

# CENTER JOINT UNIFIED SCHOOL DISTRICT

www.centerusd.org

## Local Control Accountability Plan Goals:

1. CJUSD Students will be challenged and supported to achieve academic success in a clean, safe environment through Multi-Tiered Systems of Support (MTSS)
2. CJUSD students will be College and Career ready through Multi-Tiered Systems of Support (MTSS) Actions/Services
3. CJUSD students and families will be engaged and informed regarding the educational process and opportunities through Multi-Tiered Systems of Support (MTSS)

## **BOARD OF TRUSTEES REGULAR MEETING**

**District Board Room, Room 503  
Wilson C. Riles Middle School  
4747 PFE Road, Roseville, CA 95747**

**Wednesday, November 15, 2017 - 6:00 p.m.**

- |  | <u>STATUS</u> |
|--|---------------|
| <b>I. CALL TO ORDER &amp; ROLL CALL - 5:30 p.m.</b>                                  |               |
| <b>II. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION</b>                   |               |
| 1. Conference with Labor Negotiator, (David Grimes), Re: CSEA & CUTA (G.C. §54957.6) |               |
| 2. Student Expulsions/Readmissions (G.C. §54962)                                     |               |
| <b>III. PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION</b>        |               |
| <b>IV. CLOSED SESSION - 5:30 p.m.</b>  |               |
| <b>V. OPEN SESSION - CALL TO ORDER - 6:00 p.m.</b>                                   |               |
| <b>VI. FLAG SALUTE</b>   |               |
| <b>VII. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION</b>                           | Info/Action   |
| <b>VIII. ADOPTION OF AGENDA</b>  | Action        |
| <b>IX. STUDENT BOARD REPRESENTATIVE REPORTS (3 minutes each)</b>                     | Info          |
| 1. Center High School - Marissa Davis  |               |
| 2. McClellan High School - Chris Sill  |               |

*Note: If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Superintendent's Office at (916) 338-6409 at least 48 hours before the scheduled Board meeting. [Government Code §54954.2] [Americans with Disabilities Act of 1990, §202.]*

**NOTICE:** The agenda packet and supporting materials, including materials distributed less than 72 hours prior to the schedule meeting, can be viewed at Center Joint Unified School District, Superintendent's Office, located at 8408 Watt Avenue, Antelope, CA. For more information please call 916-338-6409.

	<b>X. ORGANIZATION REPORTS</b> (3 minutes each)	Info
	1. CUTA - Venessa Mason, President	
	2. CSEA - Marie Huggins, President	
	<b>XI. COMMITTEE UPDATES</b> (8 minutes each)	Info
Facilities & Op.	1. <b>Facilities Update</b> - Craig Deason	
	<b>XII. REPORTS/PRESENTATIONS</b> (8 minutes each)	Info
Curr & Instr	1. <b>California School Dashboard / LCAP</b> - Mike Jordan	
	<b>XIII. COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA</b>	Public Comments Invited
	<i>Anyone may address the Board regarding any item that is within the Board's subject matter jurisdiction. However, the Board <u>may not</u> discuss or take action on any item which is not on this agenda except as authorized by Government Code Section 54954.2. A speaker shall be limited to 3 minutes (Board Policy 9323). All public comments on items listed on this agenda will be heard at the time the Board is discussing that item.</i>	
	<b>XIV. BOARD / SUPERINTENDENT REPORTS</b> (10 minutes)	Info
	<b>XV. CONSENT AGENDA</b> (5 minutes)	Action
	<i>NOTE: The Board will be asked to approve all of the following items by a single vote, unless any member of the Board asks that an item be removed from the consent agenda and considered and discussed separately.</i>	
Governance	1. Approve Adoption of Minutes from October 18, 2017 Regular Meeting	
↓	2. Approve Resolution #9/2017-18: Resolution On Board Compensation For Missed Meeting	
Personnel	3. Approve Classified Personnel Transactions	
↓	4. Approve Certificated Personnel Transactions	
↓	5. Approve CSEA Tentative Agreement Regarding Health and Welfare Benefits for 2017/18 and 2018/19	
Special Ed	6. Ratify 2017/2018 Individual Services Agreements:	
	2017/18-124-127, 201 Placer Learning Center	
	2017/18-197-198 Bright Start Therapy	
	2017/18-199 CTEC (Supported Life Inst.)	
	2017/18-200 Easter Seal Society of CA	
	2017/18-202 Sierra School	
↓	7. Ratify Professional Service Agreement: Ronda Last	
Curr & Instr	8. Approve CJUSD Designees for the Capital Adult Education Regional Consortium	
↓	9. Ratify Memorandum of Understanding Agreement #7 CJUSD-BPP with Sacramento County Office of Education for Implementation of the Mental Health Wellness Education and Training Bullying Prevention Program	
↓	10. Ratify Renewal of School Messenger Service with West Interactive Services Corp	
↓	11. Approve Resolution #10/2017-18: Resolution Regarding Concurrent Enrollment	
↓	12. Approve Supplemental Tier 2 Instructional Materials Adoption Grades 1st-6th English Language Arts Intervention Program	
↓	13. Approve Field Trip: CHS Media Communications Academy to Southern California	
↓	14. Approve Field Trip: CHS Media Communications Academy to Bay Area	
↓	15. Approve Single Plan for Student Achievement - North Country	
↓	16. Approve Single Plan for Student Achievement - Spinelli	
Facilities & Op.	17. Approve Resolution #8/2017-18: Projects and Filing of Applications for Funding under the State School Facility Programs	
↓	18. Approve Disposal of Surplus Equipment:	
	1994 GMC - Box Truck, VIN #1GDHG31K3RF531621, Plate #004887	
↓	19. Approve Disposal of Surplus Equipment:	
	1995 GMC - Grounds Van, VIN #1GDKP32K9S3503771, Plate #1087420	

- ↓ 20. Approve Disposal of Surplus Equipment:  
1986 Chevrolet - S10 Pickup, VIN #1GCBS14R0G8170372, Plate #491425
- ↓ 21. Approve Disposal of Surplus Equipment:  
1989 Chevrolet Sweeper Truck, VIN #1GCDC14K5KZ184246, Plate #1261723
- ↓ 22. Approve Amendment #3 - Proposition 39, California Clean Energy Jobs Act - CPM Contract for Schedule Rates for Service
- ↓ 23. Approve Amendment #3 - CPM Contract for Program Management Services for Facility Needs Assessment and Implementation Planning Services
- ↓ 24. Approve Professional Service Agreement: School Facility Solutions, LLC
- ↓ 25. Approve Contract for Professional Consulting Services with Caldwell Flores Winters
- ↓ 26. Approve Contract for Professional Financial Advisory Services by and between the Center Joint Unified School District and Caldwell Flores Winters, Inc.
- Business 27. Approve Associated Valuation Services Contract
- ↓ 28. Approve Payroll Orders: July - October 2107
- ↓ 29. Approve Supplemental Agenda (Vendor Warrants): October 2017

**XVI. BUSINESS ITEMS**

Governance

**A. Schedule Annual Organizational Meeting of the Board Action**

Education Code §35143 requires governing boards to set an annual organizational meeting “within a 15-day period that commences with the date upon which a governing board member elected at that election takes office. Organizational meetings in years in which no such regular election for governing board members is conducted shall be held during the same 15-day period on the calendar.” (Board members are seated the *first Friday* of December following the November election [Education Code §5017]) That 15-day period for 2017 is December 1-15.

↓

**B. CSBA Delegate Assembly Nominations**

Nominations will be accepted until Sunday, January 7, 2018. Any CSBA member board is eligible to nominate board members within their geographical region or subregion. Each board may nominate as many individuals as it chooses. The subregion for CJUSD is 6-B.

↓

**C. First Reading: Board Policies/Regulations/Exhibits Action**

**BP/AR 0000 - Vision**  
(BP revised; AR deleted)

Policy updated to address data sources for vision setting, set expectations that the district's vision will drive all board decisions and district operations, and align the process of reviewing the district's vision with the process for reviewing and updating the local control and accountability plan (LCAP). Regulation deleted and key concepts incorporated into the BP.

**E 0420.41 - Charter School Oversight**  
(E revised)

Exhibit updated to add requirements for charter schools to (1) adopt a suicide prevention policy; (2) provide student athletes and their parents/guardians with information on sudden cardiac arrest, pursuant to NEW LAW (AB 1639, 2016); (3) submit verification of students' high school graduation to the Cal Grant program; (4) develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a bus, pursuant to NEW LAW (SB 1072, 2016); (5) comply with specified requirements if the charter school chooses to make an opioid antagonist available in order to provide emergency medical aid to persons suffering from an opioid overdose, pursuant to NEW LAW (AB 1748, 2016); and (6) post specified information on the school's web site related to the prohibition against discrimination under Title IX. Exhibit also reflects the repeal of state regulation containing the LCAP template.

## **First Reading: Board Policies/Regulations/Exhibits (continued)**

### **BP/AR 1312.3 - Uniform Complaint Procedures**

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (AB 2306, 2016)** which authorizes the use of uniform complaint procedures for complaints alleging noncompliance with requirements related to course credit transfer and exemption from local graduation requirements for former juvenile court school students. Regulation also references **NEW LAW (SB 1375, 2016)** which requires districts, on or before July 1, 2017, to post information relating to Title IX, including specified information about complaint procedures, on their web sites.

### **BP 1340 - Access to District Records**

(BP revised)

Policy updated to reflect **NEW COURT DECISION (City of San Jose v. Superior Court)** which held that using a personal account or device to send or receive communications regarding public business does not categorically exclude those records from disclosure in response to a request under the California Public Records Act and that public agencies are obliged to disclose applicable records that they can locate with reasonable effort.

### **BP 2121 - Superintendent's Contract**

(BP revised)

Policy updated to reflect **NEW LAW (SB 1436, 2016)** which requires the board, prior to taking final action on the superintendent's salary or benefits, to orally report a summary of the recommended action during open session of a board meeting. Updated policy also clarifies that deliberations regarding the superintendent's salary or other compensation cannot be held during a special meeting of the board.

### **BP 2140 - Evaluation of the Superintendent**

(BP revised)

Policy updated to provide that the responsibility for determining the criteria, schedule, method(s), and instrument(s) for superintendent evaluation rests with the board, although input may be sought from the superintendent. Updated policy clarifies that, although the evaluation may be discussed in closed session, the law does not permit discussion or action on any proposed change in compensation during closed session, with limited exceptions. Policy also reflects court decision holding that personal performance goals are not subject to disclosure to the public unless they are specifically stated in the employment contract.

### **BP/AR 3551 - Food Service Operations/Cafeteria Plan**

(BP/AR revised)

Policy and regulation updated to reflect **NEW FEDERAL GUIDANCE (U.S. Department of Agriculture Memorandum SP 46-2016 and SP 23-2017)** which mandates any district participating in the National School Lunch and/or Breakfast Program to adopt a written policy on meal charges, including the collection of delinquent meal charge debt, no later than July 1, 2017, and to annually communicate that policy to parents/guardians. Policy and regulation also reflect **NEW STATE GUIDANCE (California Department of Education Management Bulletin SNP-03-2017)** which requires district policy to ensure that students with unrecovered or delinquent meal charge debt are not overtly identified, requires that debt collection efforts are consistent with specified cost principles, and establishes conditions for reclassifying unpaid debt as bad debt. Policy also revised to reflect the Buy American provision of federal regulations which requires districts, to the maximum extent practicable, to purchase domestically grown and processed foods.

### **AR 3580 - District Records**

(AR revised)

Regulation updated to revise material related to the retention of electronic records, including records pertaining to district business that are created, saved, sent, or received on an employee's or board member's personal device, to reflect **NEW COURT DECISION (City of San Jose v. Superior Court)** which held that such records may be accessible to the public in accordance with the California Public Records Act.

## **First Reading: Board Policies/Regulations/Exhibits (continued)**

### **AR 4112.2 - Certification**

(AR revised)

Regulation updated to (1) add verification of temporary certificates for employees whose credential applications are being processed by the Commission on Teacher Credentialing; (2) add section reflecting requirements for the Teaching Permit for Statutory Leave, as added by **NEW STATE REGULATIONS** (Register 2016, No. 34); and (3) add authorization for the holder of the Teaching Permit for Statutory Leave, Provisional Internship Permit, or Short-Term Staff Permit to provide substitute teaching services as specified.

### **BP/AR 4112.61/4212.61/4312.61 - Employment References**

(BP deleted; AR revised)

Policy deleted and key concepts incorporated into regulation. Regulation also updated to more directly reflect state law regarding the authority of employers to communicate certain information about current or former employees to prospective employers.

### **BP/AR 4127/4227/4327 - Temporary Athletic Team Coaches**

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (AB 1639, 2016) which requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such a course every two years thereafter. Policy also allows a coach to submit either the Activity Supervisor Clearance Certificate or the Department of Justice and Federal Bureau of Investigation criminal background check. Material regarding certification of coaches' qualifications to the board and the State Board of Education moved from AR to BP.

### **BP 4312.1 - Contracts**

(BP revised)

Policy updated to reflect **NEW LAW** (SB 1436, 2016) which requires the board, prior to taking final action on the salary or benefits of employees whose position within the district is established through an employment contract, to orally report a summary of the recommended action during open session of a board meeting. Updated policy also clarifies the limited circumstances under which salary and benefits may be discussed in closed session and the prohibition against discussing salary or other compensation during a special meeting of the board.

### **AR 5145.3 - Nondiscrimination/Harassment**

(AR revised)

Regulation updated to reflect **NEW LAW** (SB 1375, 2016) which requires districts and schools to post specified Title IX information on their web sites by July 1, 2017. Regulation also explains the limited impact in California of the February 22, 2017 federal action to rescind earlier guidance regarding transgender students' use of sex-segregated facilities in accordance with their gender identity.

### **BP 6142.93 - Science Instruction**

(BP revised)

Policy updated to reflect the **NEW CURRICULUM FRAMEWORK** for science instruction adopted by the State Board of Education in November 2016 and the Next Generation Science Standards. Policy also adds new material related to the required course of study, science courses required for high school graduation, staff development, program evaluation, and safety in science laboratories.

### **BP 6145 - Extracurricular and Cocurricular Activities**

(BP revised)

Policy updated to reflect law which provides that a homeless student must be immediately deemed to meet all residency requirements for participation in extracurricular activities. Legal cites added for the prohibition against student fees and the requirement to annually review the policy.

## **First Reading: Board Policies/Regulations/Exhibits (continued)**

### **BP/AR 6145.2 - Athletic Competition**

(BP/AR revised)

Policy and regulation updated to reflect NEW LAW (AB 1639, 2016) which requires (1) distribution to student athletes and parents/guardians of information on the nature and warning signs of sudden cardiac arrest, (2) training of coaches and athletic directors on the nature and warning signs of sudden cardiac arrest, and (3) removal of a student from an athletic activity if he/she passes out or faints, until clearance is obtained from a health care provider. Policy also updated to reflect the prohibition against the use of a racially derogatory or discriminatory athletic team name, mascot, or nickname. Policy reflects law which provides that a homeless student must be immediately deemed to meet all residency requirements for participation in interscholastic athletic activities. Regulation also updated to reflect NEW LAW (SB 1375, 2016) which requires districts and schools to post specified Title IX information on their web sites by July 1, 2017.

### **BP/E 6161.1 - Selection and Evaluation of Instructional Materials**

(BP/E revised)

Policy and exhibit updated to delete material defining the "sufficiency" of instructional materials as meaning that students enrolled in the same course have identical materials from the same adoption cycle, and to delete optional material reflecting the authorization to purchase the newest adopted materials for schools in deciles 1-3 of the Academic Performance Index, as those laws have repealed on their own terms. Updated policy also reflects the requirement to address the sufficiency of instructional materials in the district's LCAP and reflects NEW LAW (AB 575, 2016) which provides that the State Board of Education may adopt instructional materials for grades K-8 at least once, but not more than twice, every eight years.

### **BP/AR 6178.1 - Work-Based Learning**

(BP/AR revised)

Policy updated to add material formerly in AR regarding board approval of any district plan for work-based learning and board approval to pay students' wages out of district funds. Regulation updated to reflect NEW LAW (AB 2063, 2016) which authorizes the district to grant credit for satisfactory completion of a work experience education program to students ages 14-15 when the principal certifies that such credit is necessary for the student's participation in a career technical education (CTE) program. Regulation also reflects provision of AB 2063 which allows students to participate in job shadowing activities for up to 40 hours per semester, intersession, or summer school session if the principal certifies that it is necessary for participation in a CTE program.

### **BP 7212 - Mello-Roos Districts**

(BP revised)

Policy updated to reflect NEW LAW (AB 1666, 2016) which requires an agency that has formed a community facilities district (CFD) to post specified financial reports on its web site. Policy also expanded to include additional requirements regarding the submission of a petition to form a CFD, timelines for proceedings to form a CFD, consistency with the district's debt management policy, attendance priority for students residing within the CFD, and procedures for levying special taxes or incurring bonded indebtedness.

### **BP 7214 - General Obligation Bonds**

(BP revised)

Policy updated to reflect NEW LAW (SB 1029, 2016) which requires the board to adopt a debt management policy prior to issuing any debt, including a general obligation bond, and to certify to the California Debt and Investment Advisory Commission that any proposed issuance of debt is consistent with the district's policy. Policy also reflects NEW LAW (AB 2116, 2016) which requires the board to obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor, and NEW LAW (AB 2738, 2016) which prohibits districts from withdrawing proceeds from bond sales at any time for the purpose of making investments outside the county treasury. Policy also adds caution that some uses of bond proceeds that are specified in the Education Code for bond elections with a 66.67 percent threshold may be inconsistent with the California Constitution and encourages consultation with legal counsel.

## **First Reading: Board Policies/Regulations/Exhibits (continued)**

### **BB 9012 - Board Member Electronic Communications**

(BB revised)

Bylaw updated to reflect **NEW COURT DECISION** (City of San Jose v. Superior Court) which held that using a personal account or device to send or receive communications regarding public business does not categorically exclude those records from disclosure in response to a request under the California Public Records Act and that public agencies are obliged to disclose applicable records that they can locate with reasonable effort.

### **BB 9121 - President**

(BB revised)

Bylaw updated to reorganize and revise the duties of the board president for consistency with information provided in CSBA's Board President's Workshop, and to add an optional component on providing training for the president to enhance his/her leadership skills.

### **BB 9220 - Governing Board Elections**

(BB revised)

Bylaw updated to reflect **NEW LAW** (SB 415, 2015) which, effective January 1, 2018, requires a district to move the date of its board election to be concurrent with a statewide election whenever holding an election on a nonconcurrent date has resulted in a significant decrease in voter turnout, as defined. Bylaw encourages districts to review recent voter turnout and, if necessary, adopt a plan before the January 1, 2018 deadline in order to delay consolidation until November 8, 2022. Bylaw also reflects **NEW LAWS** which require public hearings before and after drawing maps of proposed trustee areas (AB 350, 2016), authorize districts to permit board candidates to submit candidate statements for electronic distribution (AB 2010, 2016), allow districts to establish a dedicated fund to make public funds available to persons seeking elective office under specified conditions (SB 1107, 2016), and require prospective plaintiffs who allege that the election method violates the California Voting Rights Act to notify the district before filing a complaint (AB 350, 2016).

### **BB 9230 - Orientation**

(BB revised)

Bylaw updated to delete section on "Board Candidate Orientation" and move that material to BB 9220 - Governing Board Elections. Bylaw also clarifies that an orientation meeting must be conducted in open session if a majority of the members of the board will be discussing district business, provides examples of topics and materials to be addressed in the orientation, and provides information about CSBA trainings for new and first-term board members.

- |               |  |               |
|---------------|--|---------------|
| <b>XVII.</b>  | <b>ADVANCE PLANNING</b>  | <b>Info</b>   |
|               | <i>a. Future Meeting Dates:</i>  |               |
|               | <i>i. Regular Meeting: Wednesday, December 13, 2017 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747</i> |               |
|               | <i>b. Suggested Agenda Items:</i>  |               |
| <b>XVIII.</b> | <b>CONTINUATION OF CLOSED SESSION (Item IV)</b>  | <b>Action</b> |
| <b>XIX.</b>   | <b>ADJOURNMENT</b>   | <b>Action</b> |

#### **CJUSD Mission:**

*Students will realize their dreams by developing communication skills, reasoning, integrity, and motivation through academic excellence, a well-rounded education, and being active citizens of our diverse community.*

# Center Unified School District

<b>Dept./Site:</b> Dept. of Curriculum and Instruction	<b>AGENDA REQUEST FOR:</b>
<b>To:</b> Board of Trustees	Info Item <u>XX</u>
<b>Date:</b> 10/31/17	
<b>From:</b> Michael Jordan	
<b>Principal/Administrator Initials:</b> <u>MJS</u>	

<b>SUBJECT:</b> Mr. Jordan will report the progress on the local indicators of the California School Dashboard as required by education code.
<b>RECOMMENDATION:</b> Information item



# Center Joint Unified School District

<b>Dept./Site:</b> Superintendent's Office	<b>AGENDA REQUEST FOR:</b>
<b>To:</b> Board of Trustees	Action Item <input checked="" type="checkbox"/> _____
<b>Date:</b> November 15, 2017	Information Item _____
<b>From:</b> Scott A. Loehr, Superintendent	# Attached Pages _____
<b>Principal's Initials:</b> _____	

<b>SUBJECT:</b> Adoption of Minutes
<p>The minutes from the following meeting are being presented:</p> <p style="text-align: center;">October 18, 2017 Regular Meeting</p>
<b>RECOMMENDATION:</b> The CJUSD Board of Trustees approve the presented minutes.

**CONSENT AGENDA**

# CENTER JOINT UNIFIED SCHOOL DISTRICT

## BOARD OF TRUSTEES REGULAR MEETING District Board Room, Room 503 Wilson C. Riles Middle School 4747 PFE Road, Roseville, CA 95747

Wednesday, October 18, 2017

### MINUTES

**OPEN SESSION - CALL TO ORDER** - Trustee Pope called the meeting to order at 5:30 p.m.

**ROLL CALL** - Trustees Present: Mrs. Anderson, Mr. Hunt, Mrs. Pope, Mr. Wilson

Trustees Absent: Mrs. Kelley

Administrators Present: Scott Loehr, Superintendent  
Craig Deason, Assist. Supt., Operations & Facilities  
Lisa Coronado, Director of Fiscal Services  
David Grimes, Director of Personnel/Student Services  
Mike Jordan, Director of C & I/Special Education

#### **ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

1. Conference with Labor Negotiators, (David Grimes), Re: CSEA, CUTA, Management, and Confidential (G.C. §54957.6)
2. Student Expulsions/Readmissions (G.C. §54962)

**PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION** - None

**CLOSED SESSION** - 5:30 p.m.

**OPEN SESSION - CALL TO ORDER** – 6:00 p.m.

**FLAG SALUTE** - led by Scott Loehr

Trustee Pope announced that Trustee Kelley was not able to attend tonight's meeting due to illness.

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION** – the Board met in Closed Session and no action was taken. During Open Session the Board took the following action:

2. Student Expulsions/Readmissions (G.C. §54962)  
Student Expulsion 17-18.02 – Recommendation approved as amended.

**Motion:** Wilson  
**Second:** Anderson

**Ayes:** Anderson, Hunt, Pope, Wilson  
**Noes:** None  
**Absent:** Kelley

**ADOPTION OF AGENDA** - There was a motion to approve the adoption of the agenda as amended: pull Consent Agenda Item #19 for separate consideration.

**Motion:** Anderson  
**Second:** Wilson

**Ayes:** Anderson, Hunt, Pope, Wilson  
**Noes:** None  
**Absent:** Kelley

**STUDENT BOARD REPRESENTATIVE REPORTS** (3 minutes each)

1. Center High School – Marissa Davis

- FBLA went to Stanford for a Leadership Conference
- AVID went to Fresno State last Saturday and attended a football game
- last Friday was the Staff Appreciation Football game
- the 27th will be their Breast Cancer Awareness Game

2. McClellan High School – Christopher Sill

- Trimester 1 is about to end
- for Breast Cancer Awareness, students are wearing pink on Wednesdays
- the annual Costume Contest will be October 31st
- Attendance Awards are still happening for excellent attendance; they have raffles to give out gift cards
- a speaker came out from Child Support Services to tell them about the impact of having a child and the costs of having a child
- four students will be getting their diploma by October 27th and three signed up for college.

**ORGANIZATION REPORTS**

1. CUTA - Venessa Mason, President, noted that their ratification vote passed with 99% yes. The other big issue that they have is the elementary collaboration time concern; time seems to disappear before it even gets on the calendar. They are having a lot of district training being done during elementary collaboration times. They would like it to go back to being about collaboration about students, data, what they are doing in the classroom, about providing intervention and support to the students, instead of using it as district training time.

2. CSEA - Marie Huggins, President, noted that CSEA is still negotiating on salaries. They have reached a tentative agreement with the district on Health and Welfare Benefits. They will be starting their ratification vote next Tuesday, October 24<sup>th</sup>; it is a 10 day process for them. They expect that to be moving forward. They hope to reach a tentative agreement on salaries. On Friday, October 20<sup>th</sup> CSEA is having their membership dinner at Riles MS. About 90 members have confirmed their attendance. Robert King is the Barbeque-tioner. Rose Mendoza will be making homemade salsa to go with chips. They look forward to the meet and greet.

**COMMITTEE UPDATES**

**Facilities Update** - Craig Deason, Assistant Superintendent of Operations & Facilities, noted that as far as Prop 39 goes, the LED bulb installation process has been completed at Dudley and McClellan, and they are working on Oak Hill right now. That only leaves Riles left to do. CCC started a brand new program just because of us - installing network thermostats. They were trained by the Pelican Equipment Manager on how to do it, and then they came to McClellan and installed the thermostats. They are very much like an energy management system at pennies on the dollar. This is going to be a good system for us as we implement this at other sites as well. The beautification projects process: we have the electronic sign at Spinelli working, Oak Hill is completely finished, and they had to adjust some things at Wilson Riles MS but the caulking is almost done and should be ready for Winter. Next comes the lettering, logos, and murals. The CHS project with the gym and Room 9: room 9 is almost complete; they are pulling the wire and hanging the TVs, the doors are finished, the ADA access is

### **COMMITTEE UPDATES (continued)**

finished, the threshold is finished. What we still have coming is the installation of a long throw projector on the other side of the room for use with the projector screen. Mr. Deason then noted that they are working on a CTE Facilities grant for Center High School for a project that they have already completed. They are going to OPSC to ask for funding for the Theater and Video Lab project that we did. We spent about \$680,000 on that and there's a possibility that we will be able to get 50% of that as a grant from OPSC. And lastly, he noted that it's been a ten year process, but we think we will finally be able to purchase the property that we owe SMUD in the Riolo Vineyards site. We are ready to start entering into the purchase process.

Trustee Pope asked if there is a way to tone down the brightness of the digital sign at McClellan HS; it is bright at night. Mr. Deason noted that it is set to turn off at about 8:30 or 9:00 pm and turn back on at about 6:00 or 7:00 am. They will check to see if there is a way to adjust the brightness. Trustee Wilson asked what we can do to lock in a lower price for the SMUD property rather than it being evaluated and then they come back later and we have to pay more for it. Mr. Deason noted that we were hoping it was going to happen sooner. About a year ago we went through the appraisal process. They have let us keep that appraisal.

### **REPORTS/PRESENTATIONS**

**1. Positive Behavior Intervention and Support (PBIS) Report** - Steve Jackson, Principal at Dudley Elementary School, shared information about PBIS and how it is being implemented at his site. Trustee Pope noted that she did see PBIS in action on the Dudley campus last year.

**2. Family Resource Center Annual Update and Alignment with MTSS** - Alyson Collier, Family Resource Program Coordinator, reported for 2016/17. Her presentation covered lists of Key Support for MTSS Social/Emotional Components and School Climate and Additional Support. She shared data of the number of homeless students at each site.

Trustee Wilson asked if we know how many of these students truly do not have a roof over their head. Alyson noted that we do, but it changes. Trustee Anderson noted that it could be a cultural background where multiple families live together. Alyson noted that it has to be a hardship situation that caused it (e.g. loss of job, eviction, domestic violence, death of a parent, etc). Trustee Wilson asked how many students are in an "unsafe" situation. Alyson noted that they have that info but she doesn't know that off the top of her head; she will send that information. Mr. Loehr noted that it can be sent to his office and it will be forwarded to all of the Board. Trustee Anderson asked about bussing for those students. Alyson noted that in some cases we pay for the mileage, or give them bus passes. As a last resort we send a bus out of district to get them.

### **COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA –**

Jerald Ferguson, Principal at Center HS, noted that after his first experience with the homecoming at Center High School, he was absolutely humbled and honored with the commitment and support from Board Members, district staff, and other administrators. The snack bar was completely full. He also noted that Mr. Wilson has been working the BBQ almost every game and will now have the title of Barbeque-tioner. He was floored by the support from parents and staff; all of this is for the students. He noted that he is honored to be here, and again thanked everyone for their support.

### **BOARD/SUPERINTENDENT REPORTS**

**Mrs. Kelley** – was not available to report.

**Mr. Wilson**

- has been barbequing for the football games.

**BOARD/SUPERINTENDENT REPORTS (continued)**

**Mrs. Anderson**

- noted that Matt Friedman (former Board Member) had a heart attack; he is doing much better now. Thoughts and prayers go out to his family.
- attended a SCOE dinner.
- noted that working the snack bar for homecoming was a lot of fun.

**Mr. Hunt** – had nothing to report.

**Mrs. Pope**

- mentioned Mr. Ferguson's performance with the CHS Cheer team last Friday night.
- noted that there are about 15 students volunteering at the Gibson Ranch Pumpkin Patch. What an amazing group of students we have; very respectful, very courteous, hard working, and trusting. Gibson Ranch Management asked her to share those comments, and they will be asking Center High School for their services again. It is not a volunteer program; they are getting paid, on Work Permits.

**Mr. Loehr**

- thanked the homecoming crew that came out and helped in the snack bar.
- noted that they are continuing with the MTSS work.
- noted that the facilities growth is here; we now see roof tops across from Riles MS.
- Mr. Jordan and Scott met with David Gordon, Judge Robie, a Board Member from SCOE, and their Program Planner; they discussed Civics Education. Next week Scott, Mr. Jordan, Mrs. Frisch, and Mr. Ferguson will meet to discuss what they can do.
- noted that last week's Spinelli's Science Night was well attended.

**CONSENT AGENDA**

1. Approved Adoption of Minutes from September 20, 2017 Regular Meeting
2. Approved Classified Personnel Transactions
3. Approved CUTA Tentative Agreement: Amendment to Article VII, Workday
4. Approved CUTA/CJUSD Employee Salary & Benefit Compensation for 2017/18 and 2018/19 and AB 1200 Public Disclosure
5. Approved CUTA Tentative Agreement regarding Health and Welfare Benefits, Compensation and Salary Schedules for 2017/18 and 2018/19
6. Approved Management Health and Welfare Benefits, Compensation and Salary Schedules for 2017/18 and 2018/19
7. Approved Employment Agreement Amendment - Superintendent
8. Approved Confidential Health and Welfare Benefits, Compensation and Salary Schedules for 2017/18 and 2018/19
9. Ratified 2017/2018 Individual Service Agreements:  
2017/18-197-198 Bright Start  
2017/18-199 CTEC
10. Approved Professional Services Agreement: Sara M. Hall, M.A., BCBA
11. Approved Recycle or Disposal of Surplus Books from Global Youth/Antelope View Charter Schools
12. Ratified Field Trip: Future Business Leaders of America Annual Leadership Development Institute in Santa Clara, CA - CHS
13. Approved Field Trip: Sixth Grade Science Camp to Alliance Redwoods - Oak Hill
14. Approved Agreement between Center Joint Unified School District and Rua and Sons Mechanical
15. Approved Change Order for BRCO Constructors, Inc. on Project #17-03, Oak Hill Elementary School Campus Fencing and Painting Upgrades

**CONSENT AGENDA (continued)**

16. Approved Change Order for BRCO Constructors, Inc. on Project #17-04, Wilson C. Riles Middle School and Spinelli Elementary School Campus Fencing and Painting Upgrades
17. Approved Notice of Completion for Star Energy Management, Inc. for the Proposition 39 Funded Energy Efficiency and Conservation Projects #17-01
18. Approved Payroll Orders: July - September 2107
19. *This item was pulled for separate consideration.*

Trustee Pope stated that item #12 has already occurred so it is being changed from Approval to Ratify.

**Motion:** Wilson  
**Second:** Hunt

**Ayes:** Anderson, Hunt, Pope, Wilson  
**Noes:** None  
**Absent:** Kelley

Mr. Loehr thanked the Board for their approval on this. There was a big block of salaries and benefits for our employees included in this list. We want to treat our employees as well as we can, but we also want to be able attract new employees; the action the Board just took should help with that.

**CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION**

19. Approved Supplemental Agenda (Vendor Warrants): September 2017

**Motion:** Anderson  
**Second:** Hunt

**Ayes:** Anderson, Hunt, Pope  
**Noes:** None  
**Absent:** Kelley  
**Abstain:** Wilson

**ADVANCE PLANNING**

- a. *Future Meeting Dates:*
  - i. *Regular Meeting: Wednesday, November 15, 2017 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747*
- b. *Suggested Agenda Items:*

**BOARD WORKSHOP**

1. Facilities Planning

This part of the meeting took place next door, in Room 502. Kushroo Gheyara and John Greenlee, from CFW, shared a PowerPoint Presentation Entitled "Overview of Potential Eligibility to Receive State Hardship Funding for Modernization". The presentation covered:

- Overview of State Facilities Program
- Estimated Modernization Eligibility
- District's Ability to Receive Grants
- Proposed Next Steps for Consideration

**ADJOURNMENT – 8:17 p.m.**

**Motion:** Hunt  
**Second:** Wilson

**Ayes:** Anderson, Hunt, Pope, Wilson  
**Noes:** None  
**Absent:** Kelley

Respectfully submitted,

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Scott A. Loehr, Superintendent  
Secretary to the Board of Trustees

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Nancy Anderson, Clerk  
Board of Trustees

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Adoption Date

*Center Joint Unified School District*

		AGENDA REQUEST FOR:
Dept./Site:	Superintendent's Office	Action Item <u>    X    </u>
To:	Board of Trustees	Information Item <u>          </u>
Date:	November 15, 2017	# Attached Pages <u>    1    </u>
From:	Scott A. Loehr, Superintendent	
Principal/Administrator Initials:		

<p><b>SUBJECT:</b> Resolution #9/2017-18: Resolution On Board Compensation For Missed Meeting</p> <p>This resolution is to authorize payment to Trustee Kelley for the missed meeting on October 18, 2017.</p> <p><b>RECOMMENDATION:</b> CUSD Board of Trustees approve Resolution # 9/2017-18: Resolution On Board Compensation For Missed Meeting.</p>
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**CONSENT AGENDA**



**CENTER JOINT UNIFIED SCHOOL DISTRICT**

**RESOLUTION # 9/2017-18  
RESOLUTION ON BOARD COMPENSATION FOR MISSED MEETINGS**

WHEREAS, the Governing Board of the Center Joint Unified School District appreciates the services provided by members of the Board and provides compensation for meeting attendance in accordance with Education Code 35120 and Board Bylaw 9250; and

WHEREAS, Education Code 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by Board resolution; and

WHEREAS, Education Code 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed; and

WHEREAS, the Board finds that Trustee Kelly Kelley did not attend the Board meeting on Wednesday, October 18, 2017 for the following reason:

- Performance of other designated duties for the district during the time of the meeting
- Illness or jury duty
- Hardship deemed acceptable by the Board

NOW THEREFORE BE IT RESOLVED that the Board of the Center Joint Unified School District approves full compensation of the Board member for the month of October 2017.

PASSED AND ADOPTED THIS 15th day of November, 2017 at a regular meeting, by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:

Attest:

\_\_\_\_\_  
Scott A. Loehr, Superintendent  
Center Joint Unified School District

\_\_\_\_\_  
Delrae Pope, President  
Board of Trustees

# Center Joint Unified School District

<b>Dept./Site:</b> Personnel Department	<b>AGENDA REQUEST FOR:</b>
<b>To:</b> Board of Trustees	Action Item <u>  X  </u>
<b>Date:</b> November 15, 2017	Information Item <u>      </u>
<b>From:</b>  David Grimes, Director of Personnel and Student Services	# Attached Pages <u>  1  </u>

<b>Subject: Classified Personnel Transactions</b>
 <b><u>New Hire</u></b> Maria Morales, Instructional Specialist PH/Autism Kristina Smith, Instructional Specialist
 <b><u>Resignation</u></b> Matthew Pina, Campus Monitor Theresa Snow, Instructional Specialist PH/Autism Keri Green, Office Assistant Laura Davis, Staff Secretary
 <b><u>Promotion</u></b> Laura Davis, Supervisor
 <b>Recommendation: Approve Classified Personnel Transactions as Submitted.</b>

CONSENT AGENDA

**Maria Morales has been hired as an Instructional Specialist PH/Autism at Center High School effective October 18, 2017.**

**Kristina Smith has been hired as an Instructional Specialist at Dudley Elementary School effective October 24, 2017.**

**Matthew Pina has resigned from his position as a Campus Monitor at Wilson Riles Middle School effective October 27, 2017.**

**Theresa Snow has resigned from her position as an Instructional Specialist PH/Autism at Oak Hill Elementary School effective November 3, 2017.**

**Keri Green has resigned from her position as Office Assistant, Center High School, effective end of day on October 27, 2017.**

**Laura Davis has resigned from her position as Staff Secretary, Nutrition Services, effective December 31, 2017.**

**Laura Davis has been hired as the Supervisor, Nutrition Services, effective January 1, 2018.**

# Center Joint Unified School District

**AGENDA REQUEST FOR:**

<b>Dept./Site:</b>	<b>Personnel Department</b>	<b>Action Item</b>	<u>X</u>
<b>Date:</b>	<b>November 15, 2017</b>	<b>Information Item</b>	-
<b>To:</b>	<b>Board of Trustees</b>	<b># Attached Pages</b>	<u>2</u>
<b>From:</b>	<b>David Grimes, <sup>DJK</sup> Director of Personnel and Student Services</b>		

**Subject: Certificated Personnel Transactions**

**New Hires**

Mary Franklin, Spinelli Elementary School  
Keri Green, Center High School

**Resignations**

Alyson Collier, Personnel  
Kevin Mallane, Center High School  
Irina Petrashishin, McClellan Continuation High School

CONSENT AGENDA

**Recommendation: Approve Certificated Personnel Transactions as Submitted**

### **New Hires**

Mary Franklin has been hired as a Special Education Teacher, Spinelli Elementary School, effective October 16, 2017.

Keri Green has been hired as a Special Education Teacher, Center High School, effective October 30, 2017.

### **Resignations**

Alyson Collier has resigned from her position as Program Coordinator of Student Services/MAA, Personnel, effective end of day on November 6, 2017.

Kevin Mallane has resigned from his position as Special Education Teacher, Center High School, effective end of day on October 27<sup>th</sup>, 2017.

Irina Petrashishin has resigned from her position as Adult Education Teacher, McClellan Continuation High School, effective end of day on October 27, 2017.

# Center Unified School District

Dept./Site: Personnel	AGENDA REQUEST FOR:
Date: October 6, 2017	Action Item <u>  X  </u>
To: Board of Trustees	Information Item
From: David Grimes, <sup>DHG</sup> Director of Personnel	# Attached Pages: 3
Director's Initials: _____	

<b>SUBJECT:</b>	<b>CLASSIFIED EMPLOYEES</b>
<b>TENTATIVE AGREEMENT BETWEEN THE DISTRICT AND CSEA CHAPTER 610: HEALTH AND WELFARE BENEFITS FOR 2017/18 AND 2018/19</b>	
David Grimes, Director of Personnel, is requesting approval from the Governing Board of the attached Tentative Agreement with California School Employees Association Chapter 610 regarding Health and Welfare Benefits for the 2017/18 school year and the 2018/19 school year. The agreement includes:	
<ol style="list-style-type: none"> <li>1) District contributions to Health and Welfare Benefits will remain the same, per plan, in 2018 and 2019 as they were in 2017;</li> <li>2) Sutter Health Plus will be offered to employees as an additional Medical Benefits option, with the District contribution amounts being the same as their corresponding Kaiser plans;</li> <li>3) The district will provide "Zero Premium Cost to Employee" options for High Deductible Employee Only Plans for Sutter, WHA, and Kaiser. To maintain zero cost plans, the district's contribution to the affected employees' Health Savings Account will be reduced by the amount of any premium increase in order to pay for that increase;</li> <li>4) Health and Welfare Benefits negotiations will be deemed completed through the benefit year 2019. Notwithstanding, Health and Welfare negotiations may be reopened before that time if negotiations for Health and Welfare Benefits is reopened with any other employee unit during that time.</li> </ol>	
<b>Recommendation: Approve as presented.</b>	

CONSENT AGENDA

**TENTATIVE AGREEMENT**  
**Between**  
**CENTER JOINT UNIFIED SCHOOL DISTRICT**  
**And**  
**CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION CHAPTER 610**

The District and CSEA Chapter 610 agree to the following regarding Health and Welfare Benefits for the benefit years 2018 and 2019:

1. The District will offer its employees Sutter Health Plus as an additional medical insurance option. The District will contribute the same dollar-amount contributions to Sutter Health Plus as it contributes to the correlating Kaiser plans.
2. The District contribution to Health and Welfare Benefits for Classified Employees will remain the same in 2018 and 2019 as it is in 2017. However, the District will provide a "Zero Premium Cost to Employee" Employee Only High Deductible Plan for WHA, Sutter, and Kaiser. The zero cost to employee plan will be accomplished by reducing the District's contribution to the individual employee's Health Savings Account (HSA) by the amount required to pay any increased monthly premium. In 2018, the District will contribute \$125 per month to the employee's HSA account for employees enrolled in the Employee Only Sutter Health Plus High Deductible Plan.
3. The parties agree that negotiations regarding the District's contribution to Health and Welfare Benefits for CSEA employees is closed for the benefit years of 2018 and 2019. The parties agree such negotiations may be reopened if the District reopens Health and Welfare contribution negotiations with another unit for the 2018 and 2019 benefit years.

For CSEA:

DATE: Oct. 11, 2017

BY: Marie Huggins  
Marie Huggins  
CSEA President, Chapter 610

DATE: Oct. 11, 2017

BY: Cesar Mata  
Cesar Mata  
CSEA Labor Relations Representative

For DISTRICT:

DATE: October 11, 2017

BY: David Grimes  
David Grimes  
Director of Personnel

**Center Joint Unified School District**  
**District Contribution to District-Offered Health Plans**  
**Classified Employees**  
**Effective January 1, 2018**

**WHA - HMO**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	592.58	646.45	711.09
<i>Employee + one</i>	888.49	969.26	1066.19
<i>Employee + Family</i>	1268.42	1383.73	1522.11

**WHA - 420**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	537.10	585.93	644.52
<i>Employee + one</i>	805.38	878.6	966.46
<i>Employee + Family</i>	1149.78	1254.30	1379.74

**WHA - HDHP**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	478.44	521.93	574.13
<i>Employee + one</i>	934.36	1019.30	1121.23
<i>Employee + Family</i>	1333.91	1455.17	1600.69

**Kaiser - HMO**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	604.46	659.41	725.35
<i>Employee + one</i>	906.00	988.36	1087.20
<i>Employee + Family</i>	1295.00	1412.73	1554.00

**Kaiser – HMO Mid Option**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	522.84	570.37	627.41
<i>Employee + one</i>	783.61	854.85	940.33
<i>Employee + Family</i>	1120.02	1221.84	1344.02

**Kaiser – HDHP**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	481.70	529.49	578.04
<i>Employee + one</i>	869.08	948.09	1042.90
<i>Employee + Family</i>	1241.54	1354.41	1489.85

**Sutter Health Plus - HMO**

	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	604.46	659.41	725.35
<i>Employee + one</i>	906.00	988.36	1087.20
<i>Employee + Family</i>	1295.00	1412.73	1554.00



<b>Sutter Health Plus - HDHP</b>			
	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Employee Only</i>	484.08	528.09	580.90
<i>Employee + one</i>	869.08	948.09	1042.90
<i>Employee + Family</i>	1241.54	1354.41	1489.85
<b>Delta Dental (Composite Rate)</b>			
	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>Incentive Plan</i>	110.08	120.08	132.10
<i>PPO - Classified</i>	89.60	97.75	107.52
<b>Vision Service Plan (Composite Rate)</b>			
	<b>12 Month</b>	<b>11 Month</b>	<b>10 Month</b>
<i>(Employee paid if enrolled in Kaiser or Sutter Health Plus)</i>	28.99	31.63	34.79

<b>Cash-in Lieu of Medical Coverage:</b>
\$258.51/month*
*Frozen & Grandfathered 1/1/05

<b>Health Savings Account (District Paid Contribution for Employee-Only HDHP Coverage)</b>			
<b>Plan</b>	<b>12 deductions</b>	<b>11 deductions</b>	<b>10 deductions</b>
KAISER – HDHP	123.50	134.73	148.20
WHA – HDHP	114.14	124.52	136.97
SUTTER – HDHP	125.00	136.36	150.00

<b>Life Insurance (District Paid for Basic Coverage) - \$4.80 per \$25,000.00 unit of coverage</b>		
Classified	\$25,000.00	\$4.80 per pay period (Aug – May)

## Center Joint Unified School District

**AGENDA REQUEST FOR:**

**Dept./Site:** Special Education

**Date:** November 15, 2017

Action Item   X  

**To:** Board of Trustees

Information Item

**From:** Michael Jordan  
Director of Special Education & Curriculum

Initials: m.j.

\_\_\_\_\_ # Attached Pages

**SUBJECT:** 2017/2018 Individual Services Agreements

Please ratify the following Individual Services Agreements for special education to receive services at nonpublic schools/agencies during the 2017/18 fiscal year.

2017/18-124-127, 201	Placer Learning Center	\$ 170,359.00
2017/18-197-198	Bright Start Therapy	\$ 3,000.00
2017/18-199	CTEC (Supported Life Inst.)	\$ 2,086.00
2017/18-200	Easter Seal Society of CA	\$ 420.00
2017/18-202	Sierra School	\$ 35,307.00

**RECOMMENDATION:** CJUSD Board of Trustees to ratify Individual Service Agreements for the 2017/2018 school year.

**CONSENT AGENDA**

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	<b>SPECIAL EDUCATION</b>	
<b>Date:</b>	<b>November 3, 2017</b>	<b>Action Item</b> <input checked="" type="checkbox"/>
<b>To:</b>	<b>Board of Trustees</b>	<b>Information Item</b>
<b>From:</b>	<b>Michael Jordan Director of Special Education &amp; Curriculum</b>	
		_____ <b># Attached Pages</b>
<b>Initials:</b>	<u>MJS</u>	

<b>SUBJECT: PROFESSIONAL SERVICE AGREEMENT</b>	
<b>CONSULTANT'S NAME:</b>	Ronda Last
<b>COMPANY NAME (if applicable)</b>	
<b>SERVICE(S) TO BE RENDERED:</b>	Provided (3) three IEE evaluations for a student in Center JUSD.
<b>DATE(S) OF SERVICE:</b>	3/1/16 through 6/6/17
<b>PAYMENT PER HOUR:</b>	500.00 per IEE
<b>TOTAL AMOUNT OF CONTRACT:</b>	\$1,500.00
<b>FUNDING SOURCE:</b>	01-6500-0-5800-102-5750-1180-003-000
<b>RECOMMENDATION:</b>	CJUSD Board of Trustees Ratify Professional Service Agreement with: Ronda Last during the 2016/17 fiscal year.

