/her~~ employment hours and job site, work permit if applicable, **the** employer's report of student's attendance and job performance, the teacher coordinator's consultations and observations, and **reports of** the student's grade and credits earned.

(cf. 5125 - Student Records)

The Superintendent or designee shall periodically report to the Board regarding program implementation and effectiveness, including, but not limited to, rates of student participation in work-based learning programs and assessment results of participating students.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

35208 *Liability insurance*
46144 *Minimum school day for work experience program*
46147 *Exception for minimum day; students in last semester or quarter of grade 12*
46300 *Method of computing ADA*
48402 *Enrollment in continuation education, minors not regularly employed*
49110-49119 *Permits to work*
49160 *Permits to work, duties of employer*
51760-51769.5 *Work-based learning*
52300-52499.66 *Career technical education*
54690-54697 *Partnership academies*
56026 *Students with exceptional needs*
52372.1 *Community classrooms and cooperative career technical education programs*

LABOR CODE

1285-1312 *Employment of minors*
1391-1394 *Working hours for minors*
3070-3099.5 *Apprenticeship*
3200-6002 *Workers' compensation and insurance*

CODE OF REGULATIONS, TITLE 5

1635 *Credit for work experience education*
10070-10075 *Work experience education*
10080-10090 *Community classrooms*
10100-10111 *Cooperative career technical education programs*

UNITED STATES CODE, TITLE 20

2301-2414 *Carl D. Perkins Career and Technical Education Act of 2006*

CODE OF FEDERAL REGULATIONS, TITLE 29

570.35a *Work experience programs*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Work Experience Education Guide

California Career Technical Education Model Curriculum Standards, 2013

Multiple Pathways to Student Success: Envisioning the New California High School, 2010

California Career Technical Education Model Curriculum Standards, 2013

2008-2012 California State Plan for Career Technical Education, 2008

Career Technical Education Framework for California Public Schools: Grades Seven Through Twelve, 2007

Work Experience Education Guide

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Child Labor Laws, 2000-2013

WEST ED PUBLICATIONS

Work-Based Learning in California: Opportunities and Models for Expansion, 2009

Management Resources: (continued)

WEB SITES

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

California Association of Work Experience Educators: <http://www.cawee.org>

California Department of Education, Work Experience Education: <http://www.cde.ca.gov/ci/ct/we>

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

Linked Learning Alliance: <http://www.linkedlearning.org>

WestEd: <http://www.wested.org>

Administrative Regulation

Instruction

AR 6178.1(a)

WORK-BASED LEARNING

Work Experience Education

The district's work experience education (WEE) program shall consist of one or more of the following types of unpaid and paid on-the-job experiences: (~~Education Code 51764~~; 5 CCR 10071)

1. *Exploratory WEE* which provides students with a combination of **related** classroom instruction in WEE and unpaid opportunities to observe and sample systematically a variety of conditions of work for the purpose of ascertaining their interest and suitability for the occupation they are exploring

The length of exploratory ~~WEE work experience~~ assignments may vary depending on the aptitude of the student, the occupation being explored, the facilities of the work station, and the job classification. A student may not participate in an exploratory ~~WEE work experience~~ assignment if he/she receives pay for like work at the same work station or similar job outside of the WEE program.

2. *General WEE* which has as its purpose the application of basic skills of reading, writing, and computation and which ~~enables~~ **provides** students **an opportunity** to acquire general and specific occupational skills through a combination of supervised paid employment in any occupational field and related classroom instruction in WEE
3. *Career technical WEE* which reinforces and extends career learning opportunities for students through a combination of related classroom instruction in WEE and supervised paid or unpaid employment in the occupation for which their career technical course in school prepares them

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6178 - Career Technical Education)

~~The Superintendent or designee shall develop and present to the Governing Board for approval a district plan for WEE in accordance with 5 CCR 10070. [MOVED TO BP]~~

~~Employment opportunities may be provided by any public or private employers in areas within or outside the district, either within California or in a contiguous state. (Education Code 51768) [MOVED TO BP]~~

The student-teacher ratio in **any the** WEE program shall not exceed 125 students per full-time equivalent certificated teacher coordinator. (Education Code 46300)

The minimum day for students enrolled in a WEE program shall be four periods totaling at least 180 minutes in duration, unless the school or student meets one of the conditions specified in Education Code 46144 or 46147. (Education Code 46144, 46147)

(cf. 6112 - School Day)
(cf. 6184 - Continuation Education)

A WEE program offered during the summer shall be conducted in the same time period as the regular summer school program and shall conform to all appropriate laws and regulations applicable to WEE.

(cf. 6177 - Summer ~~School~~ Learning Programs)

Each WEE program shall operate under the supervision of a teacher-coordinator. The teacher-coordinator shall make at least two on-site contacts per semester with each work supervisor or at least one on-site contact during summer school to evaluate student performance. (Education Code 51764; 5 CCR 10074)

Any Participating students who is age 16 years or older and who satisfactorily completes a WEE program with a minimum shall receive at least the equivalent of one instructional period per week of related classroom instruction or counseling by a certificated employee, in sessions scheduled intermittently throughout the semester, ~~.(Education Code 51760.3) A student~~ shall be granted up to 40 semester periods of credit for WEE within the following limits: (Education Code 51760.3; 5 CCR 1635)

1. For exploratory WEE, the student may earn 10 semester periods for each semester, with a maximum of 20 semester periods earned in two semesters.
2. For either general or career technical WEE, the student may earn 10 semester periods for each semester, with a maximum of 40 semester periods.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

~~In order to receive credit for satisfactory completion of a general or career technical WEE program, a student shall be age 16 years or older. However, a~~**Any student who satisfies the above requirements but** is under age 16 may be granted credit under any of the following conditions: (Education Code 51760.3)

1. The student is enrolled in grade 11 or higher.
2. The principal certifies that the student **is in** needs ~~the program of immediate work experience education~~ in order to pursue employment opportunities.
3. **The principal certifies that, without being provided an opportunity to enroll in the WEE program, there is a high probability that** ~~or to encourage the student's will no longer be enrolled continuing enrollment~~ as a full-time student.

(cf. 5147 - Dropout Prevention)

4. The student is age 14 years or older and the principal certifies that such credit is necessary for the student's participation in a career technical education (CTE) program.

3. 5. The student ~~is a student with disabilities who~~ has an individualized education program (IEP) ~~prescribing which prescribes~~ the type of training for which participation in a WEE program is deemed appropriate.

(cf. 6159 - Individualized Education Program)

Cooperative Career Technical Education Program/Community Classrooms

To be eligible for program participation, a student shall be concurrently enrolled in a ~~career technical education (CTE)~~ course or program approved by the California Department of Education and shall meet other criteria specified in 5 CCR 10103 as applicable. (5 CCR 10082, 10103)

At least one instructional period per week of formal CTE classroom instruction shall be provided to participating students. Each CTE instructional period shall be equivalent to a minimum of three regular classroom instructional periods of at least 50 minutes each week. (5 CCR [10085](#), [10106](#))

Teachers assigned to the program shall locate and select training stations to provide participating students with unpaid on-the-job learning experiences in the specific occupation related to the approved course or program. (5 CCR 10086, 10107)

~~Related classroom instruction shall be provided in at least one instructional period per week, with a minimum equivalency of three instructional periods, of at least 50 minutes each, per week. (5 CCR [10085](#), [10106](#))~~

(Cooperative CTE Program)

The cooperative CTE program teacher shall make at least one visitation every four weeks to each employer to ensure that the provisions of the training agreement are being met and that students are acquiring the competencies identified in their individual training plans. One out of every two visits to the training station shall include an observation of the student engaged in on-the-job training experiences. (5 CCR 10109)

Students shall be granted academic credit for satisfactory completion of the program. The teacher shall be responsible for evaluating the student's performance in the CTE course and, with the assistance of the employer, the student's participation at the training station. (5 CCR 10081, 10102)

Job Shadowing

The program coordinator shall identify job shadowing placements with the goal of providing students with exposure to a broad range of career options and employment settings.

The program coordinator shall supervise job shadowing activities, including the coordination of the student's and employer's schedules and consultation with the student's other teachers when necessary.

Participating students may attend job shadowing opportunities for **up to 25 hours but** no less than three hours ~~and no more than 25 hours~~ in one semester, intersession, or summer school session. **However, a student may be permitted to participate for up to 40 hours in one semester, intersession, or summer school session, if the principal certifies that it is necessary for the student's participation in a CTE program.** (Education Code 51769)

(3/08 3/12) 5/17

Board Policy

Facilities

BP 7214(a)

GENERAL OBLIGATION BONDS

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

(cf. 1160 - Political Processes)
(cf. 7110 - Facilities Master Plan)
(cf. 7210 - Facilities Financing)

The Board shall determine the appropriate amount of the bonds in accordance with law. The Board's decision to order a bond election, as well as its determinations regarding the appropriate amount, timing, and structure of the bond issuance, shall be consistent with law and the district's debt management policy.

(cf. 3470 - Debt Issuance and Management)

Before ordering a bond election, the Board shall obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor. (Education Code 15100)

When any project to be funded by bonds will require state matching funds for any phase of the project, the ballot for the bond measure shall include a statement as specified in Education Code 15122.5, advising voters that, because the project is subject to approval of state matching funds, passage of the bond measure is not a guarantee that the project will be completed. (Education Code 15122.5)

Bonds Requiring 55 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 55 percent majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two-thirds of the Board agrees to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55 percent majority of the voters. (Education Code 15266)

(cf. 9323.2 - Actions by the Board)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the district are entitled to vote. (Education Code 15266)

Bonded indebtedness incurred by the district shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities
2. The acquisition or lease of real property for school facilities
3. The refunding of any outstanding debt issuance used for the purposes specified in items #1-2 above

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. ~~A requirement that~~ **Certification that** proceeds from the sale of the bonds **will** be used only for the purposes specified in items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facilities projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 6151 - Class Size)

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' oversight committee to inform the public concerning the expenditure of bond revenues as specified in Education Code 15278 and the

accompanying administrative regulation. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

(cf. 1220 - Citizen Advisory Committees)

(cf. 9324 - Minutes and Recordings)

The Superintendent or designee shall ensure that the annual, independent performance and financial audits required pursuant to items #3-4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards and submitted to the citizens' oversight committee at the same time they are submitted to him/her and no later than March 31 of each year. (Education Code 15286)

The Board shall provide the citizens' oversight committee with responses to all findings, recommendations, and concerns addressed in the performance and financial audits within three months of receiving the audits. (Education Code 15280)

The Board may disband the citizens' oversight committee when the committee has completed its review of the final performance and financial audits.

Bonds Requiring 66.67 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 66.67 percent majority of the voters pursuant to Education Code 15100 and Article 13A, Section 1(b)(2) of the California Constitution. If a majority of the Board agrees to such an election, or upon a petition of the majority of the qualified electors residing in the district, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by a 66.67 percent majority of the voters. (Education Code 15100)

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500. (Education Code 15101)

Subject to limits specified in Article 13A, Section 1 of the California Constitution, bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity

5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature
6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by **an** order of the Board **and that is** entered into the minutes. (Education Code 15100)

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

Certificate of Results

If the certificate of election results received by the Board shows that the appropriate majority of the voters is in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Resolutions Regarding Sale of Bonds

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass a resolution directing the issuance and sale of bonds. In accordance with law, the resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable. (Education Code 15140; Government Code 53508.6)

In passing the resolution, the Board shall consider each available funding instrument, including, but not limited to, the costs associated with each and their relative suitability for the project to be financed.

Prior to the sale of bonds, ~~the Board shall disclose, as an agenda item at a public meeting, either in the bond issuance resolution or a separate resolution, the Board shall place an agenda item at a public meeting and adopt as part of the bond issuance resolution, or in a separate resolution, disclosures of the~~ available funding instruments, the costs and sustainability of each, and all of the following information: (Education Code 15146; Government Code 53508.9)

1. Express approval of the method of sale (i.e., competitive, negotiated, or hybrid)
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected
4. Estimates of the costs associated with the bond issuance, including, but not limited to, bond counsel and financial advisor fees, printing costs, rating agency fees, underwriting fees, and other miscellaneous costs and expenses of issuing the bonds

When the sale involves bonds that allow for the compounding of interest, such as a capital appreciation bond (CAB), **the resolution to be adopted by the Board shall include** items #1-4 above **as well as and** the financing term and time of maturity, repayment ratio, and the estimated change in the assessed value of taxable property within the district over the term of the bonds ~~shall be included in the resolution to be adopted by the Board~~. The resolution shall be publicly noticed on at least two consecutive meeting agendas, first as an information item and second as an action item. The agendas shall identify that bonds that allow for the compounding of interest are proposed. (Education Code 15146)

Prior to adopting a resolution for the sale of bonds that allow for the compounding of interest, the Board shall be presented with the following: (Education Code 15146)

1. An analysis containing the total overall cost of the bonds that allow for the compounding of interest
2. A comparison to the overall cost of current interest bonds
3. The reason bonds that allow for the compounding of interest are being recommended
4. A copy of the disclosure made by the underwriter in compliance with Rule G-17 adopted by the federal Municipal Securities Rulemaking Board

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). (Government Code 8855)

After the sale, the Board shall be presented with the actual issuance cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the ~~California Debt and Investment Advisory Commission~~ **CDAIC**. (Education Code 15146; Government Code 53509.5)

Bond Anticipation Notes

Whenever the Board determines that it is in the best interest of the district, it may, by resolution, issue a bond anticipation note, on a negotiated or competitive-bid basis, to raise

funds that shall be used only for a purpose authorized by a bond that has been approved by the voters of the district in accordance with law. (Education Code 15150)

Payment of principal and interest on any bond anticipation note shall be made at note maturity, not to exceed five years, from the proceeds derived from the sale of the bond in anticipation of which that note was originally issued or from any other source lawfully available for that purpose, including state grants. Interest payments may also be made from such sources. However, interest payments may be made periodically and prior to note maturity from an increased property tax if the following conditions are met: (Education Code 15150)

1. A resolution of the Board authorizes the property tax for that purpose.
2. The principal amount of the bond anticipation note does not exceed the remaining principal amount of the authorized but unissued bonds.

A bond anticipation note may be issued only if the tax rate levied to pay interest on the note would not cause the district to exceed the tax rate limitation set forth in Education Code 15268 or 15270, as applicable.

Deposit of Bond Proceeds

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

Legal Reference:

EDUCATION CODE

7054 Use of district property, campaign purposes

15100-15254 Bonds for school districts and community college districts

15264-15288 Strict Accountability in Local School Construction Bonds Act of 2000

17577 Sewers and drains

47614 Charter school facilities

ELECTIONS CODE

324 General election

328 Local election

341 Primary election

348 Regular election

356 Special election

357 Statewide election

1302 ~~School district~~ **Local** election

15372 Elections official certificate

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

8855 California Debt and Investment Advisory Commission

53506-53509.5 General obligation bonds

53580-53595.5 Bonds

54952 Definition of legislative body, Brown Act

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit

240.15c2-12 Municipal securities disclosure

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

99 Ops.Cal.Atty.Gen. 18 (2016)

88 Ops.Cal.Atty.Gen. 46 (2005)

87 Ops.Cal.Atty.Gen. 157 (2004)

Management Resources:

CSBA PUBLICATIONS

California's Challenge: Adequately Funding Education in the 21st Century, December 2015

Bond Sales - Questions and Considerations for Districts, Governance Brief, December 2012

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

WEB SITES

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

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

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

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

Government Finance Officers Association: <http://www.gfoa.org>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):

<http://www.emma.msrb.org>

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Board Bylaw

Board Bylaws

BB 9012(a)

BOARD MEMBER ELECTRONIC COMMUNICATIONS

The Governing Board recognizes that electronic communication ~~among Board members and between Board members, district administration, and members of the public~~ is an efficient and convenient way **for Board members** to communicate and expedite the exchange of information **within the district and with members of the public.** ~~and to help keep the community informed about the goals, programs, and achievements of the district and its schools.~~ Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendaized Board meeting **nor to circumvent the public's right to access records regarding district business.**

(cf. 1100 - Communication with the Public)

~~(cf. 6020 - Parent Involvement)~~

(cf. 9000 - Role of the Board)

(cf. 9322 - Agenda/Meeting Materials)

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

(cf. 9320 - Meetings and Notices)

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

In addition, Board members may use electronic communications to discuss matters other than that do not pertain to district business with each other, regardless of the number of Board members participating in the discussion.

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the **press media** shall be forwarded to the designated district spokesperson.

(cf. 1112 - Media Relations)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3320 - Claims and Actions Against the District)

(cf. 9005 - Governance Standards)

(cf. 9121 - **Board** President)

(cf. 9200 - Limits of Board Member Authority)

~~(cf. 9270 - Conflict of Interest)~~

In order to minimize the risk of improper disclosure, Board members shall avoid reference to confidential information and information acquired during closed session.

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

~~(cf. 5125 - Student Records)~~

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

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

Board members may use electronic communications to discuss matters other than district business with each other, regardless of the number of members participating in the discussion.