**CONSENT AGENDA**



Center Joint Unified School District  
 8408 Watt Avenue  
 Antelope, CA 95843

## PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this 1 day of March, 2017, by and between the Center Joint Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Joint Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

\*Contractor Name: Ronda Last  
 Address: 1825 Larkin Way Sac, Ca 95818  
 Phone: 916 719 3457 Taxpayer ID #: \_\_\_\_\_

\*Full description of services to be provided:  
IEE evaluation

\*Payment \$ 500 per day. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

\*Beginning Date of Service: 3/1/16 \*Frequency of Service Dates: \_\_\_\_\_  
 \*Ending Date of Service: 6/6/17

Method of Payment and Tax Reporting: (check one)  
 Variable Payroll- W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)  
 Accounts Payable- 1099 Generated (Requires completion of W-9).

Total amount of this contract \$ \_\_\_\_\_ Budget # \_\_\_\_\_

Reason service cannot be provided by a District employee:  
Dead assessment

Signature of CONTRACTOR\*: Ronda Last Date\*: 10/16/17  
 Signature of District employee requesting service: [Signature] Date: 12/30/17  
 Date Board of Trustees Approved (if over \$500.00): \_\_\_\_\_ Date: \_\_\_\_\_  
 Signature of Accounting Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
 Personnel Approval (if cleared to start): \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*CONTRACT NOT VALID WITHOUT ALL DISTRICT SIGNATURES\*\*

# Form W-4 (2017)

**Purpose.** Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Consider completing a new Form W-4 each year and when your personal or financial situation changes.

**Exemption from withholding.** If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2017 expires February 15, 2018. See Pub. 505, Tax Withholding and Estimated Tax.

**Note:** If another person can claim you as a dependent on his or her tax return, you can't claim exemption from withholding if your total income exceeds \$1,000 and includes more than \$300 of unearned income (for example, interest and dividends).

**Exceptions.** An employee may be able to claim exemption from withholding even if the employee is a dependent, if the employee:

- is age 65 or older,
- is blind, or
- Will claim adjustments to income; tax credits; or itemized deductions, on his or her tax return.

The exceptions don't apply to supplemental wages greater than \$1,000,000.

**Basic instructions.** If you aren't exempt, complete the Personal Allowances Worksheet below. The worksheets on page 2 further adjust your withholding allowances based on itemized deductions, certain credits, adjustments to income, or two-earners/multiple jobs situations.

Complete all worksheets that apply. However, you may claim fewer (or zero) allowances. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

**Head of household.** Generally, you can claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependents or other qualifying individuals. See Pub. 501, Exemptions, Standard Deduction, and Filing Information, for information.

**Tax credits.** You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the Personal Allowances Worksheet below. See Pub. 505 for information on converting your other credits into withholding allowances.

**Nonwage income.** If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax. If you have pension or annuity income, see Pub. 505 to find out if you should adjust your withholding on Form W-4 or W-4P.

**Two earners or multiple jobs.** If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others. See Pub. 505 for details.

**Nonresident alien.** If you are a nonresident alien, see Notice 1392, Supplemental Form W-4 Instructions for Nonresident Aliens, before completing this form.

**Check your withholding.** After your Form W-4 takes effect, use Pub. 505 to see how the amount you are having withheld compares to your projected total tax for 2017. See Pub. 505, especially if your earnings exceed \$130,000 (single) or \$180,000 (married).

**Future developments.** Information about any future developments affecting Form W-4 (such as legislation enacted after we release it) will be posted at [www.irs.gov/W-4](http://www.irs.gov/W-4).

## Personal Allowances Worksheet (Keep for your records.)

<b>A</b>	Enter "1" for yourself if no one else can claim you as a dependent . . . . .	<b>A</b>	<u>0</u>
<b>B</b>	Enter "1" if: • You're single and have only one job; or • You're married, have only one job, and your spouse doesn't work; or • Your wages from a second job or your spouse's wages (or the total of both) are \$1,500 or less. . . . .	<b>B</b>	<u>0</u>
<b>C</b>	Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.) . . . . .	<b>C</b>	<u>0</u>
<b>D</b>	Enter number of dependents (other than your spouse or yourself) you will claim on your tax return . . . . .	<b>D</b>	<u>0</u>
<b>E</b>	Enter "1" if you will file as head of household on your tax return (see conditions under Head of household above) . . . . .	<b>E</b>	<u>0</u>
<b>F</b>	Enter "1" if you have at least \$2,000 of child or dependent care expenses for which you plan to claim a credit . . . . . (Note: Do not include child support payments. See Pub. 603, Child and Dependent Care Expenses, for details.)	<b>F</b>	<u>0</u>
<b>G</b>	<b>Child Tax Credit</b> (including additional child tax credit). See Pub. 972, Child Tax Credit, for more information. • If your total income will be less than \$70,000 (\$100,000 if married), enter "2" for each eligible child; then less "1" if you have two to four eligible children or less "2" if you have five or more eligible children. • If your total income will be between \$70,000 and \$84,000 (\$100,000 and \$118,000 if married), enter "1" for each eligible child.	<b>G</b>	<u>0</u>
<b>H</b>	Add lines A through G and enter total here. (Note: This may be different from the number of exemptions you claim on your tax return.) ▶	<b>H</b>	<u>0</u>

For accuracy, complete all worksheets that apply.

- If you plan to itemize or claim adjustments to income and want to reduce your withholding, see the Deductions and Adjustments Worksheet on page 2.
- If you are single and have more than one job or are married and you and your spouse both work and the combined earnings from all jobs exceed \$50,000 (\$20,000 if married), see the Two-Earners/Multiple Jobs Worksheet on page 2 to avoid having too little tax withheld.
- If neither of the above situations applies, stop here and enter the number from line H on line 5 of Form W-4 below.

Separate here and give Form W-4 to your employer. Keep the top part for your records.

Form <b>W-4</b> Department of the Treasury Internal Revenue Service	<b>Employee's Withholding Allowance Certificate</b> ▶ Whether you are entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS.	OMB No. 1545-0074 <b>2017</b>
Your first name and middle initial <b>Ronda H.</b>	Last name <b>Last</b>	2 Your social security number _____
Home address (number and street or rural route) <b>1825 Larkins Way</b>	3 <input type="checkbox"/> Single <input checked="" type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate. Note: If married, but legally separated, or spouse is a nonresident alien, check the "Single" box.	
City or town, state, and ZIP code <b>Salt LA 95818</b>	4 If your last name differs from that shown on your social security card, check here. You must call 1-800-772-1213 for a replacement card. ▶ <input type="checkbox"/>	
5 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2)	6 Additional amount, if any, you want withheld from each paycheck	6 \$ <u>0</u>
7 I claim exemption from withholding for 2017, and I certify that I meet both of the following conditions for exemption. • Last year I had a right to a refund of all federal income tax withheld because I had no tax liability, and • This year I expect a refund of all federal income tax withheld because I expect to have no tax liability. If you meet both conditions, write "Exempt" here . . . . . ▶		<b>7</b>
Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, it is true, correct, and complete.		
Employee's signature (This form is not valid unless you sign it.) ▶	<b>Ronda H. Last</b>	Date ▶ <b>10/16/17</b>
8 Employer's name and address (Employer: Complete lines 8 and 10 only if sending to the IRS.)	9 Office code (optional)	10 Employer identification number (EIN)

**INDEPENDENT CONTRACTOR OR EMPLOYEE?  
DISTRICT GUIDELINES**

PART I	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.		X
2. Is the individual working as an employee prescribed by the Education Code? Education Code sections 45100-45451/88000-88263 define what constitutes classified service and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.		X
3. Is the individual already an employee of the district in another capacity?		X
4. Has the individual performed substantially the same services for the district as an employee in the past? <i>Is the individual retired, returning to substitute, or train, etc.?</i>		X
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?		X
6. Does the district have the legal right to control the method of performance by this individual? <i>Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is <u>not necessary</u> that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.</i>		X
7. Are the services, as being provided, an integral part of school operations? Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance, and implies the maintenance of legal control.		X

If the answer to of the above questions is "YES",

**STOP HERE**

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If all of the above are "NO", continue...

PART II	YES	NO
8. Must the required service be performed by this individual? <i>Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval</i>		X
9. Does the district have a continuing relationship with this individual? <i>Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.</i>		X
10. Can this relationship be terminated without the consent of <u>both</u> parties?		X

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue...

PART II - continued

	YES	NO
<p>11. Does the individual operate an independent trade or business that is available to the general public?</p> <p><i>A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is <u>not</u> available to the general public. NOTE: Possession of a business license or incorporation does <u>not</u> automatically satisfy this requirement. The determination <u>must</u> be made on the actual <u>relationship</u> between the district and the individual performing services.</i></p>	X	
<p>12. Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.?</p> <p><i>This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.</i></p>	X	

If either 11 or 12 are "NO", the individual is a district employee

**STOP HERE**

and process the individual through payroll.

If 11 and 12 are both "YES", continue

	YES	NO
<p>13. Does the individual provide all materials and support services necessary for the performance of this service?</p> <p><i>The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.</i></p>	X	
<p>14. Is this paid by the job or on a commission?</p>	X	
<p>15. Does the individual bear the cost of any travel and business expenses incurred to perform this service?</p> <p><i>Generally, these types of expenses are paid by an employer, however, some contracts provide for payment of airfare, mileage, etc. for consultants.</i></p>	X	

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

# Center Joint Unified School District

## AGENDA REQUEST FOR:

Dept./Site: Center Adult School

Action Item X

To: Board of Trustees

Information Item \_\_\_\_\_

Date: 11-2-2017

# Attached Pages 0

From: David L. French

Principal's Initials



### SUBJECT

**Designate David French as primary and Keli Van Putten as alternate board approved CJUSD voting designees for the Capital Adult Education Regional Consortium.**

In the Sacramento region, funding was allocated to Los Rios Community College District (LRCCD) to establish the Capital Adult Education Regional Consortium (CAERC). CAERC is comprised of 17 member and 22 partners from through the LRCCED geographical boundary. Members include school districts, county offices of education, and representatives from all four of the LRCCD colleges.

In order for CAERC to qualify for an allocation under the state Adult Education Block Grant, each member agency must have a LEA governing board approved CAERC member and governing board approval of the CAERC Governance document. In 2016/2017 the Center JUSD board approved David French as primary and Keli Van Putten as alternate voting designee. This item is a proposed change in alternate voting designee, due to Alyson Collier leaving the district.

**RECOMMENDATION: The CJUSD Board of Trustees Approve the Designation of David French as Primary and Keli Van Putten as Alternate Voting Designees for the Capital Adult Education Regional Consortium.**

CONSENT AGENDA



*Center Unified School District*

AGENDA REQUEST FOR:

Dept./Site: Family Resource Center

Action Item     

To: Board of Trustees

Information Item     

Date: 09/13/2017

# Attached Pages   3  

From: Alyson Collier

Principal's Initials: 

**SUBJECT**

MOU with SCOE Agreement #7 CJUSD-BPP

Implementation of the Mental Health Wellness Education and Training Bullying Prevention Program. Includes funding of \$10,885

**RECOMMENDATION: Approve**

## MEMORANDUM OF UNDERSTANDING Agreement #7 CJUSD-BPP

This Memorandum of Understanding (MOU) is between the Sacramento County Office of Education, referred to as "SCOE" and the Center Joint Unified School District referred to as "District."

The purpose of this MOU is to outline the roles and responsibilities of SCOE and the District in regard to implementing the *Student Mental Health Wellness Education and Training Bullying Prevention Program (Program)*. The purpose of the Program is to maintain and/or further increase the capacity of districts to implement sustainable bullying prevention programs and strategies by providing training, demonstration sites, technical assistance and support.

Once signed by both parties, this MOU is in effect from July 1, 2017 through June 30, 2018.

### The SCOE agrees to:

- Provide a primary contact person for all work under this agreement. The primary contact will be:  
Lindsay Cathcart Pennetta, Project Specialist I  
916.228.2565  
lcathcart@scoe.net
- Provide funding in the amount of \$10,885 to support the District's Bullying Prevention program.
  - Pay funds to District within 90 days of receipt of District invoice
- Convene meetings and provide consultation, professional development, technical assistance and support.
- Coordinate with District and demonstration site(s) to implement the Program evaluation plan and related tools.
- Maintain a website to provide bullying prevention resources and information for students, school personnel, parents and community members ([www.sactobullyingprevention.org](http://www.sactobullyingprevention.org)).

### The District agrees to:

1. Identify a "District Lead" to act as the point of contact and coordinate activities of the Bullying Prevention Program.
2. Continue adherence to the eligibility requirements used to establish demonstration site(s) as outlined in Attachment 1, which is attached and incorporated herein.
3. Maintain *original* demonstration site(s) to continue implementation of an evidence-based, research validated bullying prevention program for 4<sup>th</sup> 5<sup>th</sup> and/or 6<sup>th</sup> graders.
4. For *original* demonstration site(s), participate in Program evaluation and reporting, including but not limited to, collecting attendance rates for demonstration site(s), documentation of student demographics, participate in surveys related to the Program, and administer Program related surveys to students, parents and staff.
5. When feasible, expand implementation to include additional grade levels and/or sites. Report the number of expansion sites/grade levels, curriculum used, and number of students served.
6. Provide bullying prevention professional development opportunities and refresher trainings in the District for administrators, teachers, support staff, and parents.
7. Attend mandatory meetings, trainings and other events.
8. Disseminate electronic updates, information, and other resources, and promote usage of the BPP Website to school community.
9. Submit a copy of the District Board Policy and Administrative Regulations related to Bullying/Bullying Prevention.
10. Submit a Program work-plan and budget that describes how the allocated funds will be used to implement the Bullying Prevention Program.
11. Submit quarterly reports of activities conducted by district personnel and demonstration site(s) by the 10<sup>th</sup> day of the month following the end of each quarter.

12. Invoice SCOE quarterly by the 15<sup>th</sup> day of the month following the end of each quarter.
13. Expend all funds by June 30, 2018. Submit final report and final invoice to SCOE no later than July 31, 2018.

**General Terms**

Each party hereto agrees that they shall indemnify, defend and hold the other party and their governing body, officers, agents and employees, harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney fees and costs, incurred in connection with or in any manner arising out of the indemnifying party's performance of this Agreement. The indemnifying party, at the indemnifying party's own expense and risk shall defend any and all actions, suits, or other legal proceedings that may be brought or instituted against any other party, the members of their governing body, officers, agents, and employees for any such claims, damages, losses, demands, liabilities, costs or expenses incurred in connection with or in any manner arising out of the indemnifying party's performance of this Agreement. The indemnifying party shall not be liable for damage or injury occasioned by the negligence or willful misconduct of the non-indemnifying party and its officers, agents, or employees. This provision shall not be limited to the availability or collectability of insurance coverage. This provision shall survive the termination of this MOU.

It is understood no relationship of agency between SCOE and the District is created by this MOU. The SCOE and its employees and agents performing services related to this MOU are not agents or employees of the District and are not entitled to any of the rights and/or benefits of District employees. The District and its employees and agents performing services related to this MOU are not agents or employees of the SCOE and are not entitled to any of the rights and/or benefits of SCOE employees.

In the performance of this MOU, any persons employed by the District shall be entirely and exclusively under the direction, supervision, and control of the District. In the performance of this MOU, any persons employed by the SCOE shall be entirely and exclusively under the direction, supervision, and control of the SCOE.

Neither SCOE nor the District shall have any power, right or authority to bind the other to any agreement or obligation or waiver, compromise or settle any account or claim on behalf of the other, or in any manner or act on behalf of the other without written authorization to do so.

Any service provided by either party pursuant to the Agreement shall be without discrimination based on the actual or perceived race, religious creed, color, national origin, nationality, ethnicity, ethnic group identification, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, gender, gender identity, gender expression, sex or sexual orientation, in accordance with all applicable Federal and State laws and regulations.

The SCOE and the District shall monitor this agreement to oversee implementation of project activities.

**For the Sacramento County Office of  
Education:**  
Al Rogers, Deputy Superintendent

**For the Center Joint Unified School District:**  
Scott A. Loehr, Superintendent *(or print name of Designee)*

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*Signature and Date*

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*Signature of Superintendent (or Designee) and Date*

## Attachment 1

### **Demonstration Sites Criteria**

1. **Demonstrated Need** – the school site has need for a bullying prevention program; the district provides supporting evidence.
2. **Demonstrated Strengths** – the site has strengths and capacity that will support the successful implementation of a bullying prevention program; the district provides supporting evidence.
3. **Willingness and Agreement to Implement from Administration and Staff** – the district submits a signed letter of support from the site administrator(s) and school staff.
4. **Under-served Cultural Populations** – the site serves students and families of diverse cultural and ethnic backgrounds; district provides evidence.
5. **Students at Risk** – the student population or groups of students at the site are at risk for bullying; the district provides evidence.

***Center Joint Unified School District***

Dept/Site:	Instructional Services	AGENDA REQUEST FOR:
Date:	November 15, 2017	Action Item
To:	Board of Trustees	Information Item <u>  X  </u>
From:	Mike Jordan <sup>MOS</sup> Director of C&I/Special Ed	# Attached Pages <u>  3  </u>

**SUBJECT:** Renewal of School Messenger Service

**CONSULTANT'S NAME:** West Interactive Services Corp

**SERVICES TO BE RENDERED:** School Messenger Service, 12-month Unlimited Notification Service

**DATES OF SERVICE:** January 1, 2018 – December 31, 2018.

**TOTAL AMT OF CONTRACT:** \$6811.00

**FUNDING SOURCE:** 01-0000-0-5800-103-0000-7200-019-000

**RECOMMENDATION:**

CONSENT AGENDA

**CENTER JOINT UNIFIED SCHOOL DISTRICT**

TELEPHONE (916)338-6400  
FAX (916)338-6345

**PURCHASE ORDER**

No. **181078**

**SHIPMENT COMPLETE**

TO: 020792  
WEST INTERACTIVE SERVICES CORP  
100 ENTERPRISE WAY  
SCOTTS VALLEY CA 95066

SHIP TO: CENTER UNIFIED SCHOOL  
DISTRICT WAREHOUSE  
8408 WATT AVENUE  
ANTELOPE, CA 95843-9116

**SIGNATURE / DATE**

Phone: (888)527-5225

Fax: (800)360-7732

ORDER DATE 10/25/2017	SUBMITTED BY ROBINSON/JORDAN (CRIBBS)	SITE NAME CURRICULUM AND INSTRUCTION	REQ# 001118
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**PURCHASE ORDER NUMBER MUST BE SHOWN ON ALL PACKAGES, INVOICES AND CORRESPONDENCE**

ITEM#	QTY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
1	1	EA	<p>RENEWAL QUOTE: 106214 RENEWAL SCHOOLMESSENGER COMPLETE 12 MONTH UNLIMITED NOTIFICATION SERVICE</p> <p>AVOID POSSIBLE INTERRUPTION IN SERVICE PURCHASE ORDE PAYMENT REQUIRED 30 DAYS PRIOR TO ACCOUNT EXPIRATION</p> <p>BOARD TO RATIFIED ON NOVEMBER 15, 2017. QUOTE SIGNED JORDAN, DIRECTOR OF CURRICULUM &amp; SPECIAL EDUCATION **BACKUP PROVIDED</p> <p>MARIE, PLEASE EMAIL PURCHASE ORDER TO: contracts@schoolmessenger.com WITH AN EMAIL REQUEST SCHOOLMESSENGER: "PLEASE ISSUE INVOICE TO BE SENT T WITHIN 30 DAYS". (THIS IS A LEGAL REQUIREMENT TO REC INVOICE PRIOR TO DECEMBER 2017)</p>	6,811.000	6,811.00
<p>E-MAILED OCT 25 2017</p>				<p>SUB-TOTAL 6,811.00</p> <p>FREIGHT 0.00</p> <p>TAX 0.00</p> <p>TOTAL 6,811.00</p>	

01-0000-0-5800-103-0000-7200-019-000

6,811.00

TERMS: NET 30 DAYS  
INVOICE TO: Center Joint Unified School District  
ACCOUNTS PAYABLE  
8408 WATT AVE  
ANTELOPE, CA 95843-9116

*[Handwritten Signature]*  
Authorized Signature



#1118 ✓

COPY

Quote


V020792

West Interactive Services Corporation  
PO Box 561484  
Denver CO 80256-1484  
Phone: 888-527-5225 | Fax: 800-360-7732  
Contracts@schoolmessenger.com

Date 9/28/2017  
Quote # 106214  
Expires 10/28/2017  
Quote Type  
Representative AM Heather Wilson  
Agent Acct Mgr.

With request:  
"Please issue invoice to be sent to pay  
within 30 days!"

Prepared for:  
Accounts Payable  
Center Unified School District  
8408 Watt Avenue  
Antelope CA 95843-9116  
United States

Item	Quantity	Description	Rate	Amount
R-SM Complete	1	Renewal SchoolMessenger Complete -- 12-month Unlimited Notification Service Avoid possible interruption in service. Purchase Order or payment required 30 days prior to account expiration.  01-0000-0-5200-103-0000-7200-003-000  	6,811.00	6,811.00

Thank you for your order!

Total \$6,811.00

The terms and conditions available at <https://www.west.com/legal-privacy/webterms/> apply to this quote, unless the parties have entered into a separate mutually executed agreement. Sales tax may be applied on invoice. Tax exemption certificates can be sent to [accounting@schoolmessenger.com](mailto:accounting@schoolmessenger.com).



# Center Joint Unified School District

**AGENDA REQUEST FOR:**

**Dept./Site:** Curriculum and Instruction

**Date:** October 20, 2017

**To:** CUSD Board of Trustees

**From:** Mike Jordan

**Principal's Initials**

**Action Item** XX

**# Attached Pages** 8

**SUBJECT: Resolution #10/2017-18: Resolution Regarding Concurrent Enrollment**

Center High School would like to enter into an agreement with Sierra College to offer dual enrollment courses for CHS students. There will be no cost to CHS students but they will be eligible to earn both high school graduation credits and college level credits. CHS teachers will teach the classes on the CHS campus.

**RECOMMENDATION: The CJUSD Board of Turstees approve Resolution #10/2017-18: Resolution Regarding Concurrent Enrollment.**

**CONSENT AGENDA**



RESOLUTION NO. 10/2017-18  
Center Joint Unified School District

RESOLUTION REGARDING CONCURRENT ENROLLMENT  
Education Code § 76002(a)(3)

**WHEREAS**, the Center Joint Unified School District maintains a concurrent enrollment partnership with Sierra Joint Community College District (SJCCD), which benefits Center Joint Unified School District students, SJCCD students and the public at-large; and

**WHEREAS**, various operational aspects of the concurrent enrollment partnership are incorporated in an Instructional Services Agreement, dated November 15, 2017, the provisions of which establish adherence to various Education Code requirements pertaining to, among other things, allowances, apportionments and enrollment; and

**WHEREAS**, high schools hosting community college courses must comply with Education Code section 76002(a)(3), which provides that "[i]f class is offered at a high school campus, the class shall not be held during the time the campus is closed to the general public, as defined by the governing board of the school district during a regularly scheduled board meeting"; and

**WHEREAS**, in order to fulfill the requirement of Education Code section 76002(a)(3) and to ensure the provision of access to members of the public for attendance of concurrent enrollment courses held on Center Joint Unified School District campuses;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

The Center Joint Unified School District Board of Education declares that community college classes shall not be offered on a high school campus at any time in which the campus is closed to the general public. If a community college class is offered during the regular school day, any member of the general public enrolled in the community college class shall have access to the campus equal to the high school students attending the high school.

**PASSED AND ADOPTED** at a meeting of the Center Joint Unified School District Board of Education, held on November 15, 2017 by the following vote:

Ayes:  
Noes:  
Abstain:  
Absent:

By \_\_\_\_\_ Date \_\_\_\_\_  
Scott A. Loehr, Superintendent

## **INSTRUCTIONAL SERVICES AGREEMENT**

### *A Dual Enrollment Partnership between the Sierra College Joint Community College District and Center Joint Unified School District*

This Instructional Services Agreement (AGREEMENT) is made and entered into as of the date last written below by and between the Sierra Joint Community College District, 5100 Sierra College Boulevard, Rocklin, CA 95677 (hereinafter referred to as the COLLEGE) and Center Joint Unified School District, 8408 Watt Ave Antelope, CA 95843 (hereinafter referred to as the DISTRICT).

#### **RECITALS**

**WHEREAS**, the DISTRICT desires to offer college-credit bearing courses to its high school students; and

**WHEREAS**, the COLLEGE desires to provide college-credit bearing courses to the DISTRICT'S high school students; and

**WHEREAS**, the PARTIES desire to partner together for the purpose of offering dual enrollment opportunities for students with the goal of developing seamless pathways from high school to community college, improving high school graduation rates, and helping high school pupils achieve college and career readiness; and

**WHEREAS**, for the purposes of this AGREEMENT, Partnership for Advanced College Enrollment (PACE) refers to a program of college-credit bearing courses ("PACE courses") taught to DISTRICT high school students by college-approved high school teachers ("PACE faculty") on high school campuses; and

**WHEREAS**, the PACE faculty will be employees of the DISTRICT and paid directly by the DISTRICT to provide instructional services related to the PACE courses;

**WHEREAS**, the DISTRICT and will maintain control over the instructional activities and services of the PACE Faculty; and

**WHEREAS**, the legal requirements governing this AGREEMENT are subject to change by the California State Legislature. Current regulations are contained in Title 5 of the California Code of Regulations, Sections 51006, 53410, 55002(a), 55002(a)(3), 55005, 55232, 58051.5, 58056, 58058, 58058(b), 58102, and 58104, and Education Code Sections 48800, 48800.5, 58920, 76000, 76001, 76002, 76220, 76355, and 84752;

**NOW, THEREFORE**, in consideration of the promises and the mutual covenants and agreement herein set forth, the Parties do hereby agree as follows:

#### **TERMS OF AGREEMENT**

##### **1. ADMISSIONS AND REGISTRATION**

- 1.1. Admissions and registration shall be governed by the all applicable policies and procedures established by the COLLEGE. (CA Ed Codes 48800, 76000, 76001)
- 1.2. Prior to registering for a dual enrollment course, students shall apply to the college following all applicable procedures established by the COLLEGE. (CA Ed Code 48800)
- 1.3. The DISTRICT shall supply the DISTRICT students with all required texts and materials.
- 1.4. The COLLEGE will waive all COLLEGE fees for DISTRICT students enrolling in a PACE course at a DISTRICT site.

- 1.5. Registration and access to all dual enrollment courses scheduled at the DISTRICT under this AGREEMENT shall be open to any person who has been admitted to the COLLEGE and has met any applicable prerequisites. (CA Code of Regulations 51006, and CA Ed Code 76002)
  - 1.6. All dual enrollment courses shall have a minimum enrollment of 20 students unless the COLLEGE and the DISTRICT agree otherwise.
2. COURSES
- 2.1. The DISTRICT shall request PACE classes using the processes established by the COLLEGE. All PACE class offerings must be approved by the COLLEGE.
  - 2.2. Courses offered at the DISTRICT shall be of the same quality and rigor as those offered on the COLLEGE campus. (CA Code of Regulations 55002(a), 55232 and CA Ed Code 48800.5)
  - 2.3. Courses offered at the DISTRICT shall be COLLEGE catalogued courses with the same department designations, course descriptions, numbers, titles, and credits. (CA Code of Regulations 55002(a), 55005, 58102, 58104)
  - 2.4. Courses offered at the DISTRICT shall adhere to the official course outline of record and the student learning outcomes established by the associated academic department within the COLLEGE. (CA Code of Regulations 55002(a)(3))
  - 2.5. Site visits by one or more representatives of the COLLEGE shall be permitted by the DISTRICT to ensure that courses offered in the DISTRICT are the same as the courses offered on the COLLEGE campus.
  - 2.6. Dual enrollment courses offered in the DISTRICT during the span of this AGREEMENT shall consist of BUS 0101.
  - 2.7. Additional dual enrollment courses may be added during the span of this AGREEMENT by mutual agreement of the COLLEGE and the DISTRICT and these dual enrollment courses shall be identified in a fully executed addendum to this AGREEMENT.
3. FACULTY
- 3.1. PACE faculty shall be COLLEGE-approved high school teachers who meet the Minimum Qualifications for Faculty and Administrators in California Community Colleges for the discipline in which they are assigned to teach. (CA Code of Regulations 53410)
  - 3.2. PACE faculty shall be the sole employees of the DISTRICT and the DISTRICT shall be solely responsible for all associated salaries, wages, and benefits due to faculty.
  - 3.3. Nothing in this Agreement creates an employer-employee relationship between the COLLEGE and any PACE faculty and the PACE faculty shall at all times remain solely an employee of the DISTRICT.
  - 3.4. Prior to teaching, PACE Faculty shall seek discipline-specific training and orientation from the COLLEGE regarding, but not limited to, course curriculum, assessment criteria, pedagogy, course philosophy, procedures, record keeping, and instructional responsibilities. (CA Code of Regulations 58058)
  - 3.5. PACE Faculty may participate in all professional development activities sponsored by the COLLEGE during any semester they teach in the PACE program and shall be encouraged to participate in ongoing collegial interaction to address course content, course delivery, assessment, evaluation, and/or research and development in the field. (CA Code of Regulations 58058)
  - 3.6. PACE Faculty provided by the DISTRICT who do not comply with the policies, regulations, standards, and expectations of the COLLEGE risk becoming ineligible to teach dual enrollment courses solely at the discretion of the COLLEGE.
  - 3.7. PACE Faculty performance shall be evaluated by the COLLEGE using the adopted evaluation process and standards for part-time faculty of the COLLEGE and by the DISTRICT using the adopted evaluation process for teachers employed by the DISTRICT. The COLLEGE evaluation process includes student surveys. (CA Code of Regulations 58058)

- 3.8. Dual enrollment faculty must sign an Instructor Agreement, will be approved by the COLLEGE, and shall meet qualifications required by the COLLEGE. The COLLEGE has the primary right to control and direct the instructional activities of the instructor during the term specified by the contract. (CA Code of Regulations 58058(b)); Sierra College AP4610)

4. LIAISON

- 4.1. The COLLEGE shall appoint a liaison who will approve all dual enrollment instructors in consultation with the academic department of the COLLEGE. (CA Code of Regulations 58056)
- 4.2. The liaison shall provide initial training for dual enrollment faculty, conduct site visits, COLLEGE performance evaluations, and strengthen communication between essential elements of the DISTRICT, the COLLEGE, academic departments, and student services. (CA Code of Regulations 58056)
- 4.3. The liaison will be also keep dual enrollment faculty apprised of new curriculum developments, pedagogic innovations, textbook adoptions, educational outcomes, assessment of learning, grading standards, proficiency expectations, and syllabus components. (CA Code of Regulations 58056)

5. ON-SITE SUPERVISION

- 5.1. PACE Courses will be conducted at Center High School ("SCHOOL"), which is a public school facility operated by the DISTRICT.
- 5.2. PACE Courses and students shall be under the direct supervision of the PACE Faculty at the SCHOOL.
- 5.3. COLLEGE will provide direction to PACE Faculty through an instructor's manual, course outlines, curriculum materials, testing and grading procedures and any other materials and services it would provide to its hourly on-campus instructors.

6. STUDENTS

- 6.1. Students must meet all COLLEGE prerequisite requirements before enrolling in a dual enrollment course. (CA Code of Regulations 51006, 58051.5, and CA Ed Code 76002)
- 6.2. Grades earned by students enrolled in dual enrollment courses will be posted on official COLLEGE and DISTRICT transcripts. (CA Ed Code 76220)
- 6.3. Students enrolled in dual enrollment courses will be directed to the official catalogue of the COLLEGE.
- 6.4. Students enrolled in dual enrollment courses shall have access to all of the student services programs available at the COLLEGE for which they may be eligible.
- 6.5. Students who withdraw from a dual enrollment course will not receive any COLLEGE credit for work completed.
- 6.6. All COLLEGE enrollment, attendance, grading, and repeatability regulations apply to dual enrollment courses.
- 6.7. Students enrolled in a dual enrollment course will be held to a comparable level of rigor as students enrolled in the same course at the COLLEGE.
- 6.8. The DISTRICT will be responsible for administering and for the costs of any accommodations required by a student under his or her Individualized Educational Program (IEP) or Section 504 Plan.
- 6.9. Student discipline is the responsibility of the DISTRICT. Instances of student dishonesty are subject to COLLEGE policy.

7. ASSESSMENT

- 7.1. Students enrolled in dual enrollment courses shall be held to the same standards of achievement as students on the COLLEGE campus. (CA Ed Code 48801)
- 7.2. Students enrolled in dual enrollment courses shall be held to the same grading standards as those expected of students in on campus COLLEGE sections.
- 7.3. Students enrolled in dual enrollment courses shall be assessed using the same methods (e.g., papers, portfolios, quizzes, labs, etc.) as students in on campus COLLEGE sections.

8. EVALUATION

- 8.1. The COLLEGE and the DISTRICT may conduct student evaluations for each dual enrollment course offered in the DISTRICT. (CA Ed Code 58920)
- 8.2. The COLLEGE and the DISTRICT may survey and collect data on alumni of dual enrollment courses after they graduate from the DISTRICT. (CA Ed Code 76220)
- 8.3. The COLLEGE and the DISTRICT may annually conduct surveys of participating high school instructors, principals, and guidance counselors.
- 8.4. The COLLEGE and the DISTRICT shall share survey data for the purpose of informing practice, making adjustments, and improving the quality of dual enrollment course delivery.

9. RECORDS

- 9.1. Records of student attendance and achievement for all DISTRICT students who enroll in a dual enrollment course shall be maintained by the DISTRICT and open for review at all times by officials of the COLLEGE. (CA Ed Code 76220)
- 9.2. Records of student attendance and achievement shall be kept by the instructor and submitted to the COLLEGE using the COLLEGE's usual processes.(CA Ed Code 76220)
- 9.3. In engaging in the information exchanged described in this section, DISTRICT and COLLEGE will both comply with state and federal privacy laws with regard to all student records for students enrolled in a PACE course. This includes protecting student records from unauthorized disclosure or transmission to unauthorized third parties. The College is committed to the protection and confidentiality of student educational records by adhering closely to the guidelines established by the Family Educational Rights and Privacy Act (FERPA) which is federal legislation established to regulate access and maintenance of student educational records. Federal and state laws relating to the privacy of student records may differ from those regulations governing California high school students.

10. REIMBURSEMENT

- 10.1. The DISTRICT shall pay the instructor of record a \$500 stipend for each PACE section taught. These stipends are not reimbursable expenses and remain the sole responsibility of DISTRICT.

## 11. INDEMNIFICATION

- 11.1. The DISTRICT agrees to and shall indemnify, save and hold harmless the COLLEGE and its officers, agents, governing board members and employees from any and all claims, injuries, demands, liabilities, costs, expenses (including reasonable attorneys' fees and court costs), damages, causes of action, losses, and judgments, arising out of the performance of or in connection with this AGREEMENT. The obligation to indemnify shall extend to all claims and losses that arise from the negligence or willful acts of the DISTRICT, its officers, agents, governing board members and employees.
- 11.2. The COLLEGE agrees to and shall indemnify, save and hold harmless the DISTRICT and its officers, agents, governing board members, and employees from any and all injuries, claims, demands, liabilities, costs, expenses (including reasonable attorneys' fees and court costs), damages, causes of action, losses, and judgments, arising out of the performance of or in connection with this AGREEMENT. The obligation to indemnify shall extend to all claims and losses that arise from the negligence or willful acts of the COLLEGE, its officers, agents governing board members and employees.

## 12. INSURANCE

- 12.1. The DISTRICT, in order to protect the COLLEGE, its agents, governing board members, employees and officers and volunteers against claims and liability for death, injury, loss and damage arising out of or in any manner connected with the performance and operation of the terms of this AGREEMENT, shall secure and maintain in force during the entire term of this agreement, evidence of general liability insurance or an approved program of self-insurance in the amount of not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence, and property damage insurance of not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence with an insurer with a current A.M. Best's rating of no less than A-VII authorized to do such public liability and property damage insurance business in the state of California or otherwise acceptable to the COLLEGE. Said policy of insurance or program of self-insurance shall expressly name the COLLEGE, its agents, employees and officers and volunteers as an additional insured for the purposes of this AGREEMENT. A certificate of insurance including such endorsement shall be furnished to the COLLEGE prior to the commencement of services.
- 12.2. Evidence of Sexual Misconduct coverage shall be included on the evidence of insurance if included in the general liability insurance program. Otherwise, evidence of coverage shall also be provided to the COLLEGE.
- 12.3. The DISTRICT shall provide evidence of automobile liability insurance or an approved program of self-insurance in an amount not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence with an insurer with a current A.M. Best's rating of no less than A-VII authorized to do such public liability and property damage insurance business in the state of California or otherwise acceptable to the COLLEGE. Coverage shall include owned, non-owned and hired automobiles.
- 12.4. The DISTRICT shall provide proof of worker's compensation insurance evidencing statutory limits as required by the State of California. The District shall also furnish evidence of ONE MILLION DOLLARS (\$1,000,000) per accident for bodily injury or disease of Employer's Liability coverage. DISTRICT's Insurer shall agree to waive their rights of subrogation by providing an endorsement to the COLLEGE acknowledging such.
- 12.5. DISTRICT shall provide 30-day notice of intent to cancel, non-renew or make material change in coverage for all lines of coverage to COLLEGE.
- 12.6. Any insurance proceeds that are available to the DISTRICT that are broader than or in excess of the specified minimum insurance coverage shall be available to the COLLEGE as an additional insured.

**13. FULL FUNDING**

13.1. The DISTRICT agrees and acknowledges that the COLLEGE will not claim apportionment for the students enrolled in PACE courses listed in this AGREEMENT.

**14. NON-DISCRIMINATION CLAUSE**

14.1. College affirms that it shall not discriminate against any person in any aspect of education or employment without regard to ethnicity, national origin, religion, age, sex, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he or she is perceived to have one or more of the foregoing characteristics or based on association with a person or group with one or more of these actual or perceived characteristics.

**15. TERM OF AGREEMENT**

15.1. January 1, 2018, to June 30, 2018

**16. TERMINATION OR CHANGES**

16.1. Either party may terminate this AGREEMENT at any time by providing 30-days' written notice to the other party. Written notice of termination shall be addressed to the responsible person listed in Item 18 below.

16.2. Upon receiving or providing a notice of termination of this AGREEMENT, the Parties shall develop a mutually agreeable teach-out plan that enables students to complete the PACE course(s) in which they are enrolled.

**17. NOTICE TO PERSONS RESPONSIBLE FOR THE IMPLEMENTATION OF THIS AGREEMENT**

All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

TO THE DISTRICT:

Mike Jordan  
Director of Curriculum, Instruction and Special Education  
Center Joint Unified School District  
8408 Watt Ave, Antelope, CA 95843

TO THE COLLEGE:

Rebecca Bocchicchio  
Interim Executive Dean, Enrollment and Student Success  
Sierra College  
5100 Sierra College Boulevard, Rocklin, CA 95677

**18. MISCELLANEOUS**

- 18.1. This AGREEMENT contains all agreements, promises and understandings between the Parties regarding this transaction, and no oral agreement, promises or understandings shall be binding upon either party in any dispute, controversy or proceeding.
- 18.2. This AGREEMENT may not be amended or varied except in a writing signed by all parties. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns hereto.
- 18.3. The failure of either party to insist upon strict performance of any of the terms or conditions of this AGREEMENT or to exercise any of its rights hereunder shall not waive such rights and such party shall have the right to enforce such rights at any time.
- 18.4. This AGREEMENT and the performance thereof shall be governed interpreted, construed and regulated by the laws of the state of California. The Parties hereto agree to submit to the jurisdiction of any court of competent jurisdiction within Placer County, California.
- 18.5. This AGREEMENT may be executed in counterparts which, taken together, shall constitute a single instrument. Facsimile and other electronically transmitted signature pages shall be effective to bind a Party to this AGREEMENT.

**IN WITNESS WHEREOF**, the parties have executed this AGREEMENT as of the last date written below.

Date:

Date:

\_\_\_\_\_  
SIERRA JOINT COMMUNITY COLLEGE DISTRICT

\_\_\_\_\_  
CENTER JOINT UNIFIED SCHOOL DISTRICT



# Center Joint Unified School District

<b>AGENDA REQUEST FOR:</b>	
Dept./Site: Curriculum & Instruction	
Date: November 15, 2017	Action Item _____
To: Board of Trustees	Information Item _____
From: Mike Jordan, Director of Curriculum & Instruction	# Attached Pages <u>5</u>
Administrator's Initials: <u>MOS</u>	

**SUBJECT: Supplemental Tier 2 Instructional Materials Adoption Grades 1<sup>st</sup>-6<sup>th</sup> English Language Arts Intervention Program**

In May of 2017, CJUSD formed a pilot team made up of the district intervention teachers (Title 1 at 3 elementary sites and 2 classroom stipend intervention teachers at the fourth site) to review and pilot *Wonder Works (McGraw Hill)* the aligned intervention materials to our core ELA/ELD materials-*Wonders (McGraw Hill)*.

Pilot teachers trained in the materials on July 27, 2017. Wonder Works materials were used in August 2017, after needs were assessed using the district K-6 Universal Screener. Students and teachers used materials for 8 weeks before meeting again as a pilot team to discuss the materials. After meeting on October 12<sup>th</sup>, the team shared the pros and cons of the materials used with the identified student groups. The team recommended the purchase of the Wonder Works materials to support CJUSD students needing Tier 2 support.

The attached page outlines what materials will be purchased. One set of materials will be purchased grades 1<sup>st</sup>-6<sup>th</sup> at the 4 elementary sites in the district.

CONSENT AGENDA

<b>Grade K</b>	
<b>Item</b>	<b>ISBN</b>
<b>Reading WondersWorks Kit with 8 Year Subscription, Grade K</b>	0078966043
Decodable Readers Package (6 each of 10 titles)	0021296642
Teaching Chart	0021298297
Teacher's Edition	0021298807
Practice BLM	0021299463
Assessment BLM	0021299528
Reading WonderWorks Sound-Spelling WorkBoard	0021387192
High-Frequency Word Cards	0021192901
Small Sound/Spelling Cards (lenticular), Grades K-2	0021195560
Sound Box	0021301395
Photo Cards	0021195595
Reading WonderWorks Letter Cards (Small)	0021387184
Student Workspace 8 Year Subscription	0021428417
Teacher Workspace 8 Year Subscription	0021377162
<b>Grade 1</b>	
<b>Reading WondersWorks Kit with 8 Year Subscription, Grade 1</b>	0078966051
Decodable Readers Package (6 each of 6 titles)	0021296650
Teaching Chart	0021298300
Teacher's Edition	0021298815
Practice BLM	0021299471
Assessment BLM	0021299536
Reading WonderWorks Sound-Spelling WorkBoard, Grades 1-2	0021387206
High-Frequency Word Cards	0021195587
Small Sound/Spelling Cards (lenticular), Grades K-6	0021195560
Sound Box	0021301395

Photo Cards	0021195595
Reading WonderWorks Letter Cards (Small)	0021387184
Student Workspace 8 Year Subscription	0021428409
Teacher Workspace 8 Year Subscription	0021377170
<b>Grade 2</b>	
<b>Reading WondersWorks Kit with 8 Year Subscription, Grade 2</b>	007896606X
<b>Reading WonderWorks ACT Package</b>	0021300569
Interactive Worktext (Consumable)	0021297940
Teacher's Edition	0021298823
Assessment BLM	0021299544
Apprentice Leveled Readers Package (6 each of 30)	0021300623
Apprentice Leveled Readers Package (1 each of 30)	0021300615
<b>Foundational Skills Kit, Grades 2-3</b>	
Foundational Skills Lesson Cards, Grades 2-3	0021300046
Decodable Reader Package	0021406529
Foundational Skills Practice and Assessment, Grades 2-3	002129948X
Reading WonderWorks Letter Cards (Small)	0021387184
Reading WonderWorks Word-Building Cards (Small)	0021356831
Photo Cards, Grades K-2	0021195595
High-Frequency Word Cards, Grades 3-6	0022021167
Small Sound/Spelling Cards (lenticular), Grades K-6	0021195560
Reading WonderWorks Sound-Spelling WorkBoard, Grades 1-2	0021387206
Student Workspace 8 Year Subscription	0021428425
Teacher Workspace 8 Year Subscription	0021377189
<b>Grade 3</b>	
<b>Reading WondersWorks Kit with 8 Year Subscription, Grade 3</b>	0078996244

<b>Reading WonderWorks ACT Kit, Grade 3</b>	0021300577
Interactive Worktext (Consumable)	0021297959
Teacher's Edition	0021298831
Assessment BLM	0021297487
Apprentice Leveled Readers Package (6 each of 30)	002130064X
Apprentice Leveled Readers Package (1 each of 30)	0021300631
<b>Foundational Skills Kit, Grades 2-3</b>	0021300062
Foundational Skills Lesson Cards, Grades 2-3	0021300046
Decodable Readers Package, Grades 2-3	0021406529
Foundational Skills Practice and Assessment, Grades 2-3	002129948X
Reading WonderWorks Letter Cards (Small)	0021387184
Reading WonderWorks Word-Building Cards (Small)	0021356831
Photo Cards, Grades K-2	0021195595
High-Frequency Word Cards, Grades 3-6	0022021167
Small Sound/Spelling Cards (lenticular), Grades K-6	0021195560
Reading WonderWorks Sound Spelling Workboards, Grades 3-6	0021356874
Student Workspace 8 Year Subscription	0021428433
Teacher Workspace 8 Year Subscription	0021377197
<b>Grade 4</b>	
<b>Reading WondersWorks Kit with 8 Year Subscription, Grade 4</b>	0078996287
<b>Reading WonderWorks ACT Kit, Grade 4</b>	0021300585
interactive Worktext (Consumable)	0021268827
Teacher's Edition	002129884X
Assessment BLM	0021297495
Apprentice Leveled Readers Package (6 each of 30)	0021300666
Apprentice Leveled Readers Package (1 each of 30)	0021300658
<b>Foundational Skills Kit, Grades 4-6</b>	0021297053
Foundational Skills Lesson Cards, Grades 4-6	0021298335

Foundational Skills Practice and Assessment BLM, Grades 4-6	0021299501
Small Sound/Spelling Cards (lenticular), Grades K-6	0021195560
Reading WonderWorks Letter Cards (Small)	0021387184
Reading WonderWorks Word-Building Cards (Small)	0021356831
Reading WonderWorks Sound Spelling Workboards, Grades 3-6	0021356874
High-Frequency Word Cards, Grades 3-6	0022021167
Student Workspace 8 Year Subscription	0021428441
Teacher Workspace 8 Year Subscription	0021428379
<b>Grade 5</b>	
Reading WondersWorks Kit with 8 Year Subscription, Grade 5	0078996295
Reading WonderWorks ACT Kit, Grade 5	0021300593
Interactive Worktext (Consumable)	0021297967
Teacher's Edition	0021298858
Assessment BLM	0021297509
Apprentice Leveled Readers Package (6 each of 30)	0021300682
Apprentice Leveled Readers Package (1 each of 30)	0021300674
Foundational Skills Kit, Grades 4-6	0021297053
Foundational Skills Lesson Cards, Grades 4-6	0021298335
Foundational Skills Practice and Assessment BLM, Grades 4-6	0021299501
Small Sound/Spelling Cards (lenticular), Grades K-6	0021195560
Reading WonderWorks Letter Cards (Small)	0021387184
Reading WonderWorks Word-Building Cards (Small)	0021356831
Reading WonderWorks Sound Spelling Workboards, Grades 3-6	0021356874
High-Frequency Word Cards, Grades 3-6	0022021167
Student Workspace 8 Year Subscription	0021457875
Teacher Workspace 8 Year Subscription	0021428387
<b>Grade 6</b>	

<b>Reading WondersWorks Kit with 8 Year Subscription, Grade 6</b>	0078996333
<b>Reading WonderWorks ACT Kit, Grade 6</b>	0021300607
<b>Interactive Worktext (Consumable)</b>	0021298149
<b>Teacher's Edition</b>	0021298866
<b>Assessment BLM</b>	0021297517
<b>Apprentice Leveled Readers (6 each of 30)</b>	0021300704
<b>Apprentice Leveled Readers (1 each of 30)</b>	0021300690
<b>Foundational Skills Kit, Grades 4-6</b>	0021297053
<b>Foundational Skills Lesson Cards, Grades 4-6</b>	0021298335
<b>Foundational Skills Assessment and Practice BLM, Grades 4-6</b>	0021299501
<b>Small Sound/Spelling Cards (lenticular), Grades K-6</b>	0021195560
<b>Reading WonderWorks Letter Cards (Small)</b>	0021387184
<b>Reading WonderWorks Word-Building Cards (Small)</b>	0021356831
<b>Reading WonderWorks Sound Spelling Workboards, Grades 3-6</b>	0021356874
<b>High-Frequency Word Cards, Grades 3-6</b>	0022021167
<b>Student Workspace 8 Year Subscription</b>	0021457913
<b>Teacher Workspace 8 Year Subscription</b>	0021428395

# Center Unified School District

<b>AGENDA REQUEST FOR:</b>	
<b>Dept./Site:</b> Center High School	
<b>Date:</b> 10/12/17	<b>Action Item</b>
<b>To:</b> CUSD Board of Trustees	<b>Information Item</b> _____
<b>From:</b> Jerald Ferguson	<b># Attached Pages</b> <u>2</u>
<b>Principal's Initials</b> <u>JF</u>	

**SUBJECT:**  
 The Media Communications Academy would like permission to take the Seniors on a five day trip to Southern California. The dates are scheduled for Tuesday March 20- Saturday March 24.