Like other writings concerning district business, a Board member's electronic communications may be subject to disclosure under the California Public Records Act. To the extent possible, electronic communications regarding any district-related business shall be transmitted through a district-provided device or account. When any such communication is transmitted through a Board member's personal device or account, he/she shall copy the communication to a district electronic storage device for easy retrieval.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

35140 Time and place of meetings

35145 Public meetings

35145.5 Agenda; public participation; regulations

35147 Open meeting law exceptions and applications

GOVERNMENT CODE

6250-6270 California Public Records Act

11135 State programs and activities, discrimination

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting, defined

54953 Meetings to be open and public; attendance

54954.2 Agenda posting requirements, board actions

COURT DECISIONS

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

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

The Brown Act: School Boards and Open Meeting Laws, rev. 2006 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. 2007

WEB SITES

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

CSBA, Agenda Online:

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

<https://www.csba.org/ProductsAndServices/AllServices/AgendaOnline.aspx>

California Attorney General's Office: <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

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COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

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COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

Preamble

Colusa Unified School District (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities – do better academically. Finally, there is evidence that adequate hydration is associated with better cognitive performance.

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the District have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school campus– in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff and schools in the District. Specific measurable goals and outcomes are identified within each section below.

- *The District will coordinate the wellness policy with other aspects of school management, including the District's School Local Control Accountability Plan (LCAP), when appropriate.*

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

I. School Wellness Committee

Committee Role and Membership

The District will convene a representative district wellness committee (hereto referred to as the DWC or work within an existing school health committee) that meets at least two times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this district-level wellness policy (heretofore referred as “wellness policy”).

The DWC membership will represent all school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (e.g., school nutrition director, head cook); physical education teachers; health education teachers; school health professionals (e.g., health education teachers, school health services staff [i.e., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], and mental health and social services staff [i.e., school counselors, psychologists, social workers, health dept. agents or psychiatrists]; school administrators (i.e., superintendent, principal, vice principal), school board members; health professionals (i.e., dietitians, doctors, nurses, dentists); and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators (SNAP-EDEDSNAP-Ed). To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community.

Leadership

The Superintendent or designee(s) will convene the DWC and facilitate development of and updates to the wellness policy, and will ensure each school’s compliance with the policy.

The designated official for oversight:

Dwayne Newman, Superintendent

Name	Title / Relationship to the School or District	Email address	Role on Committee
Leasa Hill	Student Nutrition Director	lhill@colusa.k12.ca.us	Facilitates developments and updates policy, ensures compliance
Clair Toth	Principal (K – 3)	ctoth.k12.ca.us	Convene DWC, ensures compliance
Andrea Uhlenkott	Nurse	aahlenkott@colusa.k12.ca.us	Convene DWC, ensures compliance
	Counselor/Psychologist	kaplanalp@colusa.k12.ca.us	Convene DWC

Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy. Refer to Appendix A for a list of school-level wellness policy coordinators.

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

II. Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. It is recommended that the school use the [Healthy Schools Program online tools](#) to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at: www.colusa.k12.ca.us

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at the District Student Nutrition office and/or on www.colusa.k12.ca.us. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the DWC;
- Documentation to demonstrate compliance with the annual public notification requirements;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

Annual Notification of Policy

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District's school officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is: Student Nutrition Director - Leasa Hill, lhill@colusa.k12.ca.us / 530-458-7791 ext.14121

The DWC, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. **The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

Community Involvement, Outreach and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

III. Nutrition

School Meals

Our school district is committed to serving healthy, appetizing meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams' *trans*-fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and *after school Snack Program*. All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appetizing, appealing and attractive to children;
- Are served in clean, and pleasant settings with excellent service;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet [USDA nutrition standards](#).)
- Promote healthy food and beverage choices using at least ten of the following [Smarter Lunchroom techniques](#):
 - Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans).
 - Sliced or cut fruit is available daily.
 - Daily fruit options are displayed in a location in the line of sight and reach of students.
 - All available vegetable options have been given creative or descriptive names.
 - Daily vegetable options are bundled into all grab-and-go meals available to students.
 - Rotate types of fruits and vegetables offered to ensure all types of tastes are satisfied.
 - Daily create one specialty fruit/ vegetable salad to place in the salad bar, move the location each time that the specialty salad is offered so students are always looking at all fruits and vegetables offered in the salad bar.
 - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
 - White milk is placed in front of other beverages in all coolers.
 - Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.
 - Create entrée examples using fruits and vegetables in your display with trained staff on the service line to encourage a complete meal be selected.
 - Create innovative menu options that are current and trendy at each age group for specific sites that are healthy yet exciting for students to eat.
 - A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).
 - Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.
 - Student artwork is displayed in the service and/or dining areas.
 - Daily announcements are used to promote and market menu options.

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](#). These school nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day* and throughout every school campus* ("school campus" and "school day" are defined in the glossary). The District will make drinking water available where school meals are served during mealtimes. Water cups/jugs will be available in the cafeteria if a drinking fountain is not present.

All water sources and containers will be maintained on a regular basis to ensure good hygiene and health safety standards. [i.e., drinking fountains, water jugs, hydration stations, water jets and other methods for delivering drinking water.]

Students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus* during the school day* support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day* will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores, fundraisers and snack or food carts.

Celebrations and Rewards

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards including through:

1. Celebrations and parties. The district will provide a list of healthy party ideas to parents and teachers by request, including non-food celebration ideas. Healthy party ideas are available from the [Alliance for a Healthier Generation](#) and from the [USDA](#).

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

2. Classroom snacks brought by parents. The District will provide to parents a [list of foods and beverages that meet Smart Snacks](#) nutrition standards.
3. Rewards and incentives. The District will provide teachers and other relevant school staff a [list of alternative ways to reward children](#). Sites will discourage the use of foods and beverages as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus* during the school day* will meet or exceed the USDA Smart Snacks in School nutrition standards and State Nutrition Standards. Only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

COLUSA UNIFIED SCHOOL DISTRICT WELLNESS POLICY

Fundraising

- Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus* during the school day* with the exception of school sites scheduled meal times. The District will make available to parents and teachers a list of healthy fundraising ideas [examples from the [Alliance for a Healthier Generation](#) and the [USDA](#)]. Schools will encourage non-food fundraisers that promote physical activity (such as walk-a-thons, Jump Rope for Heart, fun runs, etc.).

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:

- Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using [Smarter Lunchroom techniques](#); and
- Ensuring foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the District and individual schools may use are available at <http://www.foodplanner.healthiergeneration.org/>.

Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

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- *In elementary schools, nutrition/ health education will be offered at each grade level as part of a sequential, comprehensive, standards-based health education curriculum that meets state and national standards (meets Healthy Schools Program Silver/Gold-level criteria).*
- *All health education teachers will provide opportunities for students to practice or rehearse the skills taught through the health education curricula.*

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from [MyPlate](#)
- Learning how to read and understand FDA's/ USDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- [The Dietary Guidelines for Americans](#)
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

IV. Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement and the district is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the district will be encouraged to participate in *Let's Move! Active Schools* (www.letsmoveschools.org) in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment for any reason. This **does not include** participation on sports teams that have specific academic requirements. The

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district will provide teachers and other school staff with a [list of ideas](#) for alternative ways to discipline students.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the “*Essential Physical Activity Topics in Health Education*” subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All District **elementary students** in each grade will receive physical education for at least 60-89 minutes per week throughout the school year. *[NOTE: Additional optional policy language substitutions include: All [District] elementary students in each grade will receive physical education for at least 90-149 minutes per week throughout the school year (Meets Healthy Schools Program Silver-level criteria). OR All [District] elementary students in each grade will receive physical education for at least 150 minutes per week throughout the school year (meets Healthy Schools Gold-level criteria).]*

All District **secondary students** (middle and high school) are required to take the equivalent of one academic year of physical education.

The District physical education program will promote student physical fitness through individualized fitness and activity assessments (via the [Presidential Youth Fitness Program](#) or other appropriate assessment tool) and will use criterion-based reporting for each student.

[Additional policy language includes:

- *Students will be moderately to vigorously active for at least 50% of class time during most or all physical education class sessions (meets Healthy Schools Program Silver-level criteria).*
- *All physical education teachers in [District] will be required to participate in at least a once a year professional development in education (meets Healthy Schools Program Silver-level criteria).*
- *All physical education classes in [District] are taught by licensed teachers who are certified or endorsed to teach physical education (meets Healthy Schools Program Gold-level criteria).*
- *Waivers, exemptions, or substitutions for physical education classes are not granted.*

Essential Physical Activity Topics in Health Education

Health education will be required in all grades (elementary) and the district will require middle and high school students to take and pass at least one health education course. The District will

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include in the health education curriculum a minimum of 12 the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

Recess (Elementary)

All elementary schools will offer at least **20 minutes of recess** on all days during the school year. This policy may be waived on early dismissal or late arrival days. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather is feasible for outdoor play and continue to be at the discretion of the building administrator based on his/her best judgment of safety conditions.

In the event that the school or district must conduct **indoor recess**, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

Classroom Physical Activity Breaks (Elementary and Secondary)

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities** to be active or to stretch throughout the day on all or most days during a

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typical school week. The District recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through [USDA](#) and the [Alliance for a Healthier Generation](#).

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by: after school sports, clubs, and activities.

Active Transport

The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by engaging in *six or more* of the activities below; including but not limited to:

- Designate safe or preferred routes to school
- Promote activities such as participation in International Walk to School Week, National Walk and Bike to School Week
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area)
- Instruction on walking/bicycling safety provided to students
- Promote safe routes program to students, staff, and parents via newsletters, websites, local newspaper
- Use crossing guards
- Use crosswalks on streets leading to schools
- Use walking school buses
- Document the number of children walking and or biking to and from school
- Create and distribute maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks, etc.)

V. Other Activities that Promote Student Wellness

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The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC/SWC.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships

The District will develop and enhance relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Family Engagement

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the district's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

The DWC will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff. The subcommittee leader's name is Andrea Uhlenkott, District Nurse.

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. **Examples of strategies schools will use, as well as specific actions staff members can take, include _____ (list 3-4 strategies here).** The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

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[Optional language includes:

- *The District will use a healthy meeting policy for all events with available food options, created by the SWC/DWC or one that currently exists that optimizes healthy food options with a variety of choices and selections of healthy foods for a variety of dietary needs.]*

Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

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Glossary:

Extended School Day – the time during, before and afterschool that includes activities such as clubs, intramural sports, band and choir practice, drama rehearsals and more.

School Campus - areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day – the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.

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Appendix A: School Level Contacts

School	Name	Title	Email Address	Role
Burchfield Primary School	Clair Toth	Principal	ctoth@colusa.k12.ca.us	Ensure Compliance at school site
Egling Middle School	Jody Johnston/ Erika Lemenager	Principal/ Vice Principal	jjohnston@colusa.k12.ca.us elemenager@colusa.k12.ca.us	Ensure Compliance at school site
Colusa High School	Rebecca Changus/ John Ithurburn	Principal/ Vice Principal	rchangus@colusa.k12.ca.us iithurburn@colusa.k12.ca.us	Ensure Compliance at school site

¹ Bradley, B, Green, AC. Do Health and Education Agencies in the United States Share Responsibility for Academic Achievement and Health? A Review of 25 years of Evidence About the Relationship of Adolescents' Academic Achievement and Health Behaviors, *Journal of Adolescent Health*. 2013; 52(5):523–532.

¹ Meyers AF, Sampson AE, Weitzman M, Rogers BL, Kayne H. School breakfast program and school performance. *American Journal of Diseases of Children*. 1989;143(10):1234–1239.

¹ Murphy JM. Breakfast and learning: an updated review. *Current Nutrition & Food Science*. 2007; 3:3–36.

¹ Murphy JM, Pagano ME, Nachmani J, Sperling P, Kane S, Kleinman RE. The relationship of school breakfast to psychosocial and academic functioning: Cross-sectional and longitudinal observations in an inner-city school sample. *Archives of Pediatrics and Adolescent Medicine*. 1998;152(9):899–907.

¹ Pollitt E, Mathews R. Breakfast and cognition: an integrative summary. *American Journal of Clinical Nutrition*. 1998; 67(4), 804S–813S.

¹ Rampersaud GC, Pereira MA, Girard BL, Adams J, Metz JD. Breakfast habits, nutritional status, body weight, and academic performance in children and adolescents. *Journal of the American Dietetic Association*. 2005;105(5):743–760, quiz 761–762.

¹ Taras, H. Nutrition and student performance at school. *Journal of School Health*. 2005;75(6):199–213.

¹ MacLellan D, Taylor J, Wood K. Food intake and academic performance among adolescents. *Canadian Journal of Dietetic Practice and Research*. 2008;69(3):141–144.

¹ Neumark-Sztainer D, Story M, Dixon LB, Resnick MD, Blum RW. Correlates of inadequate consumption of dairy products among adolescents. *Journal of Nutrition Education*. 1997;29(1):12–20.

¹ Neumark-Sztainer D, Story M, Resnick MD, Blum RW. Correlates of inadequate fruit and vegetable consumption among adolescents. *Preventive Medicine*. 1996;25(5):497–505.

¹ Centers for Disease Control and Prevention. *The association between school-based physical activity, including physical education, and academic performance*. Atlanta, GA: US Department of Health and Human Services, 2010.

¹ Singh A, Uijtdewilligne L, Twisk J, van Mechelen W, Chinapaw M. *Physical activity and performance at school: A systematic review of the literature including a methodological quality assessment*. *Arch Pediatr Adolesc Med*, 2012; 166(1):49-55.

¹ Haapala E, Poikkeus A-M, Kukkonen-Harjula K, Tompuri T, Lintu N, Väistö J, Leppänen P, Laaksonen D, Lindi V, Lakka T. *Association of physical activity and sedentary behavior with academic skills – A follow-up study among primary school children*. *PLoS ONE*, 2014; 9(9): e107031.

¹ Hillman C, Pontifex M, Castelli D, Khan N, Raine L, Scudder M, Drollette E, Moore R, Wu C-T, Kamijo K. *Effects of the FITKids randomized control trial on executive control and brain function*. *Pediatrics* 2014; 134(4): e1063-1071.

¹⁵ Change Lab Solutions. (2014). *District Policy Restricting the Advertising of Food and Beverages Not Permitted to be Sold on School Grounds*. Retrieved from <http://changelabsolutions.org/publications/district-policy-school-food-ads>.

Colusa USD

Board Bylaw

Meetings And Notices

BB 9320

Board Bylaws

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

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

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

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

(cf. 9012 - Board Member Electronic Communications)

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

Regular Meetings

The Board shall hold one regular meeting(s) each month. Regular meetings shall be held at **6:00 p.m. on the third Tuesday** **5:15 p.m. on the second Tuesday** at the CUSD Conference Room,

745 Tenth St., Colusa, CA.

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

(cf. 1113 - District and School Web Sites)

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

(cf. 1340 - Access to District Records)

Special Meetings

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

(cf. 2121 - Superintendent's Contract)

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

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

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

Emergency Meetings

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

special meetings during an emergency meeting. (Government Code 54956.5)

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

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

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

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

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

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

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

Adjourned/Continued Meetings

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

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

Study Sessions, Retreats, Public Forums, and Discussion Meetings

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

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

(cf. 2000 - Concepts and Roles)
(cf. 2111 - Superintendent Governance Standards)
(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9400 - Board Self-Evaluation)

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

Other Gatherings

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

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

(cf. 9130 - Board Committees)

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

Location of Meetings

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

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

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

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

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

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

Teleconferencing

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

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

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

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

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

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

Legal Reference:

EDUCATION CODE

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

GOVERNMENT CODE

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

54954 Time and place of regular meetings
54954.2 Agenda posting requirements, board actions
54956 Special meetings; call; notice
54956.5 Emergency meetings
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications
36.303 Auxiliary aids and services
COURT DECISIONS
Wolfe v. City of Fremont, (2006) 144 Cal.App. 544
ATTORNEY GENERAL OPINIONS
88 Ops.Cal.Atty.Gen. 218 (2005)
84 Ops.Cal.Atty.Gen. 181 (2001)
84 Ops.Cal.Atty.Gen. 30 (2001)
79 Ops.Cal.Atty.Gen. 69 (1996)
78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS

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

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

The ABCs of Open Government Laws

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

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

WEB SITES

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

CSBA, Agenda Online:

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

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

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

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

Policy COLUSA UNIFIED SCHOOL DISTRICT

approved: September 18, 2012 Colusa, California

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, CA 95932

UNOFFICIAL MINUTES Board of Trustees Board Meeting

June 13, 2017

CALL TO ORDER

The meeting was called to order at 4:30 p.m. in the District Office Board Room by Kathie Whitesell, who established a quorum was present. Attending were Charles Yerxa, Melissa Ortiz and Kelli Griffith-Garcia. Also in attendance was Superintendent Dwayne Newman, various staff members, and members of the community.

PLEDGE OF ALLEGIANCE

Kelli Griffith-Garcia led the pledge of allegiance.

HEARING OF THE PUBLIC FOR ITEMS ON THE AGENDA

No information was presented.

HEARING OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Pam Giuliano distributed the 26th Edition of the Hawk's Eye to the Board. Terry Biladeau informed the board that a new air conditioning unit and ductwork will be going in at the Colusa High School kitchen.

RECOGNITIONS & CELEBRATIONS

Jody Johnston thanked Pam Giuliano for her many years of service with Colusa Unified and for her ability to get so much out of her students each day. Mrs. Johnston also recognized Erika Lemenager, Stephanie Archibald, and the remainder of the Egling Middle School staff for their hard work and compassion during an emotional year. Mr. Newman recognized CRAF for their enormous contributions and efforts for the various Colusa High School Athletic Programs.

PRESIDENT'S REPORT

CRAF – Charles Yerxa reported that the recent golf tournament resulted in approximately \$10,000 in profit. A review of the various purchases made by CRAF for the athletic programs occurred.

FOM – None.

FOA – Kelli Griffith-Garcia reported that CUSD students did very well at the 2017 Colusa County Fair.

SELPA – Kathie Whitesell was not present at the last SELPA meeting; however, Mr. Newman attended and stated that the budget was approved.

DELAC – Mrs. Ortiz stated that the last meeting went very well and items from the LCAP were discussed with the DELAC members. In addition, Mrs. Ortiz also worked with the members on getting them signed up and trained on Footsteps2Brilliance.

SUPERINTENDENT'S REPORT IMPROVING ACHIEVEMENT

Improving Achievement

- Discussion of Changes to May 9, 2017 Local Control Accountability Plan Draft - Mr. Newman reviewed the changes to the May 9, 2017 Local Control Accountability Plan Draft. Those changes consisted of some notes from his meeting with the CHS Leadership class, and the latest budget numbers.
- Budget Discussion – Sheryl Parker presented information on how to read a budget report. The board was presented with a packet of information

Board of Trustees Meeting
June 13, 2017

including the different budget codes, and some documents detailing how districts can avoid fiscal difficulties.

PUBLIC HEARING

Kathie Whitesell opened the public hearing for the 2017-18 Local Control Accountability Plan at 5:17 PM for public comment. No comments were made and the public hearing closed at 5:18 PM.

Kathie Whitesell opened the public hearing for the 2017-18 Budget for public comment at 5:18 PM. Pam Giuliano asked for clarification on the assumptions. The public hearing closed at 5:21 PM.

DISCUSSION ONLY

Leasa Hill, Nutrition Services Director, presented information on the upcoming remodels that will be taking place at the various CUSD kitchens. Terry Biladeau, MOT Director, provided information to the board on the various summer projects as well the development of the sinkhole at Burchfield Primary School. Currently, Mr. Biladeau is monitoring the sinkhole and working with the City to determine the best approach on repairs.

ACTION ITEM #1617184

Motion was made by Kelli Griffith-Garcia, seconded by Charles Yerxa to approve the Warrants: Batch #43-47.

Whitesell – Abstain
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (1 Abstain, 3 Ayes, 1 Absent)

DISCUSSION ONLY

Mr. Newman wanted to make the board aware that there is a need for additional staffing at the district office. The board will be provided with written detail at the August board meeting.

DISCUSSION ONLY

Mr. Newman asked the board to review the draft CUSD Governance Handbook. Melissa Ortiz will be working on a self-evaluation for the board and will distribute it for review and comments via email. The handbook will be brought back to future meetings for revision and final approval.

DISCUSSION ONLY

Class lists will no longer be posted at the school sites. This is a violation of student / parent privacy according to a recent training attended by the administrators.

ACTION ITEM #1617185

Motion was made by Kelli Griffith-Garcia, seconded by Charles Yerxa to approve the first reading of Board Policies and Administrative Regulations as listed on the agenda.

Whitesell – Aye
Griffith-Garcia – Aye

Board of Trustees Meeting
June 13, 2017

Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617186

Kathie Whitesell pulled agenda item H. 13 from the consent agenda. Motion was made by Melissa Ortiz, seconded by Kelli Griffith-Garcia to approve the Declaration of Need for Fully Qualified Educators.

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617187

Motion was made by Kelli Griffith-Garcia, seconded by Melissa Ortiz to approve the following consent agenda items with the exception of item #13 (which was moved from consent to an action item):

1. May 9, 2017 Regular Board Meeting Minutes
2. May 11, 2017 Special Board Meeting Minutes
3. Consider Approval of Change for K-8 Counselor Position
Administrative Salary Schedule to Certificated Salary Schedule
4. Personnel Assignment Order
5. May Payroll
6. Out of State Travel for Teacher to Attend Math Learning Center
Leadership in Denver, CO.
7. 2017-18 Consolidated Application
8. 2017-18 Vision Screening Contract
9. 2017-18 Medi-Cal Administrative Activities Joint Power Agreement
10. AB1200 Disclosure of Collective Bargaining Agreement
11. Cafeteria Fund 13 Budget Revision
12. General Fund 01 Budget Revision
13. Declaration of Need for Fully Qualified Educators
14. Dickson Mechanical – Burchfield Kitchen Remodel (\$10,300)
15. Dickson Mechanical – Egling Kitchen Remodel (\$8,800)
16. Chico Roofing Contract (\$148,267)
17. Wike Restoration (\$3,840.84)
18. Williams Uniform Complaint Quarterly Report
19. 2016-17 Salary Schedules:
 - a. Certificated Salary Schedules
 - b. Certificated Extra Duty Salary Schedule
 - c. Confidential/ASES Coordinator Salary Schedule
 - d. Classified Management Salary Schedule
 - e. Administrative Salary Schedule

Board of Trustees Meeting
June 13, 2017

f. Substitute Salary Schedule

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

HEARING OF THE PUBLIC FOR
MATTERS ON THE CLOSED
SESSION AGENDA

None.

The board adjourned to closed session at 6:22 PM to consider and/or take action upon the following items:

1. Personnel Matters Pursuant to Government Code 54957
Administrative Representatives: Dwayne Newman, Superintendent; Sheryl Parker, Chief Business Official
 - a. Consider Approval of Maternity Leave for Classified Staff Member
2. Negotiations Pursuant to Government Code 54957.6
Agency Representatives: Dwayne Newman, Superintendent; Sheryl Parker, Chief Business Official

Employee Organizations: California Teachers Association, California State Employees Association, and Unrepresented Employees
 - a. Consider Approval of Unrepresented Employee Group Tentative Agreement
 - b. Consider Approval of Certificated Employee Group Tentative Agreement
 - c. Consider Approval of Memorandum of Understanding with Colusa Educator's Association.

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)

3. Student Matters Pursuant to Government Code 48918
Administrative Representative: Dwayne Newman, Superintendent
 - a. Consider Approval of AHP Recommendation Regarding EH #2016-17.06
 - b. Consider Approval of AHP Recommendation Regarding EH #2016-17.07.

The board reconvened from Closed Session at 6:43 PM.

ACTION ITEM #1617188

Motion was made by Kelli Griffith-Garcia, seconded by Melissa Ortiz to approve the Maternity Leave Request for Classified Staff Member.

Board of Trustees Meeting
June 13, 2017

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617189

Motion was made by Kelli Griffith-Garcia, seconded by Melissa Ortiz to approve the Unrepresented Employee Group Tentative Agreement.

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617190

Motion was made by Melissa Ortiz, seconded by Kelli Griffith-Garcia to approve the Certificated Employee Group Tentative Agreement.

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617191

Motion was made by Kelli Griffith-Garcia to approve the Memorandum of Understanding with Colusa Educator's Association.

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent
Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617192

Motion was made by Melissa Ortiz, seconded by Kelli Griffith-Garcia to approve the AHP Recommendation for EH#2016-17.06 .

Whitesell – Aye
Griffith-Garcia – Aye
Ortiz - Aye
Phenicie – Absent

Board of Trustees Meeting
June 13, 2017

Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ACTION ITEM #1617193

Motion was made by Kelli Griffith-Garcia, seconded by Melissa Ortiz to approve the AHP Recommendation for EH #2016.17.07.

Whitesell – Aye

Griffith-Garcia – Aye

Ortiz - Aye

Phenicie – Absent

Yerxa – Aye

Vote: (4 Ayes, 1 Absent)

ADJOURNMENT

The meeting was adjourned at 6:47 PM.

Respectfully submitted by Zeba Hone,
Executive Administrative Assistant

APPROVED BY:

COLUSA UNIFIED SCHOOL DISTRICT

745 Tenth Street
Colusa, CA 95932

UNOFFICIAL MINUTES

Board of Trustees Special Board Meeting

June 20, 2017

CALL TO ORDER

The meeting was called to order at 4:31 p.m. in the District Office Board Room by Kathie Whitesell, who established a quorum was present. Attending were Charles Yerxa, Michael Phenicie, and Melissa Ortiz. Dwayne Newman and Sheryl Parker also attended.

HEARING OF THE PUBLIC FOR
ITEMS ON THE AGENDA

No information was presented.

HEARING OF THE PUBLIC FOR
ITEMS NOT ON THE AGENDA

No information was presented.

ACTION ITEM #1617194

Motion was made by Charles Yerxa, seconded by Michael Phenicie to approve the 2017-18 Local Control Accountability Plan.

Whitesell – Aye
Griffith-Garcia – Absent
Ortiz – Aye
Phenicie – Aye
Yerxa – Aye

Vote: (1 Absent, 4 Ayes)

ACTION ITEM #1617195

Motion was made by Michael Phenicie, seconded by Charles Yerxa to approve the 2017-18 Budget.

Whitesell – Aye
Griffith-Garcia – Absent
Ortiz – Aye
Phenicie – Aye
Yerxa – Aye

Vote: (1 Absent, 4 Ayes)

ADJOURNMENT

The meeting adjourned at 4:33 PM

Respectfully submitted by Zeba Hone,
Executive Administrative Assistant

APPROVED BY:

August 1, 2017

TO: Board of Trustees
Colusa Unified School District

RE: CSEA – CUSD Joint Sunshine Proposal

It is the intent of the CSEA Chapter 574 Riverbenders and the Colusa Unified School District to negotiate the following items for the 2017-18 school year:

- Compensation
- Contract Language
- Other Items as Needed
- Employee Orientation Procedure

August 1, 2017

TO: Board of Trustees
Colusa Unified School District

RE: CEA – CUSD Joint Sunshine Proposal

It is the intent of the Colusa Educator's Association and the Colusa Unified School District to negotiate the following items for the 2017-18 school year:

- Compensation
- 2019-20 Calendar
- Contract Language
- Other Items as Needed
- Employee Orientation Procedure

**COLUSA UNIFIED SCHOOL DISTRICT
2017-18 GENERAL FUND 01 BUDGET REVISION**

August 8, 2017

2017-18 ESTIMATED BEGINNING BALANCE	1,371,206
ESTIMATED INCOME	<u>14,968,383</u>
TOTAL INCOME/BEGINNING BALANCE	16,339,589

Resource Code and Program

0000 Decrease LCFF	(34,530)
0110 Add One Time Funds	170,000
6230 Add Final Year Prop 39 Energy	110,000
6387 CTEIG Carryover	411,668
7220 ESA Carryover from 16-17	17,275
REVISED TOTAL INCOME	15,642,796
REVISED TOTAL INCOME + BEGINNING BALANCE	17,014,002

EXPENDITURES

Current Expenditure Budget	14,980,509	
Reserve for Revolving Cash	30,350	
Reserves for Van/Bus/Tech/Textbooks	140,000	
Undistributed Reserve	<u>1,188,730</u>	<u>1,359,080</u>
		16,339,589
Carryover as per attached sheet		61,664
0000 Add Copier Leases		30,000
0000 Additional Technology Budget		40,000
0000 Adjust School Site Allocations		(20,026)
0000 Increase Phone System Lease		3,000
0000 Increase Substitute Teacher Budget		30,000
0000 Salary/Benefit Adjustments		45,000
0000-6115 Add QSS License for ESS		3,500
0110 Add One Time Funds		170,000
6230 Add Final Year Prop 39 Energy		110,000
6230 Prop 39 Carryover		32,793
6387 CTEIG Carryover		411,668
7220 ESA Carryover from 16-17		17,275
7338 College Readiness Grant Carryover		69,207
Revised Expenditure Budget	15,984,590	
Reserve for Revolving Cash	30,350	
Reserves for Van/Bus/Tech/Textbooks	140,000	
Undistributed Reserve	<u>859,062</u>	<u>1,029,412</u>
		17,014,002

PASSED AND ADOPTED this 8th Day of August, 2017 at a meeting of the Board of Trustees of Colusa Unified School District.

AYES:

NOES:

ABSENT:

Dwayne Newman, Superintendent

Multi-Year Projection Summary - August 8, 2017

INCOME	14/15 ACTUALS	15/16 ACTUALS	16/17 BUDGET	17/18 BUDGET	18/19 BUDGET	19/20 BUDGET
8011-8089 TOTAL LCFF	10,874,660	12,397,758	13,107,388	13,422,519	13,755,350	14,305,040
TOTAL FEDERAL REVENUE	514,766	554,244	396,545	289,417	296,545	296,545
TOTAL STATE REVENUE	1,015,848	2,109,700	1,727,524	1,723,268	984,325	984,325
TOTAL LOCAL REVENUES	387,830	388,312	710,796	207,592	187,592	187,592
TOTAL REVENUES	12,793,104	15,450,014	15,942,253	15,642,796	15,223,812	15,773,502
EXPENDITURES						
TOTAL CERTIFICATED	5,939,658	6,468,062	6,300,344	6,351,032	6,391,032	6,431,032
TOTAL CLASSIFIED	1,847,681	2,047,601	2,171,313	2,267,172	2,254,172	2,286,172
TOTAL BENEFITS	<u>2,620,009</u>	<u>2,952,259</u>	<u>3,196,759</u>	<u>3,330,918</u>	<u>3,521,918</u>	<u>3,737,918</u>
SUBTOTAL SALARIES/BENEFITS	10,407,348	11,467,922	11,668,416	11,949,122	12,167,122	12,455,122
TOTAL BOOKS AND SUPPLIES	770,436	1,104,360	1,077,887	928,943	700,000	740,000
TOTAL TRAVEL, REPAIRS, UTILITIES, INS, OTHER	1,102,341	1,223,294	1,599,053	1,477,818	1,192,411	1,192,411
TOTAL CAPITAL OUTLAY	56,177	402,140	917,477	554,461		160,000
TOTAL SELPA, COMMUNITY SCH, DEBT PYMT	603,624	765,140	996,546	1,074,246	1,020,000	1,040,000
TOTAL EXPENDITURES	12,939,926	14,962,856	16,259,379	15,984,590	15,079,533	15,587,533
TOTAL REVENUES LESS EXPENDITURES	-146,822	487,158	-317,126	-341,794	144,279	185,969
		\$441,014 will carryover to be spent 16-17	\$441,014 was prior year income			
GENERAL FUND BEGINNING BALANCE	1,347,994	1,201,172	1,688,330	1,371,206	1,029,412	1,173,691
LESS AMOUNT ABOVE REVENUES LESS EXP	-146,822	487,158	-317,126	-341,794	144,279	185,969
Less Reserve for Revolving Cash		-30,350	-30,350	-30,350	-30,350	-30,350
less Reserves for Van/Bus, Tech, Textbooks		-125,000	-170,000	-140,000	-180,000	-220,000
UNDISTRIBUTED GENERAL FUND RESERVE	1,201,172	1,532,980	1,170,854	859,062	963,341	1,109,310
% UNDISTRIBUTED RESERVE	9.28%	10.25%	7.20%	5.37%	6.39%	7.12%
AMOUNT ABOVE (-BELOW) 5%	554,176	784,837	357,885	59,832	209,365	329,933
Percent of Budget for Personnel (includes SELPA)	84.3%	81.4%	78.0%	81.5%	87.5%	86.6%
TOTAL ADA	1386.33	1404.81	1405.05	1401.23	1401.23	1401.23
multiply x Average Amount per ADA	\$ 7,844	\$ 8,825	\$ 9,329	\$ 9,579	\$ 9,817	\$ 10,209
Total LCFF Funding Budgeted	\$ 10,874,660	\$ 12,397,756	\$ 13,107,388	\$ 13,422,519	\$ 13,755,350	\$ 14,305,040
% Increase over Prior Year	10.77%	14.01%	5.72%	2.40%	2.48%	4.00%
	8.88% STRS 11.7% PERS	10.73% STRS 11.847% PERS	12.58% STRS 13.888% PERS	14.43% STRS 15.8% PERS	16.28% STRS 18.7% PERS	18.13% STRS 21.6% PERS
	Impact of Minimum Wage Increase for Classified is not budgeted as it is unknown-must be negotiated					
	Min. Wage \$9	Min. Wage \$10	Min. Wage \$10.50	Min. Wage \$11	Min. Wage \$12	Min. Wage \$13