The purposes of the trip include a real world experience is to tour and experience the history and importance of Southern California and the media and college opportunities there. We will visit the following venues: CSU San Diego, UC San Diego, Old Town San Diego, Mission Capistrano, Downtown Disney, Cleveland High's Media Academy, Reagan Museum, WB VIP Tour, Hollywood Walk of Fame, Universal Walk, Museum of Tolerance, UCLA, Fox Sports Network, Santa Monica Pier, Venice Beach, Pirate Times, Universal Studios, and Disneyland.

The Chaperones will include Matt Chamberlain, Amy Chaney, Kristen Clements, Heather Woods, Rob McInnes, Vernon Bisho, Brina Jope and Anne Cowan. The group is staying at the Universal Hilton and Pacific Coast Coach-line. We will travel to San Diego via Southwest Airlines Attached is the possible student list. Students will fundraise to pay for the trip. The MCA Grant will pay for chaperone rooms and help with transportation.

CONSENT AGENDA

**RECOMMENDATION:**

The Media Communications Academy would like permission to take the Seniors on a five day trip to Southern California. The dates are scheduled for Tuesday March 20- Saturday March 24.

# Center Unified School District

<b>AGENDA REQUEST FOR:</b>	
<b>Dept./Site:</b> Center High School	
<b>Date:</b> 10/26/17	<b>Action Item</b> <input checked="" type="checkbox"/>
<b>To:</b> CUSD Board of Trustees	<b>Information Item</b> <input type="checkbox"/>
<b>From:</b> Jerald Ferguson	<b># Attached Pages</b> 0
<b>Principal's Initials</b> <u>JF</u>	

**SUBJECT:**

The California Department of Education mandates all Partnership Academies provide opportunities for students to go on field trips. The plan this school year is for the Media Communications Academy (MCA) to take sophomore students to the Bay Area, April 5-6, 2018. The goal is to create a real-world working experience by having all students be part of creating a cross-curricular project. This cross-curricular project will include elements from English, History, Spanish as well as media components. As a group, we will visit the Jelly Belly Factory where students learn about manufacturing, marketing, and job opportunities. We will tour the USS Hornet aircraft carrier, San Francisco State University (includes Media Department tour), take a walking tour of the Winchester Mystery House, experience Egyptian culture at the Rosicrucian Egyptian Museum, learn the history and significance of Alcatraz, explore and experience hands-on Science at the expanded Exploratorium and California Academy of Sciences, experience the culture of Chinatown, and get some exercise as we walk across the Golden Gate Bridge. The student cost is \$200. Students have the ability to fundraise to reduce the amount they have to pay. A portion of the California Partnership Grant is able to reduce the cost of the trip by paying for transportation and chaperone costs. A mandatory parent meeting is held before the trip. The group will stay at the San Jose Marriott. Probable chaperones include Rob McInnes, Matt Chamberlain, Vernon Bisho, Kristen Clements, Anne Cowan, Heather Woods, Brina Jope, Carrie Muldoon, and Amy Chaney.

CONSENT AGENDA

**RECOMMENDATION:**

We recommend that Media Communications Academy (MCA) take sophomore students to the Bay Area, April 5-6, 2018.



# Center Unified School District

<b>AGENDA REQUEST FOR:</b>	
Dept./Site: North Country Elementary	Action Item <u>  X  </u>
Date: October 25, 2017	Information Item
To: Board of Trustees	
From: Kathleen Lord, Principal	
	# Attached Pages: 28
Principal's Initials: <u>KL</u>	

<b>SUBJECT: APPROVAL OF SINGLE PLAN FOR SCHOOL ACHIEVEMENT</b>
<p style="text-align: center;"><b>Please approve North Country's Single Plan for School Achievement.</b></p>

CONSENT AGENDA

# The Single Plan for Student Achievement

**School:** North Country Elementary School  
**CDS Code:** 34-73973-6032924  
**District:** Center Joint Unified School District  
**Principal:** Kathleen Lord  
**Revision Date:** September 19,2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

**Contact Person:** Kathleen Lord  
**Position:** Principal  
**Phone Number:** 916-338-6480  
**Address:** 3901 Little Rock Drive  
Antelope, CA 95843  
**E-mail Address:** [klord@centerusd.org](mailto:klord@centerusd.org)

The District Governing Board approved this revision of the SPSA on .

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## School Vision and Mission

### North Country Elementary School's Vision and Mission Statements

**Mission Statement:** To guide and encourage each student to thrive, to seek, to discover, and to lead in order to be prepared for life's challenges.

**Vision Statement:** At North Country we begin with the end in mind in order to clearly understand our destination. All students are prepared for the 21st century through leadership and critical thinking skills.

**Motto:** Developing leaders, once child at a time.

## School Profile

Welcome to North Country, a Franklin Covey Leader in Me school and an award winning Title I Academic Achievement School. Our mascot is the Timber wolf. The center of a wolf's universe is its pack. Developing strong, social bonds with pack mates is dependent on the wolf's survival. With that in mind, we believe that together we can achieve and succeed. Our program addresses children's unique learning strengths as we recognize that all students can be successful learners and leaders.

North Country is a community. There is no one person or group who can take credit for the success of our school. The ingredient that remains constant is quality people with a genuine concern for students. The staff is committed to teaching all students the Seven Habits of Highly Effective People guiding them in respecting themselves and others. We continue the implementation of common core standards throughout the curriculum while integrating project-based learning activities in each subject area.

The students here at North Country, together with an exceptional PTO, devoted certificated and classified staff, and a core of parent volunteers have all worked together to create a true learning community. We are proud to say we belong to North Country Elementary and we hope you will feel the school spirit next time you visit our campus.

## Comprehensive Needs Assessment Components

### Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

### Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

15-16 Healthy Kids Survey

16-17 Safe School Survey

16-17 Title I /Leader In Me Survey

**Summary of findings:** Math intervention is needed for specific practice on basic math fluency. Parents do not necessarily value family nights or parent informational opportunities unless their students are involved in a presentation or activity. Parents feel that an enclosed campus would be safer. Parents value The Leader In Me and feel that it gives their child voice and choice and makes them feel more confident in their abilities.

### Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

Administration conducts formal and informal observations throughout the year. Results indicate that teachers need and value continued support. In addition, opportunities are provided to teachers to observe their peers deliver specific, direct instruction, classroom management, curriculum alignment, intervention strategies and assess student engagement.

### Analysis of Current Instructional Program

The following statements are derived from the Elementary and Secondary Education Act (ESEA) of 1965 and Essential Program Components (EPCs). In conjunction with the needs assessments, these categories may be used to discuss and develop critical findings that characterize current instructional practice for numerically significant subgroups as well as individual students who are:

- Not meeting performance goals
- Meeting performance goals
- Exceeding performance goals

Discussion of each of these statements should result in succinct and focused findings based on verifiable facts. Avoid vague or general descriptions. Each successive school plan should examine the status of these findings and note progress made. Special consideration should be given to any practices, policies, or procedures found to be noncompliant through ongoing monitoring of categorical programs.

### Standards, Assessment, and Accountability

#### 1. Use of state and local assessments to modify instruction and improve student achievement (ESEA)

Teachers have access to CELDT, SBAC, universal screener data and trimester grades to review student performance. Based on academic data, behavior and attendance, recommendations are made for appropriate interventions and placement. Collaboration is focused on student achievement and best teaching practices with discussions addressing supports students should be offered.

#### 2. Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC)

Consistent progress monitoring determines student movement within our Multi-Tiered System of Supports. As we annually review our achievement data, we are committed to improve and adjust our RTI model. We assess all students using universal screeners to determine the targeted intervention (or on-level) group they will participate in for 30 minutes four days a week. We consider the growth of these students in the five component areas of reading: fluency, vocabulary, phonics, phonemic awareness and reading comprehension, and most recently, math fluency at all grade levels.

We review reading and math achievement data throughout the year. Collaborative groups discuss those students in need of intensive instruction in a particular area of reading skill development and/or basic math fluency within our Title I structure. Students reading at approaching levels or needing help with basic grade level math facts also have the opportunity to receive intervention services in our before school program. One indicator of the effectiveness of the overall program will be the number of students in need of substantial intervention and how fluent the groupings are as students level up in groups and eventually reach proficiency. Intervention groups should change every two to four weeks depending on progress. This year, our goal is to implement math intervention in the before school program as well as during the 30 minute intervention period.

### Staffing and Professional Development

#### 3. Status of meeting requirements for highly qualified staff (ESEA)

All teachers at North Country Elementary meet the credential requirements in accordance with the state and federal guidelines. ESEA requires that all teachers in core subjects meet certain requirements to be considered compliant with the federal guidelines. Minimum qualifications include: possession of a bachelor's degree, possession of an appropriate California teaching credential, and demonstrated competence in core academic subjects. We work closely with CJUSD personnel to ensure teachers hired have the appropriate credentials to certify them as highly qualified.

4. Sufficiency of credentialed teachers and teacher professional development (e.g., access to instructional materials training on SBE-adopted instructional materials) (EPC)

There are opportunities for teachers to assist in developing district goals and guidelines through participation on district committees and for new teachers to become familiar with curriculum and instructional materials through monthly SCOE workshops.

Our school enjoys a widespread base of materials and resources. Teachers are able to collaborate within grade levels and are trained in the Seven Habits for Highly Effective People which provides them the knowledge they need to implement Leader In Me expectations which addresses both academic and social needs.

5. Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA)

Staff development during Tuesday meetings focus on Multi-Tiered System of Supports, most specifically tier I and tier II instruction and differentiation. A cadre of teachers attend district PD focused on the new Wonders curriculum. Additionally, the district has a series of professional development offerings contracted through SCOE every 4th Monday, again, focused on ELA curriculum. Teachers continually implement Leader In Me strategies with ideas being shared during staff meetings and collaboration. Leader In Me is our Tier I behavior system focused on the individual child. Professional development for para-educators include a series of specific topics presented by district personnel. Collaborative groups and the school Leadership Team are focusing on refining collaborative conversations specifically related to student progress, intervention and achievement.

6. Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC)

All year 1 and Year 2 teachers participate in a teacher induction program. Teachers receive monthly professional development from the district and/or SCOE focusing on English Language Arts. The Lighthouse leadership team meets monthly to discuss MTSS, SWIFT-FIA and Leader In Me Lighthouse goals which are intertwined and help teachers focus on specific school and District goals. The leadership team reaches out to other staff members during collaboration to communicate and model expectations related to student progress and achievement. Instructional walk-throughs and formal observations will continue in 2017-2018 to identify strengths and weaknesses in order to have clear, constructive collaborations on teaching and learning. Student Study Team meetings are held to address students with academic, social and/or emotional needs which impede their learning. An EL teacher and instructional assistant provide EL support for those students not yet reclassified in addition to a morning intervention class for ELA and math. A Resource specialist and instructional assistant provide Tier III support for students functioning below grade level. A Title I coordinator and instructional aides assist with Tier II support in reading and math during intervention and during the before school program.

7. Teacher collaboration by grade level (kindergarten through grade eight [K-8]) and department (grades nine through twelve) (EPC)

Teachers collaborate three times a month on early out Mondays and the last Tuesday of each month. The Lighthouse Leadership team suggested one cross grade level collaboration each month in order to touch base with colleagues on grade level expectations and progress. Each group has a team leader who facilitates the discussion and introduces topics discussed at monthly Lighthouse meetings. An Action Plan was developed by the Leadership Team to address these areas in addition to how this will be communicated to the rest of the staff.

## Teaching and Learning

### 8. Alignment of curriculum, instruction, and materials to content and performance standards (ESEA)

Teachers use state/district adopted curriculum in ELA and Math. They devote attention to common core standards as they integrate social studies and science into their weekly lessons. PD has covered pacing guides, formative assessments, writing and units of study. Intervention schedules insure that students are not being pulled from core curriculum. Teachers work on establishing PLC's as they follow the Leader In Me Lighthouse rubric which is a framework that creates a leadership culture and aligns academic systems into existing programs and district structure.

### 9. Adherence to recommended instructional minutes for reading/language arts and mathematics (K–8) (EPC)

Adherence to recommended instructional minutes in ELA and math has been established. Students requiring additional instruction are invited to attend the morning intervention program for reading and/or math in addition to a 30 minute intensive intervention period during the school day.

### 10. Lesson pacing schedule (K–8) and master schedule flexibility for sufficient numbers of intervention courses (EPC)

Lesson pacing guides and practices have been discussed during district PD days and are logistically possible due to a master schedule outlining specific intervention schedules by grade level. Students are in attendance for core instruction with a dedicated RTI period. Students failing to meet proficiency attend support programs (RTI) during the day and before school. RTI groups remain flexible as progress is continually monitored and discussed during collaboration

### 11. Availability of standards-based instructional materials appropriate to all student groups (ESEA)

Title I and ELD teachers, aides and special education teachers are integrated into our (RTI) block. They provide support and instruction for reading groups using district adopted curriculum. Students who are targeted for Tier II or III intervention receive support through our school based program; classroom differentiated instruction included. The English Language Development (ELD) program is also closely tied into our RTI model and are involved in the morning intervention program. In addition to working with newcomers, the ELD instructional assistant teaches vocabulary development and language acquisition. Students are recommended to receive additional before school instruction based on universal screeners and assessment scores. Tutoring is offered through Title X; Education of Homeless Youth. The District liaison works with us to coordinate services with classroom teachers. Additionally, The County Office of Education coordinates with the school to offer supplemental tutoring to foster youth. Both program goals support student learning so that students can attain proficiency in reading and math. GATE funds are used to offer students an after school extended learning program. The GATE teacher teams with other teachers and technology personnel in order to involve students in video technology. Through a collaborative effort with SECC (Sacramento Educational Cable Consortium), the Gannett Foundation and NEWS 10, students utilize video equipment in our studio lab to plan and film short media projects. Through SECC, we received a grant to help us purchase the equipment in the studio to increase student media production in public schools and to increase participation in SEVA (Student Educational Video Awards).

### 12. Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC)

All text book adoptions are aligned with common core/ California content standards. Students have standards based materials in all core areas. Other textbooks are used according to the standards and all instructional materials are appropriate for each grade level from TK-sixth grade. All students have access to SB adopted materials in addition to intervention materials including on-line software.

## Opportunity and Equal Educational Access

### 13. Services provided by the regular program that enable underperforming students to meet standards (ESEA)

An achievement goal is written specifically for our Title I students and English Language Learners. Title I students who qualify for an approaching intervention group are continually monitored to determine movement within levels. This assessment information is also used to monitor the effectiveness of our school program. These goals in turn are embraced by the students as they enter them in their Leadership Notebook and monitor their own progress as guided by their teacher. Students with IEPs have goals which are monitored by both a classroom teacher and a resource teacher. Curriculum is modified and differentiated based on students' progress and goals. Student Interventions to insure equal access include:

- \* Adjustments within leveled groups for Tier I, II, or III support
- \* Teachers help students modify and adjust their leadership goals
- \* Proper placement in 30 minute intensive phonics/fluency/decoding/comprehension/math instructional groupings.
- \* Provide UDL for Tier I instruction
- \* Focus on Leader In Me Core Paradigms which develops the whole child including academics and social emotional behavior and well being
- \* Arrange for attendance in the Title I TLC before school program where students get additional support in fluency, decoding and comprehension strategies using Wonderworks program along with basic math facts instruction at all grade levels.
- \* Universal Screeners in addition to subsequent diagnostics (SIPPS, BPST and San Diego Quick) will be administered with greater frequency for an accurate diagnosis and instructional placement.
- \* Healthy Start program and Mental Health (through District) offers much needed support at home by providing assistance through counseling, mental health and family health needs.
- \* Comprehensive Student Study Team in which a team of trained professionals work together with the family to develop a program to provide support through our school resources in order to meet the academic (or behavioral) needs of the student.
- \* Teach 7 Habits consistently and with fidelity.

### 14. Research-based educational practices to raise student achievement

We are focused on John Hattie's effect-size continuum. Information is provided during staff meetings on these studies with discussions on which influences we should consistently implement.

- \*Direct Instruction- integrate prior knowledge with visuals, scaffolding and clarity
- \*Deliberate practice/feedback
- \*Cooperative and Collaborative learning
- \*Collective teacher efficacy
- \*Formative Assessments, self and peer assessments - students take responsibility for goals and their progress as they work toward these goals
- \*Response to Intervention - RTI schedule with Tier II and III supports in place including ELD instruction as appropriate
- \*Morning intervention program in reading and math

## Parental Involvement

### 15. Resources available from family, school, district, and community to assist under-achieving students (ESEA)

Resources are available through the school and the district to assist under-achieving students. PTO meetings are held monthly inviting all teachers, parents and other stakeholders. PTO is responsible for field trip scholarships and other resources to assist all students. School Site Council meets monthly to discuss school and student needs. As a result, monies are directed where needed to assist under-achieving students specifically through Title I funding. The community is involved through The United Way and RSVP (Retired Senior Volunteer Program) to mentor and tutor under-achieving students. ELAC meets three times a year in addition to District DELAC meetings. ELAC is a place that parents can use as a platform to express their concerns and ideas to both the school and the district, and to give input into the decisions of the School Site Council.



16. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of ConApp programs (5 California Code of Regulations 3932)

Through School Site Council, parents, teachers and staff participate in planning, implementing and evaluating school programs.

### Funding

17. Services provided by categorical funds that enable underperforming students to meet standards (ESEA)

Title I funds support the intervention program. These funds and the guidelines as outlined in the goals of The Single Plan for Student Achievement facilitate the implementation of school wide reform strategies and the analysis of data. Specifically, Title I funding provides morning intervention where students spend time daily reading and tracking their comprehension scores and also learning and tracking basic math fluency goals. This before school hour is also comprised of differentiated segments of instruction designed to meet the needs of students who are not yet proficient in Reading/Language Arts and most recently, math. This extended learning program targets students through universal screeners, progress monitoring and classroom assessments. Students requiring approaching level intervention are assessed using curriculum-based progress monitoring assessments and Moby Max, an interactive personalized learning software program that provides teachers with progress data. Title I support is an integral part of our MTSS, providing targeted group instruction without pulling students from the core curriculum, so that they may be better successful in their regular Tier I program. Students are exposed to phonics-based activities, comprehension and fluency practice in addition to learning grade level math facts. Push in instruction is also available to grade levels which would be served better in this capacity. This Title I model was developed to meet the needs of a population that depends primarily on teacher intervention as opposed to relying on additional help outside of school. The 30 minute systematic intervention enables the teacher to periodically assess students' progress and move them to an appropriately leveled group as necessary. At the Kindergarten level, students are exposed to the So Simple reading supplemental activities in addition to Wonders. This idea is based on the fact that students retain more information with kinesthetic activity. Aides assist Kindergarten periodically to help with assessments and letter/number recognition and phonemic awareness.

18. Fiscal support (EPC)

Monies are aligned with goals outlined in the SPSA and are monitored and discussed in School Site Council.

### **Description of Barriers and Related School Goals**

One barrier in meeting our goals is that students need to attend school 180 days. With our diverse population, we find that many students are taking vacation out of the country during the school year. To help combat attendance related issues, we have perfect attendance award incentives in addition to a trimester drawing for a grand perfect attendance prize. Teachers look for students' strengths in order to assign leadership roles in addition to other events, clubs and activities to encourage students to attend school. Calendars are sent home in advance to prompt parents to schedule vacations accordingly.

Another barrier to achieving goals is students who are here, but who are having difficulty learning or mastering concepts. Interventions are in place during the school day and during the morning in TLC- Timberwolf Learning Club. We connect families who may be having financial or emotional issues to the CJUSD Family Resource Center and/or Mental Health services through our district. Regular collaboration is necessary to achieve the goals we have focused on this year, but one Monday a month is set aside for district professional development which leaves only 3 Monday collaboration periods; less for months with Monday holidays. Students are dismissed from school at 2:40 on Mondays which gives teachers maybe one additional hour after duties are figured in, so it is not a true minimum day to begin with. The Tuesday after district PD Mondays has been dedicated for collaboration to help alleviate the situation.

## School and Student Performance Data

### CAASPP Results (All Students)

#### English Language Arts/Literacy

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with Scores			% of Enrolled Students Tested		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	90	72	91	89	70	90	89	70	90	98.9	98.6	98.9
Grade 4	77	97	65	76	95	63	76	95	63	98.7	97.9	96.9
Grade 5	77	86	89	74	83	89	74	83	89	96.1	96.5	100
Grade 6	65	66	82	63	64	80	63	64	80	96.9	98.5	97.6
All Grades	309	321	327	302	312	322	302	312	322	97.7	97.8	98.5

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard Exceeded			% Standard Met			% Standard Nearly Met			% Standard Not Met		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	2392.3	2405.2	2401.4	9	11	14.44	24	24	18.89	27	34	34.44	40	30	32.22
Grade 4	2448.6	2435.3	2445.4	8	6	14.29	33	26	30.16	30	24	17.46	29	43	38.10
Grade 5	2464.5	2479.3	2478.9	8	14	7.87	28	22	32.58	19	30	26.97	45	34	32.58
Grade 6	2485.3	2501.6	2511.8	3	8	6.25	29	31	35.00	32	27	33.75	37	34	25.00
All Grades	N/A	N/A	N/A	7	10	10.56	28	26	28.88	27	29	28.88	38	36	31.68

Reading Demonstrating understanding of literary and non-fictional texts										
Grade Level	% Above Standard			% At or Near Standard			% Below Standard			
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	
Grade 3	12	16	16.67	39	50	44.44	48	34	38.89	
Grade 4	11	8	22.22	50	48	46.03	39	43	31.75	
Grade 5	9	19	12.36	45	37	55.06	46	43	32.58	
Grade 6	6	9	16.46	41	48	53.16	52	42	30.38	
All Grades	10	13	16.51	44	46	49.84	46	41	33.64	

Writing Producing clear and purposeful writing									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	10	14	14.44	53	51	52.22	37	34	33.33
Grade 4	13	8	15.87	62	60	53.97	25	32	30.16
Grade 5	8	17	17.98	47	46	51.69	45	37	30.34
Grade 6	11	13	10.13	54	56	50.63	35	31	39.24
All Grades	11	13	14.64	54	54	52.02	35	34	33.33

Listening Demonstrating effective communication skills									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	12	9	16.67	63	70	63.33	25	21	20.00
Grade 4	9	8	7.94	68	75	63.49	22	17	28.57
Grade 5	9	11	15.73	64	61	64.04	27	28	20.22
Grade 6	8	9	12.66	76	67	74.68	16	23	12.66
All Grades	10	9	13.71	67	69	66.36	23	22	19.94

Research/Inquiry Investigating, analyzing, and presenting information									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	12	14	6.67	46	57	56.67	42	29	36.67
Grade 4	9	8	15.87	62	63	55.56	29	28	28.57
Grade 5	19	23	17.98	54	63	52.81	27	14	29.21
Grade 6	8	22	20.25	67	64	58.23	25	14	21.52
All Grades	12	16	14.95	56	62	55.76	31	22	29.28

**Conclusions based on this data:**

1. Overall achievement rates indicate positive incremental gains. Deeper understanding of new ELA curriculum should have a positive impact in student performance in 17-18 assessments.
2. Reading, writing, and listening scores increased on average across all grades with the greatest gains in the Reading claim.
3. Student performance in Research and Inquiry decreased across all grade levels.

## School and Student Performance Data

### CAASPP Results (All Students)

#### Mathematics

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with Scores			% of Enrolled Students Tested		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	90	72	91	89	70	90	89	70	90	98.9	98.6	98.9
Grade 4	77	97	65	77	95	63	76	95	63	100.0	97.9	96.9
Grade 5	77	86	89	74	83	89	74	83	89	96.1	96.5	100
Grade 6	65	66	82	63	64	82	63	64	82	96.9	98.5	100
All Grades	309	321	327	303	312	324	302	312	324	98.1	97.8	99.1

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard Exceeded			% Standard Met			% Standard Nearly Met			% Standard Not Met		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	2403.4	2415.4	2398.1	7	9	7.78	22	30	15.56	34	37	35.56	37	24	41.11
Grade 4	2465.5	2448.0	2457.4	5	6	11.11	31	18	20.63	49	46	47.62	13	29	20.63
Grade 5	2446.3	2459.8	2458.0	0	4	4.49	16	13	11.24	34	36	32.58	50	47	51.69
Grade 6	2468.5	2479.7	2490.8	5	5	4.88	21	20	19.51	21	31	36.59	54	44	39.02
All Grades	N/A	N/A	N/A	4	6	6.79	23	20	16.36	35	38	37.35	38	36	39.51

Concepts & Procedures									
Applying mathematical concepts and procedures									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	13	23	15.56	44	47	37.78	43	30	46.67
Grade 4	22	13	23.81	33	35	38.10	45	53	38.10
Grade 5	3	10	8.99	32	26	22.47	65	65	68.54
Grade 6	10	6	8.54	24	33	40.24	67	61	51.22
All Grades	12	13	13.58	34	35	34.26	54	52	52.16

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	15	11	11.11	43	53	51.11	43	36	37.78
Grade 4	20	9	15.87	54	42	46.03	26	48	38.10
Grade 5	0	7	6.74	43	36	46.07	57	57	47.19
Grade 6	11	3	4.88	37	47	51.22	52	50	43.90
All Grades	12	8	9.26	44	44	48.77	44	48	41.98

Communicating Reasoning Demonstrating ability to support mathematical conclusions									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	8	17	14.44	56	64	50.00	36	19	35.56
Grade 4	12	9	17.46	63	53	47.62	25	38	34.92
Grade 5	1	6	4.49	53	51	49.44	46	43	46.07
Grade 6	10	5	6.10	44	59	46.34	46	36	47.56
All Grades	8	9	10.19	55	56	48.46	38	34	41.36

**Conclusions based on this data:**

1. Overall math scores continue to be a concern. We will continue to emphasize basic math skills and fact fluency in an effort to increase students' abilities to focus more on in-depth problem solving.
2. Fifth grade scores have consistently been lower than other grades. Efforts to address this decline will continue at the school and district level.
3. Communicating reasoning stands out as an area which needs improvement. With the exception of fourth grade, all other grades had a significant increase in the number of student below standard.

## School and Student Performance Data

### CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
K	***	0	1	***	3	1	***	3	0	***	0	1	***	16	7
1	***	1	4	***	11	4	***	8	9	**	3	6	***	4	0
2	***	2	4	***	8	5	***	10	7	***	3	4	***	2	4
3	***	0	0	***	6	2	***	11	11	***	5	4	***	0	0
4	***	2	0	***	9	6	***	15	6	***	2	2	***	0	0
5	***	3	1	***	7	13	***	2	9	***	0	1	***	1	0
6	***	0	1	***	3	2	***	5	3	***	0	1	***	1	1
Total	***	8	11	***	47	33	***	58	48	***	19	23	***	26	16

#### Conclusions based on this data:

1. Our English Learners scores are consistent with years past. Intense focus is placed in students scoring Intermediate.
2. Students scoring Intermediate for two years in a row, or whose scores have dropped from Advanced or Early Advanced to Intermediate or below, receive strategic instructional support.
3. There was a 3% increase in students who scored Advanced from the 15-16 year to the 16-17 year. This was coupled with a 4% decrease in the number of students at the Beginner level.

## Planned Improvements in Student Performance

### School Goal #1

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: LCAP Goal:</b> 1
<b>LEA/LCAP GOAL:</b> Center JUSD students will be challenged and supported to achieve academic success in a clean, safe environment through Multi Tiered Systems of Support (MTSS)
<b>SCHOOL GOAL #1:</b> Our school will implement schoolwide systems to promote academic success for all students, and respond with additional support for students who do not demonstrate success. We will develop an appropriate and effective Multi-tiered System of Supports (MTSS) for Reading and Math to prevent academic failure and provide opportunities for all students to receive an equitable education.
<b>Data Used to Form this Goal:</b> 2016-2017 Smarter Balanced Summative Assessment data from both English Language Arts and Mathematics Universal Screeners Wonders Diagnostic assessment Moby Max math data.
<b>Findings from the Analysis of this Data:</b> North Country will continue to align curriculum with common core standards, evaluate/revise pacing guides, formative assessments and benchmark assessments. Progress will be monitored in ELA and math; successful demonstration of expected student outcomes. Teachers are ready to begin analyzing data and student progress in PLC groups during collaborative conversations with RSP, EL, Inclusion and other appropriate staff members involved throughout the year.
<b>How the School will Evaluate the Progress of this Goal:</b> Classroom walk-throughs, student achievement data, student grades, successful demonstration of expected student outcomes. Data from ELD specialist, Title I program and Resource specialists

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)				
			Description	Type	Funding Source	Amount	
<p>Hire additional Title One IA (Total 7 aides)</p> <p>Implement Before School and push-in math intervention</p> <p>Push in/pull out services for 30 minute RTI blocks for reading language arts</p> <p>CMC North Math Conference</p> <p>Professional development and collaboration will include but not be limited to conferences, sub costs, coaching and trainings, classroom peer observations and classroom supplies to better prepare teachers in supporting and focusing on underperforming students.</p> <p>Additional chrome books to be used in Title I program for math and reading</p> <p>Administrators will attend relevant conferences in order to receive professional development in instructional leadership, PLC ( Leader In Me) leadership and organizational management</p>	October 2017	Admin, T1 Coord.	Instructional Assistants	2000-2999: Classified Personnel Salaries	Title I	58,826	
	October 2017-April 2018	Admin, T1 Coord.		3000-3999: Employee Benefits	Title I	14,677	
	December 2017	Admin	Teacher coordinator	1000-1999: Certificated Personnel Salaries	Title I	48,319	
				3000-3999: Employee Benefits	Title I	8,686	
				Conference for 23 staff members	5000-5999: Services And Other Operating Expenditures	Title I	7,000
				IA Taxes	3000-3999: Employee Benefits	Title I	12,132
				Classroom supplies	4000-4999: Books And Supplies	Title I	1500
				Classroom Supplies	4000-4999: Books And Supplies	Lottery: Instructional Materials	6000
				72 Chrome books/ 2 charging carts	4000-4999: Books And Supplies	Title I	18,000
				Conferences	5000-5999: Services And Other Operating Expenditures	Title I	3,000



Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Implement Moby Max Math during RTI to address deficiencies in math fluency  Accelerated Reader (AR) and STAR compatible with chrome books for grades 2-6 providing teachers with diagnostics and progress monitoring for reading practice and tiered intervention.			108 Chromebooks	4000-4999: Books And Supplies	Lottery: Instructional Materials	26,000
			2 charging carts	4000-4999: Books And Supplies	Unrestricted	2,000
			Annual Subscription	5800: Professional/Consulting Services And Operating Expenditures	Title I	5,700
			Student Headphones	4000-4999: Books And Supplies	Lottery: Instructional Materials	1800

## Planned Improvements in Student Performance

### School Goal #2

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: LCAP Goal 2</b>
<b>LEA/LCAP GOAL:</b> Through multi-tiered systems of support (MTSS) Center JUSD students will be college and career ready
<b>SCHOOL GOAL #2:</b> All students will be involved in setting learning goals and tracking their own progress in their Leadership Notebooks
<b>Data Used to Form this Goal:</b> Classroom/district/state assessments, All student Leadership Notebooks- need to be more specific with an X to Y by Z written format
<b>Findings from the Analysis of this Data:</b> Continue to align and focus on goals with Lighthouse Team (school leadership team) to review and monitor progress Decided improvement in SBAC scores and student achievement
<b>How the School will Evaluate the Progress of this Goal:</b> During parent/student/teacher conferences, students should be able to confidently lead the discussion by demonstrating an understanding of the progress they have made toward their goals Accountability and alignment to school goals evidenced in lesson plans SBAC and classroom assessments - growth in reading language arts and math Classroom scoreboards (charts graphing progress) Evaluate monthly discipline reports, regular review of discipline referrals to identify struggling at risk students- provide them with LIM support

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Implement professional conduct expectations and norms for Collaboration via Effective Meetings - teachers will collaborate/work in Professional Learning Communities to address deficiencies in student achievement.</p> <p>School wide WIGs (Wildly Important Goals) are determined based on LCAP, MTSS, SBAC, universal screeners and classroom data. 2017-2018 WIGS MTSS - (RTI - math fluency all grades) Attendance Behavior Referrals to be reduced on the playground by 20% Continue using Leadership principles school wide with fidelity Implement Toolbox in January 2018 (Alyson Collier; coordinator)</p> <p>Teachers will assist students in determining their individual goals which will be listed and tracked in individual Leadership Notebooks and on posted scoreboards. Students will be given regular classroom time to track their own progress on at least two written academic goals as well as a personal goal.</p> <p>The Fidelity Integrity Assessment (FIA) domains 3.1 (Academic Supports) and 3.3 (Data based decision making) were combined with the Leader In Me Lighthouse rubric 7.2 (School wide Goal Achievement) and 9.3 Collaborative Planning and Reflection as a focus for improving collaborative efforts and</p>	Aug. 2017- May 2018	Admin Teachers	<p>Franklin Covey Annual Membership and student materials</p> <p>Notebooks, printing costs</p>	<p>5000-5999: Services And Other Operating Expenditures</p> <p>4000-4999: Books And Supplies</p>	<p>Lottery: Instructional Materials</p> <p>Lottery: Instructional Materials</p>	<p>8,000.00</p> <p>500.00</p>

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Teachers to observe their peers using effective teaching strategies and flexible groupings to maximize student engagement	Sept, 2017-March-2018	Teachers Admin	Substitutes	1000-1999: Certificated Personnel Salaries	Unrestricted	4,000
			Substitutes	3000-3999: Employee Benefits	Unrestricted	706
			Substitutes	1000-1999: Certificated Personnel Salaries	Title I	1,500
			Substitutes	3000-3999: Employee Benefits	Title I	265

## Planned Improvements in Student Performance

### School Goal #3

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: LCAP Goal 3</b>
<b>LEA/LCAP GOAL:</b> Center JUSD students and families will be engaged and informed throughout the educational process by way of the Multi Tiered System of Supports (MTSS)
<b>SCHOOL GOAL #3:</b> Increase attendance at PTO, SSC and school wide events by involving students in the presentation of information
<b>Data Used to Form this Goal:</b> Attendance is high during student performances but not during parent informational offerings or other parent meetings
<b>Findings from the Analysis of this Data:</b> Parent input through SSC, ELAC and PTO
<b>How the School will Evaluate the Progress of this Goal:</b> Sign in sheets for BTSN, Open House, PTO, SSC and other evening events

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>7 Habits family nights, Leadership Day Title I sponsored informational events and other evening activities such as Kindergarten Round Up and PTO sponsored events will be highlighted by student performances and/or student participation</p> <p>Admin will work with EL specialist to send out notices relating to school wide events through ELAC and Thursday folders in parents' languages.</p> <p>Monthly paper flyers and newsletters of events will be sent home in Thursday folders in addition to an on-line newsletter, auto-dialer messages up to date web page and weekly social media postings.</p> <p>Schedule PTO and SSC meetings back to back on the same night to help increase attendance in both groups</p>	August 2017-May 2018	Admin, Teachers	Refreshments as needed	0001-0999: Unrestricted: Locally Defined	Title I	400.00
			Printing costs	5700-5799: Transfers Of Direct Costs	Lottery: Instructional Materials	1000.00
Student Led conferences to increase parent involvement/ attendance	August 2017-May 2018	Teachers, Students				

## Summary of Expenditures in this Plan

### Total Allocations and Expenditures by Funding Source

Total Allocations by Funding Source		
Funding Source	Allocation	Balance (Allocations-Expenditures)

Total Expenditures by Funding Source	
Funding Source	Total Expenditures
Lottery: Instructional Materials	43,300.00
Title I	180,005.00
Unrestricted	6,706.00



## Summary of Expenditures in this Plan

### Total Expenditures by Object Type

<b>Object Type</b>	<b>Total Expenditures</b>
0001-0999: Unrestricted: Locally Defined	400.00
1000-1999: Certificated Personnel Salaries	53,819.00
2000-2999: Classified Personnel Salaries	58,826.00
3000-3999: Employee Benefits	36,466.00
4000-4999: Books And Supplies	55,800.00
5000-5999: Services And Other Operating Expenditures	18,000.00
5700-5799: Transfers Of Direct Costs	1,000.00
5800: Professional/Consulting Services And Operating	5,700.00

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
4000-4999: Books And Supplies	Lottery: Instructional Materials	34,300.00
5000-5999: Services And Other Operating	Lottery: Instructional Materials	8,000.00
5700-5799: Transfers Of Direct Costs	Lottery: Instructional Materials	1,000.00
0001-0999: Unrestricted: Locally Defined	Title I	400.00
1000-1999: Certificated Personnel Salaries	Title I	49,819.00
2000-2999: Classified Personnel Salaries	Title I	58,826.00
3000-3999: Employee Benefits	Title I	35,760.00
4000-4999: Books And Supplies	Title I	19,500.00
5000-5999: Services And Other Operating	Title I	10,000.00
5800: Professional/Consulting Services And	Title I	5,700.00
1000-1999: Certificated Personnel Salaries	Unrestricted	4,000.00
3000-3999: Employee Benefits	Unrestricted	706.00
4000-4999: Books And Supplies	Unrestricted	2,000.00

## Summary of Expenditures in this Plan

### Total Expenditures by Goal

<b>Goal Number</b>	<b>Total Expenditures</b>
<b>Goal 1</b>	213,640.00
<b>Goal 2</b>	14,971.00
<b>Goal 3</b>	1,400.00

## School Site Council Membership

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

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Kathleen Lord	X				
Jason Farrel			X		
Tina Loesch					
Dawn Roland			X		
Monica Smith		X			
Kristin Hoggan				X	
Jennifer Casselini				X	
Cera Impson				X	
Amber Ortiz				X	
LoAnne Jackson		X			
Melody Smith		X			
Olivia Guillen				X	
Virginia Yao				X	
Julie Steen				X	
Judith Zamoia				X	
<b>Numbers of members of each category:</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>6</b>	

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

**Recommendations and Assurances**

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (Check those that apply):

State Compensatory Education Advisory Committee

\_\_\_\_\_  
Signature

English Learner Advisory Committee

*Priyadevi*  
\_\_\_\_\_  
Signature

Special Education Advisory Committee

\_\_\_\_\_  
Signature

Gifted and Talented Education Program Advisory Committee

\_\_\_\_\_  
Signature

District/School Liaison Team for schools in Program Improvement

\_\_\_\_\_  
Signature

Compensatory Education Advisory Committee

\_\_\_\_\_  
Signature

Departmental Advisory Committee (secondary)

\_\_\_\_\_  
Signature

Other committees established by the school or district (list):

\_\_\_\_\_  
Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on 10-12-2017.

Attested:

Kathleen Lord  
Typed Name of School Principal

*Kathleen Lord*  
\_\_\_\_\_  
Signature of School Principal

10-27-17  
Date

Tina Loesch  
Typed Name of SSC Chairperson

*Tina Loesch*  
\_\_\_\_\_  
Signature of SSC Chairperson

11/5/17  
Date

# Center Unified School District

AGENDA REQUEST FOR

DEPT./SITE: Spinelli Elementary

ACTION ITEM

TO: Board of Trustees

INFORMATION ITEM

DATE: October 24, 2017

# ATTACHED PAGES 35

FROM: Julie Opfer

PRINCIPAL'S INITIALS 

SUBJECT:

Seeking Board approval of Spinelli's *Single Plan for Student Achievement* for the 2017-2018 School Year

CONSENT AGENDA

RECOMMENDATION:

# The Single Plan for Student Achievement

**School:** Cyril Spinelli Elementary School  
**CDS Code:** 34-73973-6032924  
**District:** Center Joint Unified School District  
**Principal:** Julie Opfer  
**Revision Date:** October 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

**Contact Person:** Julie Opfer  
**Position:** Principal  
**Phone Number:** 916-338-6490  
**Address:** 3401 Scotland Drive  
Antelope, CA 95843  
**E-mail Address:** jopfer@centerusd.org

**The District Governing Board approved this revision of the SPSA on .**

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## **School Vision and Mission**

### **Cyril Spinelli Elementary School's Vision and Mission Statements**

#### **Mission**

At Cyril Spinelli Elementary School all students are offered an educational environment designed to foster lifelong learning and create honorable citizens. Students develop habits of the mind which lead them to be flexible thinkers, problem solvers, and team players. The school environment promotes powerful learning opportunities, and provides rich curriculum in a variety of genres. Activities are meaning centered and relevant, address various learning styles and encourage creativity, emphasize problem solving, incorporate authentic assessments, utilize technology, and reflect an appreciation and respect for cultural diversity.

#### **Vision**

Students attending Spinelli Elementary will develop their intellectual, aesthetic, physical and emotional abilities to their fullest potential. All students will become avid readers and active participants in the learning process. They will be given ample opportunities to construct meaning from the challenging, culturally diverse curriculum. Computer technology will play an important role by engaging students in standards based instruction. Upon promotion from Cyril Spinelli Elementary School, the students will be socially responsible, effective communicators, problem solvers, and lifelong learners.

#### **Goals**

- Maintain a safe, orderly environment for all students and staff
- Implement with fidelity the State adopted curriculum
- Uninterrupted instructional time
- Frequent assessments and data analysis
- Communication between home and school
- Students attending daily, on time, and ready to learn
- A nurturing, caring educational environment

## **School Profile**

### **School Profile**

Cyril Spinelli Elementary is one of four elementary schools in Center Joint Unified School District, located adjacent to Midtown Park in Antelope, CA within a dynamic community of economic and social diversity. Spinelli Elementary opened in 1965 and serves students from pre-school through sixth grade with a current enrollment of approximately 250 students. To create an environment which promotes powerful learning, we provide standards-based curriculum presented in a variety of learning modalities designed to develop critical thinking skills. We also develop an appreciation and respect for cultural diversity through our Second Step Program and Healthy Play Grant.

It is our hope that students who attend Cyril Spinelli Elementary reach or exceed the grade level standards through the Wonders Language Arts program, and the My Math mathematics program in K-5, and CPM Math in grade 6.

To our students and their families we pledge to provide an enriching education to include:

- Alternative programs operating before and afterschool
- An academic support network for students' success
- Staff development to ensure the most qualified teachers
- Communication with families about upcoming events
- Frequent assessment and data analysis of student performance to ensure success
- Standards-based, explicit reading and math programs designed to meet the needs of all learners
- Computer programs designed to meet individual student needs
- A Family Resource Center for students and their families
- A safe and orderly environment for all students and staff
- An environment where everyone helps and supports one another

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## Comprehensive Needs Assessment Components

### Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

### Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

#### 16-17 Title 1 Parent Survey

Although over 250 Parent Surveys were sent home with the students, only 73 surveys were returned. The results of these surveys concluded that the parents felt the Title 1 program was very effective for supporting the academic needs of their students. 62% of the surveys stated that parents felt they had adequate opportunities to be informed about the Title 1 programs and services. 85% felt that the parent teacher conferences and communication with the teachers were valuable. Only 26% stated that they had participated in their child's classroom at least once. 64% of the surveys stated the the School Compact was helpful or very helpful. 79% of the surveys stated that the parents attended one or more of the following: Back to School Parent Meeting, Open House, School Site Council or English Learner Advisory Committee (ELAC) meeting. 59% of the parents were familiar with the Aeries Portal with 51% using it monthly or more.

#### 16-17 Safe School Survey

Do to some computer glitches, there were only 5 completed Safe School Surveys for the 16-17 year. Therefore data from the 15-16 school year was used. The data that was compelling was that 37% of students feel connected at school. The school team thought this score was very low as the behavior we see from students demonstrates happiness and contentedness. A goal for engagement and connected will be written to better support our students.

#### 15-16 California Healthy Kids Survey (CHKS)

Results of the 2015-2016 CHKS states 74% of the 5th grade students feel safe at school

### Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

The principal frequently visits classrooms to view the instructional teaching practices. Checking in with students and asking them "What are you learning? How can you use this information? and Why is this important?" is a critical part of the walk-through process. Furthermore, informally sharing the findings from the walk-through is a vital piece to improve teaching and learning, along with developing and maintaining coherence within the curriculum. In addition to the principal, the district curriculum director, the Superintendent, and at times school board members visit the classrooms. Formal observations including a pre- and post conference (with reflection and written feedback) occur prior to the end of December. Formal observations are scheduled annually, every 2 years, or every 3 years depending on the tenure of the teacher. However, the principal may schedule one sooner if there is a need.

Walk-throughs and observations have had positive findings. The principal and other visitors have continually noticed the quality of instruction being delivered with high student engagement. They have noticed the precise use of the district adopted curriculum along with the supplementary curriculum. The consistent use of technology in the delivery of the lessons and the students use of Chromebooks is noteworthy. The benefit of classroom observations benefits the administration, the teachers and their peers. Many teachers have expressed a desire to be able to visit a colleagues class and have time to discuss their findings.

### Analysis of Current Instructional Program

The following statements are derived from the Elementary and Secondary Education Act (ESEA) of 1965 and Essential Program Components (EPCs). In conjunction with the needs assessments, these categories may be used to discuss and develop critical findings that characterize current instructional practice for numerically significant subgroups as well as individual students who are:

- Not meeting performance goals
- Meeting performance goals
- Exceeding performance goals

Discussion of each of these statements should result in succinct and focused findings based on verifiable facts. Avoid vague or general descriptions. Each successive school plan should examine the status of these findings and note progress made. Special consideration should be given to any practices, policies, or procedures found to be noncompliant through ongoing monitoring of categorical programs.

### Standards, Assessment, and Accountability

1. Use of state and local assessments to modify instruction and improve student achievement (ESEA)

At Spinelli, we use a variety of assessments to determine a student's needs. The following assessments are used at a variety of grade levels: CAASPP, Universal Screeners, the San Diego Quick (SDQ), Basic Phonics Skills Test (BPST), Basic Phonics Skills Test 2 (BPST2), Advanced Phonics Skills Test (APST), Fluency assessments, Direct Writing Assessment (DWA), Wonder's Diagnostic and unit assessments, chapter tests in reading and math, K-2 benchmark skill assessments, Accelerated Reader, STAR Reading Level Assessment, Moby Max and AR reports.