16-17 CARRYOVER INTO 17-18 BUDGET 7/21/17

BURCHFIELD			
RESOURCE	BUDGET RESP.	PROGRAM DESCRIPTION	Balance
0001	1003	BPS Parent Club	\$ 3,337
0001	1005	LIBRARY-BOOK FAIR PROCEEDS	\$ 1,355
0001	1100	1st Grade Field Trips	\$ 413
TOTAL BURCHFIELD			\$ 5,105
EGLING			
RESOURCE	BUDGET RESP.	PROGRAM DESCRIPTION	Balance
0001	2003	Parent Club	\$ 6,129
0001	2007	Staff Bev Machine	\$ 247
0001	2008	Choir	\$ 62
0001	2011	Library	\$ 725
0001	2016	PE Clothes	\$ 210
0001	2400	4th Grade Popsicle Sales	\$ 2,452
TOTAL EGLING			\$ 9,825
COLUSA HIGH/COLUSA ALTERNATIVE HIGH/HOME SCHOOL			
RESOURCE	BUDGET RESP.	PROGRAM DESCRIPTION	Balance
0001	3037	ESA Recycling	\$ 4,202
0001	3202	Alumni Donation - Library/English	\$ 130
0001	3515	Alumni Donation - Business	\$ 1,036
0001	3536	Alumni Donation - Ag	\$ 4,485
0001	3575	PE Clothes	\$ 267
0001	3612	Alumni Donation - Art	\$ 598
0001	3650	Tim Crabtree - AG	\$ 2,952
0001	3659	Friends of Ag	\$ 3,641
0001	3661	Alumni Donation - Music	\$ 1,411
0001	3662	Music Repair/Replacement	\$ 1,463
0001	3669	Friends of Music	\$ 21,155
0001	3681	Alumni Donation - Science	\$ 2,491
0001	3705	Alumni Donation - Math	\$ 2,000
0001	3851	Alumni Donation - Spanish	\$ 205
TOTAL COLUSA HIGH			\$ 46,036
DISTRICT			
0000	0015	Mexican Cultural Center	\$ 698
TOTAL DISTRICT WIDE			\$ 698
SUMMARY			Balance
BURCHFIELD PRIMARY			\$ 5,105
EGLING MIDDLE SCHOOL			\$ 9,825
COLUSA HIGH SCHOOL			\$ 46,036
DISTRICT PROGRAMS			\$ 698
TOTAL			\$ 61,664

Colusa Unified School District

Budget Revision

August 8, 2017

Cafeteria Fund 13			
	APPROVED BUDGET	PROPOSED REVISION	REVISED BUDGET
BEGINNING BALANCE	121,533	83,731	205,264
8220 Federal Reimbursements	630,000		630,000
8290 Other Federal Revenue			0
8520 State Reimbursements	73,000		73,000
8631 Sale of Equipment	0		0
8634 Food Sales	190,000		190,000
8660 Interest	100		100
8916 To Cafeteria Fund From General Fund	<u>20,000</u>	<u>0</u>	<u>20,000</u>
TOTAL INCOME	913,100	0	913,100
TOTAL BEGINNING BALANCE + INCOME	1,034,633	83,731	1,118,364
2000 Classified Salaries	300,665		300,665
3000 Employee Benefits	114,501		114,501
4000 Food & Supplies	321,500		321,500
5000 Other Services & Operating Expenses	54,000		54,000
6000 Equipment/Capital Outlay	0	150,000	150,000
7350 Interfund Indirect	<u>20,000</u>	<u>0</u>	<u>20,000</u>
TOTAL EXPENSES	810,666	150,000	960,666
PROJECTED ENDING BALANCE	223,967	-66,269	157,698

PASSED AND ADOPTED this 8th day of August, 2017 at a meeting of the Board of Trustees of Colusa Unified School District.

AYES:

NOES:

ABSENT:

Signed _____

Dwayne Newman, Superintendent

Colusa Unified School District
2017-18 Bond Fund 21 Budget Revision
August 8, 2017

	APPROVED BUDGET	PROPOSED REVISION	REVISED BUDGET
BEGINNING BALANCE	108,584	467,880	576,464
INCOME			
8660 Interest	<u>10,000</u>	<u>0</u>	<u>10,000</u>
TOTAL INCOME	10,000	0	10,000
TOTAL BEGINNING BALANCE + INCOME	118,584	467,880	586,464
EXPENDITURES			
6000 Capital Outlay (Building and Site Improvement)	<u>75,000</u>	<u>511,464</u>	<u>586,464</u>
TOTAL EXPENSES	75,000	511,464	586,464
PROJECTED ENDING BALANCE	43,584	-43,584	0

PASSED AND ADOPTED this 8th day of August, 2017 at a meeting of the Board of Trustees of Colusa Unified School District.

AYES:

NOES:

ABSENT:

Signed_____

Dwayne Newman, Superintendent

Expenditures	Bond Fund 21	Dev Fee Fund 25	TOTAL
0001 Fire Alarm Replacement	\$ 1,101,137.08		\$ 1,101,137.08
0002 AG Barn		\$ 232,828.29	\$ 232,828.29
0003 EMS Gym Floor	\$ 63,118.00		\$ 63,118.00
0004 EMS Paving and Portables	\$ 1,018,515.07	\$ 240,633.36	\$ 1,259,148.43
0006 Low Voltage Systems Upgrade	\$ 777,433.52		\$ 777,433.52
0007 BPS Fencing	\$ 3,790.00		\$ 3,790.00
0008 BPS Paving / Restrooms	\$ 763,424.69	\$ 272,017.00	\$ 1,035,441.69
0009 Window Film/Tint	\$ 15,206.00		\$ 15,206.00
0010 CHS HVAC / Restrooms	\$ 615,766.44	\$ 264,878.98	\$ 880,645.42
0011 Miscellaneous Projects:			\$ -
EMS HVAC (REPLACE 2 MULTIZONE)	\$ 116,930.75		\$ 116,930.75
EMS Band Room Floor	\$ 5,890.00		\$ 5,890.00
District Wide Irrigation Upgrades	\$ 14,014.72		\$ 14,014.72
EMS Band Room Windows	\$ 11,172.00		\$ 11,172.00
Crosswalk Safety Signs	\$ 13,834.00		\$ 13,834.00
Sidwalk/Concrete Repair and Replace	\$ 16,731.44		\$ 16,731.44
CHS 400 Wing Door Replacement	\$ 13,475.00		\$ 13,475.00
500 Wing at CHS Replace Floor Tiles	\$ 14,087.50		\$ 14,087.50
Ramp	\$ 3,400.00		\$ 3,400.00
Heaters for Locker Rooms	\$ 1,388.32		\$ 1,388.32
Roofing	\$ 178,598.23		\$ 178,598.23
Ashphalt Repairs	\$ 14,182.00		\$ 14,182.00
Remove Asbestos Floor	\$ 5,783.34		\$ 5,783.34
0020 PM to be Applied to Projects later			\$ -
Audit Fee	\$ 2,290.00		\$ 2,290.00
Disclosure Services	\$ 2,500.00		\$ 2,500.00
Issuance Cost for Bond	\$ 100,000.00		\$ 100,000.00
Program Managment	\$ 471,416.66		\$ 471,416.66
HAZMAT	\$ 53,750.00		\$ 53,750.00
Cleaning Costs	\$ 8,848.17		\$ 8,848.17
Total Expenditures	\$ 5,406,682.93	\$ 1,010,357.63	\$ 6,417,040.56

Total Remaining at 6/30/17	\$ 576,463.61	\$ -	\$ 576,463.61
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COLUSA UNIFIED SCHOOL DISTRICT

745 10th Street
Colusa, CA 95932
(530) 458-7791

16-17 ADMINISTRATIVE SALARY SCHEDULE

Presented for adoption August 8,2017, No Change 0% Increase

STEPS	PRIMARY SCHOOL	MIDDLE SCHOOL		HIGH SCHOOL		9-12
	PRINCIPAL	PRINCIPAL	VICE-PRINCIPAL	PRINCIPAL Incl Home School*	VICE-PRINCIPAL	COUNSELOR
1	\$ 90,231	\$ 95,195	\$ 78,627	\$ 104,367	\$ 84,062	\$ 76,855
2	\$ 92,893	\$ 98,003	\$ 80,947	\$ 107,446	\$ 86,542	\$ 79,123
3	\$ 95,633	\$ 100,894	\$ 83,335	\$ 110,616	\$ 89,095	\$ 81,457
4	\$ 98,454	\$ 103,870	\$ 85,793	\$ 113,879	\$ 91,724	\$ 83,860
5	\$ 101,358	\$ 106,935	\$ 88,324	\$ 117,239	\$ 94,429	\$ 86,333
7	\$ 105,342	\$ 111,137	\$ 91,795	\$ 121,846	\$ 98,141	\$ 89,726
10	\$ 110,504	\$ 116,583	\$ 96,293	\$ 127,816	\$ 102,949	\$ 94,123
13	\$ 115,918	\$ 122,295	\$ 101,012	\$ 134,079	\$ 107,994	\$ 98,735
16	\$ 121,598	\$ 128,288	\$ 105,961	\$ 140,649	\$ 113,286	\$ 103,573
19	\$ 127,557	\$ 134,574	\$ 111,153	\$ 147,541	\$ 118,837	\$ 108,648
TOTAL DAYS	210	215	200	220	200	195

Master's Degree = \$800 Doctorate Degree = \$1,000

Health Benefit Cap \$876.98/monthly

*\$2000 Added to High School Principal Step 1 for Home School Principal Responsibilities

Moved K-8 Counselor position to Certificated Salary Schedule 7/1/17

Colusa Unified School District
Personnel Assignment Order
August 8, 2017

EMPLOYMENT, RESIGNATIONS, AND OTHER

CERTIFICATED

Employment / Appointments:

<u>Name</u>	<u>Position</u>	<u>Status</u>	<u>Salary</u>	<u>Date</u>
Scott Stephens	CHS Chemistry	Prob I	\$77,796	8/14/2017
Christopher Bailey	7/8 Math	PIP	\$48,331	8/14/2017
Kimberly Turner	7/8 English	Prob I	\$53,992	8/14/2017
Jesse Rodriguez	BPS Principal		\$90,231	7/31/2017

Retirement:

Resignation:

Tracey Leveroni	7/8 Math	Resigned		6/22/2017
Clair Toth	BPS Principal	Resigned	\$101,358	7/21/2017

Leaves:

Terminated:

Non-Reelection:

Transfers:

(Requests approved by Superintendent)

CLASSIFIED

Employment / Appointments:

<u>Name</u>	<u>Position</u>	<u>Wage</u>	<u>Date</u>
Lisa Nilsen Raymond	Technology Support Specialist	\$21.52	8/8/2017
James Saso	JV Asst. Football Coach	\$2,104	8/1/2017

Retirement:

Resignation:

Jeremy Miller	JV Asst. Football Coach	\$2,104	6/19/2017
Lisette Montejano	BPS ASES Paraeducator	\$14.56	07/24/2017
Linda Stegall	BPS Paraeducator	\$18.59	07/28/2017

Leaves:

Increase of Hours:

Job transfer:

Terminated:

COLUSA UNIFIED SCHOOL DISTRICT

TRUSTEES:
MRS. KATHIE WHITESELL
MRS. KELLI GRIFFITH-GARCIA
MR. CHARLES YERXA
MRS. MELISSA YERXA ORTIZ
MR. MICHAEL PHENICIE

745 TENTH STREET, COLUSA, CA 95932
PHONE: (530) 458-7791 • FAX: (530) 458-4030

DWAYNE NEWMAN
DISTRICT SUPERINTENDENT



Payroll totals for the month of: JUNE 2017

Issued 6/10/2017: (SUP)	\$ 42,952.18	Total getting paid: 57
Issued 6/30/2017: (EOM)	<u>\$ 763,401.30</u>	Total getting paid: 204
Monthly total	\$ 806,353.48	

Payroll totals for the month of: JULY 2017

Issued 7/10/2017: (SUP)	\$ 17,692.66	Total getting paid: 23
Issued 7/31/2017: (EOM)	<u>\$ 192,932.87</u>	Total getting paid: 55
Monthly total	\$ 210,625.53	

Local Memorandum of Understanding (MOU)

Between

Colusa County Office of Education

And

Colusa Unified School District

1. Purpose

This non-financial agreement is a Memorandum of Understanding between the Colusa County Office of Education (CCOE) and the Colusa Unified School District (CUSD). CUSD will support CCOE in the efforts of the CTE Incentive Grant with ADA of 98 students for the initial grant year ending June 30, 2019. CUSD will further support CCOE Career Technical Education opportunities with encouraging CUSD students to participate in these opportunities.

2. Colusa USD Location

Colusa Unified School District
745 10th Street
Colusa, CA 95932

3. Colusa County Office of Education Location

Colusa County Office of Education
345 Fifth Street
Colusa, CA 95932

4. Effective Dates

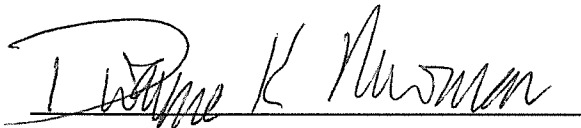
This agreement is effective Nov. 30, 2017 to June 30, 2019. The agreement will be renegotiated each grant year.

5. Signatures

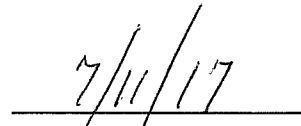
Parties to this local MOU agree to all terms and conditions contained herein by signature and by reference to the terms and conditions in the MOU.

Michael P. West
Colusa County Superintendent of Schools

Date



Dwayne Newman
Colusa Unified School District Superintendent



Date



SUTTER COUNTY SUPERINTENDENT OF SCHOOLS

Memorandum of Understanding

2017-2018 School Year

THIS MEMORANDUM OF UNDERSTANDING establishes a formal financial and program delivery agreement to be entered upon beginning this first day of July, 2017. The parties to this contract are the Tri-County Regional Occupational Program hereinafter to be referred to as **"Tri-County ROP"**, acting as the agent of the Sutter County Superintendent of Schools and the **Colusa Unified School District**. The **Colusa Unified School District** is located at **745 Tenth Street, Colusa Ca. 95932** and is hereinafter to be referred in this document as the "District". Should legislative action, either State or Federal, create the need to alter the terms of this agreement, the agreement shall be null and void and a new MOU will be developed reflecting changes in the law. Both Tri-County ROP and the District agree to all of the following contract provisions:

A. ADMINISTRATION AND COORDINATION

The District Will:

- (1) Provide Career Technical Education services to Tri-County ROP programs under their jurisdiction.
- (2) Direct and coordinate the operation of all Tri-County ROP programs under the terms and conditions of the Tri-County ROP Board Policy and Regulations and in compliance with the California State Plan for Vocational Education, and all applicable codes and sections of Title V, California Administrative Code, federal law and the Education Code.
- (3) Collaborate with Tri-County ROP by providing administrative services, including: counseling, admission, submitting attendance, and providing achievement records in the same manner as those maintained for any student in the District. The District agrees to supervise and evaluate ROP teachers, classified staff, instructional programs, budget development and management, recruitment of students into ROP programs, guidance and counseling of students and other functions required by Tri-County ROP Board Policies and Procedures.
- (4) Work with the Tri-County ROP Director and administrative staff when implementation of curriculum changes are necessary or new laws or programs create changes that need to be implemented including provisions outlined in new grant funding.
- (5) Submit data required for the efficient operation of Tri-County ROP which may include course changes, budget revisions, master schedules, bell schedules, enrollment reports, attendance reports, and follow-up information.

(6) Maintain an inventory of capital outlay items purchased with funds provided by the Tri-County ROP at the district office. All changes in ROP inventory must be reported to the ROP administrative office within 30 days as per Tri-County ROP #3017.1.

(7) Teachers must organize Employer Advisory Committees for each course that receives ROP funding. Membership of this committee must include a majority of business/industry representatives who have expertise related to the course(s) being taught. Students, instructional aides, and teachers from other classes may attend but are not considered part of the committee for quorum purposes. Employer Advisory Committees must meet at least once a year and the meeting memorialized by written minutes that are to be submitted to the ROP administrative office no later than **April 1, 2018**. All ROP teachers separately or in partnership with teachers in like industry cluster areas, must participate in an advisory committee.

(8) Each District must have a representative attend the Tri-County ROP Steering Committee meetings scheduled five times per year and other meetings as required. An alternate may be appointed to attend the Steering Committee Meetings in place of the site administrator or superintendent and vote in the absence of the regular district representative. **A District representative or alternate must be present at Steering Committee meetings a minimum of 4 meetings a year or the District may lose funding as per Tri-County ROP Policy #3013.2**

The Tri-County ROP will:

(1) Provide the member District with assistance in the administration and coordination of programs at district sites.

(2) Provide the District with technical assistance so that the District remains in compliance with ROP policies and procedures and all education codes, administrative codes, and federal law.

(3) Provide site administrators and other District personnel with assistance in the recruitment of students through maintenance of the Tri-County ROP website; assist with development of new courses and curriculum; assist in the recruitment of teachers and other staff when requested; and meet with teachers and other ROP staff before the start of new school year to provide an orientation to the new year, including providing information on changes in the Career Technical Education delivery system and how those changes will be implemented.

(4) Seek out and apply for, as appropriate, grant funding that will benefit school sites, teachers, and students on behalf of the Tri-County ROP member districts. Tri-County ROP would then assist in the implementation of new grant funding at each affected site.