Preschool students are administered the Desired Results Development Profile (DRDP) or the DRDP Access two times per year. This is a state-wide accountability assessment for all publicly funded center-based child development programs.

2. Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC)

The staff at Spinelli Elementary analyzes the CAASPP, CELDT, Wonder's, My Math and CPM assessments, Accelerated Reader reports, Moby Max reports, the district writing assessment, K-2 benchmark assessments, and informal assessments to determine the effectiveness of instruction and make modifications to improve student achievement.

### Staffing and Professional Development

3. Status of meeting requirements for highly qualified staff (ESEA)

All Spinelli Elementary certificated staff members have met the requirements for highly qualified staff.

4. Sufficiency of credentialed teachers and teacher professional development (e.g., access to instructional materials training on SBE-adopted instructional materials) (EPC)

All Spinelli Elementary teachers are credentialed.

5. Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA)

District-wide collaboration days, site collaboration days and staff meetings focus on student achievement as measured by the CAASPP and district assessments. All district certificated staff analyze their students performance for each of the content standards in English Language Arts and Mathematics. Groups share instructional strategies to address the content standards in which students showed the least and most success. The Beginning Teacher Support and Assessment (BTSA) program is utilized for teachers new to the profession.

The site administrator and the district Curriculum Director implement ongoing professional development activities in the areas of student achievement, instructional practices and technology.

6. Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC)

The site administrator and the district Curriculum Director implement ongoing professional development activities in the areas of student achievement, instructional practices and technology. The Beginning Teacher Support and Assessment (BTSA) program is utilized for teachers new to the profession.

7. Teacher collaboration by grade level (kindergarten through grade eight [K–8]) and department (grades nine through twelve) (EPC)

District-wide and site based collaboration days focus on student achievement as measured by the CAASPP. Certificated staff analyze their students performance for each of the content standards in English Language Arts and Mathematics. Groups share instructional strategies to address the content standards in which students showed the least and greatest success. The importance of coherence across the grade levels is a focus this year. In an effort to calibrate the scoring using the writing rubric, district wide grade level training is occurring.

Teaching and Learning

8. Alignment of curriculum, instruction, and materials to content and performance standards (ESEA)

Spinelli Elementary students are provided with state adopted curriculum which is aligned to content standards. Teachers collaborate within and across grade level to review the state standards and students progress towards the standards.

9. Adherence to recommended instructional minutes for reading/language arts and mathematics (K–8) (EPC)

A reference chart that indicates the required instructional minutes for English/language arts and mathematics is available for the teaching staff. A suggested pacing guide for ELA and Math is also available.

10. Lesson pacing schedule (K–8) and master schedule flexibility for sufficient numbers of intervention courses (EPC)

ELL and Title 1 work together to synchronize their pullout services. Every effort is made to ensure that pull-outs do not take place during core instructional time. In addition, Title 1, ELL and RSP staff assist within some of the classrooms.

11. Availability of standards-based instructional materials appropriate to all student groups (ESEA)

State adopted standards-based instructional materials are available for all Spinelli Elementary students. English learners are provided with additional instruction using Wonders ELD curriculum.

12. Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC)

Spinelli students are taught with standards-aligned instructional materials. Grades K-6 use the Wonders ELA program and the Wonders ELD program. Students in grades K-5 use My Math while students in grade six use CPM. All supplemental materials in ELA and Math are research-based and aligned to the standards. This includes STAR Reading Assessment, Accelerated Reader, Moby Max and Math Facts in a Flash.

Opportunity and Equal Educational Access

13. Services provided by the regular program that enable underperforming students to meet standards (ESEA)

Students have access to small group instruction in the classroom during workshop time to pre-teach or re-teach the curriculum. Every classroom has supplemental materials to support the curriculum.

A Title 1 teacher, an intervention teacher, an ELL teacher, a RSP teacher, and one instructional specialist pull-out and push-in to the classrooms to support the regular education program throughout the school day.

14. Research-based educational practices to raise student achievement

All curriculum and materials used at Spinelli Elementary are standards-based and research-based. This includes the state-adopted Wonders, My Math and CPM curriculum as well as the supplemental materials (STAR Reading Assessment, Accelerated Reader, Moby Max and Math Facts in a Flash).

Parental Involvement

15. Resources available from family, school, district, and community to assist under-achieving students (ESEA)

At Spinelli we have a school English Language Advisory Committee (ELAC) and District English Language Advisory Committee (DELAC) for our non-English speaking parents.

At the beginning of each school year, we hold meetings with the teachers of our at risk students to get necessary interventions in place ASAP. The Strategic Measureable, Attainable, Result based, and Time Bound (SMART) goal plans are reviewed and adjusted every six weeks.

We have translators to bridge the language barrier between our non-English speaking parents and the school.

Student Success Team meetings are held weekly to address students with academic, social and/or emotional needs which impede their learning.

16. Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of ConApp programs (5 California Code of Regulations 3932)

Through School Site Council and the ELAC, parents, teachers, and staff participate in planning, implementing, and evaluating school programs.

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## Funding

### 17. Services provided by categorical funds that enable underperforming students to meet standards (ESEA)

We provide an intervention program for students at risk of retention. Students most at risk come to school for additional time outside the school day to develop the skills needed to meet the grade level standards. We offer a before school program staffed by two teachers.

Our Title 1 teacher, part time intervention teacher, and part time instructional specialist provide a pull-out and/or push-in program during the school day for students who are not working at grade level. They work with the students on the grade level standards in the core curriculum.

All classrooms have a computer or Chromebooks for student use throughout the day. Students in grades K-6 are provided Internet access for research projects.

Classrooms have listening centers to accommodate student needs.

Classrooms have supplemental materials in the core curriculum for student use.

Our computer lab is equipped with a variety of academically sound supplemental programs designed to meet individual student needs.

Students have access to the My Math and Wonders Intervention computer programs, the Accelerated Reader Program, and Moby Max.

### 18. Fiscal support (EPC)

Monies are aligned with the goals outlined in the Single School Plan for Student Achievement. These monies are monitored by the School Site Council and ELAC Committee.

## **Description of Barriers and Related School Goals**

Students must be at school, on time and ready to learn every day. In addition, students need to remain at school the entire day. Everyday, the families of absent children are called. Parents are informed of excessive absences, trancies, and tardies via letters, calls and conferences. An on-site Family Resource Center and counselors assist both the Spinelli families and the District families with support. However, even with these services our attendance drops below the goal of 95%.

Every effort is made to ensure that students are not being pulled out of core instruction. Scheduling students pullout time with the teacher, support staff (ELD, Title 1, Speech, RSP, and counseling) is definitely a challenge. Teachers and staff are very flexible but acknowledge this is a barrier towards student learning.

Identifying at-risk students quickly is always a challenge at the beginning of the year. The Title 1 staff, the RSP staff, and the teachers work together to administer the Universal Screeners the first few weeks of school. Data is analyzed and goals are made. Although necessary, on-going assessments become time-consuming and may impact instruction.

# School and Student Performance Data

## CAASPP Results (All Students)

### English Language Arts/Literacy

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with Scores			% of Enrolled Students Tested		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	40	35	38	40	35	35	40	35	35	100.0	100	92.1
Grade 4	41	40	30	41	39	28	41	39	28	100.0	97.5	93.3
Grade 5	59	47	36	49	46	36	49	46	36	83.1	97.9	100
Grade 6	56	57	48	54	57	48	54	57	48	96.4	98.3	100
All Grades	196	179	152	184	177	147	184	177	147	93.9	98.3	96.7

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard Exceeded			% Standard Met			% Standard Nearly Met			% Standard Not Met		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	2392.5	2410.2	2442.8	13	17	25.71	20	14	25.71	33	43	34.29	35	26	14.29
Grade 4	2460.9	2434.9	2454.8	24	15	14.29	22	18	32.14	24	21	17.86	29	46	35.71
Grade 5	2474.4	2469.1	2479.4	4	13	11.11	35	28	22.22	33	28	47.22	29	30	19.44
Grade 6	2497.4	2514.9	2548.2	7	12	22.92	30	33	41.67	30	28	12.50	33	26	22.92
All Grades	N/A	N/A	N/A	11	14	19.05	27	25	31.29	30	29	27.21	32	32	22.45

Reading Demonstrating understanding of literary and non-fictional texts									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	18	9	20.00	35	57	62.86	48	34	17.14
Grade 4	17	13	10.71	51	36	64.29	32	51	25.00
Grade 5	8	17	13.89	57	46	44.44	35	37	41.67
Grade 6	11	12	33.33	44	51	47.92	44	37	18.75
All Grades	13	13	21.09	47	47	53.74	40	40	25.17

Writing Producing clear and purposeful writing									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	15	17	28.57	53	54	57.14	33	29	14.29
Grade 4	27	18	28.57	54	51	39.29	20	31	32.14
Grade 5	14	33	19.44	53	37	61.11	33	30	19.44
Grade 6	15	14	31.25	44	58	45.83	41	28	22.92
All Grades	17	20	27.21	51	50	51.02	32	29	21.77

Listening Demonstrating effective communication skills									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	5	11	14.29	68	71	65.71	28	17	20.00
Grade 4	10	5	10.71	80	64	60.71	10	31	28.57
Grade 5	8	2	2.78	65	74	69.44	27	24	27.78
Grade 6	15	16	14.58	63	70	66.67	22	14	18.75
All Grades	10	9	10.88	68	70	65.99	22	21	23.13

Research/Inquiry Investigating, analyzing, and presenting information									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	10	20	25.71	60	63	57.14	30	17	17.14
Grade 4	10	15	32.14	54	54	39.29	17	31	28.57
Grade 5	18	11	22.22	59	61	52.78	22	28	25.00
Grade 6	20	35	45.83	57	46	37.50	22	19	16.67
All Grades	15	21	32.65	58	55	46.26	23	24	21.09

**Conclusions based on this data:**

- In the 2016-2017 school year, 51.42% of third grade students met or exceeded the overall ELA achievement compared to 31% in 2015-2016. This is a gain of 20.42%.

In the 2016-2017 school year, 46.43% of fourth grade students met or exceeded the overall ELA achievement compared to 33% in 2015-2016. This is a gain of 13.43%.

In the 2016-2017 school year, 33.33% of fifth grade students met or exceeded the overall ELA achievement compared to 41% in 2015-2016. This is a decrease of 7.67%.

In the 2016-2017 school year, 55.92% of sixth grade students met or exceeded the overall ELA achievement compared to 45% in 2015-2016. This is a gain of 10.92%.
- The goal set for the 2016-2017 School year was at least a 2 percent increase in the number of students who met or exceeded the standards in ELA for grades 3-6. This goal was met in grades two, three, and six.
- In the 2016-2017 school year, 51.42% of third grade students met or exceeded the overall ELA achievement which is greater than the State average of 43.9%.

In the 2016-2017 school year, 46.43% of fourth grade students met or exceeded the overall ELA achievement which is greater than the State average of 45.06%.

In the 2016-2017 school year, 33.33% of fifth grade students met or exceeded the overall ELA achievement which is less than the State average of 46.54%.

In the 2016-2017 school year, 55.92% of sixth grade students met or exceeded the overall ELA achievement which is greater than the State average of 47.03%.



School and Student Performance Data

CAASPP Results (All Students)

Mathematics

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with Scores			% of Enrolled Students Tested		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	40	35	38	40	35	36	40	35	36	100.0	100	94.7
Grade 4	41	40	30	41	40	28	41	40	28	100.0	100	93.3
Grade 5	59	47	36	50	46	36	50	46	36	84.7	97.9	100
Grade 6	56	57	48	54	57	48	54	57	48	96.4	98.3	100
All Grades	196	179	152	185	178	148	185	178	148	94.4	98.9	97.4

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

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard Exceeded			% Standard Met			% Standard Nearly Met			% Standard Not Met		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	2391.0	2401.0	2410.8	0	6	5.56	28	23	30.56	28	43	33.33	45	29	30.56
Grade 4	2458.5	2436.8	2470.5	5	5	10.71	34	18	35.71	39	48	35.71	22	30	17.86
Grade 5	2469.6	2463.6	2490.1	4	2	8.33	16	13	25.00	42	46	33.33	38	39	33.33
Grade 6	2487.9	2507.5	2528.6	9	11	18.75	22	18	35.42	28	39	20.83	41	33	25.00
All Grades	N/A	N/A	N/A	5	6	11.49	24	17	31.76	34	43	29.73	37	33	27.03

Concepts & Procedures Applying mathematical concepts and procedures									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
Grade 3	13	11	16.67	43	51	33.33	45	37	50.00
Grade 4	12	13	25.00	54	38	57.14	34	50	17.86
Grade 5	10	7	13.89	40	39	47.22	50	54	38.89
Grade 6	15	16	35.42	33	37	33.33	52	47	31.25
All Grades	12	12	23.65	42	40	41.22	46	48	35.14

<b>Problem Solving &amp; Modeling/Data Analysis</b>									
<b>Using appropriate tools and strategies to solve real world and mathematical problems</b>									
<b>Grade Level</b>	<b>% Above Standard</b>			<b>% At or Near Standard</b>			<b>% Below Standard</b>		
	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>
<b>Grade 3</b>	18	6	25.00	33	60	47.22	50	34	27.78
<b>Grade 4</b>	15	5	14.29	59	58	67.86	27	38	17.86
<b>Grade 5</b>	10	4	13.89	48	46	55.56	42	50	30.56
<b>Grade 6</b>	7	7	22.92	52	49	43.75	41	44	33.33
<b>All Grades</b>	12	6	19.59	48	52	52.03	40	42	28.38

<b>Communicating Reasoning</b>									
<b>Demonstrating ability to support mathematical conclusions</b>									
<b>Grade Level</b>	<b>% Above Standard</b>			<b>% At or Near Standard</b>			<b>% Below Standard</b>		
	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>	<b>14-15</b>	<b>15-16</b>	<b>16-17</b>
<b>Grade 3</b>	5	11	19.44	55	69	58.33	40	20	22.22
<b>Grade 4</b>	10	10	25.00	56	48	46.43	34	43	28.57
<b>Grade 5</b>	4	2	5.56	56	59	52.78	40	39	41.67
<b>Grade 6</b>	17	12	25.00	48	60	47.92	35	28	27.08
<b>All Grades</b>	9	9	18.92	54	58	51.35	37	33	29.73

**Conclusions based on this data:**

- In the 2016-2017 school year, 36.12% of third grade students met or exceeded the overall Math achievement compared to 29% in 2015-2016. This is a gain of 7.12%.

In the 2016-2017 school year, 46.42% of fourth grade students met or exceeded the overall Math achievement compared to 23% in 2015-2016. This is a gain of 23.42%.

In the 2016-2017 school year, 33.33% of fifth grade students met or exceeded the overall Math achievement compared to 15% in 2015-2016. This is a gain of 18.33%.

In the 2016-2017 school year, 54.17% of sixth grade students met or exceeded the overall Math achievement compared to 29% in 2015-2016. This is a gain of 25.17%.
- The goal set for the 2016-2017 School year was at least a 2 percent increase in the number of students who met or exceeded the standards in Math for grades 3-6. This goal was met or exceeded in grades three thru six.
- In the 2016-2017 school year, 36.12% of third grade students met or exceeded the overall Math achievement which is less than the State average of 46.83%

In the 2016-2017 school year, 46.42% of fourth grade students met or exceeded the overall Math achievement which is greater than the State average of 40.45%

In the 2016-2017 school year, 33.33% of fifth grade students met or exceeded the overall Math achievement which is less than the State average of 33.83%

In the 2016-2017 school year, 54.17% of sixth grade students met or exceeded the overall Math achievement which is greater than the State average of 36.48%

## School and Student Performance Data

### CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
1				22	17	43	56	67	14		17		22		43
2				33	30	***	22	50	***	33	20		11		***
3	10			10	13	25	60	38	58	20	38			13	17
4	60	8		30	42	17	10	25	67			17		25	
5	13		11	75	67	33			44			11	13	33	
6	8			25	17	***	42	50	***	25				33	
<b>Total</b>	16	2	3	31	31	33	33	38	45	14	13	5	7	17	15

#### Conclusions based on this data:

- In 2016-17 1st grade scores are as follows: no students scored Advanced, 43% scored Early Advanced, 14% scored Intermediate, no students scored Early Intermediate, and 43% of the students scored at the Beginning level.

In 2016-17 2nd grade scores are as follows: no students scored Advanced, no students scored Early Advanced, no students scored scored Intermediate, no students scored Early Intermediate, and no students scored at the Beginning level. These results suggest there were not enough students tested in order to report the scores.

In 2016-17 3rd grade scores are as follows: no students scored Advanced, 25% scored Early Advanced, 58% scored Intermediate, no students scored Early Intermediate, and 17% of the students scored at the Beginning level.

In 2016-17 4th grade scores are as follows: no students scored Advanced, 17% scored Early Advanced, 67% scored Intermediate, 17% students scored Early Intermediate, and no students scored at the Beginning level.

In 2016-17 5th grade scores are as follows: 11% scored Advanced, 33% scored Early Advanced, 44% scored Intermediate, 11% students scored Early Intermediate, and no students scored at the Beginning level.

In 2016-17 6th grade scores are as follows: no students scored Advanced, no students scored Early Advanced, no students scored Intermediate, no students scored Early Intermediate, and no students scored at the Beginning level. These results suggest there were not enough students tested in order to report the scores.

## School and Student Performance Data

### CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17	14-15	15-16	16-17
K							11	20		22	20		67	60	
1				20	14		50	57			14		30	14	
2				27	31		18	46		36	15		18	8	
3	7			7	11		50	33		14	44		21	11	
4	55	8		27	38		9	23					9	31	
5	17			58	67								25	33	
6	7			27	14		40	57		20			7	29	
<b>Total</b>	<b>12</b>	<b>2</b>		<b>24</b>	<b>25</b>		<b>27</b>	<b>34</b>		<b>13</b>	<b>14</b>		<b>23</b>	<b>26</b>	

#### Conclusions based on this data:

1.

## Planned Improvements in Student Performance

### School Goal #1

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: English Language Arts</b>
<b>LEA/LCAP GOAL:</b> Center JUSD students will be challenged and supported to achieve academic success in a clean, safe environment through Multi Tiered Systems of Support (MTSS)
<b>SCHOOL GOAL #1:</b> English Language Arts: For the 2017-2018 school year, we will use data from the 2016-2017 and 2017-2018 CAASPP results, and formative and summative local assessments, to show a 4% increase in the number of students meeting or exceeding the Common Core English Language Arts State Standards.
<b>Data Used to Form this Goal:</b> CAASPP data for grades 3-6 from the 2016-2017 and 2017-2018 school years Benchmark assessments grades K-2 from the 2016-2017 and 2017-2018 school years CELDT results, yearly data Writing assessment data Wonders Assessment data Accelerated Reader student reading levels
<b>Findings from the Analysis of this Data:</b> School-wide achievement in English/Language Arts on the CAASPP exceeded the State grade level averages in grades third, fourth, and sixth. In grades third, fourth, and sixth scores on the CAASPP showed between a 10-20% increase in the number of students meeting or exceeding the CCSS grade level expectations compared to the previous year, however, grade 5 did show a decrease of 7.67% in the number of students in the meeting or exceeding the standards.
<b>How the School will Evaluate the Progress of this Goal:</b> Daily, weekly, monthly and at the end of each trimester, students will be monitored/evaluated/assessed in a variety of ways using formative and summative assessments to determine progress towards grade level CCSS using the newly adopted McGraw-Hill Wonders curriculum CAASPP data Fluency scores obtained at least 3 times per year Benchmark assessments K-2, 3 times a year

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Identify at-risk students and target their literacy needs</p> <p>Specific Tasks: Using universal screeners, assess at-risk students to determine literacy needs</p> <p>Analyze formative and summative assessment data for at-risk students</p> <p>Analyze CAASPP data to determine at-risk students</p> <p>Analyze Illuminate data</p> <p>Identify specific literacy needs</p>	August 2017-May 2018	Title 1 Teacher	Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	84,591.00
		Intervention Teacher	Title 1 Teacher Taxes and Health Benefits	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	15,403.07
		Instructional Specialist	Intervention Teacher	1000-1999: Certificated Personnel Salaries	General Fund	35,788.00
		Classroom Teacher	Intervention Teacher Taxes and Health Benefits	3000-3999: Employee Benefits	General Fund	6,908.17
		EL Teacher	Intervention Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	10,500.00
		Bilingual Assistant	Intervention Teacher Taxes	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	1,853.04
		Collaborative Teacher groups	Instructional Specialist	2000-2999: Classified Personnel Salaries	Special Education	9,949.78
			I.S. Taxes and Health Benefits	3000-3999: Employee Benefits	Special Education	3,393.87
			EL Teacher	1000-1999: Certificated Personnel Salaries	General Fund	82,127.00
			EL Teacher Taxes and Health Benefits	3000-3999: Employee Benefits	General Fund	22,612.32

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Plan and implement the literacy intervention plan for at-risk students  Specific Tasks: Select appropriate literacy intervention strategies/ materials for at-risk students using the newly adopted Wonders curriculum  Train staff in Foundational Skills needed for interventions  Implement literacy interventions to meet at-risk student's needs on a daily, weekly, monthly basis  Provide scaffolds in the classroom to support student needs  Before school ELA intervention daily for 40 minutes  Moby Max  Accelerated Reader Program  Wonders technology component	August 2017-May 2018	Title 1 Teacher	Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Intervention Teacher	Intervention Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Instructional Specialist	Instructional Specialist	2000-2999: Classified Personnel Salaries	Title I Part A: Disadvantaged Students	
		Classroom Teacher				
		EL Teacher	EL Teacher	1000-1999: Certificated Personnel Salaries	District Funded	
		Bilingual Assistant	Bilingual Assistant	2000-2999: Classified Personnel Salaries	District Funded	
		Collaborative Teacher groups	Employee Taxes and Health Benefits	3000-3999: Employee Benefits	District Funded	
		SCOE Trainer	SCOE Trainer	5800: Professional/Consulting Services And Operating Expenditures	Title I Part A: Disadvantaged Students	3000.00
			Moby Max	5800: Professional/Consulting Services And Operating Expenditures	Lottery: Instructional Materials	5180.00
			Accelerated Reader	5800: Professional/Consulting Services And Operating Expenditures	Lottery: Instructional Materials	4500.00
	Supplemental Materials	4000-4999: Books And Supplies	Title I Part A: Disadvantaged Students	2000.00		

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Conduct ongoing evaluations based on student outcomes</p> <p>Specific Tasks: Monitor and evaluate student progress on a daily, weekly, monthly basis using formative and summative assessments</p> <p>Adjust/re-evaluate student SMART goals according to their needs and address those needs in workshop using small group/one-on-one interventions</p> <p>The EL Teacher and the classroom teacher re-teach/pre-teach concepts/vocabulary</p> <p>The EL Teacher and the Bilingual Assistant use the Wonders ELD curriculum</p> <p>Collaborative teacher groups give input/suggestions and develop a plan for intervention</p>	August 2017-May 2018	<p>Title 1 Teacher</p> <p>Intervention Teacher</p> <p>Instructional Specialist</p> <p>Classroom Teacher</p> <p>EL Teacher</p> <p>Bilingual Assistant</p> <p>Collaborative Teacher groups</p>	<p>Title 1 Teacher</p> <p>Intervention Teacher</p> <p>Instructional Specialist</p> <p>Classroom Teacher</p> <p>EL Teacher</p> <p>Bilingual Assistant</p> <p>Employee Taxes and Health Benefits</p>	<p>1000-1999: Certificated Personnel Salaries</p> <p>1000-1999: Certificated Personnel Salaries</p> <p>2000-2999: Classified Personnel Salaries</p> <p>3000-3999: Employee Benefits</p> <p>2000-2999: Classified Personnel Salaries</p> <p>1000-1999: Certificated Personnel Salaries</p> <p>2000-2999: Classified Personnel Salaries</p> <p>3000-3999: Employee Benefits</p>	<p>Title I Part A: Disadvantaged Students</p> <p>Title I Part A: Disadvantaged Students</p> <p>Title I Part A: Disadvantaged Students</p> <p>Title I Part A: Disadvantaged Students</p> <p>District Funded</p> <p>District Funded</p> <p>District Funded</p> <p>District Funded</p>	



Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Conduct ongoing staff development</p> <p>Specific Tasks: MTSS Leadership training and focus on "School wide systems to promote academic success for all students, and offer additional support for all students not meeting success (FIA 3.1)"</p> <p>Teacher collaboration and peer observations</p> <p>Training in SST and SMART goals</p> <p>Train staff in Foundational Skills needed for interventions</p>	August 2017-May 2018	Principal	Principal	1000-1999: Certificated Personnel Salaries	District Funded	
		Title 1 Teacher	Site Leadership Team	1000-1999: Certificated Personnel Salaries	District Funded	
		Site Leadership Team	Employee Taxes and Health Benefits	3000-3999: Employee Benefits	District Funded	
		SCOE Trainer	Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Professional Development (PI Schools)	
		Collaborative Teacher Groups	Substitutes for Peer Observations	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	1700.00
		All General Ed and Special Ed Teachers	Employee Taxes and Health Benefits	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	300.02
		SCOE Trainer	5800: Professional/Consulting Services And Operating Expenditures	Title I Part A: Disadvantaged Students		
<p>Conduct literacy training for parents</p> <p>Specific Tasks: After school classes offered to parents of K-3rd graders to support their students ELA learning. Emphasis on letter and sound recognition, blending, decoding, and fluency.</p>	October 2017-May 2018	Teacher	Teacher (23 hours)	1000-1999: Certificated Personnel Salaries	Title I Part A: Parent Involvement	862.50
			Teacher Taxes	3000-3999: Employee Benefits	Title I Part A: Parent Involvement	152.21
				4000-4999: Books And Supplies	Title I Part A: Parent Involvement	100.00

## Planned Improvements in Student Performance

### School Goal #2

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT: Mathematics</b>
<b>LEA/LCAP GOAL:</b> Center JUSD students will be challenged and supported to achieve academic success in a clean, safe environment through Multi Tiered Systems of Support (MTSS)
<b>SCHOOL GOAL #2:</b> Math: For the 2017-2018 school year, we will use data from the 2015-2016 and 2016-2017 CAASPP results, and formative and summative local assessments, to show a 4% increase in the number of students meeting or exceeding the Common Core Math State Standards
<b>Data Used to Form this Goal:</b> Math data from the CAASPP results Benchmark Assessments K-2 Mc Graw Hill My Math assessments grades K-5 CPM (College Preparatory Math) assessments grade 6 Math Fluency Assessments using Math Facts in a Flash computer program
<b>Findings from the Analysis of this Data:</b> School-wide achievement in Math on the CAASPP exceeded the State grade level averages in fourth and sixth grade. However, in 2015-2016 grades third, fourth, fifth, and sixth fell below the State grade level averages in Math. In grades third, fourth, fifth and sixth scores on the CAASPP showed between a 7-25% increase in the number of students meeting or exceeding the CCSS grade level expectations compared to the previous year. The goal set for the 2016-2017 School year was at least a 2 percent increase in the number of students who met or exceeded the standards in Math for grades 3-6. This goal was met or exceeded in grades three thru six. Local assessment data shows students have not reached fluency on addition, subtraction, multiplication, and division facts, and are not meeting or exceeding the CCSS solving word problems and fractions. However, progress is being made.

**How the School will Evaluate the Progress of this Goal:**

Daily, weekly, monthly and at the end of each trimester, students will be monitored/evaluated/assessed in a variety of ways using formative and summative assessments to determine progress towards grade level CCSS using the  
 McGraw-Hill My Math curriculum  
 CAASPP data in math  
 Math Benchmark Assessment data K-2  
 Mc Graw Hill My Math Assessments  
 Daily math fluency assessments  
 Math fluency assessment data

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Identify at-risk students and target their areas of weakness in math  Specific Tasks: Assess at-risk students to determine areas of weakness in math  Analyze formative and summative assessment data Identify specific math needs  **See Goal One for dollar amounts	August 2017-May 2018	Title 1 Teacher	Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Intervention Teacher	Intervention Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Instructional Specialist	Instructional Specialist	2000-2999: Classified Personnel Salaries	Title I Part A: Disadvantaged Students	
		Classroom Teacher	Classroom Teacher	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	
		Collaborative Teacher groups	Classroom Teacher	1000-1999: Certificated Personnel Salaries	General Fund	
			Collaborative Teacher groups	1000-1999: Certificated Personnel Salaries	General Fund	
			Employee Taxes and Health Benefits	3000-3999: Employee Benefits	General Fund	

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Plan and implement the math intervention plan for at-risk students  Specific Tasks: Select appropriate intervention strategies/ materials for at-risk students  Train staff as needed for interventions  Implement interventions to meet at-risk student's needs on a daily, weekly, monthly basis  Daily math fluency practice grades K-6  Math tutoring before school 20 minutes daily  Moby Max  Math Facts in a Flash  My Math technology component  **See Goal One for dollar amounts	August 2017-May 2018	Title 1 Teacher	Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Intervention Teacher	Intervention Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Instructional Specialist	Instructional Specialist	2000-2999: Classified Personnel Salaries	Title I Part A: Disadvantaged Students	
		Classroom Teacher	Classroom Teacher	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	
		Collaborative Teacher groups	Classroom Teacher	1000-1999: Certificated Personnel Salaries	General Fund	
			Collaborative Teacher groups	1000-1999: Certificated Personnel Salaries	General Fund	
			Employee Taxes and Health Benefits	3000-3999: Employee Benefits	General Fund	
			Moby Max	5800: Professional/Consulting Services And Operating Expenditures	Lottery: Instructional Materials	
			Math Facts in a Flash	5800: Professional/Consulting Services And Operating Expenditures	Lottery: Instructional Materials	
			Instructional Materials	4000-4999: Books And Supplies	Title I Part A: Disadvantaged Students	2000.00

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Conduct ongoing evaluations based on student outcomes</p> <p>Specific Tasks: Monitor and evaluate student progress on a daily, weekly, monthly basis using formative and summative assessments</p> <p>Adjust/re-evaluate student SMART goals according to their needs and address those needs in workshop using small group/one-on-one interventions</p> <p>Collaborative teacher groups give input/suggestions for interventions</p> <p>Daily math fluency practice</p> <p>**See Goal One for dollar amounts</p>	August 2017-May 2018	Title 1 Teacher	Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Intervention Teacher	Intervention Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
		Instructional Specialist	Instructional Specialist	2000-2999: Classified Personnel Salaries	Title I Part A: Disadvantaged Students	
		Classroom Teacher	Employee Taxes and Health Benefits	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	
		Collaborative Teacher groups	Classroom Teacher	1000-1999: Certificated Personnel Salaries	General Fund	
			Collaborative Teacher groups	1000-1999: Certificated Personnel Salaries	General Fund	
			Employee Taxes and Health Benefits	3000-3999: Employee Benefits	General Fund	

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Conduct ongoing staff development  Specific Tasks: MTSS Leadership training and focus on "School wide systems to promote academic success for all students, and offer additional support for all students not meeting success (FIA 3.1)"  Teacher collaboration and peer observations  Training in SST and SMART goals  Train staff in Foundational Skills needed for interventions  **See Goal One for dollar amounts	August 2017-May 2018	Principal	Principal	1000-1999: Certificated Personnel Salaries	General Fund	
		Title 1 Teacher	Site Leadership Team	1000-1999: Certificated Personnel Salaries	General Fund	
		Site Leadership Team	Collaborative Teacher Groups (subs to allow for observations)	1000-1999: Certificated Personnel Salaries	General Fund	
		Collaborative Teacher Groups	All General Ed and Special Ed Teachers	1000-1999: Certificated Personnel Salaries	General Fund	
		All General Ed and Special Ed Teachers	Employee Taxes and Health Benefits	3000-3999: Employee Benefits	General Fund	
			Title 1 Teacher	1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	
			Employee Taxes and Health Benefits	3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	
Conduct CPM Math training for parents	November 2017-May 2018	Teacher	Teacher (9 hours)	1000-1999: Certificated Personnel Salaries	Title I Part A: Parent Involvement	337.50
			Employee Taxes and Health Benefits	3000-3999: Employee Benefits	Title I Part A: Parent Involvement	60.01
			Materials	4000-4999: Books And Supplies	Title I Part A: Disadvantaged Students	100.00

**Planned Improvements in Student Performance**

**School Goal #3**

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b>
<b>LEA/LCAP GOAL:</b>
Center JUSD students and families will be engaged and informed regarding the educational process and opportunities through Multi Tiered Systems of Support (MTSS)
<b>SCHOOL GOAL #3:</b>
By May of the 2017-2018 school year, survey data will show a 5% increase in the number of staff and students feeling safe and connected at school.
<b>Data Used to Form this Goal:</b>
2015-2016 California Healthy Kids Survey (CHKS) 2016-2017 Spinelli Safe School Survey 2016-2017 Title 1 Parent Survey
<b>Findings from the Analysis of this Data:</b>
Results of the 2015-2016 CHKS states 74% of 5th grade students feel safe at school (2013-2014 was 68%), and 37% feel connected at school (2013-2014 was 44%). CHKS is administered every two years and will be administered in the 2017-2018 school year. The 2016-2017 Spinelli Safe School Survey reported similar data with students feeling safe and connected at school 73 families returned the Title 1 Parent Survey. Most parents agree or strongly agree that the Title 1 program benefits their child. Most parents stated they had a open communication with the teachers and school staff. They stated they attend Open House but do not actively participate in school related activities,
<b>How the School will Evaluate the Progress of this Goal:</b>
Every other year survey results data Yearly data from Spinelli Safe School Survey Yearly data from Spinelli Title 1 Parent Survey

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Classroom teachers will identify safety concerns</p> <p>Specific Tasks: Classroom teachers will hold class meetings to identify safety concerns</p> <p>Classroom teachers will share their findings with their collaborative teacher groups and brainstorm a plan for improvement</p> <p>Classroom teachers will share the information with the Principal, changes will be implemented</p> <p>**See Goal One for dollar amounts</p>	August 2017-May 2018	Classroom teachers Collaborative teacher groups Principal	Classroom teachers  Employee Taxes and Health Benefits	1000-1999: Certificated Personnel Salaries 3000-3999: Employee Benefits	General Fund General Fund	
<p>After school clubs will be offered to address student connectedness</p> <p>Specific Tasks: An Arts and Crafts Club will be offered to students grades 1-6 on a weekly basis</p> <p>A Choir Club will be offered for students in grades 4, 5, and 6 on a weekly basis</p> <p>Walking Club will be offered at recesses on a daily basis</p>	August 2017-May 2018	Classroom Teachers Instructional Assistant	Stipend for Art Club  Stipend for Choir  Employee Taxes  Club materials	1000-1999: Certificated Personnel Salaries 1000-1999: Certificated Personnel Salaries 3000-3999: Employee Benefits 4000-4999: Books And Supplies	District Funded District Funded District Funded ASB	1071.41 1071.41 378.18 600.00
<p>Peace Keeper Program</p> <p>Specific Tasks: Peace Keepers solve student conflicts at recesses</p>	August 2017-May 2018	Title 1 Teacher	Club Materials  Trimester Incentives	4000-4999: Books And Supplies 4000-4999: Books And Supplies	General Fund ASB	50.00 200.00



Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<b>Safe School Ambassadors</b>  Specific Tasks: Year Two of Safe School Ambassadors Program, designed to empower leaders and equip them with nonviolent communication and intervention skills to prevent and stop bullying and violence among their peers, and build a positive school climate	August 2017-May 2018	Staff members	Club Materials	4000-4999: Books And Supplies	Donations	100.00
		SSA trainer	Trimester Incentives	4000-4999: Books And Supplies	ASB	200.00
<b>Tiger Day Participation Awards</b>  Specific Tasks: Awards will be given to two classes who demonstrate school spirit (wearing spirit attire and cheering throughout the assembly) at each of the six Tiger Days	August 2017-May 2018	Principal  Staff Members	Tiger Day Awards	4000-4999: Books And Supplies	ASB	1000.00

## Planned Improvements in Student Performance

### School Goal #4

The School Site Council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet student performance targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of students not yet meeting state standards:

<b>SUBJECT:</b>
<b>LEA/LCAP GOAL:</b>
Center JUSD students and families will be engaged and informed regarding the educational process and opportunities through Multi Tiered Systems of Support (MTSS)
<b>SCHOOL GOAL #4:</b>
By May of the 2017-2018 school year, data will show a 5% increase in the number of families attending school events/activities.
<b>Data Used to Form this Goal:</b>
2015-2016 California Healthy Kids Survey 2016-2017 Spinelli Safe School Survey for staff, students, and parents 2016-2017 Parent attendance at parent conference meetings 2016-2017 Parent attendance at ELA Night, Math Night, Holiday Social, and Open House 2016-2017 Field trip parent participation
<b>Findings from the Analysis of this Data:</b>
Survey data, 37% of students feel connected at school Survey data, 79% of staff feel parents are encouraged to participate in activities, however actual participation is less than 50% Low attendance at school events/activities reported through sign-in sheets Parent conference attendance is about 75% (includes phone and physical attendance) Field trip parent participation is about 20%
<b>How the School will Evaluate the Progress of this Goal:</b>
Sign-in sheets for events/activities Teacher reported data on parent conference data Teacher reports on Field trip attendance

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
<p>Staff will reach out to families to invite them to school events/activities</p> <p>Specific Tasks: Classroom teachers will invite families to events/activities via email, phone, face-to-face, or newsletters</p> <p>Principal will use the phone messaging system to send out invitations to school events/activities</p> <p>SSC and ELAC parents will get information out to community</p> <p>Investigate the implementation of a Parent Teacher Organization (PTO)</p> <p>Sierra Nevada Journey STEM Night</p>	August 2017-May 2018	<p>Classroom teachers</p> <p>Principal</p> <p>School Site Council and English Language Advisory Committee parents</p>	<p>Informational Materials</p> <p>STEM Assembly</p>	<p>4000-4999: Books And Supplies</p> <p>5800: Professional/Consulting Services And Operating Expenditures</p>	<p>General Fund</p> <p>ASB</p>	<p>200.00</p> <p>300.00</p>

**Summary of Expenditures in this Plan**

**Total Allocations and Expenditures by Funding Source**

<b>Total Allocations by Funding Source</b>		
<b>Funding Source</b>	<b>Allocation</b>	<b>Balance (Allocations-Expenditures)</b>

<b>Total Expenditures by Funding Source</b>	
<b>Funding Source</b>	<b>Total Expenditures</b>
ASB	2,300.00
District Funded	2,521.00
Donations	100.00
General Fund	147,685.49
Lottery: Instructional Materials	9,680.00
Special Education	13,343.65
Title I Part A: Disadvantaged Students	121,447.13
Title I Part A: Parent Involvement	1,512.22

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type

<b>Object Type</b>	<b>Total Expenditures</b>
1000-1999: Certificated Personnel Salaries	218,048.82
2000-2999: Classified Personnel Salaries	9,949.78
3000-3999: Employee Benefits	51,060.89
4000-4999: Books And Supplies	6,550.00
5800: Professional/Consulting Services And Operating	12,980.00

## Summary of Expenditures in this Plan

### Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
4000-4999: Books And Supplies	ASB	2,000.00
5800: Professional/Consulting Services And	ASB	300.00
1000-1999: Certificated Personnel Salaries	District Funded	2,142.82
3000-3999: Employee Benefits	District Funded	378.18
4000-4999: Books And Supplies	Donations	100.00
1000-1999: Certificated Personnel Salaries	General Fund	117,915.00
3000-3999: Employee Benefits	General Fund	29,520.49
4000-4999: Books And Supplies	General Fund	250.00
5800: Professional/Consulting Services And	Lottery: Instructional Materials	9,680.00
2000-2999: Classified Personnel Salaries	Special Education	9,949.78
3000-3999: Employee Benefits	Special Education	3,393.87
1000-1999: Certificated Personnel Salaries	Title I Part A: Disadvantaged Students	96,791.00
3000-3999: Employee Benefits	Title I Part A: Disadvantaged Students	17,556.13
4000-4999: Books And Supplies	Title I Part A: Disadvantaged Students	4,100.00
5800: Professional/Consulting Services And	Title I Part A: Disadvantaged Students	3,000.00
1000-1999: Certificated Personnel Salaries	Title I Part A: Parent Involvement	1,200.00
3000-3999: Employee Benefits	Title I Part A: Parent Involvement	212.22
4000-4999: Books And Supplies	Title I Part A: Parent Involvement	100.00

## Summary of Expenditures in this Plan

### Total Expenditures by Goal

<b>Goal Number</b>	<b>Total Expenditures</b>
Goal 1	290,920.98
Goal 2	2,497.51
Goal 3	4,671.00
Goal 4	500.00

## School Site Council Membership

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

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Julie Opfer	X				
Kim Leclaire		X			
Kathryn McInnis		X			
Erica Olmstead		X			
Julie Steinkamp		X			
Rosa Pena			X		
Eva Godoy				X	
Kelsey Swan				X	
Rosalva Villa				X	
Linda Villarreal				X	
Tiffany Weaver				X	
<b>Numbers of members of each category:</b>					

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



## Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (Check those that apply):

State Compensatory Education Advisory Committee

X English Learner Advisory Committee

Special Education Advisory Committee

Gifted and Talented Education Program Advisory Committee

X District/School Liaison Team for schools in Program Improvement

Compensatory Education Advisory Committee

Departmental Advisory Committee (secondary)

Other committees established by the school or district (list):

\_\_\_\_\_  
Signature  
*Julie Steinkamp*  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature  
*Dana Bui*  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on October 20, 2017.

Attested:

Julie Opfer

\_\_\_\_\_  
Typed Name of School Principal

*Julie Opfer*  
\_\_\_\_\_  
Signature of School Principal

10/20/17  
\_\_\_\_\_  
Date

Tiffany Weaver

\_\_\_\_\_  
Typed Name of SSC Chairperson

*Tiffany Weaver*  
\_\_\_\_\_  
Signature of SSC Chairperson

10/23/17  
\_\_\_\_\_  
Date

# Center Joint Unified School District

<b>AGENDA REQUEST FOR:</b>		
<b>Dept./Site:</b>	<b>Facilities &amp; Operations Department</b>	
<b>To:</b>	<b>Board of Trustees</b>	<b>Action Item</b> <u>XX</u>
<b>Date:</b>	<b>November 15, 2017</b>	<b>Information Item</b> <u>    </u>
<b>From:</b>	<b>Craig Deason, Assist. Supt.</b>	<b># Attached Pages</b> <u>1</u>
	<b>Initials:</b> <u>CD</u>	

<b>SUBJECT:</b>	<b>Resolution # 8/2017-2018</b> <b>Projects and Filing of Applications for Funding under the State School Facility Programs</b>
<p>The attached Resolution # 8/2017-2018 authorizes the District's Representative to the Office of Public School Construction and California Department of Education to file all required documents for funding under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq, of the Education Code.</p>	
<p><b>Recommendation:</b> That the Board of Trustees approves resolution authorizing the Projects and Filing of Applications for Funding under the State School Facility Programs.</p>	

CONSENT AGENDA

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**BOARD OF EDUCATION  
CENTER UNIFIED SCHOOL DISTRICT  
ANTELOPE, CALIFORNIA**

To the Board of Education:

Purpose: Resolution No. 8/2017-2018 Authorizing the Projects and Filing of Applications for Funding under the State School Facility Programs.

**WHEREAS**, the Center Unified School District is participating in the State School Facility Programs and intends to apply and receive funding from the State for new construction, modernization, facility hardship, charter, and career technical education facilities for any site, where eligible and able, and;

**WHEREAS**, the Center Unified School District now wishes to file an application for these projects with the California Department of Education and/or Office of Public School Construction for approval by the State Allocation Board to appropriate funding for the projects;

**WHEREAS**, the Center Unified School District has or will establish, in accordance with Education Code Section 17070.75 and 17070.77, a Restricted Routine Maintenance Account for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented for this purpose; and

**WHEREAS**, the Center Unified School District has established, in accordance with Education Code Section 17070.75(f), a facilities inspection system to ensure that the school is maintained in good repair;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Board of the Center Unified School District hereby authorizes the District's Representative to the Office of Public School Construction and California Department of Education to file all required documents for funding under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq, of the Education Code.

**RESOLVED**, this 15th day of November, 2017, at Antelope, California, at a regular meeting of the Governing Board of the Center Unified School District by the following vote:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Abstain: \_\_\_\_\_

\_\_\_\_\_  
President, Board of Education

# Center Joint Unified School District

**AGENDA REQUEST FOR:**

**Dept./Site:** Facilities & Operations Department

**To:** Board of Trustees

**Action Item**  X

**Date:** November 15, 2017

**Information Item**    

**From:** Craig Deason, Assist. Supt.

**# Attached Pages**  0

**Initials:**  CD

**SUBJECT:** Disposal of Surplus Equipment

The Facilities & Operations Department would like to surplus the following vehicle that is no longer in use from the Maintenance Department:

1994 GMC – Box Truck, VIN #1GDHG31K3RF531621, Plate #004887

This vehicle will be offered for sale, donation, or disposal following your approval.

**Recommendation:** That the Board of Trustees approves the surplus and disposal, donation, or sale of the equipment.

CONSENT AGENDA

# Center Joint Unified School District

<b>AGENDA REQUEST FOR:</b>		
<b>Dept./Site:</b>	Facilities & Operations Department	
<b>To:</b>	Board of Trustees	Action Item <u>  X  </u>
<b>Date:</b>	November 15, 2017	Information Item <u>    </u>
<b>From:</b>	Craig Deason, Assist. Supt.	# Attached Pages <u>  0  </u>
	Initials: <u>  CD  </u>	

<b>SUBJECT:</b>	Disposal of Surplus Equipment
<p>The Facilities &amp; Operations Department would like to surplus the following vehicle that is no longer in use from the Maintenance Department:</p> <p style="text-align: center;"><b>1995 GMC – Grounds Van, VIN #1GDKP32K9S3503771, Plate #1087420</b></p> <p>This vehicle will be offered for sale, donation, or disposal following your approval.</p> <p><b>Recommendation:</b> That the Board of Trustees approves the surplus and disposal, donation, or sale of the equipment.</p>	

CONSENT AGENDA

# Center Joint Unified School District

**AGENDA REQUEST FOR:**

**Dept./Site:** Facilities & Operations Department

**To:** Board of Trustees

**Action Item**  X

**Date:** November 15, 2017

**Information Item**    

**From:** Craig Deason, Assist. Supt.

**# Attached Pages**  0

**Initials:**  CD

**SUBJECT:** Disposal of Surplus Equipment

The Facilities & Operations Department would like to surplus the following vehicle that is no longer in use from the Maintenance Department:

1986 Chevrolet – S10 Pickup, VIN #1GCBS14R0G8170372, Plate #491425

This vehicle will be offered for sale, donation, or disposal following your approval.