(5) Submit data gathered from sites for the purpose of securing grants, complying with grant requirements, providing information useful for the District's Local Control Accountability plan, providing sites with useful enrollment and demographic information, and reporting to state agencies and other entities when required to protect the District's fiduciary and program interests.

(6) Maintain an ROP wide inventory system and ensure compliance with inventory policies and procedures. This would include inventory audits.

(7) Provide templates for securing ROP advisory committee minutes and attend ROP advisory committee meetings wherever possible.

(8) Will ensure the Director serves as Ex-Officio Secretary of the ROP Steering Committee, schedules Steering Committee meetings, organizes and schedules special Ad Hoc committees and meetings when necessary to deal with budget and other program issues, and provide over-site of the ROP Budget.

(9) Meet with counseling staffs from the local community college and member high school districts at least annually to provide undated information, detail available services, improve articulation between high schools and the community college and provide other capacity building activities at they relate to improving the local Career Technical Education delivery system.

B. INSTRUCTION:

District Assurances

(1) The District is a public school district with extensive capabilities and experience in career-technical education and training and employs teachers holding valid California teaching credentials for each career technical education program taught under this contract.

(2) The District provides facilities that meet requirements of state and local safety and health regulations and its equipment and instruction material are adequate and suitable for the courses offered and the number of students in attendance.

(3) The District declares its financial resources are adequate to insure full funding of its contribution to the total ROP budget as outlined in the attached budget summary.

(4) By signing this agreement with the Sutter County Superintendent of Schools, the District acknowledges that its participation is with all the signatory districts of this agreement and that it assumes all the rights, duties, and obligations with respect to participating in Tri-County ROP.

(5) The District maintains current, accurate records of students' attendance and progress and consents to inspection by authorized representatives of Tri-County ROP for purposes of audit compliance and other factors.

(6) Career Technical Education courses that the District wishes to offer using ROP funding must be approved by the Sutter County Board of Education as the LEA providing over-site of the program. New courses including a course description, an outline that includes units of study and hours per unit of study, and evidence that there is a need for the course must be included in the minutes of an Advisory Meeting in which the new course was discussed,. The new course information is due to the Tri-County ROP administrative office no later than **June 1**, in order for the course to be approved to begin in the fall semester of the next school year.

Tri-County ROP Assurances:

(1) Tri-County ROP will create opportunities for teachers representing member districts to have access to a myriad of professional development opportunities that will help maximize their effectiveness in the classroom.

- (2) Tri-County ROP will assist teachers in the development of curriculum for new courses and update curriculum for current courses to ensure that all CTE/ROP courses offered at member sites are aligned with State CTE Standards and are eligible for A-G designation whenever possible.
- (3) Tri-County ROP will provide certificates of completion for each course taught and will provide them to the teacher(s) who request them. Certificates will only be awarded to students who have completed course requirements. Tri-County ROP will work with teachers and advisory committees to update certificates that reflect changes in the local and regional labor market, ensure alignment with Model Curriculum Standards, Common Core, State CTE standards and meet any State authorized definition of a high quality CTE program.
- (4) Tri-County ROP will participate in CTE District Advisory Committees where appropriate and work with area businesses, the local Chamber of Commerce, the Workforce investment Board, and other workforce agencies to help create work-based learning opportunities for students that are aligned with career pathway development.
- (5) The administration of Tri-County ROP will provide member district administrators, teachers, counselors and other appropriate staff with information specific to Career Technical Education, best practices, and proposed changes in federal and state education laws. This will occur as a result of ROP administrations membership and participation in the Association of California School Administrators, CCSESA, the California Association of Regional Occupational Centers and Programs, and other groups that advocate for Career Technical Education in California.
- (6) Administrative staff from Tri-County ROP will visit the field at least twice per year and whenever requested to observe operations, and work with school administrators, teachers and counselors to offer assistance in creating the strongest CTE programs possible at each site.
- (7) Tri-County ROP will assist districts by working with teachers and local community colleges to ensure courses are articulated, wherever possible, as well as providing other high school to college transitional services for students.
- (8) Tri-County ROP will lead the effort to institutionalize a Career Ready Certification Program; provide a myriad of assessment tools and strategies to measure student progress, certify student achievement as it relates to meeting industry standards, and include the academic rigor that is the cornerstone of the Common Core, Model Curriculum Standards and State CTE standards as well as meeting a state approved definition of a high quality CTE program. Tri-County ROP will work with districts to ensure STEM instruction is embedded in as many pathways as appropriate.

BUDGET OVERVIEW

District Agreement:

- (1) For the 2017-2018 school-year, the District agrees to fully fund its share of the overall site ROP budget as identified below. District expenditures are to be identified on the attached Tri-County ROP Budget and Expenditure Schedule A. The District contribution to the operation of Tri-County ROP will be **\$167,325.30**. This total represents the balance of the funds the District will not receive from Tri-County ROP and when added to the 2017-2018 contribution from Tri-County ROP, equals the amount allotted to the district in 2014-2015. Please note the maximum allowed expenditure for administration is 3% of the total combined allocation for 2017-2018.

(2) Funds contributed by the District are to be identified in the allowable categories as identified on the Budget and Expenditure Schedule A. Allowable expenditures include salaries (classified and certificated), employee benefits, administration, supplies, instructional materials, services/operational costs, and capital outlay. All funds must be accounted for by providing the ROP business office with documentation that will verify all District expenditures on ROP courses no later than **June 30, 2018**. If documentation is not provided for any portion of the required district amount, as identified in the Budget and Expenditure Schedule A, the amount not verified will be deducted from the funding provided from the ROP contribution of the overall budget.

(3) Funds spent with the District contribution to ROP must be spent on ROP courses approved prior to 2017-2018 and operated by the District. Course changes are permitted as long as the courses are ROP approved and do not supplant a District funded program.

(4) While it is the desire of the Tri-County ROP that each site maintain its allotment of course sections to give students broad exposure to Career Technical Education course offerings, spending the funds on fewer ROP classes may be allowed with approval of the ROP Director and the Sutter County Superintendent of Schools. This may occur, for example, if a district desires to invest more funding in fewer sections in an effort to develop pathway programs that are at a minimum, sequenced, rigorous, meet model curriculum standards, are STEM focused, are likely to produce industry based certification, and are articulated with local community college(s).

ROP/Agreement

(1) For the 2017-2018 school-year, the Tri-County ROP will provide the District with an allotment of **\$18,591.70**. This amount represents 10% of the funds the District received from Tri-County ROP in 2014-2015 school-year. This allotment along with the District contribution of **\$167,325.30**, provides the District a total of **\$185,917.00** to operate 11 sections of ROP.

(2) As with its own contribution to the ROP, the District, at its discretion, will decide how ROP funds will be expended in each category for each section of ROP offered at the site. The District will identify those expenditures on Tri-County ROP Budget and Expenditure Schedule A. In the case of the ROP contributions, the ROP will reimburse the district using the following guidelines: reimbursements for the ROP contribution may occur twice per year, 25% or less by **January 1, 2018** and the balance by **June 30, 2018**. As has always been past practice, back-up documentation must accompany all billings for allowable costs only. ROP reserves the right to deny reimbursement for items that fall outside allowable parameters.

BOTH THE DISTRICT AND TRI-COUNTY ROP AGREE TO THE FOLLOWING

In the event California State or Federal law substantially changes the current funding delivery system for CTE purposes in California and substantially changes the ability for either party to meet the obligations created by this agreement; this agreement will be declared null and void and a new MOU acceptable to both parties may/shall be developed and signed by the contracting parties, the District and the Tri-County ROP. By signing this agreement, both the district and the Tri-County ROP are acting in good faith based on the current funding model created and currently in force under the LCFF. Receipt of the California Career Pathways Trust (CCPT) grant, if awarded, by the Sutter County Superintendent of Schools, shall have no effect on this MOU and districts will receive CCPT funding and as per the terms of the grant submitted on their behalf.

SUTTER COUNTY SUPERINTENDENT OF SCHOOLS


Memorandum of Understanding

2017-2018 School Year

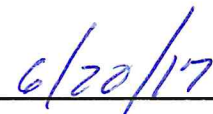
SIGNATURES

Sutter County Superintendent of Schools

Date



District Superintendent



Date

Director, Career and College Readiness

Date

Principal (optional)

Date



970 Klamath Lane • Yuba City, CA • 95993 • Phone (530)822-2952 • Fax (530)822-3003 • www.sutter.k12.ca.us

June 9, 2017

Dear Superintendent/Chief Business Official:

Attached is the **Memorandum of Understanding (MOU)** between the individual Districts and the Tri-County Regional Occupational Program (Tri-County ROP). Also included is the **Tri-County ROP Budget and Expenditure Schedule A** for the 2017-2018 school year. Included for your use is the total ROP 2017-2018 budget by District that breaks down the amount of the ROP allocation of 10% of the 2014-2015 budget, and the District's 90% contribution toward the total 2017-2018 ROP budget. Please use the **Schedule A** to list and budget the ROP approved classes you plan to offer in the 2017-2018 school year and the planned distribution of your ROP allocation and the District's contribution.

Please fill in the blanks as indicated on the MOU including the appropriate signatures on the signature page. If you have any questions regarding budget, please call Brenda Spannbauser at (530) 822-2923. Questions regarding the MOU should be directed to Eric Pomeroy at (530) 822-2965. Please submit budgets and signed MOU's to the Tri-County ROP administrative office, attention Randi Hames, no later than **July 1, 2017**. Thank you for your patience and cooperation during this process. It is very much appreciated. We look forward to working with you to make this year a successful one for our students.

Sincerely,

A handwritten signature in black ink, appearing to be "Eric Pomeroy", with a large loop at the end.

Eric Pomeroy
Director, Career and College Readiness

C: Gail Atwood
Barbara Henderson
Dr. Baljinder Dhillon

2017-2018 SCSOS and District ROP Contributions

	SCSOS Contribution of 10%	District Contribution of 90%	2014/2015 Contribution
Colusa Unified	\$18,591.70	\$167,325.30	\$185,917.00
East Nicolaus High School	\$16,589.10	\$149,301.90	\$165,891.00
Live Oak Unified	\$15,253.00	\$137,277.00	\$152,530.00
Marysville Joint Unified	\$74,519.40	\$670,674.60	\$745,194.00
Maxwell Unified	\$4,614.70	\$41,532.30	\$46,147.00
Pierce Joint Unified	\$13,650.30	\$122,852.70	\$136,503.00
Sutter Union High School	\$21,606.80	\$194,461.20	\$216,068.00
Wheatland Union High	\$19,621.50	\$176,593.50	\$196,215.00
Williams Unified	\$11,119.90	\$100,079.10	\$111,199.00
Yuba City Unified	\$74,166.50	\$667,498.50	\$741,665.00
Yuba County	\$18,169.00	\$163,521.00	\$181,690.00

Total SCSOS Contribution	\$287,901.90		
Total District Contributions		\$2,591,117.10	
TOTAL			\$2,879,019.00

TRI-COUNTY ROP BUDGET AND EXPENDITURE SCHEDULE A
2017-2018

Local Educational Agency (LEA)/District: Colusa Unified School District

Site: Colusa High School

Authorized Signature: _____

Date: 6/20/2017

ROP Allocation: \$ 18,592
 District Allocation: \$ 167,325.30
 Total Allocation: \$ 185,917.00

☒ ORIGINAL BUDGET
☐ END OF YEAR
☐ FIRST INTERIM

☒ ROP Budget
☐ District Budget
☐ Combined Budget

ROP Course Title	ROP Teacher	Period	1000 Certificated Salaries ROP	1000 Certificated Salaries District	2000 Classified Salaries ROP	2000 Classified Salaries District	3000 Employee Benefits ROP	3000 Employee Benefits District	4000 Books Supplies ROP	4000 Books Supplies District	5000 Services Operating Expenditures ROP	5000 Services Operating Expenditures District	6000 Capital Outlay ROP	6000 Capital Outlay District	Total Period Allocation
Graphic Communications-Yrbk	Samantha Brooks	1-17% FTE	\$ 1,000.00	\$ 7,457.00			\$ 690.00	\$ 2,689.00		\$ 300.00					\$ 12,136.00
Digital Photo	Jean Summerville	1-17% FTE	\$ 1,000.00	\$ 7,457.00			\$ 690.00	\$ 2,689.00		\$ 300.00					\$ 12,136.00
Advanced Farm Mechanics	Tim Crabtree	2-33% FTE	\$ 2,000.00	\$ 28,080.00			\$ 1,380.00	\$ 6,876.00		\$ 600.00					\$ 38,938.00
Basic Farm Mechanics	Tim Crabtree	3-50% FTE	\$ 3,000.00	\$ 41,061.00			\$ 2,072.00	\$ 10,439.00		\$ 900.00					\$ 57,472.00
Leadership	Sonny Badaluco	1-17% FTE	\$ 1,000.00	\$ 7,457.00			\$ 690.00	\$ 2,689.00		\$ 300.00					\$ 12,136.00
Sustainable AG	Heather Thomas	1-17% FTE	\$ 1,000.00	\$ 13,981.00			\$ 690.00	\$ 3,564.00		\$ 300.00					\$ 19,535.00
Animal Science	Heather Thomas	1-17% FTE	\$ 1,000.00	\$ 13,981.00			\$ 690.00	\$ 3,564.00		\$ 300.00					\$ 19,535.00
Ag Chemistry or Ag Finance	Heather Thomas	1-16% FTE	\$ 1,000.00	\$ 13,100.00			\$ 690.00	\$ 3,314.00		\$ 300.00					\$ 18,404.00
															\$ -
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															\$ -
Total ROP Allocation			\$ 11,000.00		\$0		\$7,592		\$0		\$0		\$0		\$ 18,592.00
Total District Allocation				\$132,574		\$0		\$35,826		\$3,300		\$0		\$0	\$ 171,700.00
Total Allocation			\$ 11,000.00	\$ 132,574.00	\$ -	\$ -	\$ 7,592.00	\$ 35,826.00	\$ -	\$ 3,300.00	\$ -	\$ -	\$ -	\$ -	\$ 190,292.00

Colusa Unified School District

Surplus Equipment/Obsolete Textbook Form

Date 6/29/17 Site BPS

Form Completion Instruction. In Description block provide the following:

- Textbooks: Title, publisher, copyright date, quantity and reason for withdrawal.
- Equipment: Name, estimated value, quantity and reason for surplus.

Description	Recommended Disposition
Steam Table - 4 Bay - Serial # HF4E120SS	Sale
Wells 2 Burner Stove 51-Serial # HDHP1230GNAT	Sale

_____ For additional items, check here and attach list.

.....

Site Administrator Approval  6/29/17
Signature Date

Superintendent/Board Approval  7/11/17
Signature Date

Disposition:

Colusa Unified School District

Surplus Equipment/Obsolete Textbook Form

Date 6/29/17 **Site** Colusa High School

Form Completion Instruction. In Description block provide the following:

- **Textbooks:** Title, publisher, copyright date, quantity and reason for withdrawal.
- **Equipment:** Name, estimated value, quantity and reason for surplus.

Description	Recommended Disposition
6 Burner Gas Grill	Sale
10' 2 Compartment Stainless Steel Sink	Sale
Hobart Dishwasher AM14 - Serial # 23-1047-142	Sale

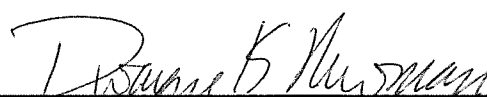
_____ For additional items, check here and attach list.

Site Administrator Approval


Signature

6/29/17
Date

Superintendent/Board Approval


Signature

7/11/17
Date

Disposition:

Colusa Unified School District

Surplus Equipment/Obsolete Textbook Form

Date 6/29/17 Site Colusa High School

Form Completion Instruction. In Description block provide the following:

- Textbooks: Title, publisher, copyright date, quantity and reason for withdrawal.
- Equipment: Name, estimated value, quantity and reason for surplus.

Description	Recommended Disposition
2 Door Refrigerator T-49 Serial # 5193415	Sale
3 Door Freezer T-74F Serial # 7716611	Sale
Walk-in, 6x9F, 6x10R	Sale

_____ For additional items, check here and attach list.

.....

Site Administrator Approval  6/29/17
Signature Date

Superintendent/Board Approval  7/11/17
Signature Date

Disposition:



California School Boards Association

Please refer to your invoice number and customer number in all communications regarding this invoice.

Invoice Number **Invoice Date** **PO #**
INV-34725-S9Q1C6 5/15/2017

Bill To:
Colusa USD
745 10th St
Colusa, CA 95932-2220
United States

Ship To:
Colusa USD
745 10th St.
Colusa, CA 95932-2220
United States

Product Code	Description	Unit Price	Quantity	Extended Price	Terms
MM+	Manual Maintenance Plus (07/01/2017 - 06/30/2018)	\$2,640.00	1.00	\$2,640.00	
GOL	Gamut Online (07/01/2017 - 06/30/2018)	\$1,990.00	1.00	\$1,990.00	Net 30

Total Invoice: \$4,630.00

Total Paid: \$0.00

Balance Due: \$4,630.00

Rayne Newman
4/2/17



PLEASE DETACH HERE AND RETURN BOTTOM STUB WITH PAYMENT



California School Boards Association

Customer Number	Invoice Number	Invoice Date	Terms	Balance Due
100141	INV-34725-S9Q1C6	05/15/2017		\$4,630.00

Make checks payable to:
California School Boards Association - CSB (6744)
c/o West America Bank
P.O. Box 1450
Suisun City, CA 94585-4450

Bill To:
Colusa USD
745 10th St
Colusa, CA 95932-2220
United States

SCHOOL LOOP Order Form

Customer Name: Colusa Unified School District
Start Date: 07/13/2017 End Date: 06/30/2019

Payment Summary

You will be billed once a year for each year per the terms in the Payment Notes.