**Recommendation:** That the Board of Trustees approves the surplus and disposal, donation, or sale of the equipment.

# Center Joint Unified School District

<b>AGENDA REQUEST FOR:</b>		
<b>Dept./Site:</b>	<b>Facilities &amp; Operations Department</b>	
<b>To:</b>	<b>Board of Trustees</b>	<b>Action Item</b> <u>  X  </u>
<b>Date:</b>	<b>November 15, 2017</b>	<b>Information Item</b> <u>    </u>
<b>From:</b>	<b>Craig Deason, Assist. Supt.</b>	<b># Attached Pages</b> <u>  0  </u>
	<b>Initials:</b> <u>  CD  </u>	

<b>SUBJECT:</b>	<b>Disposal of Surplus Equipment</b>
<p>The Facilities &amp; Operations Department would like to surplus the following vehicle that is no longer in use from the Maintenance Department:</p>	
<p>1989 Chevrolet Sweeper Truck, VIN #1GCDC14K5KZ184246, Plate #1261723</p>	
<p>This vehicle will be offered for sale, donation, or disposal following your approval.</p>	
<p><b>Recommendation:</b> That the Board of Trustees approves the surplus and disposal, donation, or sale of the equipment.</p>	

CONSENT AGENDA

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	Facilities & Operations Department	
<b>To:</b>	Board of Trustees	Action Item <u>  X  </u>
<b>Date:</b>	November 15, 2017	Information Item <u>    </u>
<b>From:</b>	Craig Deason, Assist. Supt.	# Attached Pages <u>  2  </u>
	Assist. Supt. Initials: <u>  CD  </u>	

<b>SUBJECT:</b>	<b>Amendment #3 – Proposition 39, California Clean Energy Jobs Act - CPM Contract for Schedule Rates for Service</b>
	<b>Amends CPM's Schedule Rates for Proposition 39, California Clean Energy Jobs Act Services to lower 2018 rates and avoid a rate increase for 2018.</b>
	<b>Recommendation: That the Board of Trustees approves Amendment #3 - CPM Contract for CPM's Schedule Rates for Service for year 2018.</b>

--

CONSENT AGENDA



**Contract Amendment #3**

November 15, 2017

Planning and implementation services associated with Proposition 39, California Clean Energy Jobs Act Agreement between Center Joint Unified School District and Capital Program Management Inc., "Program Manager or PM" (hereinafter collectively referred to as "Parties").

**WHEREAS**, the Parties entered into an Agreement ("Agreement") dated January 21, 2015 to provide planning and implementation services in connection with the Proposition 39, California Clean Energy Jobs Act for the District; and

**WHEREAS**, the Parties wish to amend the Agreement.

**NOW, THEREFORE**, the Parties hereby agree as follows:

This is an Amendment to amend CPM's Schedule Rates for Services to lower 2018 rates and avoid a rate increase for 2018.

**REPLACE** Exhibit "B" with Exhibit "B" - Revised (attached).

**NOW, THEREFORE**, the Parties agree that all other terms, conditions, exhibits, and obligations of the Agreement remain in effect throughout the term of the Agreement except for those provisions of the Agreement that are directly contradicted by this Amendment, in which event the terms of the Amendment shall control.

The covenants and conditions contained in this Amendment shall apply to and bind the Parties and the heirs, legal representatives, successors and permitted assigns of the Parties.

This Amendment is executed as of the day and year first written above.

**CENTER JOINT UNIFIED SCHOOL DISTRICT:**

By: \_\_\_\_\_

\_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**CAPITAL PROGRAM MANAGEMENT, INC.:**

By:  \_\_\_\_\_

Mr. Wallace E. Browe

Its: President

Date: 10.19.17

**Exhibit "B" - Revised  
Estimated Fees  
Proposition 39 Planning & Implementation Services**

**Total Cost Not-To-Exceed \$202,000 per the following:**

**Proposition 39 Planning & Implementation Services:** These services are to be performed on an hourly basis per the following rate schedule and based on the actual hours expended.

**SCHEDULE OF HOURLY RATES FOR PERSONNEL COSTS**

Position		Rates for 1/1/17 – 12/31/18
<b>PIC</b>	President	\$196
	Vice President	\$196
	Principal	\$196
<b>Planning &amp; Program Management Practice</b>	Program Director	\$196
	Senior Program Manager	\$184
	Program/Project Manager	\$169
	Asst. Program/Project Manager	\$143
	Program Coordinator II	\$108
	Program Coordinator I	\$91
	Senior Estimator	\$184
	Estimator	\$169
	Senior Scheduler	\$184
	Scheduler	\$169
	Clerical	\$58
<b>Prop 39 Planning &amp; Project Management</b>	Senior Mechanical/Electrical Engineer	\$184
	Electrical Engineer	\$169
	Lighting/Controls/Energy Specialist	\$169
	Senior Energy Analyst	\$169
	Trainer	\$169
	Field Engineer	\$143
<b>Budget &amp; Accounting Practice</b>	Director of Budget & Accounting	\$196
	Budget & Accounting Manager	\$184
	Senior Budget Analyst	\$140
	Budget Analyst	\$126
	Asst. Budget Analyst	\$98
<b>Educational Technology Practice</b>	Director of Educational Technology	\$196
	Senior Ed-Tech Manager	\$184
	Ed-Tech Manager	\$169
	Asst. Ed-Tech Manager	\$143
	Drafter	\$130
<b>Contract Management</b>	Director of Contract Management	\$196
	Senior Contract Manager	\$184
	Contract Manager	\$169
	Contract Administrator	\$143
	Assistant Contract Administrator	\$108

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	<b>Facilities &amp; Operations Department</b>	
<b>To:</b>	<b>Board of Trustees</b>	<b>Action Item</b> <u>  X  </u>
<b>Date:</b>	<b>November 15, 2017</b>	<b>Information Item</b> <u>    </u>
<b>From:</b>	<b>Craig Deason, Assist. Supt.</b>	<b># Attached Pages</b> <u>  3  </u>
	<b>Assist. Supt. Initials:</b> <u>  CD  </u>	

<b>SUBJECT:</b>	<b>Amendment #3 - CPM Contract for Program Management Services for Facility Needs Assessment and Implementation Planning Services</b>
<p>Amendment #3 extends the duration of the Agreement from December 31, 2017 to December 31, 2018, to add Project Planning and Implementation services for Financial Hardship Modernization projects, assistance with the CTE Funding Grant Application and Project Planning Services for the Center High School Plaza Upgrade Project to the Scope of Work in Attachment 1, increase the Fee Summary total from Four Hundred Eighty-One Thousand Two Hundred Dollars (\$481,200) to Seven Hundred Forth Thousand Two Hundred Dollars (\$740,200) and increase of Two Hundred Fifty-Nine Thousand Dollars (\$259,000), and to provide a no-increase schedule of hourly rates for 2018.</p>	
<p><b>Recommendation:</b> That the Board of Trustees approves Amendment #3 to extend he duration of the Agreement for Facility Needs Assessment and Implementation Planning Services for Modernization Projects Agreement.</p>	

CONSENT AGENDA

### **Contract Amendment #3**

November 15, 2017

Facility Needs Assessment and Implementation Planning Services For Modernization Projects Agreement between Center Joint Unified School District, Sacramento County, California, hereinafter called the Owner or District, and Capital Program Management Inc., hereinafter called the Program Manager or PM (hereinafter collectively referred to as "Parties").

**WHEREAS**, the Parties entered into an Agreement ("Agreement") dated June 30, 2016 to provide Program Management Services for Facility Needs Assessment and Implementation Planning Services in connection with renovation projects in the District; and

**WHEREAS**, the Parties wish to amend the Agreement.

**NOW, THEREFORE**, the Parties hereby agree as follows:

This is an Amendment to extend the duration of the Agreement from December 31, 2017 to December 31, 2018, to add Project Planning and Implementation services for Financial Hardship Modernization projects, assistance with the CTE Funding Grant Application and Project Planning Services for the Center High School Plaza Upgrade Project to the Scope of Work in Attachment 1, increase the Fee Summary total from Four Hundred Eighty-One Thousand Two Hundred Dollars (\$481,200) to Seven Hundred Forty Thousand Two Hundred Dollars (\$740,200) an increase of Two Hundred Fifty-Nine Thousand Dollars (\$259,000), and to provide a no-increase schedule of hourly rates for 2018.

**REVISE Article 4: DURATION OF THE PROGRAM MANAGER'S SERVICES, Paragraph A as follows:**

- A. The duration of the PM's Basic Services under this Agreement shall be from June 30, 2016, through December 31, 2018.

**REVISE Article 7: COMPENSATION AND PAYMENT, Paragraph A and A.1. as follows:**

- A. Compensation for Basic Services: The Owner shall compensate the PM for performing the Basic Services described in Article 3, within timeframes established in Article 4 as follows, for a total not-to-exceed fee currently estimated to be Seven Hundred Forty Thousand Two Hundred Dollars (\$740,200), to be paid as provided in subpart 7C, below, through December 31, 2018. This is only an estimate and shall not limit the total to be paid, provided PM has complied with the requirements of this Agreement with respect to services that may cause this amount to be exceeded. To the extent this amount may be exceeded, the additional amount will be paid for as provided elsewhere in this Agreement. This amount comprises:
  - 1. A fee for services described in Article 3, estimated to be Seven Hundred Forty Thousand Two Hundred Dollars (\$740,200).

**ADD to Attachment 1 – Proposal for Facility Needs Assessment and Implementation Planning Services for Modernization Projects, under Scope of Work:**

- V: CTE Grant Application
  - a. Oversight and coordination of application process through submission
  - b. Interview(s) and appropriate District personnel for content
  - c. Work with Architect and vendors to complete forms
  - d. Writing/Editing/Packaging/Delivery

**ADD to Attachment 1 – Proposal for Facility Needs Assessment and Implementation Planning Services for Modernization Projects, under Fee Summary:**

VI.	CTE Grant Application	\$ 20,000
VII.	CHS Plaza Upgrade Project	\$ 25,000
VIII.	On-call Financial Hardship Modernization Project(s)	\$214,000

**New Total    \$740,200**

**REPLACE Exhibit B, SCHEDULE OF HOURLY RATES, with the attached**

**NOW, THEREFORE,** the Parties agree that all other terms, conditions, exhibits, and obligations of the Agreement remain in effect throughout the term of the Agreement except for those provisions of the Agreement that are directly contradicted by this Amendment, in which event the terms of the Amendment shall control.

The covenants and conditions contained in this Amendment shall apply to and bind the Parties and the heirs, legal representatives, successors and permitted assigns of the Parties.

This Amendment is executed as of the day and year first written above.

**CENTER JOINT UNIFIED SCHOOL DISTRICT:**

**CAPITAL PROGRAM MANAGEMENT, INC.:**

By: \_\_\_\_\_

By:  \_\_\_\_\_

Mr. Mark Rosson

Its: \_\_\_\_\_

Its: Vice-President

Date: \_\_\_\_\_

Date: 24 OCT 17

**EXHIBIT B**  
**SCHEDULE OF HOURLY RATES**

	Position	Rates for 1/1/17 – 12/31/18
<b>PIC</b>	President Vice President Principal	\$196 \$196 \$196
<b>Planning &amp; Program Management Practice</b>	Program Director Senior Program Manager Program/Project Manager Asst. Program/Project Manager Program Coordinator II Program Coordinator I Senior Estimator Estimator Senior Scheduler Scheduler Clerical	\$196 \$184 \$169 \$143 \$108 \$91 \$184 \$169 \$184 \$169 \$58
<b>Budget &amp; Accounting</b>	Director of Budget & Accounting Budget & Accounting Manager Senior Budget Analyst Budget Analyst Asst. Budget Analyst	\$196 \$184 \$140 \$126 \$98
<b>Educational Technology Practice</b>	Director of Educational Technology Senior Ed-Tech Manager Ed-Tech Manager Asst. Ed-Tech Manager Drafter	\$196 \$184 \$169 \$143 \$130
<b>Contract Management Practice</b>	Director of Contract Management Senior Contract Manager Contract Manager Contract Administrator Assistant Contract Administrator	\$196 \$184 \$169 \$143 \$108

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	Facilities & Operations Department	Action Item <u>  X  </u>
<b>To:</b>	Board of Trustees	Information Item <u>      </u>
<b>Date:</b>	November 15, 2017	# Attached Pages <u>  13  </u>
<b>From:</b>	Craig Deason, Assist. Supt.	
<b>Assist. Supt. Initials:</b>	<u>  CD  </u>	

<b>SUBJECT:</b>	PSA for School Facility Solutions, LLC
<b>CONSULTANT'S NAME:</b>	Andy Goode
<b>COMPANY NAME (if applicable):</b>	School Facility Solutions, LLC
<b>SERVICES TO BE RENDERED:</b>	Close out 22 DSA projects with DSA that have been previously closed with exception.
<b>DATES OF SERVICE:</b>	November 15, 2017 - June 30, 2018
<b>PAYMENT:</b>	\$48,000.00
<b>FUNDING SOURCE:</b>	01-0000-0-5800-106-0000-8200-007-000
<b>RECOMMENDATION:</b>	That the CJUSD Board of Trustees approves the Professional Services Agreement as presented.

CONSENT AGENDA



Center Joint Unified School District  
 8408 Watt Avenue  
 Antelope, CA 95843

## PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this 3rd day of November, 2017, by and between the Center Joint Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Joint Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

\*Contractor Name: School Facility Solutions, LLC  
 Address: PO box 331 Shingle Springs CA 95682  
 Phone: 530 363 8808 Taxpayer ID #: 47-3763527

\*Full description of services to be provided:  
Close Out 22 DSA Projects  
\$2,000 per project for a total of \$44,000 + \$4,000 estimated expenses  
Payment based on work complete. see contract detailing full scope of services.

\*Payment \$ work complete per every two months. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

\*Beginning Date of Service: November 2017 \*Frequency of Service Dates: ongoing over 12  
 \*Ending Date of Service: estimated to be 12 months after contract signed months

Method of Payment and Tax Reporting: (check one)  
 Variable Payroll- W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)  
 Accounts Payable- 1099 Generated (Requires completion of W-9).

Total amount of this contract \$ \$48,000 Budget # \_\_\_\_\_

Reason service cannot be provided by a District employee:  
specialized activity working with DSA, requires knowledge of school construction and an understanding of DSA requirements for closing out old projects.

Signature of CONTRACTOR\*: Andrew Goode Date\*: 11/3/2017  
 Signature of District employee requesting service: [Signature] Date: 11/6/17  
 Date Board of Trustees Approved (if over \$500.00): \_\_\_\_\_ Date: \_\_\_\_\_  
 Signature of Accounting Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
 Personnel Approval (if cleared to start): \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*CONTRACT NOT VALID WITHOUT ALL DISTRICT SIGNATURES\*\*



**INDEPENDENT CONTRACTOR OR EMPLOYEE?  
DISTRICT GUIDELINES**

PART I	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.		x
2. Is the individual working as an employee prescribed by the Education Code? Education Code sections 45100-45451/88000-88263 define what constitutes classified service and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.		x
3. Is the individual already an employee of the district in another capacity?		x
4. Has the individual performed substantially the same services for the district as an employee in the past? <i>Is the individual retired, returning to substitute, or train, etc.?</i>		x
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?		x
6. Does the district have the legal right to control the method of performance by this individual? <i>Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is <u>not necessary</u> that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.</i>		x
7. Are the services, as being provided, an integral part of school operations? Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance, and implies the maintenance of legal control.		x

If the answer to of the above questions is "YES",

**STOP HERE**

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If all of the above are "NO", continue...

PART II	YES	NO
8. Must the required service be performed by this individual? <i>Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval</i>		x
9. Does the district have a continuing relationship with this individual? <i>Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.</i>		x
10. Can this relationship be terminated without the consent of <u>both</u> parties?		x

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue...

PART II - continued

	YES	NO
11. Does the individual operate an independent trade or business that is available to the general public? <i>A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is <u>not</u> available to the general public. NOTE: Possession of a business license or incorporation does <u>not</u> automatically satisfy this requirement. The determination <u>must</u> be made on the actual <u>relationship</u> between the district and the individual performing services.</i>	x	
12. Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.? <i>This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.</i>	x	

If either 11 or 12 are "NO", the individual is a district employee

**STOP HERE**

and process the individual through payroll.

If 11 and 12 are both "YES", continue

	YES	NO
13. Does the individual provide all materials and support services necessary for the performance of this service? <i>The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.</i>	x	
14. Is this paid by the job or on a commission?	x	
15. Does the individual bear the cost of any travel and business expenses incurred to perform this service? <i>Generally, these types of expenses are paid by an employer, however, some contracts provide for payment of airfare, mileage, etc. for consultants.</i>		x *

\*Contact calls for mileage reimbursement and printing and mailing reimbursement costs

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

# Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type  
See Specific instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>School Facility Solutions LLC</b>	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <small>Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</small> <input type="checkbox"/> Other (see instructions) ▶ _____ <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) <b>PO box 331</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>Shingle Springs CA 95682</b>	
7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number													
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4	7	-	3										
7	6	3	5										
2	7												

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶ <i>Andrew Goode</i>	Date ▶ <b>11.3.2017</b>
------------------	--	-------------------------

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/wo9](http://www.irs.gov/wo9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filed-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

# School Facility Solutions, LLC

## CONTRACT FOR

Contract made this date, November 1, 2017 between Center Joint Union School District, 8408 Watt Ave, Antelope, CA 95843, hereafter referred to as Owner and School Facility Solutions, LLC located at PO Box 331, Shingle Springs, CA 95682, hereafter referred to as Consultant.

## RECITALS

Owner owns and operates a public elementary school district, and Owner desires to have the following services performed:

**Close out 22 DSA projects with DSA that have previously been closed with exception.**

Consultant agrees to perform these services for Owner under the terms and conditions set forth in this contract. In consideration of the mutual promises set forth herein, it is agreed by and between Owner and Consultant:

### 1. DESCRIPTION OF WORK

The work to be performed by Consultant is identified in the Scope of this agreement. Appendix 1.

### 2. PAYMENT

\$44,000	22 projects \$2,000 per project
\$ 4,000	Expense reimbursement (primarily mileage and printing based on documented costs)
\$48,000	Total Project Cost

The contract does not include additional close out costs such as DSA fees, inspector fees, lab fees, architect fees, engineering fees, testing fees, and other costs incurred by CIUSD to correct outstanding issues.

### EXPENSES:

Expenses will be reimbursed based on documentation submitted using the IRS approved mileage rate. Other allowable expenses may include printing and postage, with supporting documentation.

Invoice/Payment will be made every two months.

Upon completion of approximately 50% of the work for each project, SFS will invoice CIUSD for 50% (\$1,000). Upon DSA approval of certification, SFS will invoice CIUSD 100% (remaining \$1,000). SFS will invoice CIUSD every two months based on updated status of all projects.

All projects may not be able to be fully certified by DSA, but SFS will make a good faith effort to complete the project and will be paid 100% for all projects based on the projects meeting one of the three conditions below:

- a) All documentation has been submitted to DSA as required by DSA, or
- b) SFS has informed CIUSD of the actions needed to be completed by the owner, but CIUSD is not able to complete in a timely fashion, or
- c) SFS provides documentation of good faith effort expended to complete the project and outside external factors beyond the control of SFS result in insufficient documentation to satisfy DSA.

# School Facility Solutions, LLC

Upon a finding of a), b) or c) above for all projects, SFS will produce a final report and invoice the final approved contract amount.

### 3. REALTIONSHIP OF PARTIES

The parties intend that an independent consultant-owner relationship will be created by this contract. Owner is interested only in the results to be achieved, and the conduct and control of the work will lie solely with Consultant. Consultant is not to be considered an agent or employee of Owner for any purpose, and the employees of Consultant are not entitled to any of the benefits that Owner provides for Owner's employees. It is understood that Owner does not agree to use Consultant exclusively. It is further understood that Consultant is free to contract for similar services to be performed for other owners while under contract with Owner.

### 4. LIABILITY

District agrees to waive the insurance requirement for Consultant.

### 5. MATERIALS AND EQUIPMENT

Consultant shall furnish, at Consultant's own expense, all materials and equipment necessary to carry out the terms of this contract.

### 6. DURATION

The contract shall remain in force for a term of one year from the date of the signing of the contract.

### 7. WAIVER OR MODIFICATION OF TERMS

No waiver, alteration, or modification of any of the provisions of this agreement shall be binding unless in writing and signed by duly authorized representatives of Owner and Consultant.

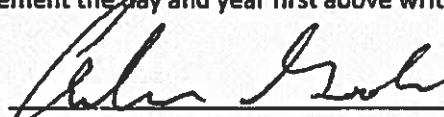
### 8. GOVERNING LAW

This agreement shall be governed by the laws of the State of California.

In witness whereof, the parties have executed this agreement the day and year first above written.

\_\_\_\_\_  
Center Joint Unified School District

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Consultant

11/2/17  
Date

## Appendix 1

### Scope of Contract

School Facility Solutions, hereinafter referred to as SFS, will do the following:

Create a database of all non-compliant DSA projects. Database will include all known outstanding documents available through DSA for each project. Database will include the companies and individuals (if known) assigned to produce the specific documentation needed.

SFS will work with DSA, design professionals, and DSA Inspectors associated with these projects to produce necessary documentation or alternative documentation that will meet DSA requirements for certification.

This proposal is for 22 projects (outlined in this document) that are currently not certified as DSA approved.

DSA maintains a current on-line database for projects after 1996. Projects prior to 1997 are in a separate DSA database with limited data available online. CIUSD has 21 per-1997 projects with missing documentation. Six of these 21 projects have no DSA updated letter on file at this time. These projects often require a visit to DSA archives to search for necessary documentation.

It is not possible to predict the time SFS will require for each project. SFS proposes a flat amount per project (\$2,000) based on a minimum number of 22 projects. If there are additional projects added to the scope, the cost is \$2,000 per project, and the contract would be revised if mutually agreed upon.

Appendix 1

CIUSD Uncertified Projects per DSA

	District	DSA #	School	Approved Date	Closure date	Type Letter*	Updated DSA AP Letter**
1	34-h10	54946	NORTH COUNTY ELEM	9/4/1990	4/3/1995	3	yes
2	34-h10	56017	*N. COUNTRY ELEM		6/24/1995	3	yes
3	34-h10	56817	DUDDLEY ELEM	10/16/1991	6/26/1996	3	no
4	34-h10	57274	VARIOUS	11/25/1991	10/5/1995	3	yes
5	34-h10	57403	DUDDLEY	2/7/1992	5/22/1995	3	yes
6	34-h9	57518	CENTER JH	2/13/1992	9/22/1995	3	yes
7	34-h9	57618	CENTER JH	4/6/1992	2/21/1999	3	yes
8	34-h9	57777	CENTER JH	4/8/1992	4/24/1997	3	yes
9	34-h10	58441	CENTER	11/25/1992	6/6/1995	3	yes
10	34-h10	58540	OAKHILL	4/29/1992	1/24/1996	3	no
11	34-h9	58611	CENTER JH	11/29/1993	4/2/1998	3	no
12	34-h9	59479	MCCLELLAN CONT. HIGH	5/12/1993	2/21/1999	3	no
13	34-h9	59631	CENTER HIGH	8/24/1993	5/16/1998	3	yes
14	34-h9	59763	CENTER HIGH	10/27/1993	5/16/1998	3	yes
15	34-h9	59966	CENTER JUNIOR HIGH	6/14/1993	6/15/1999	3	no
16	34-h10	60642	CENTER ELEMENTARY	1/18/1994	1/26/1996	3	yes
17	34-h9	60768	CENTER JUNIOR HIGH	1/18/1994	6/17/1999	3	yes
18	34-h10	61923	OAK HILL ELEMENTARY	7/6/1994	12/15/1995	3	yes
19	34-h10	61924	OAK HILL ELEMENTARY	7/6/1994	12/15/1995	3	yes
20	34-h10	63169	OAK HILL ELEMENTARY SCHOOL	12/14/1995	4/7/1999	3	no
21	34-h10	65434	OAKHILL ELEMENTARY SCHOOL	7/3/1996	2/21/1999	3	yes
22	34-10	100507	VARIOUS		4/21/2002	3	yes

\*#3 Letter means the project was closed with exceptions.

\*\* Updated letter from DSA means that DSA has reviewed the file in the past five years and issued a revised list of outstanding items.

## Appendix 1

### Additional projects with no finding and not included in the scope of this proposal.

The following projects have no finding. Access compliance projects do not have a closure letter but there is typically a note in the file that says the project is closed with no outstanding issues.

1	34-10	108911	Center Ct, Lane Project	access compliance/issues noted
2	34-10	109605	Wilson Riles M.S.	access compliance/fees outstanding
3	34-h9	111423	Center High School	access compliance /may be closed
4	34-10	112359	Varlous Sites	access compliance /may be closed
5	34-h9	115536	Center High School	2017 project
6	34-10	115616	Wilson C. Riles Middle School	access compliance 2017 project
7	34-h9	116076	Center High School	2017 project

#### REPORT:

A written report will be provided monthly, showing the status of the 22 projects. The report will include the status of the 22 projects with regards to certification. If at the end of the contract, a project is unable to be certified, the final report will outline the steps taken for certification and why it was unable to be fully certified by DSA.

#### MEETINGS:

SFS will meet with CJUSD on an as-needed basis, either in person or by phone or email, to keep the district current on the progress of closing out the 22 projects.

#### TIMELINE:

Upon approval of this proposal and receipt of a signed agreement, work will commence with an anticipated completion date twelve months later.

This timeline is contingent upon CJUSD staff responding in a timely fashion to all requests for information. Consultant will exercise due diligence in working with other parties to the process, e.g., architects and inspectors, to respond in a timely fashion.

The timeline is contingent upon CJUSD contracting with an Inspector of Record (IOR) to focus on the necessary task related to closing out these projects. SFS would recommend CJUSD contract with an IOR familiar with DSA close-out work.

SFS will contact the CJUSD if an extension beyond 12 months is required and provide the rationale for extension of the timeline. Extension will be granted based on CJUSD or 3rd parties inability to respond in a timely fashion.

#### EXCLUSIONS:

This proposal does not include the cost, if required by DSA, of an inspector and/ or testing lab or other 3rd parties, to provide missing documentation through field observation and potentially destructive testing. This proposal also does not include the DSA fee to reopen closed project files, which may run from \$500 - \$750 each based on initial project cost.

Andy Goode is a registered architect, licensed in California, but is not working in that capacity in support of closing out DSA projects.



## Appendix 1

### **CJUSD RESPONSIBILITIES:**

**CJUSD to assist SFS by providing access to past project files, drawings and specifications if still in existence, in addition to contact information if known of inspectors, design professionals and other testing and inspection entities involved with the non-certified projects.**

**CJUSD to assist SFS by providing financial information regarding final project costs.**

**CJUSD will sign all required documents in a timely fashion. SFS utilizes Adobe Sign Cloud Solution to email documents for electronic signatures.**

**CJUSD to assist SFS in fieldwork. Based on a preliminary review, at least 14 projects require fire alarm testing. SFS will need CJUSD maintenance team support on some activities as well as the current fire alarm contractor, as they are required to file technical information with DSA (NFPA 72).**

**CJUSD will assist SFS in accessing school sites as needed, understanding that such access shall not interfere with student instruction on the campus.**

School Facility Solutions, LLC

Center Joint Unified

11.2.2017

Snapshot of Identified Issues for 22 Projects

The first six projects on this list will require archive review to fully understand scope of issues. DSA has not reviewed the files in recent years and have not issued an updated AP letter. Two of the six require fire alarm testing.

	DSA #	School		Closure date	DSA Archive Review	Fire Alarm Testing	Other Notes
1	56817	DUDLEY ELEM	Alterations to multipurpose building, library building, administration building, specialist buildings, and five classroom buildings.	6/26/1996	yes		Archive review required to understand scope since DSA has not issued updated AP letter. large number of change orders
2	58540	OAKHILL	Construction of six classroom buildings (relocatable), multipurpose building, kindergarten building, four classroom buildings, and two workroom buildings	1/24/1996	yes		Archive review required to understand scope since DSA has not issued updated AP letter. Possible in-plant
3	58611	CENTER JH	Construction of classroom building (relocatable), multipurpose building, library building alterations & addition to classroom/administration building & classroom building	4/2/1998	yes		Archive review required to understand scope since DSA has not issued updated AP letter. missing documentation
4	59479	MCCLELLAN CONT. HIGH	Alterations to three classroom buildings (relocation)	2/21/1999	yes	Fire Alarm Testing	Archive review required to understand scope since DSA has not issued updated AP letter. Needs fire alarm testing and note about deficiencies
5	59966	CENTER JUNIOR HIGH	Construction of Three (3) Classroom Buildings (Relocatable)	6/15/1999	yes	Fire Alarm Testing	Archive review required to understand scope since DSA has not issued updated AP letter. Needs fire alarm testing. Possible scope issues
6	63169	OAK HILL ELEMENTARY SCH	Construction of Three (3) Classroom Buildings (Relocatable)	4/7/1999	yes		Archive review required to understand scope since DSA has not issued updated AP letter. letter in file doesn't have the detail to identify scope

The next 12 projects (#7 to #18) all require fire alarm testing, which is time consuming to schedule, observe, and file paperwork with DSA. Whenever there are issues noted with incomplete project inspector paperwork, it requires an archive review to understand scope and may be an indicator of significant issues to resolve.

	DSA #	School	Closure date	DSA Archive Review	Fire Alarm Testing	Other Notes
7	54946	NORTH COUNTY ELEM	Construction of three Classroom Buildings (Relocatable)	4/3/1995	yes	Fire Alarm Testing Building tags & inspector issues noted
8	56017	NORTH COUNTY ELEM	Alterations to five classroom buildings (stockpile A-55969) (relocation)	6/24/1996	yes	Fire Alarm Testing Missing sign off from architect, contractor, inspector
9	57274	VARIOUS	Construction of two classroom buildings (relocatable) 1 each at Dudley ES and Center JHS	10/5/1995	yes	Fire Alarm Testing Note on change order #2 . Form 6 final inspector.
10	57403	DUDLEY	Reconstruction of Classroom building	5/22/1995	yes	Fire Alarm Testing Large # of missing documents and issues noted around inspector and architect
11	57518	CENTER JH	Construction of three Classroom Buildings (Relocatable)	9/22/1995	yes	Fire Alarm Testing Building ID tags. Issues around final inspector report and possible in plant issue
12	57618	CENTER JH	Alterations to eight classroom buildings (relocation)	2/21/1999	yes	Fire Alarm Testing Issues around final inspector report and change orders
13	57777	CENTER JH	Construction of two classroom buildings (relocatable)	4/24/1997	yes	Fire Alarm Testing Inspector issues noted but could be around fire alarm.
14	58441	CENTER	Construction of conference/lounge building, alterations to admin./C.R. building, multi-use building and two classroom buildings	6/6/1995	yes	Fire Alarm Testing fees outstanding \$1,117
15	59763	CENTER HIGH	Five new relocatable classroom buildings	5/16/1998	yes	Fire Alarm Testing Fire Alarm and unknown issues outstanding
16	61923	OAK HILL ELEMENTARY	Construction of classroom building (relocatable)	12/15/1995	yes	Fire Alarm Testing Project inspector reports not complete and unknown issues outstanding.
17	61924	OAK HILL ELEMENTARY	Construction of classroom building (relocatable)	12/15/1995	yes	Fire Alarm Testing Project inspector reports not complete and unknown issues outstanding.
18	65434	OAKHILL ELEMENTARY SCH	Construction of classroom building (relocatable)	2/21/1999	yes	Fire Alarm Testing Project inspector reports not complete.

#19 & #20 have a long list of deficiencies noted, and they are typically problematic to solve. #21 shows project inspector reports at 50%, which could mean significant work to resolve.

#22 is the only project after 1997, which means DSA files are more current. In fact, it appears that documents were filed in 2015 to close out the project and a fee was paid, but there does not appear to be closure. The only item shown as missing is the project inspector. Until there is an archive review, it is difficult to know the issues on this project.

	DSA #	School		Closure date	DSA Archive Review	Fire Alarm Testing	Other Notes
19	59631	CENTER HIGH	Construction of Outdoor Eating Canopy	5/16/1998	yes		Long List of missing items and deficiencies
20	60642	CENTER ELEMENTARY	Alterations to multi-use building and classroom building	1/26/1996	yes		List of deficiencies, change orders, field trip notes.
21	60768	CENTER JUNIOR HIGH	Alterations to multipurpose building & administration. Building (A & D)	6/17/1999	yes		Project inspector at 50%
22	100507	VARIOUS	Alterations to five classroom buildings (relocation) (3 @ Oakhill elementary and 2 @ Spinelli elementary)	4/21/2002	yes		It appears there was an attempt to close in 2015. Final Project inspector documentation shown as missing.

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	Facilities & Operations Department	
<b>To:</b>	Board of Trustees	Action Item <u>      X      </u>
<b>Date:</b>	November 15, 2017	Information Item <u>      </u>
<b>From:</b>	Craig Deason, Assist. Supt.	# Attached Pages <u>      </u>
<b>Principal/Administrator Initials:</b>		

<b>SUBJECT:</b> Contract for Professional Consulting Services with Caldwell Flores Winters, Inc.
<b>RECOMMENDATION:</b> CUSD Board of Trustees approve the Contract for Professional Services with Caldwell Flores Winters, Inc.

CONSENT AGENDA

## CONTRACT FOR PROFESSIONAL CONSULTING SERVICES

This contract is entered into this 15<sup>th</sup> day of Nov. 2017, and is made by and between Caldwell Flores Winters, Inc. and the Center Joint Unified School District of Sacramento County.

### RECITALS

WHEREAS, Caldwell Flores Winters, Inc. (hereinafter, "CFW") provides professional consulting services for State aid, planning, facilities assessments, financial advisory, and program implementation services throughout the State of California;

WHEREAS, the Center Joint Unified School District (hereinafter, "District"), a California Public School District located in Sacramento County, is seeking to retain the services of a professional consulting firm for the purpose of providing professional consulting, advice, strategic planning and solicitation of State financial grants through the State School Facilities Program and other related programs offering funding to California public school districts for facilities programs (hereinafter, "State Aid Services");

WHEREAS, the District desires, where appropriate, to submit applications to receive grant funds through the School Facilities Program pursuant to Proposition 51 including the State's matching program for eligible projects and desires to retain the services of CFW to guide the District through the application and approval process;

WHEREAS, CFW provides the District with professional Financial Advisory Services to issue municipal securities/bonds, and services to prepare Fee Justification Studies;

WHEREAS, the District desires to retain the professional services of CFW to provide consulting with respect to the State's School Facilities Program, as approved by the District and more particularly described in this Contract;

WHEREAS, the District has determined that it cannot provide through its own personnel the services to be performed by CFW under this Agreement, the services provided by CFW are exempt from Public Contract Code section 20111, and the District has fully complied with its policies, bylaws, rules, and/or procedures for entering into this Agreement;

NOW THEREFORE, for good and valuable consideration of the covenants set forth herein and other good and valuable consideration, the receipt and adequacy of which is acknowledged by the District and CFW (hereinafter, "Parties"), the Parties hereby agree as follows:

**I. PROFESSIONAL CONSULTANT SERVICES**

CFW agrees to provide the District with professional consulting services in the form of State Aid Services as more fully set forth and specified in Exhibit A, incorporated herein and made a part of this Contract by reference.

**II. DISTRICT COOPERATION**

In order to perform the professional State Aid Services, CFW will require complete and accurate information. The District understands and agrees to cooperate with CFW by furnishing all necessary District information and records in a timely, diligent and accurate basis to the extent practicable and upon the request of CFW. On occasion, CFW may require the opportunity to consult with District staff to obtain information that is not readily available from District records and to clarify information that is not otherwise self-evident. The District agrees from time to time to make its staff available for these consultations.

From time to time, when necessary and appropriate, CFW may request that the District authorize access to consultants that the District is currently working with in order to complete the scope of work contemplated herein. The District agrees to provide or authorize access to these additional professional services as necessary to carry out the scope of work, if needed.

**III. CONFIDENTIALITY OF INFORMATION**

CFW recognizes that much of the information related to the services provided by CFW is public information that must be published and/or disclosed to the public upon request. It is the responsibility of the District to make the determination of whether a particular document or other tangible information is subject to disclosure and to disclose said information at the appropriate times. While the District makes that determination, CFW shall regard all information received during the performance of services pursuant to this Contract and all information produced by CFW as confidential and shall not disclose such information to any other person without prior consent of the District. Upon determination by the District, CFW will cooperate to disclose or publicize those documents requested or determined to be public.

**IV. TERM**

The Parties recognize and acknowledge that it often takes many years for the District to secure grant funding through the State School Facilities Program and other grant programs. In light of this consideration, the Parties have agreed to a term of five (5) years, a period of time recognized as necessary to develop a strategy, update a District's eligibility, submit applications and advocate on the District's behalf to secure funding—the scope of work contemplated by the Parties. The Term of this Contract shall commence upon approval by the Board of the District and shall continue through October 31, 2022. The District may choose to extend or renew the term of this Contract by a written instrument, mutually agreed to by the Parties and approved by the Governing Board of the District. The

Parties further recognize that the payment of the fee to CFW is contingent on the District receiving a grant. It is intended that the obligation to pay the fee shall survive beyond the term of this Contract for (1) any application submitted by CFW to the Office of Public School Construction or any other grant agency and/or (2) work or advocacy performed by CFW on behalf of the District to secure grant funding. In these cases, payment of the fee shall be consistent with the terms set forth in Article XII of this Contract.

**V. INTEGRATED CONTRACT**

This Contract in its entirety represents a full and complete understanding of every kind or nature whatsoever between the parties hereto related to the proposed professional State Aid consulting services and replaces or supersedes any and all preliminary negotiations, representations or implied covenants inconsistent with the terms of this Contract related to professional State Aid consulting Services.

**VI. TERMINATION**

In the event CFW fails or refuses to reasonably perform the provisions of the scope of work, the District may declare a default in the performance of the terms of this Contract by providing written notice specifying the nature of the default and the steps necessary to cure the default. CFW shall be provided a period of no less than twenty-one (21) calendar days from the date of the notice to cure the default.

In the event that the District terminates this Contract after the expiration of the cure period, CFW shall be entitled to compensation at such time that the District receives grant funding for any application prepared by or submitted on behalf of the District by CFW to the Office of Public School Construction or any other grant agency. Recognizing that this contract is a contingency contract and that professional advice and consultation is being provided and that CFW is providing substantial work on a contingency basis with the full expectation of being compensated for those services when funding becomes available to the District, often years after the work is performed, this obligation shall survive any termination, whether by expiration of the contract, termination for cause or termination for convenience by mutual termination of the parties.

The Parties may also agree to mutually terminate this Contract by a writing reflecting the agreement.

**VII. NOTICES**

All notices, demands, requests or approvals to be given under this Contract shall be given in writing and shall be deemed served when delivered personally or on the fifth business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as provided below.

Center Joint Unified School District  
ATTN: Scott A. Loehr, Superintendent



8408 Watt Ave  
Antelope, CA 95843

Caldwell Flores Winters, Inc.  
ATTN: Emilio A. Flores, Chief Executive Officer  
6425 Christie Avenue, Suite 270  
Emeryville, CA 94608

**VIII. DISPUTE RESOLUTION**

Any dispute, claim or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall first be submitted to mediation, and if the matter is not resolved through mediation then to arbitration in Alameda County before one arbitrator. The arbitration shall be administered by an organization mutually agreeable by the parties or pursuant to CA Code of Civil Procedure section 1280 et. seq. Judgment on the award may be entered in any court having jurisdiction. This clause shall not preclude parties from seeking provisional remedies in aid of arbitration from an appropriate court. The prevailing party in the arbitration shall be entitled to its reasonable attorneys' fees and costs. All fees and costs for mediation and arbitration shall be split equally.

**IX. CONSULTANT NOT AN EMPLOYEE OF THE DISTRICT**

CFW shall have no authority to contract on behalf of the District and shall not represent itself as having such authority. It is expressly understood and agreed by the Parties that CFW, while engaged in carrying out and complying with any terms and conditions of this contract, is an independent contractor and not an officer, agent or employee of aforesaid District.

**X. PREVAILING LAW**

This agreement shall be interpreted and shall be governed by California law.

**XI. ASSIGNMENT**

CFW reserves the right to assign this contract in whole or in part to any successor or assignee with the approval of the District. Such approval shall not be unreasonably withheld by District.

**XII. ATTORNEY'S FEES**

In the event that any action or proceeding, including any arbitration, is brought to enforce the provisions of this Contract for Services, the prevailing party shall be entitled to all costs of enforcement, including but not limited to, said party's actual attorney fees. As used herein, the term "actual attorney's fees" shall mean the fees actually charged for the services rendered by legal counsel to the prevailing party

in connection with the enforcement of this Agreement, and shall not be limited to "reasonable attorney's fees" as determined by the court or any statute.

**XIII. FEE FOR STATE AID SERVICES**

The District agrees to compensate CFW for those services set forth in Exhibit A, Professional State Aid Services, at a rate equal to two percent (2%) of the principal amount of any and all State funds received for facilities by the District as a result of an application prepared by CFW on behalf of the District, or any grant for which CFW had provided professional consulting services or professional advocacy services. The fee shall be payable in lump sum within 30 days of receipt of State grant or other grant funds by the District.

**XIV. APPROVAL**

In executing this Contract, persons signing on behalf of CFW or District represent that each has the authority to do so. This Contract shall not be executed by the District until such time as the Governing Board has approved and authorized its execution. In executing this contract, persons signing on behalf of CFW or District represent that each has the authority to do so.

This contract is hereby agreed to and executed on this the 15<sup>th</sup> day of Nov. 2017.

AGREED:

\_\_\_\_\_  
Emilio A. Flores, Chief Executive Officer  
Caldwell Flores Winters, Inc.

\_\_\_\_\_  
Scott A. Loehr, Superintendent  
Center Joint Unified School District

**EXHIBIT A**  
**SCOPE OF WORK**

CFW will provide State aid services to analyze and secure funding from all available State aid programs the District is eligible for and to develop a strategy to maximize funding from programs most suitable to the District's needs. Once eligibility has been established, CFW agrees to assist the District through the formal application processes.

All necessary applications will be filed and processed through the State, as needed, including the California Department of Education (CDE), the Office of Public School Construction (OPSC) and the State Allocation Board (SAB). The goal is to utilize the State programs to optimize funding of local facilities improvement projects.

CFW agrees to provide State aid processing services pursuant to the following scope of work for the District. Specific services include:

1. Review educational goals and facilities assessment background materials provided by the District to CFW
2. Establish District's eligibility to receive funding pursuant to Proposition 51; assist the District in applying for funding that it is eligible to receive and assist the District in securing these funds
3. Analyze District's eligibility for funding, including new construction, modernization, and joint-use
4. Establish, update, or re-establish the District's baseline eligibility for funding with the State as required
5. Develop strategy to optimize available eligibility suitable to District needs
6. Assist District in submitting necessary applications and complying with State requirements for acceptance of the application
7. Meet with State representatives as necessary to assist in processing the of applications
8. Assist District in preparing and submitting necessary back up documentation
9. Attend necessary informational and decision-making meetings, both locally and at the State, including OPSC and SAB meetings as necessary
10. Assist District in the securing and receipt of State funds



**CONTRACT FOR PROFESSIONAL FINANCIAL ADVISORY SERVICES BY AND BETWEEN  
THE CENTER JOINT UNIFIED SCHOOL DISTRICT AND CALDWELL FLORES WINTERS, INC.**

This contract is entered into this 15<sup>th</sup> day of November 2017, and is made by and between Caldwell Flores Winters, Inc. and the Center Joint Unified School District of Sacramento County.

**RECITALS**

WHEREAS, the Center Joint Unified School District (hereinafter, "District"), a California Public School District located in Sacramento County, is seeking to renew and extend its agreement with Caldwell Flores Winters, Inc. (hereinafter, "CFW") for professional financial advisor services for the purpose of issuing bonds;

WHEREAS, CFW has served as the District's professional financial advisor since 1993;

WHEREAS, the District desires to extend or continue the relationship with CFW for advice, counsel and assistance as its financial advisor to structure and restructure existing debt, provide interim financing solutions, and issue new debt, all to achieve the short and long term facilities objectives and implement the debt policies of the District;

WHEREAS, CFW provides the District with professional State Aid services, and services to prepare Fee Justification Studies;

WHEREAS, the District understands that the Financial Advisory Services provided by CFW are governed by the Municipal Securities Rulemaking Board ("MSRB");

WHEREAS, CFW is registered with the MSRB and the U.S. Securities and Exchange Commission ("SEC") as a Municipal Advisor;

WHEREAS, the District has determined that it cannot provide through its own personnel the services to be performed by CFW under this Agreement, the services provided by CFW are exempt from Public Contract Code section 20111, and the District has fully complied with its policies, bylaws, rules, and/or procedures for entering into this Agreement;

NOW THEREFORE, for good and valuable consideration of the covenants set forth herein and other good and valuable consideration, the receipt and adequacy of which is acknowledged by the District and CFW (hereinafter, "Parties"), the Parties hereby agree as follows:

**CONTRACT**

**I. CONSULTANT SERVICES**

Caldwell Flores Winters, Inc. agrees to provide the District with professional consulting services consisting primarily of municipal/financial advisor services as that term is defined by the Dodd-Frank Wall Street Reform and Consumer Protection Act and its subsequent regulations. Exhibit A to this Agreement, incorporated herein by reference, sets forth the Scope of Services to be provided by CFW. CFW does not provide legal advice with respect to the issuance of municipal securities or the structure thereto. The District will be required to retain the services of Bond Counsel and Disclosure Counsel to advise it with respect to the issuance of municipal securities.

The District recognizes that CFW provides additional professional consulting services, including planning services, facilities assessments, State Aid services and facilities implementation services that are not municipal/financial advisory services. The District may solicit from CFW proposals for these services. Upon request, CFW will provide the District with a proposal, including fees, to provide said services.

## **II. DISTRICT COOPERATION**

The successful issuance of new debt instruments or refunding of existing debt instruments (hereinafter, the "Transaction") will require the District to assemble a team of professionals (hereinafter, "Financing Team") consisting of legal counsel, underwriter, trustee and in some cases a paying agent. The District agrees to retain the Finance Team professionals or authorize the retention of these professionals to complete the transaction. CFW will also request that representatives from the County Office of Education and the County participate at various times during the financing process.

The Transaction requires a complete and thorough review of existing documentation and District information. The debt issuance process requires a disclosure in the form of an Official Statement that accurately represents District information, debt structure and other related information to the public and the investors. The Underwriter and Bond Counsel are responsible for preparing the Official Statement and documents to issue debt.

The District agrees to cooperate with CFW and the financing team to provide all the necessary District information, records and data necessary to structure the debt, complete the Official Statement and prepare the transaction documentation. Furthermore, the District agrees to provide CFW and members of the financing team the opportunity to consult with District personnel as necessary.

The District further agrees to provide complete and accurate information on a timely basis. The District recognizes that CFW and the financing team will be relying on the District's information without further independent verification for purposes of the structuring of the debt.

## **III. CONFIDENTIALITY OF INFORMATION**

CFW recognizes that much of the information related to the Transaction is public information that must be published and/or disclosed to the public upon request. It is the responsibility of the District to make the determination of whether a particular document or other tangible information is subject to disclosure and to disclose said information at the appropriate times. While the District makes that determination, CFW shall regard all information received during the performance of services pursuant to this Contract and all information produced by CFW as confidential and shall not disclose such information to any other person without prior consent of the District. Upon determination by the District, CFW will cooperate to disclose or publicize those documents requested or determined to be public.

## **IV. TERM**

The Parties have agreed to a term of five (5) years, a period of time recognized as necessary to issue the Transactions contemplated by the Parties. The Term of this Contract shall commence upon approval by the Governing Board of the District and execution by the Superintendent and shall continue through October 31, 2022. The Parties recognize that the long term consistent management of the

District's debt portfolio is an important objective of the Governing Board. The District may choose to extend or renew the term of this Contract by a written instrument, mutually agreed to by the Parties and approved by the Governing Board of the District.

**V. FEE FOR FINANCIAL ADVISORY SERVICES**

The District agrees to compensate CFW for the professional services contemplated under Article I of this Contract and the Exhibit A attached hereto based on the following fee schedule:

**A. Services to Establish a General Obligation Bond Program**

The District agrees to compensate CFW a fee of \$50,000 to provide financial consultant services to establish a General Obligation Bond Program for the District, as set forth in Exhibit A. The fee shall be payable from legally available funds as determined by the District upon the sale of the first bond issuance subsequent to the execution of this Contract.

**B. Services to Issue Municipal Securities/Bonds**

The District agrees to compensate CFW a professional consulting fee for the services set forth in Exhibit A related to the issuance of municipal securities/bonds as follows:

<b>Instrument</b>	<b>Fee</b>
New Issuance of General Obligation Bonds, Certificates of Participation(COPs) and other similar Bond Issuances	\$75,000.00

The Fee set forth herein shall be payable solely from proceeds of the sale of each series of bonds, whether general obligation bonds or Certificates of Participation. The fee is contingent of the successful completion and sale of the particular instrument contemplated by the Parties.

**C. Expenses**

All expenses incurred on behalf of the completion of the approved scope of work by CFW shall be reimbursed at their direct cost plus ten percent (10%) by the District. Payment for financial advisory services shall be payable at the time of the bond sale solely from bond proceeds.

**VI. DISCLOSURE REGARDING POTENTIAL CONFLICT OF INTEREST REGARDING COMPENSATION STRUCTURES**

As a registered municipal advisor CFW is required to disclose to the District potential conflicts of interest as well as other information regarding CFW's registration, including where to locate CFW's registration information on the SEC's EDGAR system. The District has been provided with CFW's updated Rule G-42 Disclosures via email on November 6, 2017.

**VII. INTEGRATED CONTRACT**

This Contract in its entirety represents a full and complete understanding of every kind or nature whatsoever between the parties hereto related to Financial Advisory Services and replaces or supersedes any and all preliminary negotiations, representations or implied covenants inconsistent with the terms of this Contract.

**VIII. TERMINATION**

In the event CFW fails or refuses to reasonably perform the provisions of the scope of work, the District may declare a default in the performance of the terms of this Contract by providing written notice specifying the nature of the default and the steps necessary to cure the default. CFW shall be provided a period of no less than twenty-one (21) calendar days from the date of the notice to cure the default. The Parties may also agree to mutually terminate this Contract by a writing reflecting the agreement.

CFW may withdraw from its representation of the District upon written notice to the District subject to any fiduciary duty or duty of care that may require CFW to continue to represent the District until an appropriate replacement is identified. The timeline for determining an appropriate replacement will depend on the status of the transaction at the time of withdrawal.

**IX. NOTICES**

All notices, demands, requests or approvals to be given under this Contract shall be given in writing and shall be deemed served when delivered personally or on the fifth business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as provided below.

Center Joint Unified School District  
ATTN: Scott A. Loehr, Superintendent  
8408 Watt Ave  
Antelope, CA 95843

Caldwell Flores Winters, Inc.  
ATTN: Emilio A. Flores, CEO  
6425 Christie Avenue, Suite 270  
Emeryville, CA 94608

**X. DISPUTE RESOLUTION**

Any dispute, claim or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall first be submitted to mediation, and if the matter is not resolved through mediation then to arbitration before one arbitrator. The arbitration shall be administered by an organization mutually agreeable by the parties or pursuant to CA Code of Civil Procedure section 1280 et. seq. Judgment on the award may be entered in any court having jurisdiction. This clause shall not preclude parties from seeking provisional remedies in aid of arbitration from an appropriate court. The prevailing party in the arbitration shall be entitled to its reasonable attorneys' fees and costs. All fees and costs for mediation and arbitration shall be split equally.



**XI. CONSULTANT NOT AN EMPLOYEE OF THE DISTRICT**

CFW shall have no authority to contract on behalf of the District and shall not represent itself as having such authority. It is expressly understood and agreed by the Parties that CFW, while engaged in carrying out and complying with any terms and conditions of this contract, is an independent contractor and not an officer, agent or employee of aforesaid District.

**XII. PREVAILING LAW**

This agreement shall be interpreted and shall be governed by California law.

**XIII. ASSIGNMENT**

CFW reserves the right to assign this contract in whole or in part to any successor-in-interest or assignee with the approval of the District. Such approval shall not be unreasonably withheld by the District.

**XIV. ATTORNEY'S FEES**

In the event that any action or proceeding, including any arbitration, is brought to enforce the provisions of this Contract for Services, the prevailing party shall be entitled to all costs of enforcement, including but not limited to, said party's actual attorney fees. As used herein, the term "actual attorney's fees" shall mean the fees actually charged for the services rendered by legal counsel to the prevailing party in connection with the enforcement of this Agreement, and shall not be limited to "reasonable attorney's fees" as determined by the court or any statute.

**XV. APPROVAL**

In executing this Contract, persons signing on behalf of CFW or District represent that each has the authority to do so. This Contract shall not be executed by the District until such time as the Governing Board has approved and authorized its execution.

This Contract is hereby agreed to and executed on this 15<sup>th</sup> day of November 2017.

**AGREED:**

\_\_\_\_\_  
Emilio A. Flores, CEO  
Caldwell Flores Winters, Inc.

\_\_\_\_\_  
Scott A. Loehr, Superintendent  
Center Joint Unified School District

## **EXHIBIT A SCOPE OF WORK**

Caldwell Flores Winters, Inc. ("CFW") agrees to provide the following scope of work for the Center Joint Unified School District ("District").

### **I. Services to Establish a General Obligation Bond Program**

In order to establish a general obligation bond program for District consideration, CFW shall provide the following consultant services and:

- a. Analyze the assessed valuation profile of the District, including existing tax rates and assessed values, and conduct an analysis of District's statutory bonding capacity and bond proceeds that may be generated immediately and over time
- b. Conduct a cash flow analysis of proposed expenditures, phasing, and required revenues, and incorporate other revenues that may be available as directed by the District
- c. Work with the District to design an acceptable financing plan to meet anticipated needs of the program, and incorporate proposed changes or need for modification
- d. Recommend a tax rate and method to assess the tax over the life of the proposed financing program
- e. Establish the maximum level of bonded authorization to be undertaken and a proposed schedule for the issuance of bonds
- f. Establish and manage a timeline in coordination with District and County by which to call election, certify election results, and issue bonds
- g. Assist team members as necessary in establishing a bond program, including bond counsel in the preparation of necessary resolutions calling election, establishing required ballot language, project list, and ballot arguments and rebuttals, if needed
- h. Work with the District and County of Lake to prepare a tax rate statement; including the maximum amount of bonds authorized to be issued, the projected tax rates over the estimated life of the bond program and the estimated timing of bonds to be sold
- i. Attend necessary meetings as requested by the District to explain the proposed program to staff, the community, and the Board

### **II. Services to Issue Bonds**

For all bond financing transactions, CFW shall provide the following professional consulting services related to its obligations as a municipal advisor:

- a. Research and analyze the current market for bonds and provide recommendations on the structure of the issue, credit enhancement, type of bond ratings, maturity schedule, method and timing of sale, and documentation requirements

- b. Assist District in selection of consultants and team members ("Financing Team"), including paying agent, underwriters, bond counsel, and trustee, if required
- c. Work with the financing team to develop the proposed financing structure, including sizing, amortization schedule, phasing of debt repayment, and call provisions
- d. Prepare rating agency presentations; assist District staff in preparing for the meeting or conference call with rating analysts; schedule and coordinate the rating; attend the presentation with District staff, if necessary; provide a response to the rating agency as required
- e. Negotiate bond insurance providers or letter of credit providers, if required
- f. Coordinate the preparation of legal and disclosure documents to be prepared by bond counsel, including District and County resolutions, bond purchase agreements, preliminary official statement, and final official statement
- g. Guide the District through the due diligence process as required by the underwriter
- h. Assist District staff in preparation for the sale of bonds, including a review of the required steps, available options, anticipated decisions to be made, and documents requiring to be executed
- i. For negotiated sales, work with the financing team to establish tax rate and required revenue line to meet amount of bonds to be sold, review pre-pricing interest rates and terms by underwriter, conduct final pricing and sale of bonds to underwriter on proposed sales date, including recommended interest rates, coordinate execution of bond purchase contract
- j. For competitive sales, review and comment on Notice of Sale and Bid Form and bid documents to qualified buyers, post, monitor, and verify bids on date of sale and coordinate award of bid
- k. Prepare wrap up presentation to District summarizing bond sale and attend Board meeting to explain bond sale as needed
- l. Provide updates to the District staff and Governing Board, as requested
- m. Assist the staff in the planning for the issuance of future series of bonds, if any

# Center Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	Business Department	
<b>Date:</b>	November 15, 2017	Action Item <u>X</u>
<b>To:</b>	CJUSD Board of Trustees	Information Item <u>   </u>
<b>From:</b>	Lisa Coronado <i>lc</i> Director of Fiscal Services	# Attached Pages <u>   </u>

<b>SUBJECT:</b>
<b>Associated Valuation Services, Inc.</b>
<p>Please approve the contract for Associated Valuation Services, Inc. to provide an onsite fixed asset inventory audit for CJUSD. This analysis will include fixed assets exceeding the \$500 and above threshold. The last inventory was completed in 2007.</p>
<p><b>RECOMMENDATION:</b> That the CJUSD Board of Trustees approve the Associated Valuation Services contract as presented.</p>

CONSENT AGENDA



*ASSOCIATED VALUATION SERVICES, INC.*

1501 COFFEE ROAD, SUITE N  
MODESTO, CALIFORNIA, 95355  
(209) 543 8245 OFFICE  
(209) 543 8280 FAX  
WWW.AVS-1.COM

November 1, 2017

Lisa Coronado  
Director of Fiscal Services  
Center Joint Unified School District  
8408 Watt Ave  
Antelope, CA 95843

RE: Fixed Asset Inventory Audit Reporting Contract Agreement

Dear Erik,

Thank you for speaking to me regarding your Fixed Assets Inventory Reporting Audit needs for Center Joint Unified School District and again for considering **ASSOCIATED VALUATION SERVICES, INC.** for your service provider. I appreciate you and your staff's time.

Attached is the PDF file of the Service Agreement Contracts for Fixed Asset Inventory Audit for the Center Joint Unified School District for assets \$500 and above. Please sign and initial two copies on page 5 for the Fixed Asset Inventory.

Please forward both agreements back to AVS via US mail for signature and processing. We will return one copy for your records.

Please email a PDF copy of the agreement for verification and acceptance of the agreement.

Please be aware that all inventory will be directly transferred to the WITS service without additional charges as long as the district is subscribed to the service.

Once AVS has received the acknowledged Service Agreement, we will be in contact with you to finalize the schedule date for the onsite for Fixed Asset Inventory Audit. You may also fax the agreement to expedite the process at (209) 543-8280.

Also attached is a checklist of items that we will need to complete the Fixed Asset Inventory Report for Center Joint Unified School District and updated W9.

Please feel free to contact us at (209) 543-8245. My cell at (209) 605-7172 or via email at [fisherj@avs-1.com](mailto:fisherj@avs-1.com).

Thank you again for your business and we look forward to working with everyone there at Center Joint Unified School District.

Sincerely,

**ASSOCIATED VALUATION SERVICES, INC.**

Jeannette Fisher  
Consultant

**Attachments (3)**



## **AGREEMENT FOR SERVICES**

This is more than an agreement; it is intended to be a legally binding contract. Read it completely and carefully.

Inventory Audit of Assets \$500 and above of original cost. This Agreement does not include  
Inventory Audit of Assets below \$500 of original cost.

This AGREEMENT and its attachments, originated in Modesto, California, are made between ASSOCIATED VALUATION SERVICES, INC. hereinafter referred to as the Consultant, and Center Joint Unified School District hereinafter referred to as the District.

### **WITNESSETH**

Whereas, the District is authorized to contract with and employ an independent contractor specially trained to perform special services required; and

Whereas, the Consultant is specially trained, experienced, and competent to perform the special services as a Consultant pursuant to this Agreement:

### **IT IS THEREFORE AGREED AS FOLLOWS:**

The District hereby retains and employs the Consultant as an independent contractor upon the terms and conditions hereinafter set forth and the Consultant hereby accepts said retention and agrees to perform the services hereinafter mentioned as an independent contractor upon said terms and conditions.

The period of this Agreement shall be from November 16, 2017 to October 31, 2018. The services herein provided by the Consultant shall be as follows:

#### **1. REGULAR SERVICES**

- a. Complete the District's physical inventory of asset items (computers, vehicles, equipment) with an original value of \$500 and above based on the criteria set forth by the District's guidelines as stated within their Request For Proposal and/or the Consultant's service proposal.
- b. Completion of onsite inventory for above referenced District members shall be no later than September 30, 2018 or 90 days after the receipt of the signed agreement, whichever is later.

#### **2. INVENTORY SERVICES**

- a. At each site complete a room by room inspection, inventory and tag items with an original value of \$500 or more with a barcode tag.
- b. It will be the responsibility of Associated Valuation Services, Inc. to conduct and complete the contacts and appointments to conduct the appropriate inventory schedule.
- c. District will supply Consultant a current list of vehicles, technology items, and musical instruments, as available. Items (such as projectors and cameras) mounted above 8 feet from floor that need to be included in the inventory will also need a current list provided by the District.
- d. District will supply Consultant with Wi-Fi network access information prior to and during the onsite inventories including login information and passwords at no cost or liability to both the District and the Consultant.
- e. Consultant will supply District with an Unaccounted For Items and Inaccessible worksheet reports for review by the District after the onsite inventory has been completed. District is to review the information and will provide additional information to the Consultant as to reporting for audit purposes.

#### **3. INVENTORY REPORTS**

- a. Inventory report listing all inventorial items by site/building/room.
- b. Inventory report listing all inventorial items by sequential Bar Code identifier number.
- c. Inventory report listing all inventorial items by category and sub-category.
- d. Each inventory report will list Site name, Building/room, bar code number, make, model (#), serial number, and description/type. These items will be listed if applicable, accessible and/or available.



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4. ITEMS NOT TO BE PHYSICALLY INVENTORIED

- a. Computer monitors 24 inches or less.
- b. Televisions with a screen 36 inches or less.
- c. All copiers that are leased.
- d. Any type of Computers in any individual protection cases.
- e. Chromebook/Netbooks/Mini Computers/Tablet Type Computers
- f. Any asset not physically accessible or present or in locked carts, stored in cabinets or not physically available during the onsite inventory.
- g. Vehicles licensed by the State of California Department of Motor Vehicles
- h. Musical Instruments
- i. Items such as Projectors and cameras mounted above 8 feet from floor.
- j. Buildings/structures land improvements, infrastructure, and land

5. FEE SCHEDULE

The fees for the subject inventory services, and to comply with GASB 34, is all inclusive and includes all aspects in compiling the information and completing the report, travel expenses and time and all other associated expenses are as follows:

Center Joint Unified School District

Total Estimated Fees:

New Inventory (with \$500 Threshold)	
Fixed Asset (Equipment, Furniture, etc.)	\$24,653
Less 10% WITS Discount	<u>\$ -2,465</u>
<b>Estimated Total</b>	<b>\$22,188</b>

These cost estimate proposals are subject to the completion of all components simultaneously by Associated Valuation Services, Inc.

The fee for REGULAR SERVICES will be, as stated for the period of November 16, 2017 to October 31, 2018 payable as follows:

- a. One third of estimated bid proposal will be due upon agreement and signing contract or before beginning the Inventory Audit program (\$7,396) one third of estimated bid proposal after completion of onsite inventory visits (\$7,396) and the remaining one third after completion of inventory reports as set forth herein.
- b. Consultant shall assume all expenses incurred in connection with the performance of this contract, and the District shall not be responsible for payment of any costs other than as provided herein.
- c. Failure of District to provide 2 sets of master keys during the onsite inventories may result in a 25% increase of total fees, subject to Consultant's Review/Discretion.
- d. District's failure to provide written network equipment listing with make, model, serial number, site, room number, acquisition cost and acquisition date prior to the start of the onsite inventory may result in a 10% increase of total fees, subject to Consultant's Review/Discretion.
- e. Consultant will not inventory items residing more than 8 feet above the floor. If possible Associated Valuation Services, Inc. personnel will provide a list of these items by type and location (site and room) to the District at the end of the inventory. Consultant will include this equipment in the inventory reports based on information provided by the District with make, model, serial number, site name, room number, acquisition cost, and acquisition date.



## **AGREEMENT FOR SERVICES**

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Inventory Audit of Assets below \$500 of original cost.**

- f. Consultant will not physically inventory or verify licensed vehicles or musical instruments but will include them in the inventory audit report as "book tagged items" from lists provided to Consultant from District.
- g. Failure of District to provide to Consultant two sets of keys to laptop/tablet carts or the combination to locks prior to start of the onsite inventories may result in a 10% increase of total fees and/or assets not being inventoried, subject to Consultant's Review/Discretion.
- h. District wide-Campus wide WIFI access must be made available to AVS during each onsite inventory audit. Failure of District to provide access to Districts local WIFI network during the onsite inventories may result in a 25% increase of total fees or minimum of \$500 per site or based on a per number of enrollment per site, subject to Consultant's Review/Discretion.
- i. Inventory will be conducted during normal business hours of 7:30 am to 5 pm with a one time only onsite visit to each site to complete inventory of all assets proceeding in a room to room order to accomplish the most expedient manner per Consultant. Any variation of this methodology will incur additional fees and will be bid separately upon change request by the Client. Any change to this schedule without prior approval from Consultant will result in a 25% increase of total fees or minimum of \$500 per site based on and prorated on the requested time and hours subject to Consultant's Review/Discretion.
- j. Any changes and requests for special services after the acceptance of this Contract or during the onsite inventory to the Consultants projected scope will result in increased fees to be based on special services and modifications to existing proposal scope and will result in project being suspended until updated terms are finalized, in writing, including, but not limited to, escorts, special reporting, and special District employee assistance.
- k. Upon rendering any SPECIAL SERVICES requested from the District, the fee schedule rate of \$450 per hour of service will be applied. This rate will include but not be limited to such services as report writing, analyses, site visits, inspections, travel time, recapitulations, special requests.
- l. Additional return visits to sites which have already been inventoried pursuant to this Agreement will have an additional fee of \$500 per return visit per site.

### **6. INDEPENDENT CONTRACTOR STATUS**

Consultant is an independent contractor and not an officer, agent or employee of the District while engaged in carrying out or complying with any of the terms and conditions of this Agreement.

### **7. PERFORMANCE**

- a. The time and manner of performance of the services set forth herein shall be at the discretion of the Consultant, provided, however, that the Consultant shall diligently proceed with the performance of said services and shall devote such time, skill and effort as may be necessary in the attainment of the objectives of this Agreement.
- b. As always the Consultant will conduct themselves with the utmost professionalism during all on site evaluations.

### **8. ASSIGNABILITY OF AGREEMENT**

This Agreement may not be assigned without prior written consent of the District.





## **AGREEMENT FOR SERVICES**

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Inventory Audit of Assets below \$500 of original cost.

### **9. TERMINATION**

- a. This Agreement may be modified by mutual consent, in writing, of the District and the Consultant.
- b. This Agreement may be terminated at the sole discretion of and by the Consultant with thirty (30) days written notice for the non-payment of any fees due from the District.

### **10. INDEMNIFICATION**

Consultant shall hold harmless and indemnify the District, its officers, agents and employees from and against any and all actions, suits or other proceedings as may rise as a result of performing work hereunder, except such actions, suits or other proceedings as may arise as a result of the sole negligence or willful misconduct of the District, its officers, agents or employees.

### **11. DOCUMENTS**

All files, documents and data of every kind prepared in whole or in part by the Consultant under this Agreement shall be and become the District's sole property and shall be delivered to the District upon request or termination of the Agreement, and the District shall have full and unlimited right and title thereto and to the free use of such files, documents and data.

### **12. DISCLOSURES**

- a. Consultant reserves the right to replace, hire, contract with, dismiss, layoff, terminate or otherwise, at Consultant's sole discretion, any outside sub-contractors, independent contractors or others for the purposes of data entry, data informational gathering and research. Consultant will at all times adhere to and indemnify the District as stated above within the INDEMNIFICATION clause of this Agreement.
- b. We agree to correct any and all errors noted in the valuations at our expense that are brought to our attention within 30 days of delivery of the completed reports. Errors noted will be corrected within 60 days of notification.

### **13. LIMITATION OF LIABILITY**

In recognition of the risks and benefits of the project to both the Client and the Consultant, the risks have been allocated such that the client agrees, to the fullest extent permitted by law, to limit the liability to the Consultant to the Client for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, including attorneys fees' and costs and expert witness fees and costs, so that the total limited liability of the Consultant to the Client shall not exceed 100% of the Clients fees received for services rendered on this project. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law. This limitation of liability includes the loss of any keys given the Consultant to the Client and the resulting replacement of keys and or rekeying of any kind whatsoever and the possible or actual loss or damage of property of Clients' from a resulting loss of keys. Client agrees to extend this limitation of liability to Consultant's officers, directors, partners, employees, Sub Consultants and subcontractors' or other associates used by Consultant in association with this project.

### **14. ATTORNEY'S FEES**

In any action, proceeding, or arbitration between the District and the Consultant arising out of this Agreement, the prevailing party between the District and the Consultant shall be not entitled to attorney's fees and costs from the non-prevailing party.



## AGREEMENT FOR SERVICES

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Inventory Audit of Assets \$500 and above of original cost. This Agreement does not include  
Inventory Audit of Assets below \$500 of original cost.

**15. ENTIRE CONTRACT; CHANGES**

All agreements between the parties are incorporated in this Agreement, which constitutes the entire contract. Its terms are intended by the parties as a final, complete, and exclusive expression of their agreement with respect to its subject matter and may not be contradicted by evidence of any prior agreement or contemporaneous oral agreement. **This Agreement may not be extended, amended, modified, altered, or changed in any respect whatsoever except in writing signed by the District and the Consultant.**

**16. OTHER TERMS AND CONDITIONS; ATTACHED SUPPLEMENTS**

By and with the below acknowledgment and signatures, all parties agree to accept the above agreement in part and in whole. By their below signatures, all parties certify they have the District's permission of binding contractual obligation, with and from their respective companies, employers, entities, etc.

**17. DISAGREEMENT/ MEDIATION / ARBITRATION OF DISPUTES**

District and Consultant agree to mediation to resolve any dispute or claim arising between them out of this agreement or any resulting transaction before resorting to arbitration or court action.

**Any disagreement (including fee disputes) between the District and Consultant arising out of or relating to this Agreement/Contract or Consultant's professional services rendered to or for the District, shall be resolved by binding arbitration by a single arbitrator before a local County Bar Association located in the county of the origination of this Agreement. The parties further agree that the party obtaining an award shall not be entitled to an award of Attorney's fees and all expenses incurred in obtaining the arbitration award. The District understands that, without this agreement, the District has the right to a jury trial in the event of a dispute. Knowing this, District WAIVES DISTRICT'S RIGHTS TO A JURY TRIAL IN REGARDS TO SUCH DISPUTES between District and Consultant arising out of or relating to this Agreement/Contract or Consultants professional services pursuant to this Contract.**

**This waiver applies to any claim that arises from or is related to an alleged violation of any duty incident to or arising out of or relating to this Agreement/ Contract, including any errors or emissions, professional liability or relating to the coverage for, or delivery of, services or items pursuant to this Agreement/Contract, irrespective of the legal theories upon which the claim is asserted.**

**For all claims subject to this arbitration provision, both the District and the Consultant give up the right to a jury or court trial, and accept the use of binding arbitration.**

\_\_\_\_\_ (District initial)

\_\_\_\_\_ (Consultant initial)

**CENTER JOINT UNIFIED SCHOOL DISTRICT**

By: \_\_\_\_\_ Date \_\_\_\_\_

Lisa Coronado

Title: \_\_\_\_\_  
Director of Fiscal Services

**ASSOCIATED VALUATION SERVICES, INC.**

By: \_\_\_\_\_ Date \_\_\_\_\_

Burton D. Wiltz

Title: \_\_\_\_\_  
President



## **FIXED ASSET INVENTORY INFORMATION REQUEST LIST**

Following is a list of items the AVS consultants will need to start the planning and making of appointments to complete the Fixed Asset Inventory:

- ❖ A list of site addresses and the name and phone number for the contact person at each site.
- ❖ The name and phone number of the main contact person from maintenance/facilities.
- ❖ Two sets of master keys to classrooms, equipment cabinets, secured areas, closets that are to be inventoried.
- ❖ Evacuation Map for each site with rooms and room numbers identified.
- ❖ An introduction letter on District letterhead to be used by the AVS consultants when visiting each site to verify their permission to enter at the direction and authorization from the District. This should also include the nature of the visit, Fixed Asset Inventory, to inventory items, as well as a contact person from the District, such as you, should any of the site personnel have any questions.
- ❖ District wide-Campus wide Wi-Fi network access during the onsite inventories including login information and passwords prior to the onsite inventory. Please advise if there are any areas without WI FI service at any district sites.
- ❖ Two sets of keys to network cabinets and storage areas that contain Technology Items to be inventoried. (i.e. data cabinets, laptop carts, etc.) as available as well as combinations if applicable.
- ❖ A copy of Network/Infrastructure maps for each site as available.
- ❖ A contact listing and location of all personnel with laptops/PDAs/radios/phones to be inventoried or listing to be added with this information.
- ❖ Notification to all staff with technology equipment that inventory will be occurring during the specific timeframe and that all equipment be available for inventory during that time.
- ❖ All personal equipment must be marked with a note "Personal – Do not tag" or removed from classroom prior to inventory.
- ❖ All district items to be inventoried must be accessible and visible (i.e. out of closets, drawers and cabinets as well as protective cases) in order to be inventoried and tagged.
- ❖ A listing of all musical instruments and acquisition costs and dates.
- ❖ A listing of all vehicles with acquisition costs, dates, and VIN numbers
- ❖ A listing of all district owned copiers with acquisition costs and dates.
- ❖ Any recently updated/modernization areas with new outdoor equipment such as Picnic Tables and Benches since the last physical inventory (if applicable).

Should you have any questions please be in contact with AVS at your earliest opportunity.  
Phone: 209 543-8245 or Fax 209 543-8280 or via email at [fisherj@avs-1.com](mailto:fisherj@avs-1.com) or [roachp@avs-1.com](mailto:roachp@avs-1.com).

Thank you in advance.

# Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**Associated Valuation Services, Inc.**

**2** Business name/disregarded entity name, if different from above

**3** Check appropriate box for federal tax classification; check only one of the following seven boxes:  
 Individual/sole proprietor or single-member LLC  
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ \_\_\_\_\_  
 Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.  
 Other (see instructions) ▶ \_\_\_\_\_

C Corporation     S Corporation     Partnership     Trust/estate

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  
 Exempt payee code (if any) \_\_\_\_\_  
 Exemption from FATCA reporting code (if any) \_\_\_\_\_  
(Applies to accounts maintained outside the U.S.)

**5** Address (number, street, and apt. or suite no.)  
**1501 Coffee Road, Suite N**

**6** City, state, and ZIP code  
**Modesto, CA 95356**

**7** List account number(s) here (optional)

Requester's name and address (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
OR									
Employer identification number									
2	6	-	4	1	4	5	3	3	0

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here**    Signature of U.S. person ▶ *Jennifer Wilty*    Date ▶ *1/15/2016*

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1099 (home mortgage interest), 1099-E (student loan interest), 1099-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

# Center Joint Unified School District

**AGENDA REQUEST FOR:**

**Dept. /Site:** Business Department

**Date:** 11/06/2017

**Action Item**

**To:** Board of Trustees

**Information Item**

**From:** Lisa Coronado

**# Attached Page** 1

**SUBJECT:**

**APPROVAL OF CENTER JOINT UNIFIED SCHOOL DISTRICT  
PAYROLL ORDERS**

The Governing board is asked to approve the attached payroll Orders for July 2017 through October 2017.

**RECOMMENDATION:** That the CJUSD Board of Trustees approve the District Payroll Orders for July 2017 through October 2017.

**CONSENT AGENDA**

**DISTRICT PAYROLL-SUMMARIZED FOR FISCAL YEAR ENDING JUNE 30,2018**

	REGULAR	VARIABLE	SPECIAL	TOTAL PAYROLL	#OF TRANSACTIONS
JULY	\$ 938,044.16	\$ 77,180.53		\$ 1,015,224.69	549
AUG	\$ 2,518,721.16	\$ 167,176.65		\$ 2,685,897.81	942
SEPT	\$ 2,512,850.08	\$ 135,559.90		\$ 2,648,409.98	791
OCT	\$ 2,530,305.08	\$ 121,366.22		\$ 2,651,671.30	831
NOV				\$ -	
DEC				\$ -	
3-Jan				\$ -	
JAN				\$ -	
FEB				\$ -	
MARCH				\$ -	
APRIL				\$ -	
MAY				\$ -	
JUNE				\$ -	
SPECIAL				\$ -	
	<b>\$ 8,499,920.48</b>	<b>\$ 501,283.30</b>	<b>\$ -</b>	<b>\$ 9,001,203.78</b>	<b>3113</b>

# Center Joint Unified School District

**AGENDA REQUEST FOR:**

**Dept./Site:** Business Department

**Date:** October, 2017

**To:** Board of Trustees

**From:** Lisa Coronado

**Action Item**

**Information Item**

**# Attached Pages** 58

**SUBJECT: Supplemental Agenda – Commercial Warrant Registers**

October 05, 2017, \$318,260.71, October 12, 2017, \$600,863.43

October 19, 2017, \$280,951.73, October 26, 2017, \$ 539,992.33

**The commercial warrant payments to vendors total**

**\$ 1,651,705.59**

**RECOMMENDATION:** That the CJUSD Board of Trustees approve the Supplemental Agenda – Vendor Warrants as presented

CONSENT AGENDA

XV-29

Batch status: A All

From batch: 0018

To batch: 0018

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: Y

Include Audit Date and Time in Sort: N



Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P	OBJE SIT	GOAL FUNC RES DEP T9MPS		
010669/00	ALHAMBRA & SIERRA SPRINGS						
24 PO-180024	10/05/2017	4781257	1	01-0000-0-4300-112-0000-3600-007-000	NN P	60.11	60.11
24 PO-180024	10/05/2017	4781257092117	2	01-0000-0-5600-112-0000-3600-007-000	NN P	7.50	7.50
425 PO-180393	10/05/2017	4781839092117	1	01-0000-0-4300-475-3200-2700-015-740	NN P	30.16	30.16
425 PO-180393	10/05/2017	4781839092117	2	01-0000-0-5600-475-3200-2700-015-740	NN P	7.50	7.50
502 PO-180459	10/05/2017	4780794092117	2	01-0000-0-5600-110-0000-7200-004-000	NN P	7.50	7.50
502 PO-180459	10/05/2017	4780794	1	01-0000-0-4300-110-0000-7200-004-000	NN P	42.14	42.14
TOTAL PAYMENT AMOUNT						154.91 *	154.91
021097/00	ASSOCIATED VALUATION SERVICES						
215 PO-180161	10/05/2017	5643	1	01-0000-0-5800-105-0000-7200-005-000	NN P	1,917.45	1,917.45
TOTAL PAYMENT AMOUNT						1,917.45 *	1,917.45
010400/00	AT&T						
345 PO-180313	10/05/2017	81008413	1	01-0000-0-5930-106-0000-8110-007-000	NN P	9.31	9.31
TOTAL PAYMENT AMOUNT						9.31 *	9.31
020065/00	BOLTON, LOIS						
973 PO-180929	10/05/2017	ER REIMB	1	01-0000-0-3402-111-0000-8200-000-000	NN F	50.00	50.00
TOTAL PAYMENT AMOUNT						50.00 *	50.00
022282/00	BRIGHT START THERAPIES						
503 PO-180460	10/05/2017	CUEH915.17	1	01-6500-0-5800-102-5750-1180-019-000	NN P	720.00	720.00
TOTAL PAYMENT AMOUNT						720.00 *	720.00
013988/00	BUTTES/CENTER STATE PIPE &						
159 PO-180126	10/05/2017	S009786602.001	1	01-8150-0-4300-106-0000-8110-007-000	NN P	802.74	802.74
TOTAL PAYMENT AMOUNT						802.74 *	802.74
010066/00	CALIFORNIA SCHOOL BOARD ASSN						
936 PO-180902	10/05/2017	36729-p4s7q2	1	01-0000-0-5800-120-0000-7110-000-000	NN F	2,555.00	2,555.00
TOTAL PAYMENT AMOUNT						2,555.00 *	2,555.00

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P	OBJE SIT	GOAL FUNC RES DEP T9MPS		
010575/00	CAPITOL CLUTCH & BRAKE INC.						
270 PO-180217	10/05/2017	1478419	1	01-0000-0-4300-112-0000-3600-007-000	NN P	177.25	177.25
270 PO-180217	10/05/2017	1478568	1	01-0000-0-4300-112-0000-3600-007-000	NN P	177.25	177.25
TOTAL PAYMENT AMOUNT						354.50 *	354.50
022100/00	CHAVEZ, JASMINE						
928 PO-180930	10/05/2017	AUG. MILEAGE	1	01-5630-0-5800-601-1421-1000-017-000	NN F	39.80	39.80
TOTAL PAYMENT AMOUNT						39.80 *	39.80
013928/00	CINTAS LOCATION 622						
108 PO-180057	10/05/2017	622815847	1	01-0000-0-5800-111-0000-8200-007-000	NN P	189.79	189.79
TOTAL PAYMENT AMOUNT						189.79 *	189.79
014901/00	CLEVER PROTOTYPES LLC						
922 PO-180890	10/05/2017	1458	1	01-6300-0-5800-371-1110-1000-012-000	NY F	149.98	149.98
TOTAL PAYMENT AMOUNT						149.98 *	149.98
016761/00	CPM EDUCATIONAL PROGRAM						
756 PO-180719	10/05/2017	1705649-IN	1	01-6300-0-4200-103-1110-1000-019-000	NN F	77.45	76.51
TOTAL PAYMENT AMOUNT						76.51 *	76.51
017023/00	CROWE HORWATH LLP						
967 PO-180932	10/05/2017	ACCT 869414.001	1	01-0000-0-5800-105-0000-7190-005-000	NN F	13,000.00	13,000.00
TOTAL PAYMENT AMOUNT						13,000.00 *	13,000.00
010481/00	DEMCO INC						
839 PO-180804	10/05/2017	6216681	1	01-0000-0-4300-103-0000-2420-019-000	NN F	83.10	82.74
TOTAL PAYMENT AMOUNT						82.74 *	82.74

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num FD RESO P OBJE SIT GOAL FUNC	Account num RES DEP T9MPS	Liq Amt	Net Amount
019824/00	DEVELOPMENTAL RESOURCES INC.							
910 PO-180879	10/05/2017	13151		1	01-3010-0-5200-475-3200-1000-015-000	NN F	298.00	298.00
TOTAL PAYMENT AMOUNT							298.00 *	298.00
018277/00	EASTER SEAL SOCIETY OF CA. INC							
781 PO-180743	10/05/2017	AUG17		1	01-6500-0-5800-102-5750-1180-019-000	NN F	2,187.00	2,187.00
935 PO-180901	10/05/2017	AUG17		1	01-6500-0-5800-102-5750-1180-019-000	NN P	753.00	753.00
TOTAL PAYMENT AMOUNT							2,940.00 *	2,940.00
021610/00	EATON INTERPRETING SERVICES							
526 PO-180484	10/05/2017	302788		1	01-0000-0-5800-103-4760-1000-019-740	NN P	210.00	210.00
TOTAL PAYMENT AMOUNT							210.00 *	210.00
011507/00	ELLEVATION LLC							
929 PO-180907	10/05/2017	3640		1	01-4203-0-5800-103-4760-1000-019-000	NY F	11,500.00	11,500.00
TOTAL PAYMENT AMOUNT							11,500.00 *	11,500.00
017718/00	GUIDING HANDS INC.							
782 PO-180744	10/05/2017	4521		1	01-6500-0-5800-102-5750-1180-019-000	NN P	4,239.62	4,239.62
782 PO-180744	10/05/2017	4540		1	01-6500-0-5800-102-5750-1180-019-000	NN P	312.50	312.50
782 PO-180744	10/05/2017	4549		1	01-6500-0-5800-102-5750-1180-019-000	NN P	187.50	187.50
TOTAL PAYMENT AMOUNT							4,739.62 *	4,739.62
015311/00	HOWARD TARAS MD							
938 PO-180931	10/05/2017	SPEECH DETERM. LETTER		1	01-5640-0-5800-601-1369-1000-017-000	NY F	70.00	70.00
TOTAL PAYMENT AMOUNT							70.00 *	70.00
017472/00	INDUSTRIAL PLUMBING SUPPLY LLC							
798 PO-180765	10/05/2017	64252		1	01-8150-0-4300-106-0000-8110-007-000	NN P	553.44	553.44
TOTAL PAYMENT AMOUNT							553.44 *	553.44

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num FD RESO P OBJE SIT GOAL FUNC	Account num RES DEP T9MPS	Liq Amt	Net Amount
022335/00	LOFTUS, MARK							
	945 PO-180912	10/05/2017 reimb dvd		1	01-0000-0-4300-472-1385-1000-014-000	NN F	211.90	211.90
			TOTAL PAYMENT AMOUNT			211.90 *		211.90
017726/00	LOS ANGELES FREIGHTLINER							
	36 PO-180033	10/05/2017 BN92049		1	01-0000-0-4300-112-0000-3600-007-000	NN P	17.24	17.24
	36 PO-180033	10/05/2017 BN91924		1	01-0000-0-4300-112-0000-3600-007-000	NN P	49.07	49.07
			TOTAL PAYMENT AMOUNT			66.31 *		66.31
011742/00	MASTER TEACHER, THE INC.							
	849 PO-180806	10/05/2017 116755684		1	01-6500-0-4300-102-5750-1110-019-000	YN F	51.47	47.77
			TOTAL PAYMENT AMOUNT			47.77 *		47.77
			TOTAL USE TAX AMOUNT			3.70		
019087/00	MCCARTY, MELADEE		569848465					
	PV-180020	10/04/2017 BALANCE OF SEPT			01-6500-0-5800-102-5750-1180-019-000	NY		100.00
			TOTAL PAYMENT AMOUNT			100.00 *		100.00
016078/00	MCGLAUGHLIN, DONNA							
	818 PO-180783	10/05/2017 SEPT 17		1	01-6500-0-5800-102-5750-1180-019-000	NY P	4,770.00	4,770.00
			TOTAL PAYMENT AMOUNT			4,770.00 *		4,770.00
016087/00	MICHAEL'S TRANSPORTATION SERV.							
	555 PO-180518	10/05/2017 99412		1	01-0000-0-5800-112-0000-3600-007-000	NN P	6,075.00	6,075.00
			TOTAL PAYMENT AMOUNT			6,075.00 *		6,075.00
020461/00	MITCHELL, CYNDY							
	974 PO-180937	10/05/2017 REIMB LICENSE		1	01-0000-0-5800-112-0000-3600-007-000	NN F	43.00	43.00
			TOTAL PAYMENT AMOUNT			43.00 *		43.00

Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount	
Req Reference	Date				FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
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010253/00	NCS PEARSON INC								
826 PO-180788	10/05/2017	11329429			1 01-6500-0-4300-102-5770-1110-019-000 NN F		404.15	400.73	
828 PO-180790	10/05/2017	11331625			1 01-6500-0-4300-102-5001-3120-019-000 NN F		305.99	288.45	
TOTAL PAYMENT AMOUNT								689.18	689.18
017576/00	OFFICE DEPOT								
283 PO-180261	10/05/2017	94804830001,952164982001			1 01-0000-0-4300-238-1110-1000-010-000 NN F		195.89	165.00	
283 PO-180261	10/05/2017	952166540001			2 01-6300-0-4300-238-1110-1000-010-000 NN F		92.29	33.64	
835 PO-180802	10/05/2017	964751717001			1 01-0000-0-4300-236-1110-1000-009-000 NN P		129.29	129.29	
835 PO-180802	10/05/2017	964751716001			1 01-0000-0-4300-236-1110-1000-009-000 NN F		360.85	360.85	
837 PO-180803	10/05/2017	964753194001			1 01-0000-0-4300-103-0000-2420-019-000 NN F		108.09	78.14	
TOTAL PAYMENT AMOUNT								766.92	766.92
014069/00	PLATT ELECTRIC SUPPLY INC								
12 PO-180012	10/05/2017	0010831			1 01-8150-0-4300-106-0000-8110-007-000 NN P		812.35	812.35	
12 PO-180012	10/05/2017	Y011831			1 01-8150-0-4300-106-0000-8110-007-000 NN P		1,216.68	1,216.68	
960 PO-180923	10/05/2017	N527581			1 01-6230-0-6200-240-0000-8500-007-165 NN F		3,048.51	3,048.51	
961 PO-180924	10/05/2017	N404698			1 01-6230-0-6200-236-0000-8500-007-165 NN F		16,557.13	16,557.13	
962 PO-180925	10/05/2017	N352436			1 01-6230-0-6200-236-0000-8500-007-165 NN F		182.31	182.31	
TOTAL PAYMENT AMOUNT								21,816.98	21,816.98
021194/00	PRUDENTIAL OVERALL SUPPLY INC								
18 PO-180018	10/05/2017	180289033			1 01-0000-0-5600-112-0000-3600-007-000 NN P		53.77	53.77	
TOTAL PAYMENT AMOUNT								53.77	53.77
010627/00	RIVERVIEW INTERNATIONAL TRUCKS								
267 PO-180215	10/05/2017	943300			1 01-0000-0-4300-112-0000-3600-007-000 NN P		316.58	316.58	
TOTAL PAYMENT AMOUNT								316.58	316.58
010315/00	SAC CO OFFICE OF ED FIN SVCS								
950 PO-180917	10/05/2017	180505			1 01-3010-0-4300-475-3200-1000-015-000 NN F		5,750.00	5,750.00	
TOTAL PAYMENT AMOUNT								5,750.00	5,750.00

Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date			FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
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016481/00	SACRAMENTO AREA SCIENCE PROJ							
947 PO-180914	10/05/2017	SOCKWELL, BRADY-KENNEDY		1 01-0036-0-5200-236-1110-1000-009-000 NN F			200.00	200.00
				TOTAL PAYMENT AMOUNT		200.00 *		200.00
014870/00	SACRAMENTO COUNTY OFFICE OF							
933 PO-180899	10/05/2017	180499		1 01-3010-0-5800-103-0000-2110-019-000 NN F			57,450.00	57,450.00
933 PO-180899	10/05/2017	180499		2 01-4035-0-5800-103-0000-2100-019-000 NN F			14,550.00	14,550.00
				TOTAL PAYMENT AMOUNT		72,000.00 *		72,000.00
010266/00	SACRAMENTO COUNTY UTILITIES							
21 PO-180021	10/05/2017	50000918618		1 01-0000-0-5520-106-0000-8110-007-000 N P			670.20	670.20
21 PO-180021	10/05/2017	50000918485		1 01-0000-0-5520-106-0000-8110-007-000 N P			3,420.81	3,420.81
21 PO-180021	10/05/2017	50000918556		1 01-0000-0-5520-106-0000-8110-007-000 N P			161.97	161.97
21 PO-180021	10/05/2017	50008418859		1 01-0000-0-5520-106-0000-8110-007-000 N P			248.53	248.53
				TOTAL PAYMENT AMOUNT		4,501.51 *		4,501.51
016866/00	SANTA CLARA MARRIOTT							
932 PO-180898	10/05/2017	M-73WYR2V		1 01-6387-0-5200-472-1110-1000-019-000 NN F			894.00	894.00
				TOTAL PAYMENT AMOUNT		894.00 *		894.00
020981/00	SAVE MART SUPERMARKETS							
131 PO-180116	10/05/2017	2581561		1 01-0000-0-4300-101-0000-7150-002-000 NN F			21.31	17.98
				TOTAL PAYMENT AMOUNT		17.98 *		17.98
022118/00	SCHOOL DATEBOOKS INC							
744 PO-180905	10/05/2017	S17-0123642		1 01-6300-0-5800-240-1110-1000-011-000 NN F			283.05	283.05
				TOTAL PAYMENT AMOUNT		283.05 *		283.05
014786/00	SCHOOL SPECIALTY							
629 PO-180592	10/05/2017	308102878599		1 01-6300-0-4300-240-1110-1000-011-000 NN F			28.13	28.15
				TOTAL PAYMENT AMOUNT		28.15 *		28.15

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
010373/00	SCHOOLS INSURANCE AUTHORITY						
969 PO-180934	10/05/2017	WCADJ2018-005	1 01-0000-0-9558-000-0000-0000-000-000 NN F			25,622.00	25,622.00
			TOTAL PAYMENT AMOUNT	25,622.00 *			25,622.00
020811/00	SHRED-IT USA LLC						
73 PO-180049	10/05/2017	8123161512	1 01-0000-0-5800-472-0000-2700-014-000 NN P			38.57	38.57
			TOTAL PAYMENT AMOUNT	38.57 *			38.57
020983/00	SIERRA PACIFIC TURF SUPPLY						
875 PO-180827	10/05/2017	0512239-IN	1 01-0000-0-4300-106-0000-8110-007-000 NN P			424.49	424.49
			TOTAL PAYMENT AMOUNT	424.49 *			424.49
017883/00	SIMPLEXGRINNELL LP						
38 PO-180035	10/05/2017	83874348	1 01-8150-0-5800-106-0000-8110-007-000 NN P			5,820.46	5,820.46
963 PO-180926	10/05/2017	84084885	1 01-8150-0-4300-106-0000-8110-007-000 NN F			326.16	326.16
			TOTAL PAYMENT AMOUNT	6,146.62 *			6,146.62
010263/00	SMUD						
22 PO-180022	10/05/2017	7000000347	1 01-0000-0-5510-106-0000-8110-007-000 NN P			84,346.42	84,346.42
			TOTAL PAYMENT AMOUNT	84,346.42 *			84,346.42
020252/00	STAPLES BUSINESS ADVANTAGE						
867 PO-180822	10/05/2017	3353670270	1 01-6500-0-4300-102-5770-1191-019-000 NN F			209.56	169.60
			TOTAL PAYMENT AMOUNT	169.60 *			169.60
018066/00	SUPER DUPER INC.						
832 PO-180799	10/05/2017	2286246A	1 01-6500-0-4300-102-5770-1191-019-000 NN F			338.27	313.94
			TOTAL PAYMENT AMOUNT	313.94 *			313.94

081 CENTER UNIFIED SCHOOL DISTRICT J3120  
10-05-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0018 10-5-17  
FUND : 01 GENERAL FUND

APY500 L.00.12 10/05/17 10:29 PAGE 8  
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Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	Account num	Liq Amt	Net Amount
-----								
017453/00	THERAPY SHOPPE INC.							
865 PO-180833	10/05/2017	313458			1 01-6500-0-4300-102-5770-1110-019-000	YN F	150.18	131.98
					TOTAL PAYMENT AMOUNT	131.98 *		131.98
					TOTAL USE TAX AMOUNT	10.23		
010139/00	TROXELL COMMUNICATIONS INC							
286 PO-180264	10/05/2017	982019			1 01-0000-0-4400-234-0000-2700-008-000	NN F	2,343.56	2,343.57
					TOTAL PAYMENT AMOUNT	2,343.57 *		2,343.57
018567/00	TROLITE GLASS & ALUMINUM SOL.							
13 PO-180013	10/05/2017	121614172			1 01-8150-0-4300-106-0000-8110-007-000	NN P	84.83	84.83
					TOTAL PAYMENT AMOUNT	84.83 *		84.83
010127/00	UNITED PARCEL SERVICE							
789 PO-180749	10/05/2017	YW013397			1 01-0000-0-5920-236-1110-1000-009-000	NN F	60.26	60.26
					TOTAL PAYMENT AMOUNT	60.26 *		60.26
015473/00	VOYAGER SOPRIS LEARNING INC							
747 PO-180712	10/05/2017	1854069			1 01-0037-0-4100-103-1110-1000-019-000	NN F	1,423.60	1,417.56
					TOTAL PAYMENT AMOUNT	1,417.56 *		1,417.56
015191/00	WACHOB, CYNTHIA							
817 PO-180782	10/05/2017	SEPT MILEAGE			1 01-6500-0-5210-102-5060-2110-019-000	N P	160.83	160.83
					TOTAL PAYMENT AMOUNT	160.83 *		160.83
016252/00	WALTON ENGINEERING INC							
943 PO-180904	10/05/2017	115185			1 01-0000-0-5800-112-0000-3600-007-000	NN F	1,119.00	1,119.00
943 PO-180904	10/05/2017	115185			2 01-0000-0-4300-112-0000-3600-007-000	NN F	314.23	314.23
					TOTAL PAYMENT AMOUNT	1,433.23 *		1,433.23



081 CENTER UNIFIED SCHOOL DISTRICT J3120  
 10-05-17

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0018 10-5-17  
 FUND : 01 GENERAL FUND

APY500 L.00.12 10/05/17 10:29 PAGE 9  
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Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date				FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS			
-----								
010116/00	WESTERN PSYCHOLOGICAL SERVICES							
	827 PO-180789	10/05/2017	WPS-182317		1 01-6500-0-4300-102-5001-3120-019-000 NN F		200.90	189.35
	TOTAL PAYMENT AMOUNT				189.35 *			189.35
010843/00	WILCO SUPPLY							
	160 PO-180125	10/05/2017	9070943		1 01-8150-0-4300-106-0000-8110-007-000 NN P		200.89	200.89
	TOTAL PAYMENT AMOUNT				200.89 *			200.89
	TOTAL FUND PAYMENT				282,130.03 **			282,130.03
	TOTAL USE TAX AMOUNT				13.93			

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
				FD RESO P	OBJE SIT	GOAL FUNC RES DEP T9MPS		
016965/00	ECOLAB	FOOD SAFETY						
	930 PO-180896	10/05/2017 70047		1	13-5310-0-5600-108-0000-3700-007-000	NN F	131.39	131.39
	TOTAL PAYMENT AMOUNT				131.39 *		131.39	131.39
017342/00	EKON-O-PAC LLC							
	192 PO-180179	10/05/2017 88512		1	13-5310-0-4300-108-0000-3700-007-000	NN P	921.26	921.26
	TOTAL PAYMENT AMOUNT				921.26 *		921.26	921.26
021080/00	GOLD STAR FOODS INC							
	81 PO-180053	10/05/2017 2166366		1	13-5310-0-4700-108-0000-3700-007-000	NN P	7,235.65	7,235.65
	TOTAL PAYMENT AMOUNT				7,235.65 *		7,235.65	7,235.65
016279/00	P&R PAPER SUPPLY							
	118 PO-180060	10/05/2017 30151372-01		1	13-5310-0-4300-108-0000-3700-007-000	NN P	92.99	92.99
	TOTAL PAYMENT AMOUNT				92.99 *		92.99	92.99
019993/00	PROPACIFIC FRESH							
	82 PO-180054	10/05/2017 61169		1	13-5310-0-4700-108-0000-3700-007-000	NN P	2,182.71	2,182.71
	82 PO-180054	10/05/2017 65956		1	13-5310-0-4700-108-0000-3700-007-000	NN P	470.80	470.80
	82 PO-180054	10/05/2017 60270		1	13-5310-0-4700-108-0000-3700-007-000	NN P	6,662.64	6,662.64
	82 PO-180054	10/05/2017 62230		1	13-5310-0-4700-108-0000-3700-007-000	NN P	2,509.50	2,509.50
	82 PO-180054	10/05/2017 60507		1	13-5310-0-4700-108-0000-3700-007-000	NN P	2,077.75	2,077.75
	82 PO-180054	10/05/2017 61883		1	13-5310-0-4700-108-0000-3700-007-000	NN P	981.57	981.57
	82 PO-180054	10/04/2017 61188		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,911.67	1,911.67
	TOTAL PAYMENT AMOUNT				16,796.64 *		16,796.64	16,796.64
021194/00	PRUDENTIAL OVERALL SUPPLY INC							
	113 PO-180097	10/05/2017 180289032		1	13-5310-0-5800-108-0000-3700-007-000	NN P	77.75	77.75
	TOTAL PAYMENT AMOUNT				77.75 *		77.75	77.75
011422/00	SYSKO OF SAN FRANCISCO							
	80 PO-180052	10/05/2017 131453376		1	13-5310-0-4700-108-0000-3700-007-000	NN P	2,617.13	2,617.13
	80 PO-180052	10/05/2017 131453376		2	13-5310-0-4300-108-0000-3700-007-000	NN P	305.27	305.27
	TOTAL PAYMENT AMOUNT				2,922.40 *		2,922.40	2,922.40

081 CENTER UNIFIED SCHOOL DISTRICT J3120  
10-05-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0018 10-5-17  
FUND : 13 CAFETERIA FUND

APY500 L.00.12 10/05/17 10:29 PAGE 11  
<< Open >>

Vendor/Addr	Remit name		Tax ID num	Deposit type	ABA num	Account num						
Req Reference	Date	Description			FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS						Liq Amt	Net Amount
-----												
			TOTAL FUND	PAYMENT		28,178.08 **						28,178.08

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
010317/00	NORMAN S. WRIGHT MECHANICAL						
742 PO-180703	10/05/2017	742587	1 21-0000-0-4300-106-0000-8110-007-167 NN F			366.35	366.35
TOTAL PAYMENT AMOUNT						366.35 *	366.35
014533/00	SCHOOL FACILITY CONSULTANTS	680100909					
965 PO-180927	10/05/2017	0010939	1 21-0000-0-6200-106-0000-8500-007-000 NN P			7,586.25	7,586.25
TOTAL PAYMENT AMOUNT						7,586.25 *	7,586.25
TOTAL FUND PAYMENT						7,952.60 **	7,952.60
TOTAL BATCH PAYMENT						318,260.71 ***	318,260.71
TOTAL USE TAX AMOUNT						13.93	13.93
TOTAL DISTRICT PAYMENT						318,260.71 ****	318,260.71
TOTAL USE TAX AMOUNT						13.93	13.93
TOTAL FOR ALL DISTRICTS:						318,260.71 ****	318,260.71
TOTAL USE TAX AMOUNT						13.93	13.93

Number of checks to be printed: 66, not counting voids due to stub overflows.