School Year	Total Due for Year
17/18	\$3066.50
18/19	\$750.00

Detail

The following breaks down the total amount due each year by license and service:

Service Type	License/Service	Price	Unit	17/18
Integration Services	SIS Integration Annual Support	\$1000.00	1.00	\$1000.00
SL Plus Gradebook	Secondary	\$5.06	400.00	\$2024.00
SL Plus	Secondary	\$4.25	10.00	\$42.50
SL Standard	Website Bundle with SL Plus	\$0.00	6.00	\$0.00
Total 17/18				\$3066.50
Service Type	License/Service	Price	Unit	18/19
SL Standard	CMS, Hosting and Support	\$750.00	1.00	\$750.00
Total 18/19				\$750.00

General Notes	7/13/17: BH - MG approved: 17/18 - Colusa is changing current 3yr contract, and downgrading their middle school to standard. Alternative School and High School remain Plus Portal and Plus Gradebook. / For 18/19 - they will then transition to Standard only, and consolidating their sites down to the district only.
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Payment Notes	Please send a purchase order to accounts@schoolloop.com . We invoice off your purchase order with payment due in 30 days. Annual services are billed once for each school year on July 1 of the corresponding year. You will be invoiced separately for each school year. Other services will be billed on PO. Our mailing address is P.O. Box 2416, San Francisco, CA 94126.
----------------------	--

By signing this Order Form, Customer agrees that any and all subscriptions and services provided by School Loop under this Order Form are subject to the School Loop Master Subscription Agreement which Customer signed with School Loop. Any capitalized terms used but not defined in this Order Form shall have the meanings ascribed to such terms in the Subscription Agreement.

Colusa Unified School District

By (Signature)

Jerome Miller
Name/Title (Printed)

7/26/17
Date

Idayne Newman 8/2/17

School Loop, Inc.

Mark Gross
By (Signature)

Mark Gross CEO / Founder
Name/Title

7/26/17
Date

SCHOOL LOOP MASTER SUBSCRIPTION AGREEMENT

This School Loop Subscription Agreement ("Agreement") is agreed to by the Colusa Unified School District ("Customer"), with an address of 745 10th St, Colusa, CA 95932 and School Loop, Inc., with an address of P.O. Box 2416, San Francisco, CA 94126 ("School Loop"). Customer and School Loop may sign forms ("Documents") referencing this Agreement with order details including School Loop's Order Form, or by Purchase Order, or any other agreed to document, and each such Document is subject to the terms of the Agreement. The Agreement is effective as of the date the first Document is signed by the Customer and School Loop (the "Effective Date") through 06/30/2019, the end date of the term.

This Agreement permits Customer to purchase and receive a subscription to School Loop's web-based Service (as defined below) for the period specified on the Document (the "Subscription Term") and sets forth the terms and conditions under which such Service will be provided. This Agreement shall govern Customer's initial subscription on the Effective Date as well as any future subscription purchases made by Customer which reference this Agreement.

1. The Service

1.1. Provision of Service. School Loop offers on-line subscription products designed to facilitate the distribution of information regarding students to parents, students, school and district staff, and, with the proper approvals, to appropriate people with student information rights ("Users"), and provide communications and information-sharing capabilities between teachers, students, school and district staff, people with student information rights, and parents (the "Service"). Subject to the terms of this Agreement, School Loop shall host the Service and will make the Service available to Customer during the Subscription Term. From time to time School Loop may make available evaluation or no-charge Services.

1.2. Restrictions. 1.2. Customer may use the Service only as expressly authorized by School Loop and for no other purpose. Customer shall not: (a) rent, lease, copy, provide access to or sublicense the Service to a third party, (b) reverse engineer, decompile, disassemble, or otherwise seek to obtain the source code to the Service, (c) remove or obscure any product identification, proprietary, copyright or other notices contained in the Service (including any reports or data printed from the Service); or (d) publicly disseminate information or analysis regarding the performance of the Service.

1.3. Professional Services. If School Loop and Customer agree separately in a Statement of Work ("SOW"), School Loop shall provide the professional consulting services described in that SOW ("Professional Services"). During the Subscription Term, Customer shall have a license right to use anything delivered as part of the Professional Services internally solely in conjunction with use of the Service under this Agreement, but School Loop shall retain all right, title and interest in and to any such work product, code or software and any derivative, enhancement or modification thereof created by School Loop (or its agents). Each SOW must be signed by both parties before School Loop shall commence work under such SOW.

2. Customer Obligations

2.1. "Customer Content" means any data, information or other content of any type which is provided by Customer or any User to School Loop for inclusion in the Service; including, without limitation, data, information or other content which Customer or Users input to or upload to the Service. Customer shall assure that use of the Service and all Customer Content at all times comply with all applicable local, state, federal and international law, regulations and conventions, including, without limitation, those related to data privacy, international communications, and the exportation of technical or personal data. Customer is solely responsible for the accuracy, content and legality of all Customer Content (including its use as authorized hereunder). Customer represents and warrants to School Loop that Customer has sufficient rights in the Customer Content to authorize School Loop to process, distribute and display the Customer Content as contemplated by this Agreement and the Service, and that the Customer Content does not infringe the rights of any third-party or constitute libel, slander or defamation. Customer represents that all Customer Content complies with Federal and local privacy regulations and its distribution to Users is not a violation of FERPA or of any local laws or education codes.

2.2. Access to Service. If Customer or Users are given access to accounts on School Loop's systems in order to make use of the Service, Customer shall require that all Users, employees and agents accessing such accounts keep user ID and password information confidential, and that each employee or agent not share such information with any unauthorized person. User IDs are granted to individual named persons and may not be shared unless required by law. Customer shall be responsible for actions taken using Customer's and Users' accounts.

2.3. User Consents. Customer acknowledges that use of the Service may require communication with students. Customer agrees that it shall be solely responsible for (a) securing any consents that may be required from Users to have their data used in the Service, (b) securing from Users such permissions as may be necessary or required in order to collect, store and use such data for the rendering of the Service, (c) providing for such use of User data in its privacy and data use policies, and (d) complying with applicable privacy and other laws. School Loop may provide Customer with a model set of statements which Customer may use to create User consent forms, however those statements are for Customer's convenience only and it is Customer's responsibility to ensure that these statements conform to the obligations of this Agreement and applicable law. Customer understands and acknowledges that if ordered by Customer, some features of the Service may allow certain Customer Content to be made public on the Internet. This publicly available Customer Content may include general information about a school, information regarding school news and events, information posted by teachers about their curriculum (such as course descriptions, syllabi, assignments and the like). Customer agrees that it shall be solely responsible for notifying Users that certain Customer Content will be made public on the Internet and for securing the appropriate User consents. Customer also acknowledges that School Loop may make available functionality which allows third parties to access information on the Service or input information on the Service (by way of example and not limitation, functionality which allows synchronizing of a user's School Loop calendar to an external service).

2.4. Third Party Services. Customer acknowledges that the Service may permit Customer to integrate, at Customer's and/or Users' discretion, functionality provided by third party services. Such third party services are not considered part of the "Service" provided hereunder. By enabling any such third party services, Customer agrees that School Loop is not responsible for the accuracy, legality, availability or reliability of any such third party services, the acts or omissions of any providers of such third party services or any information made available in connection with such third party services. The manner in which such third party services use, store and disclose your information is governed solely by the policies of such third parties, and School Loop will have no liability or responsibility for the privacy practices or other actions of any provider of such third party service. As such, Customer agrees not to seek to hold School Loop liable or responsible for any damage or loss caused by or in connection with the use of such third party services. School Loop enables these features merely as a convenience and the integration or inclusion of such features does not imply an endorsement or recommendation.

3. Ownership

3.1. Rights in Customer Content. Customer shall retain all right, title and interest (including any and all intellectual property rights) in and to the Customer Content, and School Loop shall use such Customer Content solely for the purposes of providing the Service. Subject to the terms of this Agreement, Customer hereby grants to School Loop the non-exclusive, worldwide, royalty-free right to use, copy, store, transmit, modify, create derivative works of and publicly display the Customer Content solely to the extent necessary to provide the Service except where doing so is in violation of FERPA or local laws or education code

3.2. Subscription not Sale. This is a subscription agreement for use of the Service and is not an agreement for sale. Customer agrees that the Service and the end-user documentation and any and all related and underlying School Loop software and technology constitute trade secrets or copyrighted material of School Loop or its suppliers, and that School Loop or its suppliers retain all right, title and interest (including all intellectual property rights) therein. Customer may point their DNS to the sites, and they retain full rights and ownership of their own domain. School Loop may employ a subdomain of schoolloop.com in order to provide the Service, however no ownership or license right in the schoolloop.com domain, or any subdomain, is transferred under this Agreement, and School Loop reserves the sole right to manage any and all domains and subdomains related to the Service as it sees fit. All rights not specifically granted shall be reserved to School Loop. No right, title or interest in any of School Loop's trademarks is granted hereunder.

4. Fees and Payment.

All fees are as set forth in the applicable Order Form and shall be paid by Customer in accordance with the terms of the applicable Order Form. Except as set forth in Section 6.1 (Limited Warranty), or in the Order Form all fees are non-refundable. Payment is due 30 days from the date of invoice or PO, whichever is later, unless otherwise set forth on the order form. Accounts that are more than 30 days overdue are subject to suspension.

Customer is required to pay any sales, use, value-added withholding, or similar taxes or levies, other than taxes based on the income of School Loop. Customer may not withhold any amounts (including as may be required by any taxing authority) without express written consent of School Loop.

5. Term and Termination

5.1. Term. This Agreement shall continue until the earlier occurs of (a) expiration or termination of the Subscription Term, or (b) termination in accordance with this Section 6. Customer's subscription shall renew if and as described in the Order Form

5.2. Termination for Cause. Either party may terminate this Agreement: (a) if the other party fails to cure any material breach of this Agreement (including a failure to pay fees) within 30 days after written notice or (b) if the other party files or has filed against it any bankruptcy, dissolution or similar proceeding or enters into any form of arrangement with its creditors (provided such filing is not removed within 60 days thereof).

5.3. Effect of Termination. Upon any termination of this Agreement, Customer shall immediately cease any and all use of and access to the Service (including any and all related School Loop software, technology and systems) and delete (or, at School Loop's request and expense, return) any and all copies of the Service documentation provided by School Loop, any School Loop passwords or access codes and any other School Loop Confidential Information in its possession. Termination of this Agreement shall be in addition to, and not in lieu of, any equitable or other remedies available to the terminating party.

5.4. Suspension of Service. School Loop has the right, in its sole reasonable discretion, to suspend the Services immediately if deemed reasonably necessary, (reasonably necessary conditions which, for example, may include breaches of security that risk FERPA protected-data, the publication of pornography or other restricted materials by customer) by School Loop to prevent any harm to School Loop and/or its business. School Loop will provide notice and opportunity to cure if practicable depending on the nature of the breach. Once cured, School Loop will promptly restore the Services.

5.5. Survival. 5.5. The following Sections shall survive any expiration or termination of this Agreement: 1.2 (Restrictions), 2.4 (Third Party Services), 3 (Ownership), 4 (Fees and Payment), 5 (Term and Termination), 6.1 (Warranty Disclaimer), 7 (Limitation of Remedies and Damages), 8 (Indemnification), 9 (Confidentiality), and 10 (General).

6. Limited Warranty

6.1. Limited Warranty. 6.1. School Loop warrants, for Customer's benefit only, that the Service will be provided in material conformity with its documentation. School Loop does not warrant that the operation of the Service will be uninterrupted or error-free. As Customer's sole and exclusive remedy for any breach of warranty, School Loop will use reasonable efforts to correct any failure of the Service to conform to its documentation at no charge to Customer. If School Loop determines it cannot resolve a material defect within a reasonable period of time, Customer will have the right to terminate the Subscription Term and receive as its sole remedy a refund of: (a) the subscription fees specified in the applicable Order Form which are allocable to the 30 day period prior to the date the warranty claim was made and (b) any fees Customer has pre-paid for periods of service it has not yet received. The limited warranty set forth in this Section 6.1 shall not apply: (a) unless Customer makes a claim within 30 days of the date on which the condition giving rise to the claim first appeared, (b) if the error was caused by misuse, unauthorized modifications or third-party hardware, software or services, or (c) to any Free Services.

6.2. Warranty Disclaimer. EXCEPT FOR THE LIMITED WARRANTY IN SECTION 6.1, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE SERVICE AND ALL TRAINING SERVICES ARE PROVIDED TO CUSTOMER "AS IS" AND WITH ALL FAULTS. SCHOOL LOOP AND ITS SUPPLIERS DO NOT REPRESENT OR WARRANT THAT (A) THE SERVICE OR TRAINING SERVICES WILL BE SECURE, TIMELY, UNINTERRUPTED OR ERROR FREE, (B) ANY

CUSTOMER CONTENT OR OTHER STORED DATA WILL BE ACCURATE OR NON-CORRUPTED, OR (C) THAT THE SERVICE WILL BE FREE OF ANY VIRUSES OR MALICIOUS CODE WHICH CANNOT BE DETECTED USING COMMERCIALY AVAILABLE PRODUCTS. SCHOOL LOOP SPECIFICALLY DISCLAIMS ANY AND ALL OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, WITH RESPECT TO THE SERVICE AND TRAINING SERVICE, INCLUDING BUT NOT LIMITED TO IMPLIED WARRANTIES OF NON-INFRINGEMENT, MERCHANTABILITY, TITLE AND FITNESS FOR A PARTICULAR PURPOSE, REGARDLESS OF ANY KNOWLEDGE OF CUSTOMER'S PARTICULAR NEEDS. CUSTOMER MAY HAVE OTHER STATUTORY RIGHTS. HOWEVER, TO THE FULL EXTENT PERMITTED BY LAW, THE DURATION OF STATUTORILY REQUIRED WARRANTIES, IF ANY, SHALL BE LIMITED TO THE LIMITED WARRANTY PERIOD. SCHOOL LOOP SHALL NOT BE LIABLE FOR DELAYS, INTERRUPTIONS, THE SERVICE FAILURES AND OTHER PROBLEMS INHERENT IN USE OF THE INTERNET AND ELECTRONIC COMMUNICATIONS OR OTHER SYSTEMS OUTSIDE THE REASONABLE CONTROL OF SCHOOL LOOP.

7. Limitation of Remedies and Damages

7.1. NEITHER PARTY SHALL BE LIABLE FOR ANY LOSS OF USE, LOST DATA, FAILURE OF SECURITY MECHANISMS, INTERRUPTION OF BUSINESS, OR ANY INDIRECT, SPECIAL, INCIDENTAL, RELIANCE OR CONSEQUENTIAL DAMAGES OF ANY KIND (INCLUDING LOST PROFITS), REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE, EVEN IF INFORMED OF THE POSSIBILITY OF SUCH DAMAGES IN ADVANCE.

7.2. NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, SCHOOL LOOP'S ENTIRE LIABILITY RELATING TO THE SUBJECT MATTER OF THIS AGREEMENT SHALL NOT EXCEED THE GREATER OF \$1,000 OR THE AMOUNT ACTUALLY PAID BY CUSTOMER TO SCHOOL LOOP UNDER THE APPLICABLE ORDER FORM.

7.3. THIS SECTION 7 SHALL NOT APPLY TO CUSTOMER WITH RESPECT TO ANY CLAIM ARISING UNDER SECTIONS 1.2 (RESTRICTIONS), 8.2 (INDEMNIFICATION BY CUSTOMER) OR 9 (CONFIDENTIALITY). The parties agree that the limitations specified in this Section 7 will survive and apply even if any limited remedy specified in this Agreement is found to have failed of its essential purpose.

8. Indemnification

8.1. Indemnity by School Loop. School Loop shall indemnify and hold harmless Customer from and against any claim of infringement of a U.S. patent, U.S. copyright, or U.S. trademark asserted against Customer by a third party based upon Customer's authorized use of the Service, provided that School Loop shall have received from Customer: (i) prompt written notice of such claim (but in any event notice in sufficient time for School Loop to respond without prejudice); (ii) the exclusive right to control and direct the investigation, defense, or settlement of such claim; and (iii) all reasonable necessary cooperation of Customer. If Customer's use of any of the Service is, or in School Loop's opinion is likely to be, enjoined due to the type of infringement specified above, or if required by settlement, School Loop may, in its sole discretion: (a) substitute substantially functionally similar services; (b) procure for Customer the right to continue using the Service; or if (a) and (b) are commercially impracticable, (c) terminate the Agreement and refund to Customer the fees paid by Customer for the portion of the Subscription Term which was paid by Customer but not rendered by School Loop. The foregoing indemnification obligation of School Loop shall not apply: (1) if the Service is modified by any party other than School Loop, but solely to the extent the alleged infringement is caused by such modification; (2) the Service is combined with other non-School Loop products or processes not authorized by School Loop, but solely to the extent the alleged infringement is caused by such combination; (3) to any unauthorized use of the Service; (4) to the Customer Content or any third-party deliverables or components contained within the Service; (5) to any action arising as a result of the Customer Content; or (6) to any Free Service. THIS SECTION 9 SETS FORTH SCHOOL LOOP'S SOLE LIABILITY AND CUSTOMER'S SOLE AND EXCLUSIVE REMEDY WITH RESPECT TO ANY CLAIM OF INTELLECTUAL PROPERTY INFRINGEMENT.