Batch status: A All

From batch: 0019

To batch: 0019

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: Y

Include Audit Date and Time in Sort: N

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
010669/00	ALHAMBRA & SIERRA SPRINGS						
25 PO-180025	10/12/2017	4782453092117	1 01-8150-0-4300-106-0000-8110-007-000 NN P			84.07	84.07
25 PO-180025	10/12/2017	4782453	2 01-8150-0-5600-106-0000-8110-007-000 NN P			30.00	30.00
TOTAL PAYMENT AMOUNT						114.07 *	114.07
021763/00	ALL STAR RENTS						
137 PO-180112	10/12/2017	715600-10	1 01-8150-0-5600-106-0000-8110-007-000 NN P			415.98	415.98
137 PO-180112	10/12/2017	C18606-10	1 01-8150-0-5600-106-0000-8110-007-000 NN M			0.00	-28.02
TOTAL PAYMENT AMOUNT						387.96 *	387.96
017011/00	ANDERSON, NANCY						
984 PO-180943	10/12/2017	MEDICAL REIMB	1 01-0000-0-3402-120-0000-7110-000-000 N F			50.00	50.00
TOTAL PAYMENT AMOUNT						50.00 *	50.00
010564/00	APPLE COMPUTER						
882 PO-180829	10/12/2017	448283568	1 01-6500-0-4400-102-5001-2700-019-000 NN F			713.37	713.37
957 PO-180920	10/12/2017	4459527935	1 01-6500-0-4400-102-5001-2700-019-000 NN F			429.92	434.92
TOTAL PAYMENT AMOUNT						1,148.29 *	1,148.29
018649/00	ASSOCIATION FOR SUPERVISION &						
978 PO-180942	10/12/2017	000001426842	1 01-0000-0-5300-101-0000-7150-002-000 NN F			89.00	89.00
TOTAL PAYMENT AMOUNT						89.00 *	89.00
021604/00	ATLAS DISPOSAL INDUSTRIES						
27 PO-180026	10/12/2017	1032	1 01-0000-0-5525-106-0000-8110-007-000 NN P			323.67	323.67
TOTAL PAYMENT AMOUNT						323.67 *	323.67
019624/00	B & H VIDEO						
674 PO-180644	10/12/2017	131904874	1 01-3010-0-4300-236-1110-1000-009-000 YN F			430.99	399.99
TOTAL PAYMENT AMOUNT						399.99 *	399.99
TOTAL USE TAX AMOUNT						31.00	

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021669/00	BAIONI, RON						
982 PO-180949	10/12/2017	REIMB-MILEAGE AND TOLLS	1 01-0000-0-5210-371-0000-2700-012-000 NN F			224.00	224.00
982 PO-180949	10/12/2017	REIMB-FEE	2 01-0000-0-5800-371-0000-2700-012-000 NN F			50.00	50.00
TOTAL PAYMENT AMOUNT						274.00 *	274.00
015482/00	CALIFORNIA ASSOC.FOR GIFTED						
953 PO-180918	10/12/2017	2034721-105058339	1 01-0036-0-5200-103-1110-1000-019-000 NN F			690.00	690.00
TOTAL PAYMENT AMOUNT						690.00 *	690.00
020305/00	CDW GOVERNMENT INC.						
735 PO-180701	10/12/2017	KDD2162	1 01-6387-0-4300-472-1110-1000-019-000 NN P			14,267.29	14,267.29
775 PO-180738	10/12/2017	KKF2325	1 01-0000-0-4300-112-0000-3600-007-000 NN P			37.97	37.97
775 PO-180738	10/12/2017	KDZ6132	1 01-0000-0-4300-112-0000-3600-007-000 NN F			18.99	18.99
939 PO-180909	10/12/2017	KJX8049	1 01-0000-0-4400-105-0000-7200-005-000 NN F			748.58	701.67
TOTAL PAYMENT AMOUNT						15,025.92 *	15,025.92
018180/00	CITRUS HEIGHTS SAW & MOWER						
388 PO-180362	10/12/2017	407961	1 01-0000-0-4300-106-0000-8110-007-000 NN P			368.30	368.30
TOTAL PAYMENT AMOUNT						368.30 *	368.30
015699/00	CLARK SECURITY PRODUCTS						
20 PO-180020	10/12/2017	22K-228923	1 01-8150-0-4300-106-0000-8110-007-000 NN P			53.40	53.40
TOTAL PAYMENT AMOUNT						53.40 *	53.40
016761/00	CPM EDUCATIONAL PROGRAM						
493 PO-180442	10/12/2017	1703872-IN	1 01-6300-0-4200-103-1110-1000-019-000 NN F			270.00	270.00
TOTAL PAYMENT AMOUNT						270.00 *	270.00
011129/00	CUSTOMINK						
844 PO-180814	10/12/2017	14432400	1 01-0000-0-5800-371-0000-2700-012-000 NN F			394.52	394.25
TOTAL PAYMENT AMOUNT						394.25 *	394.25

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021797/00	D3 SPORTS INC						
273 PO-180289	10/12/2017	27045	1 01-0076-0-5800-472-1110-4200-014-816 NN F			1,404.67	1,389.98
304 PO-180308	10/12/2017	26970	1 01-7220-0-5800-472-1110-1000-014-000 NN F			619.67	619.67
305 PO-180309	10/12/2017	27108	1 01-7220-0-5800-472-1110-1000-014-000 NN F			1,697.06	1,697.06
523 PO-180500	10/12/2017	27120	1 01-7220-0-5800-472-1110-1000-014-000 NN F			447.54	447.54
552 PO-180515	10/12/2017	27119	1 01-7220-0-5800-472-1110-1000-014-000 NN F			4,236.25	4,236.25
			TOTAL PAYMENT AMOUNT	8,390.50 *			8,390.50
017322/00	ELDRIDGE PLAYS AND MUSICALS						
916 PO-180883	10/12/2017	1101690	1 01-6300-0-4300-371-1110-1000-012-000 YN F			265.27	252.95
			TOTAL PAYMENT AMOUNT	252.95 *			252.95
			TOTAL USE TAX AMOUNT	19.60			
019523/00	FOLLETT SCHOOL SOLUTIONS INC						
900 PO-180865	10/12/2017	2183196A	1 01-0037-0-4100-103-1110-1000-019-000 NN F			5,620.67	5,646.75
			TOTAL PAYMENT AMOUNT	5,646.75 *			5,646.75
015172/00	FRENCH, DAVID L.						
954 PO-180947	10/09/2017	REIMB INCENTIVES	1 01-3010-0-4300-475-3200-1000-015-000 NN F			33.86	33.86
			TOTAL PAYMENT AMOUNT	33.86 *			33.86
019704/00	FRISCH, JOYCE						
981 PO-180948	10/12/2017	REIMB IPAD COVER	1 01-0000-0-4300-371-0000-2700-012-000 NN F			19.99	19.99
			TOTAL PAYMENT AMOUNT	19.99 *			19.99
022347/00	GIVE SOMETHING BACK						
825 PO-180787	10/12/2017	IN-0663904	1 01-6512-0-4300-102-5001-3110-019-000 NN P			29.47	29.47
825 PO-180787	10/12/2017	CM-030368	1 01-6512-0-4300-102-5001-3110-019-000 NN M			0.00	-29.47
825 PO-180787	10/12/2017	IN-0662557	1 01-6512-0-4300-102-5001-3110-019-000 NN F			44.55	73.68
			TOTAL PAYMENT AMOUNT	73.68 *			73.68



Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD	RESSO	P OBJE SIT GOAL FUNC RES DEP T9MPS		
017618/00	GOPHER SPORT						
923	PO-180891	10/12/2017	9377280		1 01-6300-0-4300-234-1110-1000-008-000 NN F	1,683.93	1,689.74
					TOTAL PAYMENT AMOUNT		1,689.74 *
018990/00	INTERSTATE BATTERIES						
44	PO-180041	10/12/2017	130004873		1 01-0000-0-4300-112-0000-3600-007-000 NN P	131.55	131.55
					TOTAL PAYMENT AMOUNT		131.55 *
022114/00	IZA DESIGN						
741	PO-180723	10/12/2017	INV47240		1 01-0000-0-5800-371-1110-1000-012-000 NN F	720.58	720.58
					TOTAL PAYMENT AMOUNT		720.58 *
017961/00	KUTA SOFTWARE LLC						
897	PO-180875	10/12/2017	16075		1 01-6300-0-5800-475-3200-1000-015-000 YN F	140.08	130.00
					TOTAL PAYMENT AMOUNT		130.00 *
					TOTAL USE TAX AMOUNT		10.07
022230/00	MANAGED HEALTH NETWORK						
325	PO-180288	10/12/2017	PRM-005048		1 01-0000-0-3401-100-1110-1000-000-000 NN P	983.06	983.06
					TOTAL PAYMENT AMOUNT		983.06 *
022406/00	MAXIM HEALTHCARE SERVICES INC						
677	PO-180652	10/12/2017	5238140262		1 01-0000-0-5800-109-0000-3140-004-000 NN F	1,580.00	1,710.00
975	PO-180939	10/12/2017	5182760262		1 01-0000-0-5800-109-0000-3140-004-000 NN P	2,480.00	2,480.00
975	PO-180939	10/12/2017	5200920262		1 01-0000-0-5800-109-0000-3140-004-000 NN P	2,350.00	2,350.00
975	PO-180939	10/12/2017	5177240262		1 01-0000-0-5800-109-0000-3140-004-000 NN P	2,340.00	2,340.00
975	PO-180939	10/12/2017	5209420262		1 01-0000-0-5800-109-0000-3140-004-000 NN P	2,300.00	2,300.00
975	PO-180939	10/12/2017	5227970262		1 01-0000-0-5800-109-0000-3140-004-000 NN P	1,680.00	1,680.00
					TOTAL PAYMENT AMOUNT		12,860.00 *
019059/00	MILLENNIUM TERMITES & PEST						
39	PO-180036	10/12/2017	tr-71099		1 01-0000-0-5500-106-0000-8110-007-000 NN P	91.00	91.00
39	PO-180036	10/09/2017	TR-72628		1 01-0000-0-5500-106-0000-8110-007-000 NN P	59.00	59.00
39	PO-180036	10/12/2017	TR72628		1 01-0000-0-5500-106-0000-8110-007-000 NN P	57.00	57.00

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC	ABA num RES DEP T9MPS	Account num	Liq Amt	Net Amount
TOTAL PAYMENT AMOUNT					207.00 *			207.00
017315/00	NAPA AUTO PARTS - GENUINE AUTO							
17 PO-180017	10/10/2017	1850-SEPT		1 01-0000-0-4300-112-0000-3600-007-000 NN P			27.67	27.67
TOTAL PAYMENT AMOUNT					27.67 *			27.67
017500/00	NATIONAL AUTISM RESOURCES		454662700					
525 PO-180483	10/12/2017	541856		1 01-6500-0-4300-102-5770-1110-019-000 NN F			146.20	146.20
TOTAL PAYMENT AMOUNT					146.20 *			146.20
015787/00	O'REILLY AUTO PARTS							
16 PO-180016	10/12/2017	1333147		1 01-0000-0-4300-112-0000-3600-007-000 NN P			3,041.44	3,041.44
TOTAL PAYMENT AMOUNT					3,041.44 *			3,041.44
017576/00	OFFICE DEPOT							
855 PO-180809	10/12/2017	964752200001		1 01-6500-0-4300-102-5770-1110-019-000 NN P			144.35	144.35
855 PO-180809	10/12/2017	964752199001		1 01-6500-0-4300-102-5770-1110-019-000 NN P			53.96	53.96
855 PO-180809	10/12/2017	964752199002		1 01-6500-0-4300-102-5770-1110-019-000 NN F			43.36	25.98
TOTAL PAYMENT AMOUNT					224.29 *			224.29
018135/00	PLACER NATURE CENTER							
955 PO-180952	10/12/2017	SPINELLI FIELD TRIP		1 01-0036-0-5800-240-1110-1000-011-000 NN F			50.00	50.00
TOTAL PAYMENT AMOUNT					50.00 *			50.00
014069/00	PLATT ELECTRIC SUPPLY INC							
12 PO-180012	10/12/2017	Y012599		1 01-8150-0-4300-106-0000-8110-007-000 NN P			242.56	242.56
12 PO-180012	10/12/2017	Q147856		1 01-8150-0-4300-106-0000-8110-007-000 NN P			266.55	266.55
12 PO-180012	10/12/2017	O140870		1 01-8150-0-4300-106-0000-8110-007-000 NN P			32.70	32.70
TOTAL PAYMENT AMOUNT					541.81 *			541.81

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021194/00	PRUDENTIAL OVERALL SUPPLY INC						
18	PO-180018	10/12/2017	180289375	1	01-0000-0-5600-112-0000-3600-007-000 NN P	53.77	53.77
					TOTAL PAYMENT AMOUNT	53.77 *	53.77
017063/00	RED MOUNTAIN INC						
959	PO-180922	10/12/2017	19700	1	01-0000-0-5800-106-0000-8110-007-000 NN F	202.06	193.77
					TOTAL PAYMENT AMOUNT	193.77 *	193.77
010750/00	REFRIGERATION SUPPLIES DISTR.						
972	PO-180936	10/12/2017	52271308-00	1	01-6230-0-4300-475-0000-8500-007-171 NN P	4,132.99	4,142.23
					TOTAL PAYMENT AMOUNT	4,142.23 *	4,142.23
010096/00	RESERVE ACCOUNT						
971	PO-180938	10/12/2017	15072143	1	01-0000-0-5920-105-0000-7200-005-000 NN F	10,000.00	10,000.00
					TOTAL PAYMENT AMOUNT	10,000.00 *	10,000.00
010229/00	RYLAND SCHOOL BUSINESS						
369	PO-180337	10/12/2017	1881	1	01-0000-0-5800-105-0000-7200-005-000 NN P	145.00	145.00
					TOTAL PAYMENT AMOUNT	145.00 *	145.00
010552/00	SAC VAL JANITORIAL						
127	PO-180106	10/12/2017	10262854	1	01-0000-0-9320-000-0000-0000-000-000 NN F	76.88	76.88
788	PO-180748	10/12/2017	10262854	1	01-0000-0-9320-000-0000-0000-000-000 NN P	285.30	285.30
					TOTAL PAYMENT AMOUNT	362.18 *	362.18
014071/00	SACRAMENTO COUNTY OFFICE OF						
724	PO-180694	10/12/2017	180568	1	01-0000-0-5200-103-4760-1000-019-740 NN F	40.00	40.00
					TOTAL PAYMENT AMOUNT	40.00 *	40.00

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
010373/00	SCHOOLS INSURANCE AUTHORITY						
983 PO-180945	10/12/2017	pl2018-005	1 01-0000-0-5400-100-0000-7200-005-000 NN F			135,005.00	135,005.00
TOTAL PAYMENT AMOUNT				135,005.00 *			135,005.00
010373/02	SCHOOLS INSURANCE AUTHORITY						
968 PO-180933	10/12/2017	WC2018-052017/2018	1 01-0000-0-9558-000-0000-0000-000-000 NN F			236,430.00	236,430.00
TOTAL PAYMENT AMOUNT				236,430.00 *			236,430.00
011500/00	SCHOOLS INSURANCE AUTHORITY						
PV-180021	10/12/2017	OCTOBER	01-0000-0-9552-000-0000-0000-000-000 NN				50,399.66
TOTAL PAYMENT AMOUNT				50,399.66 *			50,399.66
016043/00	SHELTONS UNLIMITED MECHANICAL						
988 PO-180951	10/12/2017	17-20231	1 01-8150-0-5800-106-0000-8110-007-000 NN F			129.60	129.60
988 PO-180951	10/12/2017	17-20248	1 01-8150-0-5800-106-0000-8110-007-000 NN F			144.00	144.00
TOTAL PAYMENT AMOUNT				273.60 *			273.60
011699/00	SILVER KITE						
884 PO-180840	10/12/2017	54646	1 01-6500-0-4300-102-5750-1110-019-000 YN F			501.31	468.56
TOTAL PAYMENT AMOUNT				468.56 *			468.56
TOTAL USE TAX AMOUNT				36.31			
018967/00	SPRINT CUSTOMER SERVICE						
23 PO-180023	10/12/2017	811116315-191	1 01-0000-0-5930-106-0000-8110-007-000 NN P			277.46	277.46
139 PO-180110	10/12/2017	811116315-191	1 01-0000-0-5930-115-0000-7700-007-000 NN P			136.00	136.00
132 PO-180115	10/12/2017	811116315-191	1 01-0000-0-5930-101-0000-7150-002-000 NN P			56.20	56.20
477 PO-180430	10/12/2017	811116315-191	1 01-0000-0-5930-472-0000-2700-014-000 NN P			1.73	1.73
543 PO-180509	10/12/2017	811116315-191	1 01-6500-0-5930-102-5060-2110-019-000 NN P			46.20	46.20
608 PO-180573	10/12/2017	811116315-191	1 01-0000-0-5930-109-0000-3140-004-000 NN P			12.43	12.43
783 PO-180745	10/12/2017	811116315-191	1 01-6387-0-5930-472-1110-1000-019-000 NN P			51.08	51.08
TOTAL PAYMENT AMOUNT				581.10 *			581.10

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL	ABA num FUNC RES DEP T9MPS	Account num	Liq Amt	Net Amount
018370/00	STANLEY CONVERGENT SECURITY							
46	PO-180043	10/12/2017	14947231	1	01-8150-0-5800-106-0000-8110-007-000	NN P	3,954.87	3,954.87
				TOTAL PAYMENT AMOUNT				3,954.87
020252/00	STAPLES BUSINESS ADVANTAGE							
906	PO-180870	10/12/2017	3353823794	1	01-6500-0-4300-102-5770-1110-019-000	NN F	72.47	71.88
				TOTAL PAYMENT AMOUNT				71.88
015259/00	SUNBELT RENTALS INC							
391	PO-180568	10/12/2017	72924965.0001	1	01-0000-0-5600-106-0000-8110-007-000	NN P	440.44	440.44
				TOTAL PAYMENT AMOUNT				440.44
017285/00	TEACHER INNOVATIONS INC							
786	PO-180747	10/12/2017	478581	1	01-0000-0-5800-236-1110-1000-009-000	NN F	302.40	302.40
				TOTAL PAYMENT AMOUNT				302.40
014079/00	THYSSENKRUPP ELEVATOR CORP							
987	PO-180950	10/12/2017	ACIA-1C45AXN	1	01-8150-0-5800-106-0000-8110-007-000	NN P	871.06	871.06
				TOTAL PAYMENT AMOUNT				871.06
010139/00	TROKELL COMMUNICATIONS INC							
809	PO-180771	10/12/2017	981227	1	01-0370-0-4400-115-0000-7700-007-000	NN F	83,495.09	83,495.09
				TOTAL PAYMENT AMOUNT				83,495.09
016370/00	TWIN RIVERS UNIFIED SCH DIST							
481	PO-180432	10/12/2017	180454	1	01-0000-0-5800-105-0000-8300-005-000	NN P	11,833.33	11,833.33
				TOTAL PAYMENT AMOUNT				11,833.33
017313/00	XEROX							
1	PO-180001	10/05/2017	702126422	1	01-3010-0-5600-240-1110-1000-011-000	NN P	47.87	47.87
				TOTAL PAYMENT AMOUNT				47.87

081 CENTER UNIFIED SCHOOL DISTRICT J3393  
10-12-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0019 10-12-17  
FUND : 01 GENERAL FUND

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Vendor/Addr	Remit name		Tax ID num	Deposit type	ABA num	Account num			
Req Reference	Date	Description		FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				Liq Amt	Net Amount
			TOTAL FUND	PAYMENT	593,871.73	**			593,871.73
			TOTAL USE TAX AMOUNT		96.98				

081 CENTER UNIFIED SCHOOL DISTRICT J3393  
 10-12-17

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0019 10-12-17  
 FUND : 11 ADULT EDUCATION FUND

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Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount						
			FD	RESO	P	OBJE	SIT	GOAL	FUNC	RES	DEP	T9MPS		
-----														
016494/00	ANDERSON, ORRIN													
993	PO-180954	10/12/2017	MILEAGE											
				1	11-0030-0-5800-600-4130-1000-015-000	NN F	60.67							60.67
			TOTAL PAYMENT AMOUNT				60.67	*						60.67
020258/00	LEARNING WITHOUT TEARS													
804	PO-180767	10/12/2017	1158851-1											
				1	11-0030-0-4300-600-4130-1000-015-000	NN F	78.23							86.04
			TOTAL PAYMENT AMOUNT				86.04	*						86.04
			TOTAL FUND	PAYMENT			146.71	**						146.71

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
019504/00	B & H PHOTO-VIDEO						
924 PO-180892	10/12/2017	131960606	1 13-5310-0-4400-108-0000-3700-007-000 NN F			86.19	79.99
TOTAL PAYMENT AMOUNT							79.99
011205/00	CULTURE SHOCK YOGURT						
181 PO-180172	10/12/2017	5562	1 13-5310-0-4700-108-0000-3700-007-000 NN P			203.30	203.30
TOTAL PAYMENT AMOUNT							203.30
022364/00	HEARTLAND SCHOOL SOLUTIONS						
190 PO-180177	10/12/2017	HSS0000030259	1 13-5310-0-5300-108-0000-3700-007-000 NN P			754.65	754.65
TOTAL PAYMENT AMOUNT							754.65
022464/00	KASEY, LAURA						
985 PO-180944	10/12/2017	MEDICAL REIMB	1 13-5310-0-3402-108-0000-3700-000-000 NN F			50.00	50.00
TOTAL PAYMENT AMOUNT							50.00
016279/00	P&R PAPER SUPPLY						
118 PO-180060	10/12/2017	30153958-00	1 13-5310-0-4300-108-0000-3700-007-000 NN P			1,876.95	1,876.95
118 PO-180060	10/12/2017	30151372-02	1 13-5310-0-4300-108-0000-3700-007-000 NN P			91.91	91.91
TOTAL PAYMENT AMOUNT							1,968.86
021194/00	PRUDENTIAL OVERALL SUPPLY INC						
113 PO-180097	10/12/2017	180289374	1 13-5310-0-5800-108-0000-3700-007-000 NN P			77.75	77.75
TOTAL PAYMENT AMOUNT							77.75
018967/00	SPRINT CUSTOMER SERVICE						
177 PO-180143	10/12/2017	811116315-191	1 13-5310-0-5930-108-0000-3700-007-000 NN P			10.44	10.44
TOTAL PAYMENT AMOUNT							10.44
TOTAL FUND PAYMENT							3,144.99



081 CENTER UNIFIED SCHOOL DISTRICT J3393  
 10-12-17

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0019 10-12-17  
 FUND : 14 DEFERRED MAINTENANCE FUND

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Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD Resso P OBJE SIT GOAL FUNC RES DEP T9MPS				
018970/00	RUA & SON MECHANICAL INC						
891 PO-180844	10/12/2017	302259	1 14-0024-0-5600-106-9585-8110-007-000 NN F			3,700.00	3,700.00
TOTAL PAYMENT AMOUNT							3,700.00
TOTAL FUND PAYMENT							3,700.00
TOTAL BATCH PAYMENT				600,863.43 ***		0.00	600,863.43
TOTAL USE TAX AMOUNT				96.98			
TOTAL DISTRICT PAYMENT				600,863.43 ****		0.00	600,863.43
TOTAL USE TAX AMOUNT				96.98			
TOTAL FOR ALL DISTRICTS:				600,863.43 ****		0.00	600,863.43
TOTAL USE TAX AMOUNT				96.98			

Number of checks to be printed: 64, not counting voids due to stub overflows.

Batch status: A All

From batch: 0020

To batch: 0020

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: Y

Include Audit Date and Time in Sort: N

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
-----							
020710/00	ACCURATE LABEL DESIGN						
845 PO-180815	10/19/2017	156125					
			1 01-0000-0-5800-371-0000-2700-012-000	YN	F	161.65	150.95
			TOTAL PAYMENT AMOUNT				150.95
			TOTAL USE TAX AMOUNT			11.70	150.95
019433/00	ADI						
994 PO-180955	10/19/2017	V9FBY401					
994 PO-180955	10/19/2017	V9GLL501					
			1 01-8150-0-4300-106-0000-8110-007-000	NN	P	84.42	84.42
			1 01-8150-0-4300-106-0000-8110-007-000	NN	P	291.59	291.59
			TOTAL PAYMENT AMOUNT			376.01	376.01
010669/00	ALHAMBRA & SIERRA SPRINGS						
183 PO-180154	10/19/2017	4780818100617					
183 PO-180154	10/19/2017	4780818100617					
311 PO-180399	10/19/2017	14871405101617					
311 PO-180399	10/19/2017	14871405100617					
311 PO-180399	10/19/2017	14871405100617					
311 PO-180399	10/19/2017	14871405100617					
			1 01-0000-0-4300-105-0000-7200-005-000	NN	P	28.67	28.67
			2 01-0000-0-5600-105-0000-7200-005-000	NN	P	5.99	5.99
			1 01-6500-0-4300-102-5001-2700-019-000	NN	P	15.09	15.09
			2 01-6500-0-5600-102-5001-2700-019-000	NN	P	4.99	4.99
			3 01-0000-0-4300-103-0000-7200-019-000	NN	P	15.09	15.09
			4 01-0000-0-5600-103-0000-7200-019-000	NN	P	3.00	3.00
			TOTAL PAYMENT AMOUNT			72.83	72.83
011617/00	AMADOR STAGE LINES						
1040 PO-180997	10/17/2017	CHARTER 73496					
1045 PO-181001	10/19/2017	73474, 73544					
1045 PO-181001	10/19/2017	73102					
			1 01-0000-0-5865-472-1110-1000-014-000	NN	F	996.05	996.05
			1 01-6387-0-5600-472-1110-1000-019-000	NN	F	2,756.34	2,756.34
			2 01-7338-0-5865-472-1110-1000-014-000	NN	F	2,352.08	2,352.08
			TOTAL PAYMENT AMOUNT			6,104.47	6,104.47
010738/00	ANNE WALTERS-COOKE						
1005 PO-180971	10/19/2017	travel expense					
			1 01-0000-0-5200-601-1110-1000-017-094	NN	F	336.77	336.77
			TOTAL PAYMENT AMOUNT			336.77	336.77
017493/00	APPLE EDUCATION						
942 PO-180911	10/19/2017	4460457590					
942 PO-180911	10/19/2017	4460457590					
			1 01-7220-0-4400-472-1110-1000-014-000	NN	F	1,345.80	1,345.80
			2 01-7220-0-4300-472-1110-1000-014-000	NN	F	328.25	314.07
			TOTAL PAYMENT AMOUNT			1,659.87	1,659.87

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
			FD	RESO P	OBJE	SIT GOAL	FUNC RES DEP	T9MPS
-----								
011481/00	AT&T							
521 PO-180480	10/18/2017	9391028109		1	01-0000-0-5930-106-0000-8110-007-000	NN P	6,508.44	6,508.44
TOTAL PAYMENT AMOUNT							6,508.44 *	6,508.44
018533/00	ATKINSON ANDELSON LOYA RUDD							
592 PO-180557	10/19/2017	530762		1	01-0000-0-5880-105-0000-7200-005-000	NE P	4,312.89	4,312.89
TOTAL PAYMENT AMOUNT							4,312.89 *	4,312.89
021604/00	ATLAS DISPOSAL INDUSTRIES							
27 PO-180026	10/19/2017	1031		1	01-0000-0-5525-106-0000-8110-007-000	NN P	179.82	179.82
27 PO-180026	10/19/2017	149397		1	01-0000-0-5525-106-0000-8110-007-000	NN P	465.95	465.95
27 PO-180026	10/19/2017	149398		1	01-0000-0-5525-106-0000-8110-007-000	NN P	1,592.35	1,592.35
27 PO-180026	10/19/2017	149399		1	01-0000-0-5525-106-0000-8110-007-000	NN P	637.13	637.13
27 PO-180026	10/19/2017	149400		1	01-0000-0-5525-106-0000-8110-007-000	NN P	257.95	257.95
27 PO-180026	10/19/2017	149401		1	01-0000-0-5525-106-0000-8110-007-000	NN P	202.89	202.89
27 PO-180026	10/19/2017	149402		1	01-0000-0-5525-106-0000-8110-007-000	NN P	405.37	405.37
27 PO-180026	10/19/2017	149403		1	01-0000-0-5525-106-0000-8110-007-000	NN P	426.28	426.28
27 PO-180026	10/19/2017	149404		1	01-0000-0-5525-106-0000-8110-007-000	NN P	220.90	220.90
27 PO-180026	10/19/2017	189538		1	01-0000-0-5525-106-0000-8110-007-000	NN P	516.55	516.55
TOTAL PAYMENT AMOUNT							4,905.19 *	4,905.19
021235/00	BECKER, LEE ANN							
976 PO-180940	10/19/2017	aug mileage		1	01-0000-0-5210-109-0000-3140-004-000	NN P	63.83	63.83
TOTAL PAYMENT AMOUNT							63.83 *	63.83
010537/00	BISHOP, APRIL							
1010 PO-180974	10/19/2017	reimb parking		1	01-0000-0-5200-115-0000-7700-007-000	NN F	30.00	30.00
TOTAL PAYMENT AMOUNT							30.00 *	30.00
020065/00	BOLTON, LOIS							
1068 PO-181004	10/19/2017	e/r reimb		1	01-0000-0-3402-111-0000-8200-000-000	NN F	50.00	50.00
TOTAL PAYMENT AMOUNT							50.00 *	50.00

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
011360/00	CAPITOL BUILDERS HARDWARE INC						
1029 PO-180994	10/19/2017	205523	2 01-8150-0-5600-106-0000-8110-007-000 NN F			660.00	660.00
1029 PO-180994	10/19/2017	205523	1 01-8150-0-4300-106-0000-8110-007-000 NN F			865.60	865.60
TOTAL PAYMENT AMOUNT				1,525.60 *			1,525.60
017639/00	CDT INC.						
398 PO-180369	10/19/2017	44193	1 01-0000-0-5800-110-0000-7200-004-000 NN P			357.80	357.80
TOTAL PAYMENT AMOUNT				357.80 *			357.80
020305/00	CDW GOVERNMENT INC.						
694 PO-180671	10/19/2017	KKK6515	1 01-0000-0-4400-472-1110-1000-014-000 NN F			616.95	616.95
TOTAL PAYMENT AMOUNT				616.95 *			616.95
015768/00	CHAMBERLAIN, JOE MATTHEW						
1033 PO-181009	10/18/2017	TRAVEL EXPENSE	1 01-6385-0-5200-472-1110-1000-014-000 NN F			91.78	91.78
1035 PO-181011	10/18/2017	MILELAGE REIMB	1 01-6385-0-5200-472-1110-1000-014-000 NN F			104.22	104.22
TOTAL PAYMENT AMOUNT				196.00 *			196.00
019910/00	CHANEY, AMY						
1032 PO-181008	10/18/2017	TRAVEL EXPENSE	1 01-6385-0-5200-472-1110-1000-014-000 NN F			154.33	154.33
1036 PO-181012	10/18/2017	MILEAGE REIMB	1 01-6385-0-5200-472-1110-1000-014-000 NN F			104.22	104.22
TOTAL PAYMENT AMOUNT				258.55 *			258.55
013928/00	CINTAS LOCATION 622						
108 PO-180057	10/19/2017	622821075	1 01-0000-0-5800-111-0000-8200-007-000 NN P			191.14	191.14
TOTAL PAYMENT AMOUNT				191.14 *			191.14
015699/00	CLARK SECURITY PRODUCTS						
20 PO-180020	10/19/2017	22k229626	1 01-8150-0-4300-106-0000-8110-007-000 NN P			47.33	47.33
20 PO-180020	10/19/2017	22k230070	1 01-8150-0-4300-106-0000-8110-007-000 NN P			146.08	146.08
TOTAL PAYMENT AMOUNT				193.41 *			193.41

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021464/00	CMI EDUCATION INSTITUTE INC						
958 PO-180921	10/19/2017	1682285	1 01-6512-0-5200-102-5001-3110-019-000 NN F			199.99	199.99
TOTAL PAYMENT AMOUNT						199.99 *	199.99
014557/00	COLLEGE OAK TOW & TRANSPORT						
29 PO-180028	10/18/2017	T14358	1 01-0000-0-5800-112-0000-3600-007-000 NN P			260.00	260.00
TOTAL PAYMENT AMOUNT						260.00 *	260.00
016320/00	COLLIER, ALYSON						
992 PO-180962	10/16/2017	REIMB	1 01-5640-0-4300-601-1369-1000-017-000 NN F			168.00	168.00
TOTAL PAYMENT AMOUNT						168.00 *	168.00
020779/00	COWAN, ANNE						
1031 PO-181007	10/18/2017	TRAVEL EXPENSE	1 01-6385-0-5200-472-1110-1000-014-000 NN F			73.96	73.96
TOTAL PAYMENT AMOUNT						73.96 *	73.96
018079/00	DAUBENMIRE, TRACIE						
964 PO-180958	10/19/2017	REIMB	2 01-6500-0-5200-102-5001-2700-019-000 NN F			6.00	6.00
964 PO-180958	10/19/2017	REIMB SUPPLIES	1 01-6500-0-4300-102-5001-2700-019-000 NN F			550.41	550.41
TOTAL PAYMENT AMOUNT						556.41 *	556.41
014138/00	DIESEL EMISSIONS SERVICE						
1027 PO-180992	10/19/2017	W3-37663	1 01-0000-0-4300-112-0000-3600-007-000 NN F			3,847.91	3,847.91
1027 PO-180992	10/19/2017	W3-37663	2 01-0000-0-5600-112-0000-3600-007-000 NN F			120.00	120.00
TOTAL PAYMENT AMOUNT						3,967.91 *	3,967.91
019943/00	DOCUMENT TRACKING SERVICES						
531 PO-180488	10/19/2017	T-958430010	1 01-0000-0-5800-103-4760-1000-019-740 NN P			423.44	423.44
TOTAL PAYMENT AMOUNT						423.44 *	423.44

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P	OBJE SIT	GOAL FUNC RES DEP T9MPS		
020595/00	DOMALAKES, CAROL						
1012	PO-180976	10/19/2017	mileage & parking	1	01-0000-0-5210-105-0000-7200-005-000 NN F	77.64	77.64
TOTAL PAYMENT AMOUNT						77.64 *	77.64
010336/00	ECOTECH PEST MANAGEMENT INC						
14	PO-180014	10/19/2017	17612	1	01-0000-0-5500-106-0000-8110-007-000 NN P	787.00	787.00
14	PO-180014	10/19/2017	17415	1	01-0000-0-5500-106-0000-8110-007-000 NN P	1,500.00	1,500.00
TOTAL PAYMENT AMOUNT						2,287.00 *	2,287.00
017938/00	EL DORADO ATHLETICS						
944	PO-180983	10/17/2017	CHS GIRLS -DEC 28 TOURN	1	01-0076-0-5800-472-1110-4200-014-805 NN F	300.00	300.00
TOTAL PAYMENT AMOUNT						300.00 *	300.00
017423/00	FRANKLIN COVEY CO						
1020	PO-180980	10/16/2017	32295294	1	01-0000-0-4300-236-1110-1000-009-000 NN M	0.00	-82.93
1020	PO-180980	10/16/2017	32312035	1	01-0000-0-4300-236-1110-1000-009-000 NN F	191.37	274.30
TOTAL PAYMENT AMOUNT						191.37 *	191.37
022347/00	GIVE SOMETHING BACK						
665	PO-180635	10/17/2017	IN-0656454	1	01-0000-0-4300-103-0000-3160-019-000 NN F	82.96	82.96
TOTAL PAYMENT AMOUNT						82.96 *	82.96
015277/00	GRAVES, WILLIAM						
1028	PO-180993	10/17/2017	MILEAGE	1	01-3010-0-5200-475-3200-1000-015-000 NN F	133.40	133.40
TOTAL PAYMENT AMOUNT						133.40 *	133.40
021775/00	HD SUPPLY FACILITIES MAINT.						
1047	PO-181003	10/19/2017	9157723400	1	01-8150-0-4300-106-0000-8110-007-000 NN P	130.45	130.45
1047	PO-181003	10/19/2017	9158126980	1	01-8150-0-4300-106-0000-8110-007-000 NN P	216.75	216.75
1047	PO-181003	10/19/2017	9157134384	1	01-8150-0-4300-106-0000-8110-007-000 NN P	167.00	167.00
TOTAL PAYMENT AMOUNT						514.20 *	514.20

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
016486/00	HDS WHITE CAP CONST.SUPPLY						
1039 PO-180996	10/17/2017	10007717682	1 01-8150-0-4300-106-0000-8110-007-000 NN P			39.19	39.19
			TOTAL PAYMENT AMOUNT		39.19 *		39.19
014479/00	HEUER PUBLISHING LLC						
768 PO-180811	10/19/2017	43280	1 01-0000-0-4300-371-1110-1000-012-000 YN F			26.01	24.50
			TOTAL PAYMENT AMOUNT		24.50 *		24.50
			TOTAL USE TAX AMOUNT		1.90		
010602/00	HI-LINE ELECTRICAL & MECH						
42 PO-180039	10/19/2017	10567045	1 01-0000-0-4300-112-0000-3600-007-000 NN P			184.86	184.86
			TOTAL PAYMENT AMOUNT		184.86 *		184.86
010830/00	HOLT OF CALIFORNIA						
1023 PO-180989	10/19/2017	SW050267320	1 01-8150-0-4300-106-0000-8110-007-000 NN P			69.86	69.86
1023 PO-180989	10/19/2017	SW050267320	2 01-8150-0-5600-106-0000-8110-007-000 NN F			178.00	178.00
			TOTAL PAYMENT AMOUNT		247.86 *		247.86
017002/00	HOME DEPOT CREDIT SERVICES						
11 PO-180011	10/19/2017	2011831	1 01-8150-0-4300-106-0000-8110-007-000 NN P			15.54	15.54
11 PO-180011	10/19/2017	8025181	1 01-8150-0-4300-106-0000-8110-007-000 NN P			159.33	159.33
11 PO-180011	10/19/2017	8025293	1 01-8150-0-4300-106-0000-8110-007-000 NN P			167.55	167.55
11 PO-180011	10/19/2017	6020155	1 01-8150-0-4300-106-0000-8110-007-000 NN P			63.00	63.00
11 PO-180011	10/19/2017	6020161	1 01-8150-0-4300-106-0000-8110-007-000 NN P			83.81	83.81
11 PO-180011	10/19/2017	3031181	1 01-8150-0-4300-106-0000-8110-007-000 NN P			47.35	47.35
11 PO-180011	10/19/2017	2013168	1 01-8150-0-4300-106-0000-8110-007-000 NN P			59.46	59.46
11 PO-180011	10/19/2017	5242602	1 01-8150-0-4300-106-0000-8110-007-000 NN P			77.47	77.47
11 PO-180011	10/19/2017	5565883	1 01-8150-0-4300-106-0000-8110-007-000 NN P			135.71	135.71
11 PO-180011	10/19/2017	5570539	1 01-8150-0-4300-106-0000-8110-007-000 NN P			39.81	39.81
11 PO-180011	10/19/2017	3014541	1 01-8150-0-4300-106-0000-8110-007-000 NN P			13.11	13.11
11 PO-180011	10/19/2017	2021870	1 01-8150-0-4300-106-0000-8110-007-000 NN P			238.59	238.59
11 PO-180011	10/19/2017	1081040	1 01-8150-0-4300-106-0000-8110-007-000 NN P			40.04	40.04
11 PO-180011	10/19/2017	6010198	1 01-8150-0-4300-106-0000-8110-007-000 NN P			94.05	94.05
941 PO-180903	10/19/2017	1013358	1 01-6230-0-4300-234-0000-8500-007-165 NN F			233.53	233.53
			TOTAL PAYMENT AMOUNT		1,468.35 *		1,468.35



Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
011341/00	HUNT & SONS INC						
43	PO-180040	10/19/2017	715961	1	01-0000-0-4340-112-0000-3600-007-000 NN P	1,394.49	1,394.49
TOTAL PAYMENT AMOUNT						1,394.49 *	1,394.49
016176/00	IDVILLE						
790	PO-180757	10/16/2017	3262683	1	01-0000-0-4300-110-0000-7200-004-000 NN F	58.19	67.50
TOTAL PAYMENT AMOUNT						67.50 *	67.50
017472/00	INDUSTRIAL PLUMBING SUPPLY LLC						
798	PO-180765	10/19/2017	64725	1	01-8150-0-4300-106-0000-8110-007-000 NN P	805.38	805.38
TOTAL PAYMENT AMOUNT						805.38 *	805.38
010609/00	KELLY MOORE PAINT COMPANY INC						
40	PO-180037	10/19/2017	203-00000274719	1	01-8150-0-4300-106-0000-8110-007-000 NN P	161.79	161.79
TOTAL PAYMENT AMOUNT						161.79 *	161.79
022353/00	KYLE, STEPHEN						
951	PO-180956	10/19/2017	REIMB SUPPLIES	1	01-6300-0-4300-240-1110-1000-011-000 NN P	16.43	16.43
951	PO-180956	10/19/2017	REIMB SUPPLIES	2	01-0000-0-4300-240-1110-1000-011-000 NN F	48.00	48.00
TOTAL PAYMENT AMOUNT						64.43 *	64.43
014800/00	LORD, KATHLEEN						
1007	PO-180973	10/19/2017	reimb books	1	01-0409-0-4200-236-0000-2420-009-000 NN F	65.33	65.33
TOTAL PAYMENT AMOUNT						65.33 *	65.33
017726/00	LOS ANGELES FREIGHTLINER						
36	PO-180033	10/18/2017	BN92412	1	01-0000-0-4300-112-0000-3600-007-000 NN P	254.70	254.70
TOTAL PAYMENT AMOUNT						254.70 *	254.70