8.2. Customer Responsibility for Content. Customer shall indemnify and hold harmless School Loop from and against any and all claims, costs, damages, losses, liabilities and expenses (including reasonable attorneys' fees and costs) arising out of or in connection with any claim alleging (a) that the Customer Content or its use in the Service infringes the rights of, or has caused damage to, Customer, a User or other third-party (excluding any claim to the extent based on any underlying School Loop software or technology), (b) any action or inaction by Customer or a User resulting in damage to persons or property, or (c) that Customer failed to secure adequate permission from any User for the use of the Customer Content. This indemnification obligation is subject to Customer receiving prompt notice of the claim and having the sole right to control the defense and settlement of all such claims, lawsuits and other proceedings. School Loop agrees to provide such reasonable assistance and cooperation to Customer as is reasonably requested by Customer.

9. Confidentiality

9.1. "Confidential Information" means (a) any School Loop software, interfaces, web applications and documentation that are designated as confidential, and (b) information designated as confidential by either party, including, but not limited to, data, designs, drawings, documentation, software (regardless of form or media), prototypes, processes, methods, concepts, research, development and business activities, whether obtained or disclosed verbally or in writing, and (c) any pupil records, as defined under relevant education codes. The Service itself, documentation and technical information provided by School Loop or its agents shall be deemed Confidential Information of School Loop without any marking or further designation. School Loop acknowledges that Customer is a public school district and that certain Customer Content is protected and governed by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g ("FERPA"), and the local Education Code, and School Loop agrees that it shall maintain the confidentiality of such data, and will abide by FERPA and the local Education Code.

9.2. Nondisclosure. The parties acknowledge that they have been entrusted with Confidential Information of the other party and agree to use reasonable care to protect the

confidentiality thereof, using at least the same degree of care that each of them would use to protect their own similar information. Except as otherwise required by applicable law, each party shall not (a) use such Confidential Information of the other party for any purpose except as authorized under this Agreement, (b) disclose any such Confidential Information to any person (except its employees and agents bound by obligations of confidentiality on a need-to-know basis) unless such disclosure is authorized by the other party in writing, or (c) disclose any such Confidential Information required by court or judicial order without first attempting to inform the other party and cooperating with the other party if such party contests the disclosure thereof. Each party agrees to take all reasonable steps to ensure that Confidential Information is not disclosed or distributed by its employees or agents in violation of the terms of this Agreement and to notify the other party promptly and in writing upon its discovery of any unauthorized access or disclosure of any Confidential Information.

9.3. Exclusions. The obligations under this Section 10 shall not apply to information which (a) is or becomes a part of public knowledge through no act or omission of the receiving party, (b) was rightfully in the receiving party's possession prior to disclosure by the disclosing party, (c) comes into the possession of the receiving party rightfully from a third party without obligation of confidentiality, (d) is independently developed by the receiving party without the use of any Confidential Information of the disclosing party, or (e) is subject to disclosure under applicable law.

9.4. Enforcement. Each party understands and agrees that, notwithstanding any other provision of this Agreement, breach of Section 10 (Confidentiality) may cause the other party irreparable damage for which recovery of money damages would be inadequate, and that each party shall therefore be entitled to obtain timely injunctive relief to protect such party's rights under this Agreement in addition to any and all remedies available at law.

10. General

10.1. Assignment. This Agreement will bind and inure to the benefit of each party's permitted successors and assigns. Neither party may assign this Agreement except upon the advance written consent of the other party, except that School Loop may assign this Agreement in connection with a merger, reorganization, acquisition or other transfer of all or substantially all of its assets or voting securities. Any attempt to transfer or assign this Agreement without such written consent will be null and void. We may also share information about users in connection with or during negotiation of any merger, financing, acquisition, bankruptcy, dissolution, transaction or proceeding involving sale, transfer, divestiture or disclosure of all or a portion of our business or assets to another company. In these circumstances, we will only share information with a company that has agreed to data privacy standards no less stringent than our own. In the event that information is shared in this manner, notice will be posted on our Site.

10.2. Severability. If any provision of this Agreement shall be adjudged by any court of competent jurisdiction to be unenforceable or invalid, that provision shall be limited to the minimum extent necessary so that this Agreement shall otherwise remain in effect.

10.3. Governing Law; Jurisdiction and Venue. This Agreement shall be governed by the laws of the State of California and the United States without regard to conflicts of laws provisions thereof, and without regard to the United Nations Convention on the International Sale of Goods or the Uniform Computer Information Transaction Act. Unless waived by School Loop in its sole discretion, the jurisdiction and venue for actions related to the subject matter hereof shall be the California state and United States federal courts located in San Francisco, California, and both parties hereby submit to the personal jurisdiction of such courts.

10.4. Notice. Any notice or communication required or permitted under this Agreement shall be in writing to the parties at the addresses set forth on the Order Form or at such other address as may be given in writing by either party to the other in accordance with this Section 10.4 and shall be deemed to have been received by the addressee (a) if given by hand, immediately upon receipt; (b) if given by overnight courier service, the first business day following dispatch or (c) if given by registered or certified mail, postage prepaid and return receipt requested, the second business day after such notice is deposited in the mail.

10.5. Amendments; Waivers. No supplement, modification, or amendment of this Agreement shall be binding, unless executed in writing by a duly authorized representative of each party to this Agreement. No waiver will be implied from conduct or failure to enforce or exercise rights under this Agreement, nor will any waiver be effective unless in a writing signed by a duly authorized representative on behalf of the party claimed to have waived. No provision of any purchase order or other business form employed by Customer will supersede the terms and conditions of this Agreement, and any such document relating to this Agreement shall be for administrative purposes only and shall have no legal effect.

10.6. Entire Agreement. This Agreement, and any other agreement incorporated by this Agreement by reference, including but not limited to any SOW or Subscription Agreement(s) is/are the complete and exclusive statement of the mutual understanding of the parties and supersedes and cancels all previous written and oral agreements and communications relating to the subject matter of this Agreement. Customer acknowledges that the Service is an on-line, subscription-based product, and that in order to provide improved customer experience, new features, and new products School Loop may make changes to the Service at any time.

10.7. Changes to the Services. Customer acknowledges that the Service is an on-line, subscription-based product, and that in order to provide improved customer experience, new features, and new products, School Loop may make changes to the Service at any time. Such changes may require Customer to update or upgrade software or equipment used to access the Service. Customer shall be solely responsible for any such updates or upgrades, provided, however, that if any planned changes to the Service are reasonably foreseeable to require any updates or upgrades to Customer's software or equipment, School Loop shall provide Customer with 6 months prior notice of such planned changes.

10.8. Student Count Verification. Upon contracting, and once a year for the term of the contract, Customer shall furnish School Loop with official student enrollment figures for the district and for each school using the Service. If applicable to the type of license, this report will serve as the official student count each year for invoicing throughout the Subscription Term.

10.9. Force Majeure. Neither party shall be liable to the other for any delay or failure to perform any obligation under this Agreement (except for a failure to pay fees) if the delay or failure is due to unforeseen events which occur after the signing of this Agreement and which are beyond the reasonable control of such party, such as a strike, blockade, war, act of terrorism, riot, natural disaster or refusal of a license by a government agency.

10.10. Publicity. Subject to Customer's sole discretion, which shall not be unreasonably withheld, School Loop shall have the right to use Customer's name and logo as part of School Loop's customer list.

10.11. Government End Users. If the user or licensee of the Service is an agency, department, or other entity of the United States Government, the use, duplication, reproduction, release, modification, disclosure, or transfer of the Service, or any related documentation of any kind, including technical data and manuals, is restricted by a license agreement and by the terms of this contract in accordance with Federal Acquisition Regulation 12.212 for civilian purposes and Defense Federal Acquisition Regulation Supplement 227.7202 for military purposes. This product was developed fully at private expense. All other use is prohibited.

10.12. Subcontractors. School Loop may use the services of subcontractors for performance of services under this Agreement, provided that School Loop remains responsible for (a) compliance of any such subcontractor with the terms of this Agreement and (b) for the overall performance of the Service as required under this Agreement.

10.13. Independent Contractors. The relationship of the parties hereto is that of independent contractors. Neither party shall be deemed to be the legal representative of the other. Each party agrees to assume complete responsibility for its own employees with regard to federal or state employers' liability and withholding tax, worker's compensation, social security, unemployment insurance, and Occupational Safety and Health Administration requirements and other federal, state and local laws.

10.14. Compliance with Laws. Customer and School Loop will comply, at their own expense, with all statutes, regulations, laws, rules and ordinances of any governmental body, department or agency which apply to or result from Customer's obligations under this Agreement. Customer agrees not to export the Service directly or indirectly, separately or as part of a system, without first obtaining proper authority to do so from the appropriate governmental agencies or entities, as may be required by law.

Colusa Unified School District

Customer

Jeremy Miller Director of IT
Name/Title

[Signature]
Signature

7/26/17
Date

Dwayne Newman
Dwayne Newman, Superintendent
8/2/17

School Loop, Inc
Mark Gross, CEO

Mark Gross
Signature

7/26/18
Date

Chico Roofing Company
3030 Thorntree #2
Chico, Ca 95973
530-892-90714

Change Order

Date: 6/19/17

NO: Phase 1

Project: Colusa Unified School District

Owner: _____

Contractor: Crane Exteriors Inc DBA Chico Roofing Co.

This is not a new agreement. The items below enumerate changes ordered necessary for the completion of the subject project. All provisions of the original Contract Documents shall remain unchanged and shall remain in full force and effect, as specifically modified by this Change Order and other executed, written Change Orders.

The construction agreement date _____

Is hereby modified and amended by the following agreement as follows:

We will provide and install 7/16" OSB wood sheathing over the existing metal deck. This is necessary to create the proper surface to apply the Torchdown cap + base membrane. We attach the OSB decking using plates + metal screws.

Price for Materials + Labor Charges: \$15,528.00

(ATTACH ADDITIONAL SHEETS IF NECESSARY)

Bill Crane
(Contractor's Signature)

Wayne K Newman
(Owner's Signature)

Contractor's License No: 775265



Crane Exteriors Inc. DBA
Chico Roofing Company
3030 Thorntree Dr. Suite #2
Chico, Ca. 95973
Office (530) 892-9071
chicoroofing@yahoo.com

This proposal is made on Wednesday, June 28, 2017 between Crane Exteriors Inc. DBA Chico Roofing Company, and Dwayne Newman for the project property at Colusa High School phase 2, Ca 95932.

Scope of work to be completed:

Contractor will furnish all materials and perform all labor necessary to: Remove and replace with torch down roof area approximately 174 squares.

The Process:

1. Tear off existing torch down membrane.
2. Apply mastic and fiber glass webbing around penetrations and seams where needed.
3. Install recovery fiber board over wood deck.
4. Apply base sheet over fiber board to deck.
5. Install Torch down membrane over base sheet and tie in to existing membrane.
6. Install sealant around all penetrations on roof.
7. Dump Site charges and cleanup are included.
8. This proposal is bid using prevailing wage rates for all labor.

Reroof using a Johns Mansville roofing system and the items listed above:

Cost: \$ 149,950.00

Should roof sheathing or any other change beyond the scope of the above described work occur, a change order will be generated reflecting the additional charges of materials and labor billed at the prevailing rate.

By signing this proposal, the person/persons represent that they are legally authorized to sign on behalf of, and order the work described herein. Please sign and initial where indicated both pages. Retain one copy for your records. Upon signing this document will serve as a binding contract. The contract is null and void if not signed within 10 days of the date below. The undersigned acknowledges receipt of a true copy of this contract, and that it has been read and understood that no other agreement, verbal or otherwise, is bonding upon the parties thereto, and that this contract constitutes the entire contract.

Wednesday, June 28, 2017

Crane Exteriors Inc. DBA Chico Roofing Co.
Ca. License # 775265
Bill Crane Cell # 520-0458

Date:

7/3/17

Person authorized to order the work

NOTICE TO OWNER"[SECTION 7018.5-CONTRACTORS LICENSE LAW] UNDER THE MECHANICS' LIEN LAW, ANY CONTACTOR, SUBCONTRACTOR, LABORER, MATERIAL SUPPLIER OR OTHER PERSON WHO HELPS TO IMPROVE YOUR PROPERTY AND IS NOT PAID FOR HIS LABOR ,SERVICES OR MATERIALS, HAS A RIGHT TO ENFORCE HIS CLAIM AGAINST YOUR PROPERTY. UNDER THE LAW, YOU MAY PROTECT YOURSELF AGAINST SUCH CLAIMS BY FILING , BEFORE COMMENCING SUCH WORK TO IMPROVEMENT, AN ORIGNAL CONTRACT WITH THE RECORDER OF THE COUNTY WHERE THE PROPERTY IS SITUATED AND REQUIRING THAT A AMOUNT NOT LESS THAN FIFTY PERCENT[50%] OF THE CONTRACT PRICE AND SHALL,IN ADDITION TO ANY CONDITION FOR THE PERFORMANCE OF THE CONTRACT,BE CONDITIONED FOR THE PAYMENT IN FULL OF THE CLAIMS OF ALL PERSONS FURNISHING LABOR,SERVICES,EQUIPMENT OF MATERIALS FOR THE WORK DESCRIBED IN SAID CONTRACT. CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTOR'S STATE LICENSE BOARD. ANY QUESTION CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR CONTRACTORS STATE LICENSE BOARD, [9821 BUSINESS PARK DRIVE] SACRAMENTO, CALIFORNIA. [MAILING ADDRESS: P.O.BOX 26999, SACRAMENTO, CALIFORNIA 95827

Every effort will be made to protect the surrounding landscaping. Chico Roofing is not responsible for any irregularities in the deck which might cause a noticeable bump. Chico Roofing Company is fully covered by workman's compensation and liability insurance, with certificates available upon request. Chico Roofing does not inspect for Mold/fungi/and microbe. We are not qualified to determine if mold/fungi/microbe is present. It is also the responsibility of the owner of the building to notify Chico Roofing Company within 24 hours of the occurrence of any leak in the building, and where mold/fungi/microbe may occur or may be present. Chico Roofing Company is not liable for identifying any mold, fungi, or microbe occurring either directly or indirectly caused by our activities, materials used, processes or lack of recognition of those conditions at the above site. All work is to be completed in a substantial and workmanlike manner according to standard industry practices. Chico Roofing shall not be held liable for delays caused by strikes, Acts of God, or other unforeseen circumstances over which the contractor has no control.

Payment is to be made as follows: Upon completion, the balance becomes due and payable. Should it become necessary to use legal services to make collection, all said expenses pertaining thereto would be at the expense of the property owner. A finance charge of 1.8% per month, which is an annual percentage rate of 21.8 %, will be charged on all unpaid balances. Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing. This proposal shall be binding upon the contractor for a period not to exceed Ten (10) days, unless earlier revoked by written notice of revocation prior to acceptance, at which time this proposal shall terminate automatically. No contractual rights arise until this proposal is accepted in writing.

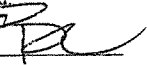
Change Orders: In the event that either party wishes to make any changes in the plans and specifications or scope of work, the compensation due the contractor shall increase or decrease based on the work changes. Should roof sheathing or any other change beyond the scope of the above described work occur, a change order will be generated reflecting the additional charges of materials and labor billed at the prevailing rate.

Warranty: Contractor provides a limited warranty on all Contractor supplied labor and workmanship used in this project for a period of ten years following substantial completion of all work. Ten years after substantial completion of the project, the Owner's sole remedy for (materials and labor) on all materials that are covered by a manufacturer's warranty is strictly with the manufacturer, not with the Contractor. A separate manufacturer warranty will be provided to the owner upon completion of the work.

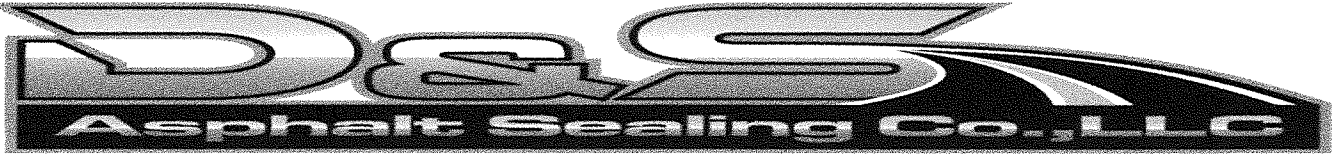
Insurance: The owner of subject property is to carry fire and other necessary insurance on above work. The contractor carries Workers Compensation and General Liability insurance and is regulated by the State Contractor's Licensing Board, but does not assume nor is responsible for risks or acts or occurrences not set forth in this contract.

Dispute resolution and attorney's fees: Any controversy or claim arising out of or related to this agreement involving an amount of less than \$ 5,000.00 (or the maximum limit of the court) must be heard in the Small Claims De Vision of the Municipal Court in the county where the Contractor's office is located. Any controversy or claim arising out of or related to this Agreement which is over the dollar limited of the small claims court must be settled by binding arbitration administered by the American Arbitration Association in accordance with the Construction Industry Arbitration Rules. Judgment upon award may be entered in any Court having jurisdiction thereof. The prevailing party in any legal proceeding related to this Agreement shall be tiled to payment of reasonable attorney's fees, costs, and expenses. This Contract shall be binding only upon written acceptance hereof by the principals, unless otherwise specified.

Date: _____
Owner's Initials: _____

Wednesday, June 28, 2017
Contractor's Initials: 

Proposal & Contract



dandsasphalt.com

Lic. # 426177

To: **COLUSA UNIFIED SCHOOL DISTRICT**
745 TENTH STREET
COLUSA, CA 95932

Job site: MAIN OFFICE

Date: **6-12-17**

p/c# 61217-295

Dear Sir:

The undersigned proposes to furnish all materials and perform all labor necessary to complete the following work of improvement in accordance with the plans and specifications attached hereto, and by reference incorporated herein:

- 1) Clean out loose debris and then apply a ss1 tack oil.**
- 2) Pave 4 sink holes with asphalt for smooth transition.**

End of Proposed Work

NOTE prevailing wage applies

All of the above work to be completed in a substantial and workmanlike manner according to the standard practices on or before **T.B.A.** Save and accept for any delays caused by strikes, acts of God, or other unforeseen happenstances over which the contractor has no control for the sum of \$ four hundred dollars **and no/100----- (\$400.00)**

Said **\$400.00** shall be payable as follows: **In full upon completion**

Any alteration or deviation from the above specifications involving extra costs of materials or labor will only be performed upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All such charges must be in writing.

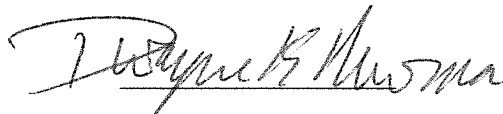
This proposal shall be in binding upon the contractor for a period not to exceed **30** days, unless earlier revoked by written notice of revocation prior to acceptance at which time this proposal shall terminate. No contractual rights arise until this proposal is accepted in writing.

Respectfully submitted by: ERIC EVEATT

**D&S ASPHALT SEALING
ACCEPTANCE**

The above proposal is hereby accepted according to terms thereof and the owner agrees to pay the amounts mentioned in said proposal and in according to the terms on the reverse side of this form.

Date: 6/13/17


COLUSA UNIFIED SCHOOL DISTRICT

NOTICE TO OWNER

“ Under the mechanics lien” Law, any contractor, subcontractor, laborer, material man or other person who helps to improve your property and is not paid for his labor, services or material, has a right to enforce his claim against you property through a “mechanics lien”.

Under the law, you may protect yourself against such claims by filing, before commencing such work to improvement, an original contract for the work of improvement or a modification thereof, in the office of the county recorder of the county where the property is situated and requiring that a contractor’s payment bond be recorded in such office. Said bond shall be in an amount not less than fifty percent (50%) of the contract price and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of persons furnishing labor, services, equipment or materials for the work described in said contract.

1. Unpaid invoices over 30 days will bear a 1.5 percent monthly service charge (18% per annum) will be added to your account if past due.
2. Time limit for the completion of any work will be sixty days unless otherwise noted.
3. Fees for bonds, inspections, special licenses, or permits are not included unless otherwise noted or specified.
4. All engineering work will be performed by others and furnished by the acceptor of this proposal unless otherwise noted or specified and is not included in the price set out on the front of this forum
5. All quantities, as shown, are based on the approximate area to be paved or seal coated. Should there be an increase or decrease in the quantities, it is understood that the unit price, as quoted, shall be used as a basis as payment for work.
6. We reserve the right to revise our proposal, should the areas to be paved or seal coated be reduced or enlarged from the original plans.
7. All legal costs including court costs and attorney fees incurred in enforcing the terms of this contract or to effect collection and/or payment of this contract are to be paid to the prevailing party in such suit.
8. Contractor, by accepting final payment, waves all claims except those which he has previously made in writing and which remain unsettled at the time of acceptance.
9. To the extent the work covered by this contract includes the installation of material manufactured by others, contractor does not assume responsibility for the performance of such materials and shall be liable for mechanical defects therein only to the extent of the respective manufacturers warranties
10. Contractor shall not be liable for any damages to the repaired areas and for delays resulting from storm, floods, earthquakes, swelling of the ground, or other acts of the elements, or from strikes, fires, acts of other contractors, or acts of God, or from any other accidental or natural causes beyond it’s control
11. This contract shall be binding on the parties, and their successors, heirs, legal representatives, and assigns.
12. Any increase of labor or materials from the time of proposal is signed by acceptor and the time the job is completed will be an additional charge above the total of the original contract.
13. This bid is based on the current price of labor and material and if not accepted on or before the date set forth on the reverse side it is void from that date forward. The right is reserved to submit a new bid.
14. If the customer disposes of the real estate by sale or otherwise, the full amount remaining on this contract becomes due and payable when fund are received by seller or if there is an escrow, then the balance shall be paid by the escrow holder to D&S Asphalt Sealing, at once.
15. The intended use of sealcoating and resurfacing materials is to resurface existing asphalt pavements they are not intended to remove surface variations which may hold water, change existing drainage patterns, restore badly cracked or broken base pavement, or permanently seal cracks subject to base movement. Cracks sealed and filled may open again.
16. D&S Asphalt sealing will not be responsible for damage to any underground utilities, unless said utilities are specifically marked with depths on a furnished blue print. D&S Asphalt Sealing will also not be responsible for surface draining of new or existing pavement surfaces unless said surfaces have a minimum of 1 ½ % slope to drains.



HVAC Bid Proposal

June 7, 2017

Project: Colusa County High School Kitchen Modification
Address: 901 Colus Ave
Colusa, CA

Drawings Included: Hand Sketch

HVAC Scope of Work:

- Remove existing 4-ton Lennox AC package unit and associated ductwork.
- Remove existing roof curb.
- Install new roof curb.
- Install new 4-ton Payne package unit.
- Install new duct drops through new roof curb.
- New Electrical Disconnect.
- New Gas Flex.
- Crane/Rigging.
- Prevailing Wages.

Exclusions: Permits

Base Bid: \$ 7,500.00

ADD to install ductwork along the kitchen ceiling with registers: \$ 2,000.00

Wayne K. Newman
Supt.

6/14/17

4440 Sprig Drive, Marysville, CA 95901
Ph (530) 870-6739 License # 982514
eric@dicksonmechanical.com

JEFF SAVAGE PLUMBING

1314 Oak Street
P.O. Box 807 • Colusa, California 95932

PHONE: (530) 458-4938

License No. 543736

QUOTE NUMBER

Nº 1370

QUOTE

NAME <i>Colusa Schools</i>			DATE <i>7-21-17</i>
STREET			DATE ORDERED
CITY <i>Colusa</i>	STATE <i>Ca</i>	ZIP <i>95932</i>	DATE SCHEDULE
MAKE	MODEL	SERIAL NUMBER	<input type="checkbox"/> WARRANTY <input type="checkbox"/> CONTRACT <input type="checkbox"/> SERVICE CONTRACT <input type="checkbox"/> NORMAL <input type="checkbox"/> RES. <input type="checkbox"/> COMM

QUANTITY	ITEM OR PART DESCRIPTION	PRICE
	<i>GIRLS Gym</i>	
	<i>Plumber will cut & remove cement for shower drain & waters.</i>	
	<i>Plumber will put cement back.</i>	
	<i>Plumber will run soft copper under slab and PVC DWV pipe for waste on shower.</i>	
	<i>Plumber will supply and finish:</i>	
	<i>1- Kohler Flush Toilet</i>	
	<i>1- Sloan Flush Valve</i>	
	<i>1- Kohler wall hung Lav</i>	
	<i>1- Kohler Lav faucet</i>	
	<i>1- Floor Stone 48" Remod. Shower/seat</i>	
	<i>1- Kit Kohler Shower valve and trim.</i>	
	<i>Prevailing Price Quote</i>	<i>\$8500⁰⁰</i>

TERMS: DUE UPON COMPLETION

I HAVE THE AUTHORITY TO ORDER THE ABOVE WORK AND DO SO ORDER AS OUTLINED ABOVE. IT IS AGREED THAT THE SELLER WILL RETAIN TITLE TO ANY EQUIPMENT OR MATERIAL FURNISHED UNTIL FINAL AND COMPLETE PAYMENT IS MADE. AND IF SETTLEMENT IS NOT MADE AS AGREED, THE SELLER SHALL HAVE THE RIGHT TO REMOVE SAME AND THE SELLER WILL BE HELD HARMLESS FOR ANY DAMAGES RESULTING FROM THE REMOVAL THEREOF.

Wayne K Newman
AUTHORIZED SIGNATURE

THIS IS NOT AN ACTUAL CONTRACT - SUBJECT TO CHANGE WITHOUT NOTICE.

TOTAL OTHER CHARGES

SUBTOTAL

LABOR HRS. @ _____

TAX

TOTAL AMOUNT DUE

\$8500⁰⁰
\$8500⁰⁰
\$8500⁰⁰
\$8500⁰⁰



WIKE RESTORATION
1282 Hassett Ave. #1
Yuba City, CA 95991 US
wikerestoration.com

Estimate 000748E

DATE	TOTAL
06/12/2017	\$1,942.50

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

Please detach top portion and return with your payment.

PROJECT NAME

Colusa High/Coaches storeroom

DISCRIPTION OF WORK

tile and mastic removal

DESCRIPTION	QTY	RATE	AMOUNT
9X9 floor tile & mastic less Removal of Asbestos containing floor tile and mastic. Floor tile and mastic will be treated as non-friable ACM. All work will be done in accordance with all Federal, State, and Local regulatory agencies. Included in the price is all prevailing wage rates, equipment, materials, disposal, etc. to complete the work as per specifications.	1	692.50	692.50
asbestos testing third party air clearance to be done by third party consulting firm.	1	1,250.00	1,250.00

Lic: 947957 B, C-22, ASB, DOSH 1040

DIR: 1000013851

Thank you for your business!

TOTAL **\$1,942.50**

THANK YOU.

Accepted By

Wayne K. Newman

Accepted Date

6/13/17

Proposal

H & R QUALITY PAINTING

Commercial & Residential

530-403-9452 • 530-315-0636

LIC#1013612

Proposal submitted to Legsa Hill Colusa unified school district		Phone	Date 8-2-17
Street 901 Colus		Job Name interior painting	
City, State and Zip Colusa, Ca 95932		Job Location Colusa High School	
Architect	Date of Plans 8/3-8/6	Job Phone	

We hereby submit specifications and estimates for: Painting all of the following areas checked below.

ONE COAT <input type="checkbox"/>	TWO COATS <input checked="" type="checkbox"/>	INCLUDING A CAREFUL SURFACE PREPARATION FOR THE PRICE STATED BELOW.	
<input type="checkbox"/> STUCCO <input type="checkbox"/> WOOD SIDING <input type="checkbox"/> FASCIA BOARDS <input type="checkbox"/> PORCH FLOOR <input type="checkbox"/> PATIO COVER <input type="checkbox"/> OVERHANGS <input type="checkbox"/> WINDOW TRIM <input type="checkbox"/> GARAGE DOOR <input type="checkbox"/> FRONT DOOR <input type="checkbox"/> GUTTERS & DOWNSPOUTS	<input type="checkbox"/> CONCRETE FLOOR <input type="checkbox"/> WOOD STEPS <input type="checkbox"/> WOOD FENCE <input type="checkbox"/> CHAIN LINK FENCE <input type="checkbox"/> CEMENT WALLS <input type="checkbox"/> BRICK <input type="checkbox"/> SCREEN DOORS <input type="checkbox"/> LOUVERED SHUTTERS <input type="checkbox"/> VENT STACKS <input type="checkbox"/> CHIMNEY CAPS	<input type="checkbox"/> ACOUSTIC CEILING <input type="checkbox"/> DOORS <input type="checkbox"/> CLOSET DOORS <input type="checkbox"/> DORMERS <input type="checkbox"/> LIVING ROOM <input type="checkbox"/> FAMILY ROOM <input type="checkbox"/> BATHROOM(S) <input type="checkbox"/> CABINETS <input type="checkbox"/> COLUMNS <input type="checkbox"/> GARAGE WALLS & CEILING	<input type="checkbox"/> WATER BLAST <input type="checkbox"/> IRON RAILINGS <input type="checkbox"/> WOODEN RAILINGS <input type="checkbox"/> WINDOWS <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> stsp ceilings <input checked="" type="checkbox"/> caulk as needed <input checked="" type="checkbox"/> sand cabinets / metal door <input checked="" type="checkbox"/> prime cabinets / metal door <input checked="" type="checkbox"/> strips red & black on wall <input checked="" type="checkbox"/> prep & paint kitchen & office walls.

Preparation

★ All Labor to be Performed by PROFESSIONAL PAINTERS. ★ A1 Workmanship Guaranteed.

★ First Class Materials to be Used. ★

All surfaces to be scraped, sanded, caulked, puttied, glazed, and spot primed where necessary before painting. Areas not being painted will be protected by clean drop cloths (furniture, carpets, floor, walkway, etc.)

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

dollars (\$ **4,400**)

Payment to be made as follows:

Kitchen, office & Snack Bar walls & ceilings

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be to executed only upon written, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays or beyond our control.

Authorized Signature

MB

Note: This proposal may be withdrawn by us if not accepted within **30** days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

James K. Newman

Date of Acceptance

7/31/17

Signature

MB

288 of 200

Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

Authorization

Precision Concrete Cutting (PCC) removes only those trip hazards specifically requested by the owner or management, and therefore makes no guarantee or representation in any way that the property is free of trip hazards after the contract has been completed. Additionally, it is recognized that after completion of the contract, the concrete trip hazards may and probably will continue to move naturally over time due to roots, water, freezing, pipes, and other natural or man-made causes. Upon completion and payment of this contract, Precision Concrete Cutting ceases to be responsible for further movement or changes in the sidewalk and is not liable for any related claims, losses, damages or liabilities thereto pertaining.

By signing below, I attest that I have read the above statement, understand it completely, and agree not to hold PCC liable. By my signature and authorization, PCC is approved to schedule the work detailed in this proposal and complete it according to their schedule.

Note: Pricing is valid for 90-days and is based on the volume of work represented in the proposal. Should the property owner decide to reduce the volume of work by more than 20%, a 10% price increase may apply.

Date: 7/10/17 P.O. #: _____

Signature Authorized Agent: X Dwayne K. Newman

Please Print Name & Title: Dwayne Newman

OK to cut job on a Saturday? Yes _____ / No _____

Reference No.

2017.7.7.A.HW

Date: July 7, 2017

Egling School-Colusa Unified

Colusa Unified School District

Terry Biladeau

813 Webster Street, Colusa, Ca 95932

(530) 458-7791

813 Webster Street, Colusa, Ca 95932

Precision Concrete Cutting

P.O. Box 25265

San Mateo, CA 94402

(916) 607-0447 - phone

(650)-240-3866 - Fax

hwise@dontgrind.com

CL #826745



CUSTOMER:

C/O:

CONTACT:

ADDRESS:

CITY / ZIP:

PHONE:

PROPERTY LOCATION:

Prepared By:

SIDEWALK IMPROVEMENT PROPOSAL

Total In. Ft.

0.00

Total Cost

\$1,500.00

Precision Concrete Cutting - Trip Hazard Specialist - We Cut Don't Grind

Authorization

LEGEND:

WW =Walkway, SW =Sidewalk, CSW =City Sidewalks, DW =Driveway, R&R =Remove and Replace, LP =Lamp Post, BET = Between, X =Across, OG =Old Grind, OC =Old Cut, AP =Asphalt Patch, AC =Asphalt Cut, PKG =Parking/Parking Lot, NXT = Next To, @ = At, CC = Crosscut

This bid is intended only for the use of the individual or entity to which it is addressed. The contents are proprietary and confidential and contains information that is both privileged and confidential under applicable California law. If you have received or are in possession of this document, you are hereby notified that any dissemination, use, distribution, or copying of this information is strictly prohibited and any violation will be strictly enforced and litigated under the laws of the State of California.

No.	Avg Height	Height Low (8t	Width	Specific Location		Inch Feet	Cost
1				Do not exceed 33 inch/ft/\$1500.00 unless authorized by Terry. We will start cutting at Egling school and if there is remaining inch/ft we will go to Colusa HS to cut trip and fall hazards.		0.00	\$1,500.00

DeWayne K. Neusman
7/10/17