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021914/00	LOY MATTISON ENTERPRISES						
416 PO-180382	10/19/2017	080117093017	1 01-0000-0-5800-106-0000-8110-007-000 NY P			810.00	810.00
TOTAL PAYMENT AMOUNT						810.00 *	810.00
017160/00	MCINNES, ROBERT						
1034 PO-181010	10/18/2017	TRAVEL EXPENSE	1 01-6385-0-5200-472-1110-1000-014-000 NN F			66.35	66.35
TOTAL PAYMENT AMOUNT						66.35 *	66.35
019935/00	MENDOZA, ROSE						
1017 PO-181005	10/18/2017	TRAVEL EXPENSE	1 01-0000-0-5200-472-0000-2700-014-000 NN F			49.36	49.36
TOTAL PAYMENT AMOUNT						49.36 *	49.36
016087/00	MICHAEL'S TRANSPORTATION SERV.						
555 PO-180518	10/19/2017	99693	1 01-0000-0-5800-112-0000-3600-007-000 NN P			5,670.00	5,670.00
555 PO-180518	10/19/2017	99600	1 01-0000-0-5800-112-0000-3600-007-000 NN P			5,882.50	5,882.50
TOTAL PAYMENT AMOUNT						11,552.50 *	11,552.50
022090/00	NASCO						
752 PO-180717	10/19/2017	623659	1 01-6300-0-4300-371-1110-1000-012-000 NN P			421.43	421.43
752 PO-180717	10/19/2017	649156	1 01-6300-0-4300-371-1110-1000-012-000 NN F			35.41	33.29
TOTAL PAYMENT AMOUNT						454.72 *	454.72
017576/00	OFFICE DEPOT						
874 PO-180826	10/19/2017	965314748001	1 01-0000-0-4300-238-1110-1000-010-000 NN P			47.37	47.37
903 PO-180868	10/19/2017	966693601001	1 01-6500-0-4300-102-5750-1110-019-000 NN P			161.44	161.44
903 PO-180868	10/19/2017	966693602001	1 01-6500-0-4300-102-5750-1110-019-000 NN F			150.99	150.99
TOTAL PAYMENT AMOUNT						359.80 *	359.80
010890/00	PERMABOUND/HERTZBERG						
363 PO-180355	10/19/2017	1741594-00	1 01-0409-0-4200-472-0000-2420-014-000 NN P			424.65	424.65
363 PO-180355	10/19/2017	1741594-01	1 01-0409-0-4200-472-0000-2420-014-000 NN P			80.64	80.64
363 PO-180355	10/19/2017	1741594-02	1 01-0409-0-4200-472-0000-2420-014-000 NN F			32.58	32.57
TOTAL PAYMENT AMOUNT						537.86 *	537.86

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEF T9MPS				
019700/00	PITNEY BOWES GLOBAL FINANCIAL	[REDACTED] 7 *					
1011 PO-180975	10/19/2017	3101647283	1 01-0000-0-5800-105-0000-7200-005-000 NN F			1,130.31	1,130.31
			TOTAL PAYMENT AMOUNT	1,130.31 *			1,130.31
019460/00	PLACER COUNTY OFFICE OF ED						
657 PO-180607	10/19/2017	AR18-00606	1 01-4035-0-5200-103-0000-2100-019-000 NN F			150.00	150.00
			TOTAL PAYMENT AMOUNT	150.00 *			150.00
017602/00	PLEASANT VALLEY HIGH SCHOOL						
1015 PO-180987	10/19/2017	CHS-SOFTBALL TOURN	1 01-0076-0-5800-472-1110-4200-014-812 NN F			450.00	450.00
			TOTAL PAYMENT AMOUNT	450.00 *			450.00
022525/00	POST-IT LLC						
397 PO-180368	10/19/2017	LIVESCAN-AUGUST	1 01-0000-0-5800-110-0000-7200-004-000 NN P			360.00	360.00
			TOTAL PAYMENT AMOUNT	360.00 *			360.00
021401/00	PRACTI-CAL INC	[REDACTED]					
991 PO-180961	10/19/2017	338477	1 01-5640-0-5800-109-0000-3140-017-000 NN P			511.77	511.77
991 PO-180961	10/19/2017	338696	1 01-5640-0-5800-109-0000-3140-017-000 NN P			3.66	3.66
991 PO-180961	10/19/2017	338719	1 01-5640-0-5800-109-0000-3140-017-000 NN P			89.49	89.49
991 PO-180961	10/19/2017	338753	1 01-5640-0-5800-109-0000-3140-017-000 NN P			11.16	11.16
991 PO-180961	10/19/2017	338794	1 01-5640-0-5800-109-0000-3140-017-000 NN P			121.94	121.94
991 PO-180961	10/19/2017	338895	1 01-5640-0-5800-109-0000-3140-017-000 NN P			393.16	393.16
991 PO-180961	10/19/2017	338852	1 01-5640-0-5800-109-0000-3140-017-000 NN P			678.60	678.60
			TOTAL PAYMENT AMOUNT	1,809.78 *			1,809.78
015575/00	PROPEL SALES SOLUTIONS INC	[REDACTED]					
996 PO-180963	10/19/2017	F17-6983	1 01-0000-0-4300-371-1110-1000-012-777 NN F			10,912.50	10,912.50
			TOTAL PAYMENT AMOUNT	10,912.50 *			10,912.50
021803/00	REASON, LYN						
952 PO-180957	10/19/2017	REIMB SUPPLIES	1 01-0000-0-4300-240-1110-1000-011-000 NN F			95.88	95.88
			TOTAL PAYMENT AMOUNT	95.88 *			95.88

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount	
				FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS					
-----									
010552/00	SAC VAL JANITORIAL								
788 PO-180748	10/19/2017	10263726		1 01-0000-0-9320-000-0000-0000-000-000 NN P			134.45	134.45	
788 PO-180748	10/18/2017	10262855		1 01-0000-0-9320-000-0000-0000-000-000 NN P			406.26	406.26	
788 PO-180748	10/19/2017	10264910		1 01-0000-0-9320-000-0000-0000-000-000 NN P			1,133.78	1,133.78	
997 PO-180964	10/19/2017	10264404		1 01-0000-0-4300-111-0000-8200-007-000 NN P			1,409.26	1,409.26	
TOTAL PAYMENT AMOUNT								3,083.75 *	3,083.75
016821/00	SACRAMENTO COUNTY								
1024 PO-180982	10/19/2017	17227988		1 01-0000-0-5800-106-0000-8200-007-000 NN P			187.98	187.98	
1024 PO-180982	10/19/2017	17227989		1 01-0000-0-5800-106-0000-8200-007-000 NN P			124.50	124.50	
1024 PO-180982	10/19/2017	17227990		1 01-0000-0-5800-106-0000-8200-007-000 NN P			74.62	74.62	
1024 PO-180982	10/19/2017	17227991		1 01-0000-0-5800-106-0000-8200-007-000 NN P			59.52	59.52	
1024 PO-180982	10/19/2017	17227992		1 01-0000-0-5800-106-0000-8200-007-000 NN P			59.52	59.52	
1024 PO-180982	10/19/2017	17227993		1 01-0000-0-5800-106-0000-8200-007-000 NN P			284.96	284.96	
1024 PO-180982	10/19/2017	17227994		1 01-0000-0-5800-106-0000-8200-007-000 NN P			324.52	324.52	
1024 PO-180982	10/19/2017	17227995		1 01-0000-0-5800-106-0000-8200-007-000 NN P			285.70	285.70	
1024 PO-180982	10/19/2017	17227996		1 01-0000-0-5800-106-0000-8200-007-000 NN P			195.76	195.76	
1024 PO-180982	10/19/2017	17227997		1 01-0000-0-5800-106-0000-8200-007-000 NN P			174.36	174.36	
1024 PO-180982	10/19/2017	17227998		1 01-0000-0-5800-106-0000-8200-007-000 NN P			204.98	204.98	
1024 PO-180982	10/19/2017	17227999		1 01-0000-0-5800-106-0000-8200-007-000 NN P			289.86	289.86	
1024 PO-180982	10/19/2017	17228000		1 01-0000-0-5800-106-0000-8200-007-000 NN P			59.52	59.52	
1024 PO-180982	10/19/2017	17228001		1 01-0000-0-5800-106-0000-8200-007-000 NN P			67.08	67.08	
TOTAL PAYMENT AMOUNT								2,392.88 *	2,392.88
018385/00	SCHOOL NURSE SUPPLY INC.								
795 PO-180762	10/19/2017	0650194-IN		1 01-0000-0-4300-109-0000-3140-004-000 NN F			782.76	782.76	
TOTAL PAYMENT AMOUNT								782.76 *	782.76
020695/00	SCHOOL OUTFITTERS								
895 PO-180874	10/19/2017	INV12391566		1 01-0000-0-4300-106-0000-8200-007-995 NN P			769.20	769.20	
895 PO-180874	10/19/2017	12392766		1 01-0000-0-4300-106-0000-8200-007-995 NN P			3,286.62	3,286.62	
895 PO-180874	10/19/2017	12386444		1 01-0000-0-4300-106-0000-8200-007-995 NN P			421.40	421.40	
895 PO-180874	10/19/2017	12389938		1 01-0000-0-4300-106-0000-8200-007-995 NN P			981.07	981.07	
895 PO-180874	10/19/2017	12386134		1 01-0000-0-4300-106-0000-8200-007-995 NN P			2,599.59	2,599.59	
895 PO-180874	10/19/2017	12388759		1 01-0000-0-4300-106-0000-8200-007-995 NN P			1,185.77	1,185.77	
TOTAL PAYMENT AMOUNT								9,243.65 *	9,243.65

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
010373/00	SCHOOLS INSURANCE AUTHORITY						
255 PO-180209	10/19/2017	2018UST-KAM.06	1 01-0000-0-5800-112-0000-3600-007-000 NN P			150.00	150.00
TOTAL PAYMENT AMOUNT				150.00 *			150.00
014558/00	SPURR						
15 PO-180015	10/19/2017	86590	1 01-0000-0-5515-106-0000-8110-007-000 NN P			1,312.62	1,312.62
TOTAL PAYMENT AMOUNT				1,312.62 *			1,312.62
020252/00	STAPLES BUSINESS ADVANTAGE						
871 PO-180824	10/19/2017	3353670271	1 01-6500-0-4300-102-5770-1191-019-000 NN P			86.76	86.76
871 PO-180824	10/19/2017	3353670272	1 01-6500-0-4300-102-5770-1191-019-000 NN P			32.31	32.31
871 PO-180824	10/19/2017	3355058113	1 01-6500-0-4300-102-5770-1191-019-000 NN F			13.67	22.62
TOTAL PAYMENT AMOUNT				141.69 *			141.69
010137/00	STATE BOARD OF EQUALIZATION						
1059 PO-181020	10/18/2017	57-415168	1 01-0000-0-5800-112-0000-3600-007-000 NN P			60.69	60.69
TOTAL PAYMENT AMOUNT				60.69 *			60.69
015221/00	STUDICA INC						
854 PO-180808	10/19/2017	inv074098	1 01-6387-0-5800-472-1110-1000-019-000 NN F			900.00	900.00
TOTAL PAYMENT AMOUNT				900.00 *			900.00
021960/00	THE BOOMERANG PROJECT						
1026 PO-180991	10/17/2017	LINK CREW -HEATHER JONES	1 01-0000-0-5200-472-1110-1000-014-000 NN P			2,595.00	2,595.00
TOTAL PAYMENT AMOUNT				2,595.00 *			2,595.00
011805/00	TRIAD SPORTS GROUP LLC	392061963					
1025 PO-180990	10/19/2017	CHS-10102017	1 01-0076-0-4300-472-1110-4200-014-812 NN F			42.70	42.53
TOTAL PAYMENT AMOUNT				42.53 *			42.53

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
018567/00	TRULITE GLASS & ALUMINUM SOL.						
13 PO-180013	10/19/2017	121651842	1 01-8150-0-4300-106-0000-8110-007-000 NN P			47.36	47.36
TOTAL PAYMENT AMOUNT						47.36 *	47.36
018279/00	UNIVERSITY OF OREGON						
980 PO-180959	10/19/2017	INV00041744	1 01-0000-0-5800-103-1110-1000-019-605 NN F			460.00	460.00
TOTAL PAYMENT AMOUNT						460.00 *	460.00
022179/00	US HEALTHWORKS						
399 PO-180370	10/19/2017	3207073	1 01-0000-0-5800-110-0000-7200-004-000 NN P			198.00	198.00
TOTAL PAYMENT AMOUNT						198.00 *	198.00
022019/00	WORKPLACE PRO						
686 PO-180667	10/19/2017	IN280228	1 01-0000-0-5800-112-0000-3600-007-000 NN F			305.30	305.30
TOTAL PAYMENT AMOUNT						305.30 *	305.30
017313/00	XEROX						
143 PO-180120	10/19/2017	300464100A	1 01-0000-0-4300-116-0000-8200-007-992 NN P			8,032.55	8,032.55
142 PO-180121	10/19/2017	7149057-001	1 01-0000-0-5800-116-1920-8200-007-000 NN P			36,052.49	36,052.49
170 PO-180135	10/19/2017	230058962	1 01-0000-0-5800-116-1920-8200-007-000 NN P			2,007.00	2,007.00
TOTAL PAYMENT AMOUNT						46,092.04 *	46,092.04
TOTAL FUND PAYMENT				138,472.69 **			
TOTAL USE TAX AMOUNT				13.60			138,472.69

081 CENTER UNIFIED SCHOOL DISTRICT J3620  
 10-19-17

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0020 10-19-17  
 FUND : 12 CHILD DEVELOPMEN FUND

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 << Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num				
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS					Liq Amt	Net Amount
-----									
018143/00	CHILD DEVELOPMENT CENTERS INC								
600 PO-180563	10/19/2017	5030-SEP17	1 12-5025-0-5800-100-8500-1000-005-000 NN P					22,839.02	22,839.02
600 PO-180563	10/19/2017	5030-SEP17	2 12-6105-0-5800-100-8500-1000-005-000 NN P					31,205.04	31,205.04
TOTAL PAYMENT AMOUNT									54,044.06 *
TOTAL FUND PAYMENT									54,044.06 **

081 CENTER UNIFIED SCHOOL DISTRICT J3620  
10-19-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0020 10-19-17  
FUND : 13 CAFETERIA FUND

APY500 L.00.12 10/19/17 11:00 PAGE 14  
<< Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021763/00	ALL STAR RENTS						
1018	PO-180978	10/19/2017	707715-10	1 13-5310-0-5600-108-0000-3700-007-000	NN F	296.71	296.71
				TOTAL PAYMENT AMOUNT			296.71
011256/00	BERNARD FOOD INDUSTRIES INC						
1019	PO-180979	10/19/2017	00785165	1 13-5310-0-4700-108-0000-3700-007-000	NN F	996.24	996.24
				TOTAL PAYMENT AMOUNT			996.24
016670/00	FATCAT BAKERY						
179	PO-180145	10/19/2017	13115	1 13-5310-0-4700-108-0000-3700-007-000	NN P	2,150.00	2,150.00
				TOTAL PAYMENT AMOUNT			2,150.00
016279/00	P&R PAPER SUPPLY						
118	PO-180060	10/19/2017	30153958-01	1 13-5310-0-4300-108-0000-3700-007-000	NN P	183.82	183.82
118	PO-180060	10/19/2017	30156269-00	1 13-5310-0-4300-108-0000-3700-007-000	NN P	888.07	888.07
				TOTAL PAYMENT AMOUNT			1,071.89
				TOTAL FUND PAYMENT			4,514.84 **



081 CENTER UNIFIED SCHOOL DISTRICT J3620  
 10-19-17

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0020 10-19-17  
 FUND : 14 DEFERRED MAINTENANCE FUND

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<< Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
015121/00	B.J. FLOORING INC						
907 PO-180876	10/19/2017	2009549	1 14-0024-0-5800-106-9223-8110-007-000	NN F	5,114.00	5,114.00	
908 PO-180877	10/19/2017	2009548	1 14-0024-0-5800-106-9223-8110-007-000	NN F	2,136.00	2,136.00	
TOTAL PAYMENT AMOUNT					7,250.00 *	7,250.00	
TOTAL FUND PAYMENT					7,250.00 **	7,250.00	

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
021029/00	A.P. CONSTRUCTION SERVICES						
1003 PO-180967	10/19/2017	RSFP-03	1 21-0000-0-6290-106-0000-8100-007-168	NY P	1,040.00	1,040.00	
1009 PO-180970	10/19/2017	OHFP-03	1 21-0000-0-6290-106-0000-8100-007-167	NY P	320.00	320.00	
TOTAL PAYMENT AMOUNT					1,360.00 *	1,360.00	
017855/00	BRCO CONTSTRUCTORS INC	680125305					
1002 PO-180966	10/19/2017	17-03	1 21-0000-0-6243-106-0000-8100-007-167	NN P	53,010.00	53,010.00	
TOTAL PAYMENT AMOUNT					53,010.00 *	53,010.00	
014069/00	PLATT ELECTRIC SUPPLY INC	752304244					
1001 PO-180965	10/18/2017	0076744	1 21-0000-0-6200-240-0000-8500-007-165	NN P	20,612.77	20,612.77	
1001 PO-180965	10/19/2017	0098661	1 21-0000-0-6200-240-0000-8500-007-165	NN P	1,687.37	1,687.37	
TOTAL PAYMENT AMOUNT					22,300.14 *	22,300.14	
TOTAL FUND PAYMENT					76,670.14 **	76,670.14	
TOTAL BATCH PAYMENT					280,951.73 ***	280,951.73	
TOTAL USE TAX AMOUNT					13.60	13.60	
TOTAL DISTRICT PAYMENT					280,951.73 ****	280,951.73	
TOTAL USE TAX AMOUNT					13.60	13.60	
TOTAL FOR ALL DISTRICTS:					280,951.73 ****	280,951.73	
TOTAL USE TAX AMOUNT					13.60	13.60	

Number of checks to be printed: 84, not counting voids due to stub overflows.

Batch status: A All

From batch: 0021

To batch: 0021

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: Y

Include Audit Date and Time in Sort: N

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount					
			FD	RESO P	OBJE	SIT	GOAL	FUNC	RES	DEP	T9MPS		
019053/00	A TOUCH OF UNDERSTANDING INC		680389777										
1065 PO-181034	10/26/2017	17-18-006		1	01-9315-0-5800-601-1110-1000-017-000	NN P	1,340.00	1,340.00					
1065 PO-181034	10/26/2017	17-18-018		1	01-9315-0-5800-601-1110-1000-017-000	NN P	1,480.00	1,480.00					
TOTAL PAYMENT AMOUNT							2,820.00 *	2,820.00					
010005/00	ACHIEVE3000 INC												
989 PO-180953	10/26/2017	35728		1	01-3010-0-5800-371-1110-1000-012-000	NN F	7,525.00	7,525.00					
TOTAL PAYMENT AMOUNT							7,525.00 *	7,525.00					
019740/00	ANDERSON'S												
1105 PO-181076	10/26/2017	7177914		1	01-0000-0-4300-472-0000-2700-014-000	NN F	352.89	352.89					
TOTAL PAYMENT AMOUNT							352.89 *	352.89					
010353/00	BACKYARD UNLIMITED												
1093 PO-181057	10/24/2017	3058		1	01-6387-0-5800-472-1110-1000-019-000	NN F	480.00	480.00					
TOTAL PAYMENT AMOUNT							480.00 *	480.00					
015718/00	BASIC PACIFIC												
PV-180022	10/26/2017	10-31-17			01-0000-0-9552-000-0000-0000-000-000	NN		6,028.23					
TOTAL PAYMENT AMOUNT							6,028.23 *	6,028.23					
010988/00	BIDDLE, SHAHRZAD												
979 PO-181028	10/26/2017	MILEAGE		1	01-3010-0-5200-103-0000-2700-019-822	NN F	38.52	38.52					
TOTAL PAYMENT AMOUNT							38.52 *	38.52					
013988/00	BUTES/CENTER STATE PIPE &												
159 PO-180126	10/26/2017	8009819567.001		1	01-8150-0-4300-106-0000-8110-007-000	NN P	249.48	249.48					
TOTAL PAYMENT AMOUNT							249.48 *	249.48					

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num	Account num	Liq Amt	Net Amount
010340/00	CA DEPT OF JUSTICE							
395 PO-180366	10/26/2017	259487		1 01-0000-0-5800-110-0000-7200-004-000 NN P			352.00	352.00
TOTAL PAYMENT AMOUNT							352.00 *	352.00
020540/00	CALIFORNIA AMERICAN WATER CO							
19 PO-180019	10/26/2017	1015-210038466358		1 01-0000-0-5520-106-0000-8110-007-000 NN P			34,603.29	34,603.29
TOTAL PAYMENT AMOUNT							34,603.29 *	34,603.29
019750/00	CAPITAL PROGRAM MGMT INC							
545 PO-180511	10/26/2017	#33		1 01-6230-0-5800-106-9543-7200-007-000 NN P			5,196.25	5,196.25
TOTAL PAYMENT AMOUNT							5,196.25 *	5,196.25
020305/00	CDW GOVERNMENT INC.							
605 PO-180571	10/26/2017	JXK8687		1 01-6500-0-4300-102-5770-1110-019-000 NN F			36.54	36.54
735 PO-180701	10/26/2017	KLM2471		1 01-6387-0-4300-472-1110-1000-019-000 NN P			33.98	33.98
735 PO-180701	10/26/2017	KLQ0400		1 01-6387-0-4300-472-1110-1000-019-000 NN F			34.01	33.98
931 PO-180897	10/26/2017	KKT3507		1 01-0000-0-4400-115-0000-7700-007-000 NN F			187.66	187.66
931 PO-180897	10/24/2017	KJK6266		2 01-0000-0-4300-115-0000-7700-007-000 NN F			47.94	47.94
TOTAL PAYMENT AMOUNT							340.10 *	340.10
016320/00	COLLIER, ALYSON							
1069 PO-181036	10/26/2017	REIMB HOTEL		1 01-0000-0-5200-601-1110-1000-017-094 NN F			329.50	329.50
1084 PO-181047	10/26/2017	REIMB SNACKS		1 01-0000-0-4300-601-1110-1000-017-094 NN F			31.29	31.29
1085 PO-181048	10/26/2017	REIMB SNACKS & LUNCHES		1 01-9315-0-4300-601-1110-1000-017-000 NN F			197.85	197.85
TOTAL PAYMENT AMOUNT							558.64 *	558.64
021813/00	CONSOLIDATED COMMUNICATIONS							
32 PO-180031	10/26/2017	916-773-4131/0		2 01-0000-0-5930-106-0000-8110-007-000 NN P			895.70	895.70
TOTAL PAYMENT AMOUNT							895.70 *	895.70
015603/00	CONSTANCIO, CLAUDIA							
1049 PO-181029	10/26/2017	SEPT MILEAGE		1 01-5630-0-5800-601-1421-1000-017-000 NN F			35.95	35.95
TOTAL PAYMENT AMOUNT							35.95 *	35.95

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
				FD RESO P	OBJE SIT	GOAL FUNC RES DEP T9MPS		
-----								
017386/00	CORDOVA HIGH SCHOOL							
1078 PO-181041	10/26/2017	VARSITY BB-XMAS CLASSIC		1	01-0076-0-5800-472-1110-4200-014-804	NN F	300.00	300.00
TOTAL PAYMENT AMOUNT							300.00 *	300.00
010481/00	DEMCO INC							
1006 PO-180972	10/26/2017	6236379		1	01-0000-0-4300-236-0000-2420-009-000	NN F	398.68	400.53
TOTAL PAYMENT AMOUNT							400.53 *	400.53
019824/00	DEVELOPMENTAL RESOURCES INC.							
1041 PO-180998	10/26/2017	13342		1	01-3010-0-5200-475-3200-1000-015-000	NN F	179.00	179.00
TOTAL PAYMENT AMOUNT							179.00 *	179.00
020830/00	ELK GROVE HIGH SCHOOL							
1079 PO-181042	10/26/2017	VAR BB ENTRY FEE		1	01-0076-0-5800-472-1110-4200-014-804	NN F	350.00	350.00
TOTAL PAYMENT AMOUNT							350.00 *	350.00
011132/00	FEDEX							
344 PO-180312	10/26/2017	5-967-32186		1	01-8150-0-5920-106-0000-8110-007-000	NN P	22.88	22.88
348 PO-180315	10/26/2017	5-967-32186		1	01-6500-0-5920-102-5001-2700-019-000	NN P	46.25	46.25
TOTAL PAYMENT AMOUNT							69.13 *	69.13
015172/00	FRENCH, DAVID L.							
1114 PO-181069	10/26/2017	REIMB MEAL		1	01-3010-0-4300-475-3200-2700-015-000	NN F	9.09	9.09
1115 PO-181070	10/24/2017	REIMB REFRESHMENTS		1	01-3010-0-4300-475-3200-1000-015-000	NN F	32.46	32.46
TOTAL PAYMENT AMOUNT							41.55 *	41.55
022347/00	GIVE SOMETHING BACK							
840 PO-180805	10/26/2017	in-0663446		1	01-0000-0-4300-110-0000-7200-004-000	NN P	334.22	334.22
840 PO-180805	10/26/2017	CM-030470		1	01-0000-0-4300-110-0000-7200-004-000	NN M	0.00	-280.04
840 PO-180805	10/26/2017	IN-0665787		1	01-0000-0-4300-110-0000-7200-004-000	NN F	61.16	306.01
1021 PO-180988	10/26/2017	in-0671651		1	01-0000-0-4300-472-0000-2700-014-000	NN F	104.47	104.47
1052 PO-181015	10/24/2017	IN-0672716		1	01-0000-0-4300-240-0000-2700-011-000	NN F	139.40	139.40
TOTAL PAYMENT AMOUNT							604.06 *	604.06

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
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017718/00	GUIDING HANDS INC.						
782 PO-180744	10/26/2017	4574	1 01-6500-0-5800-102-5750-1180-019-000 NN P			3,661.49	3,661.49
782 PO-180744	10/26/2017	4593	1 01-6500-0-5800-102-5750-1180-019-000 NN P			250.00	250.00
782 PO-180744	10/24/2017	4602	1 01-6500-0-5800-102-5750-1180-019-000 NN P			312.50	312.50
TOTAL PAYMENT AMOUNT						4,223.99 *	4,223.99
010992/00	HARBOR FREIGHT TOOLS USA INC						
638 PO-180602	10/26/2017	819909	1 01-0000-0-4300-111-0000-8200-007-000 NN P			83.13	83.13
638 PO-180602	10/26/2017	819907	1 01-0000-0-4300-111-0000-8200-007-000 NN P			154.00	154.00
TOTAL PAYMENT AMOUNT						237.13 *	237.13
017002/00	HOME DEPOT CREDIT SERVICES						
347 PO-180331	10/26/2017	15106	1 01-6387-0-4300-472-1110-1000-019-000 NN P			21.67	21.67
347 PO-180331	10/26/2017	3700522	1 01-6387-0-4300-472-1110-1000-019-000 NN P			128.22	128.22
347 PO-180331	10/26/2017	1565327	1 01-6387-0-4300-472-1110-1000-019-000 NN P			40.65	40.65
TOTAL PAYMENT AMOUNT						190.54 *	190.54
021789/00	JABBERGYM INC						
675 PO-180665	10/26/2017	8925	1 01-6500-0-5800-102-5750-1180-019-000 NN P			37,035.00	37,035.00
TOTAL PAYMENT AMOUNT						37,035.00 *	37,035.00
020090/00	JORDAN, MICHAEL						
1088 PO-181056	10/24/2017	REIMB PARKING	1 01-0000-0-5200-103-0000-7200-019-000 NN F			30.00	30.00
TOTAL PAYMENT AMOUNT						30.00 *	30.00
010355/00	KAISER FOUNDATION HEALTH PLAN						
FV-180023	10/24/2017	NOVEMBER	01-0000-0-9552-000-0000-0000-000-000 NN			155,494.53	155,494.53
TOTAL PAYMENT AMOUNT						155,494.53 *	155,494.53
022467/00	LANGUAGE LINE SERVICES						
1066 PO-181025	10/26/2017	4161314	1 01-0000-0-5800-103-0000-2110-019-000 NN P			24.31	24.31
TOTAL PAYMENT AMOUNT						24.31 *	24.31

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
010806/00	LD PRODUCTS						
499 PO-180457	10/26/2017	SIP-006661204	1 01-0000-0-4300-236-1110-1000-009-000 NN F			615.09	351.15
			TOTAL PAYMENT AMOUNT		351.15 *		351.15
011135/00	LINDHURST SOFTBALL						
1076 PO-181039	10/26/2017	SB TOURN- MARCH 3+4	1 01-0076-0-5800-472-1110-4200-014-812 NN F			425.00	425.00
			TOTAL PAYMENT AMOUNT		425.00 *		425.00
019534/00	LUXOUT STAGE CURTAINS INC						
294 PO-180270	10/26/2017	14756	1 01-0000-0-4400-238-0000-2700-010-000 NN F			3,616.34	3,782.25
			TOTAL PAYMENT AMOUNT		3,782.25 *		3,782.25
016841/00	LittleBits Electronics Inc						
205 PO-180156	10/26/2017	53209	1 01-6300-0-4300-236-1110-1000-009-000 YN F			2,763.57	2,545.80
			TOTAL PAYMENT AMOUNT		2,545.80 *		2,545.80
			TOTAL USE TAX AMOUNT		197.30		
022230/00	MANAGED HEALTH NETWORK						
325 PO-180288	10/26/2017	PRM-014897	1 01-0000-0-3401-100-1110-1000-000-000 NN P			983.06	983.06
			TOTAL PAYMENT AMOUNT		983.06 *		983.06
022406/00	MAXIM HEALTHCARE SERVICES INC						
975 PO-180939	10/26/2017	5261780262	1 01-0000-0-5800-109-0000-3140-004-000 NN P			2,150.00	2,150.00
			TOTAL PAYMENT AMOUNT		2,150.00 *		2,150.00
018678/00	MCGRAW HILL SCHOOL EDUCATION						
695 PO-180722	10/23/2017	99851211001,100109799001	1 01-0000-0-5800-472-1110-1000-014-000 NN P			0.00	0.00
695 PO-180722	10/26/2017	100108780001	1 01-0000-0-5800-472-1110-1000-014-000 NN F			3,444.55	3,196.80
			TOTAL PAYMENT AMOUNT		3,196.80 *		3,196.80



Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
			FD	RESO P	OBJE	SIT GOAL	FUNC RES DEP	T9MPS
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015747/00	MILES, PRESTINNA							
1083 PO-181046	10/26/2017	MILEAGE		1	01-0000-0-5210-110-0000-7200-004-000	NN F	33.06	33.06
			TOTAL PAYMENT AMOUNT		33.06 *			33.06
017465/00	MONTEREY TRAIL HIGH SCHOOL							
1077 PO-181040	10/26/2017	BOYS BB TOURN DEC 7-9		1	01-0076-0-5800-472-1110-4200-014-804	NN F	350.00	350.00
			TOTAL PAYMENT AMOUNT		350.00 *			350.00
017590/00	MUSSON THEATRICAL INC							
763 PO-180726	10/26/2017	00420571		1	01-0000-0-4300-472-0000-8200-014-995	NN F	29,581.24	29,743.27
			TOTAL PAYMENT AMOUNT		29,743.27 *			29,743.27
017894/00	NORTHWEST EVALUATION ASSOC							
913 PO-180880	10/26/2017	INV00065630		1	01-3010-0-5800-475-3200-1000-015-000	NN F	2,207.74	2,048.95
			TOTAL PAYMENT AMOUNT		2,048.95 *			2,048.95
011143/00	NORTHWEST PUMP & EQUIPMENT CO							
745 PO-180711	10/24/2017	2840408		1	01-0000-0-4300-112-0000-3600-007-000	NN F	102.36	115.36
745 PO-180711	10/26/2017	2840408		2	01-0000-0-5800-112-0000-3600-007-000	NN F	90.00	96.98
			TOTAL PAYMENT AMOUNT		212.34 *			212.34
017576/00	OFFICE DEPOT							
213 PO-180160	10/26/2017	947041442001		1	01-6300-0-4300-371-1110-1000-012-000	NN F	233.47	72.32
203 PO-180185	10/26/2017	948148996001		1	01-6300-0-4300-234-1110-1000-008-000	NN P	1,821.94	1,821.94
203 PO-180185	10/23/2017	948148997001		1	01-6300-0-4300-234-1110-1000-008-000	NN F	92.55	20.90
204 PO-180186	10/26/2017	947429247001		1	01-6300-0-4300-234-1110-1000-008-000	NN P	2,118.53	2,118.53
204 PO-180186	10/26/2017	947429249001		1	01-6300-0-4300-234-1110-1000-008-000	NN F	287.01	128.30
226 PO-180225	10/26/2017	947821898001		1	01-0000-0-4300-238-1110-1000-010-000	NN F	40.67	164.93
912 PO-180886	10/26/2017	966783893001		1	01-0000-0-4300-234-1110-1000-008-000	NN P	15.02	15.02
912 PO-180886	10/26/2017	966783891001		1	01-0000-0-4300-234-1110-1000-008-000	NN P	26.39	26.39
912 PO-180886	10/26/2017	966783891002		1	01-0000-0-4300-234-1110-1000-008-000	NN P	203.25	203.25
948 PO-180915	10/26/2017	970073849001		1	01-0000-0-4300-234-1110-1000-008-000	NN F	4.54	4.55
956 PO-180919	10/26/2017	971396015001		1	01-6300-0-4300-236-1110-1000-009-000	NN F	55.56	55.56
956 PO-180919	10/23/2017	971395431001		1	01-4203-0-4300-103-4760-1000-019-000	NN P	46.86	46.86
956 PO-180919	10/26/2017	968863203001		1	01-4203-0-4300-103-4760-1000-019-000	NN M	0.00	-46.86
			TOTAL PAYMENT AMOUNT		77.05			77.05

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC	ABA num RES DEP T9MPS	Account num	Liq Amt	Net Amount
017576 (CONTINUED)								
970 PO-180935	10/26/2017	969109908001		1 01-6500-0-4300-102-5001-2700-019-000	NN F		288.21	305.18
TOTAL PAYMENT AMOUNT							5,013.92 *	5,013.92
022161/00 OVERDRIVE INC								
1091 PO-181072	10/26/2017	SUBSCRIPTION FEE		1 01-6300-0-5800-472-1110-1000-014-000	NN F		1,000.00	1,000.00
TOTAL PAYMENT AMOUNT							1,000.00 *	1,000.00
016692/00 PERFORMANCE CHEVROLET								
1109 PO-181065	10/24/2017	584762		1 01-0000-0-4300-112-0000-3600-007-000	NN P		306.66	306.66
TOTAL PAYMENT AMOUNT							306.66 *	306.66
021401/00 PRACTI-CAL INC								
1064 PO-181033	10/24/2017	338955		1 01-5640-0-5800-109-0000-3140-017-000	NN F		103.51	103.51
TOTAL PAYMENT AMOUNT							103.51 *	103.51
011238/00 RELIABLE TIRE								
1111 PO-181066	10/24/2017	155795		1 01-0000-0-4300-112-0000-3600-007-000	NN F		729.00	729.00
1111 PO-181066	10/24/2017	155795		2 01-0000-0-5600-112-0000-3600-007-000	NN F		726.00	726.00
TOTAL PAYMENT AMOUNT							1,455.00 *	1,455.00
010552/00 SAC VAL JANITORIAL								
788 PO-180748	10/26/2017	10258435		1 01-0000-0-9320-000-0000-0000-000-000	NN P		206.56	206.56
788 PO-180748	10/23/2017	10265532		1 01-0000-0-9320-000-0000-0000-000-000	NN P		443.64	443.64
788 PO-180748	10/26/2017	10258212		1 01-0000-0-9320-000-0000-0000-000-000	NN P		1,059.09	1,059.09
788 PO-180748	10/26/2017	10257920		1 01-0000-0-9320-000-0000-0000-000-000	NN P		399.45	399.45
997 PO-180964	10/23/2017	10265525		1 01-0000-0-4300-111-0000-8200-007-000	NN P		88.87	88.87
TOTAL PAYMENT AMOUNT							2,197.61 *	2,197.61
014870/00 SACRAMENTO COUNTY OFFICE OF								
926 PO-180894	10/26/2017	180766		1 01-3010-0-5200-103-0000-2700-019-822	NN F		6,000.00	6,000.00
TOTAL PAYMENT AMOUNT							6,000.00 *	6,000.00

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
022398/00	SACRAMENTO COUNTY OFFICE OF ED						
927 PO-180895	10/26/2017	180647,180648	1 01-3010-0-5200-103-0000-2110-019-000 NN F			750.00	750.00
			TOTAL PAYMENT AMOUNT	750.00 *			750.00
016337/00	SAECHAO, MUANG						
554 PO-180517	10/26/2017	AUGUST	1 01-6500-0-5800-102-5770-3600-019-000 NN P			181.48	181.48
554 PO-180517	10/26/2017	SEPT	1 01-6500-0-5800-102-5770-3600-019-000 NN P			337.02	204.16
			TOTAL PAYMENT AMOUNT	385.64 *			385.64
017234/00	SCHIRO, BONNIE						
1094 PO-181073	10/26/2017	REIMB-CARTS	1 01-0000-0-4300-472-1110-1000-014-000 N F			23.99	23.99
1095 PO-181074	10/26/2017	REIMB AIR	1 01-0000-0-4300-472-1110-1000-014-000 N F			17.32	17.32
			TOTAL PAYMENT AMOUNT	41.31 *			41.31
014786/00	SCHOOL SPECIALTY						
949 PO-180916	10/26/2017	208119437279	1 01-6300-0-4300-236-1110-1000-009-000 NN F			236.83	236.84
			TOTAL PAYMENT AMOUNT	236.84 *			236.84
010373/00	SCHOOLS INSURANCE AUTHORITY						
255 PO-180209	10/26/2017	2018UST-KAM.08	1 01-0000-0-5800-112-0000-3600-007-000 NN P			150.00	150.00
			TOTAL PAYMENT AMOUNT	150.00 *			150.00
020252/00	STAPLES BUSINESS ADVANTAGE						
937 PO-180908	10/26/2017	3355450749	1 01-5640-0-4300-601-1369-1000-017-000 NN F			75.72	75.72
			TOTAL PAYMENT AMOUNT	75.72 *			75.72
017453/00	THERAPY SHOPPE INC.						
934 PO-180900	10/26/2017	313835	1 01-6500-0-4300-102-5750-1110-019-000 YN F			43.05	91.95
			TOTAL PAYMENT AMOUNT	91.95 *			91.95
			TOTAL USE TAX AMOUNT	7.13			

081 CENTER UNIFIED SCHOOL DISTRICT J3861  
10-26-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0021 10-26-17  
FUND : 01 GENERAL FUND

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Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num	Account num	Liq Amt	Net Amount
018015/00	TOMPKINS, SHELLEY							
1087 PO-181055	10/26/2017	REIMB		1 01-9315-0-4300-601-1110-1000-017-000 NN F			128.83	128.83
TOTAL PAYMENT AMOUNT							128.83 *	128.83
011745/00	TORRES, ASHLEIGH							
1074 PO-181038	10/26/2017	REIMB ITEMS		1 01-0000-0-4300-103-0000-2420-019-000 NN F			43.32	43.32
TOTAL PAYMENT AMOUNT							43.32 *	43.32
010139/00	TROXELL COMMUNICATIONS INC							
362 PO-180493	10/26/2017	978332,979647		1 01-7338-0-4400-472-1110-1000-014-000 NN F			7,358.25	7,358.25
362 PO-180493	10/26/2017	976738		2 01-7338-0-4300-472-1110-1000-014-000 NN F			930.00	930.00
TOTAL PAYMENT AMOUNT							8,288.25 *	8,288.25
022179/00	US HEALTHWORKS							
399 PO-180370	10/26/2017	3207623-CA		1 01-0000-0-5800-110-0000-7200-004-000 NN P			28.00	28.00
TOTAL PAYMENT AMOUNT							28.00 *	28.00
019902/00	WARDS NATURAL SCIENCE							
69 PO-180075	10/26/2017	8080219263		1 01-0000-0-4300-472-1600-1000-014-000 NN P			71.45	71.45
69 PO-180075	10/26/2017	8080177607		1 01-0000-0-4300-472-1600-1000-014-000 NN F			118.99	119.51
TOTAL PAYMENT AMOUNT							190.96 *	190.96
022221/00	WESTERN HEALTH ADVANTAGE							
FV-180024	10/24/2017	NOVEMBER 2017		01-0000-0-9552-000-0000-0000-000-000 NN			123,688.72	123,688.72
TOTAL PAYMENT AMOUNT							123,688.72 *	123,688.72
TOTAL FUND PAYMENT							454,653.74 **	454,653.74
TOTAL USE TAX AMOUNT							204.43	

081 CENTER UNIFIED SCHOOL DISTRICT J3861  
10-26-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0021 10-26-17  
FUND : 11 ADULT EDUCATION FUND

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<< Open >>

Vendor/Addr	Remit name		Tax ID num	Deposit type	ABA num	Account num		Liq Amt	Net Amount
Req Reference	Date	Description		FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS					
018015/00	TOMPKINS, SHELLEY								
1050 PO-181030	10/26/2017	REIMB MILEAGE		1 11-6391-0-5210-600-4130-1000-015-000 NN F				34.24	34.24
				TOTAL PAYMENT AMOUNT				34.24 *	34.24
				TOTAL FUND PAYMENT				34.24 **	34.24

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC	ABA num RES DEP T9MPS	Account num	Liq Amt	Net Amount
-----								
017673/00	ANNONSON, HEATHER							
1097	PO-181059	10/24/2017 REFUND		1	13-5310-0-8634-000-0000-0000-000-000	NN F	10.00	10.00
			TOTAL PAYMENT AMOUNT		10.00 *			10.00
016145/00	BURGESON, JENNY							
1098	PO-181060	10/24/2017 REFUND		1	13-5310-0-8634-000-0000-0000-000-000	NN F	10.00	10.00
			TOTAL PAYMENT AMOUNT		10.00 *			10.00
022586/00	D&P Creamery							
111	PO-180095	10/26/2017 0050135		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,792.82	1,792.82
111	PO-180095	10/26/2017 0050130		1	13-5310-0-4700-108-0000-3700-007-000	NN P	868.90	868.90
111	PO-180095	10/26/2017 0050125		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,685.94	1,685.94
111	PO-180095	10/26/2017 0050120		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,516.46	1,516.46
111	PO-180095	10/26/2017 0050110		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,355.24	1,355.24
111	PO-180095	10/26/2017 0050105		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,926.28	1,926.28
111	PO-180095	10/26/2017 0004013-CM		1	13-5310-0-4700-108-0000-3700-007-000	NN M	0.00	-329.11
			TOTAL PAYMENT AMOUNT		8,816.53 *			8,816.53
011602/00	DANIELSEN CO., THE							
78	PO-180050	10/24/2017 146301		1	13-5310-0-4700-108-0000-3700-007-000	N P	889.70	889.70
78	PO-180050	10/24/2017 144931		1	13-5310-0-4700-108-0000-3700-007-000	N P	411.10	411.10
78	PO-180050	10/24/2017 146301		2	13-5310-0-4300-108-0000-3700-007-000	N P	8.00	8.00
78	PO-180050	10/24/2017 144931		2	13-5310-0-4300-108-0000-3700-007-000	N P	743.80	743.80
			TOTAL PAYMENT AMOUNT		2,052.60 *			2,052.60
015712/00	FERNANDEZ, JANET							
1104	PO-181063	10/26/2017 REFUND		1	13-5310-0-8634-000-0000-0000-000-000	NN F	28.35	28.35
			TOTAL PAYMENT AMOUNT		28.35 *			28.35
021080/00	GOLD STAR FOODS INC							
81	PO-180053	10/24/2017 2184996		1	13-5310-0-4700-108-0000-3700-007-000	NN P	7,286.59	7,286.59
81	PO-180053	10/24/2017 2185046		1	13-5310-0-4700-108-0000-3700-007-000	NN P	12.60	12.60
81	PO-180053	10/24/2017 1177439		1	13-5310-0-4700-108-0000-3700-007-000	NN M	0.00	-78.97
81	PO-180053	10/24/2017 1171697		1	13-5310-0-4700-108-0000-3700-007-000	NN M	0.00	-99.40
			TOTAL PAYMENT AMOUNT		7,120.82 *			7,120.82

081 CENTER UNIFIED SCHOOL DISTRICT J3861  
10-26-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0021 10-26-17  
FUND : 13 CAFETERIA FUND

APY500 L.00.12 10/26/17 10:06 PAGE 12  
<< Open >>

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
				FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
-----								
021194/00	PRUDENTIAL OVERALL SUPPLY INC							
113 PO-180097	10/24/2017	180290656		1	13-5310-0-5800-108-0000-3700-007-000	NN P	77.75	77.75
113 PO-180097	10/24/2017	180290086		1	13-5310-0-5800-108-0000-3700-007-000	NN P	77.75	77.75
TOTAL PAYMENT AMOUNT							155.50 *	155.50
017334/00	SEVEN UP BOTTLING CO. OF S.F.							
178 PO-180144	10/24/2017	8664958001		1	13-5310-0-4700-108-0000-3700-007-000	NN P	441.60	441.60
178 PO-180144	10/24/2017	8664858403		1	13-5310-0-4700-108-0000-3700-007-000	NN P	441.60	441.60
TOTAL PAYMENT AMOUNT							883.20 *	883.20
011422/00	SYSCO OF SAN FRANCISCO							
80 PO-180052	10/24/2017	131471288		1	13-5310-0-4700-108-0000-3700-007-000	NN P	1,704.76	1,704.76
80 PO-180052	10/24/2017	131471289		1	13-5310-0-4700-108-0000-3700-007-000	NN P	110.02	110.02
80 PO-180052	10/24/2017	131471288		2	13-5310-0-4300-108-0000-3700-007-000	NN P	164.75	164.75
80 PO-180052	10/24/2017	131471289		2	13-5310-0-4300-108-0000-3700-007-000	NN P	9.60	9.60
TOTAL PAYMENT AMOUNT							1,989.13 *	1,989.13
TOTAL FUND PAYMENT					21,066.13 **		21,066.13	

081 CENTER UNIFIED SCHOOL DISTRICT J3861  
10-26-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0021 10-26-17  
FUND : 14 DEFERRED MAINTENANCE FUND

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<< Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
Req Reference	Date	Description	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS				
018970/00	RUA & SON MECHANICAL INC						
1112 PO-181067	10/24/2017	302265	1 14-0024-0-5600-106-9585-8110-007-000 NN P			40,209.22	40,209.22
TOTAL PAYMENT AMOUNT						40,209.22 *	40,209.22
TOTAL FUND PAYMENT						40,209.22 **	40,209.22



081 CENTER UNIFIED SCHOOL DISTRICT J3861  
10-26-17

ACCOUNTS PAYABLE PRELIST  
BATCH: 0021 10-26-17  
FUND : 21 BUILDING FUND

APY500 L.00.12 10/26/17 10:06 PAGE 14  
<< Open >>

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	ABA num	Account num	Liq Amt	Net Amount
			FD	RESO P	OBJE	SIT GOAL	FUNC RES DEP	T9MPS
019750/00	CAPITAL PROGRAM MGMT INC							
PO-170807	10/26/2017 #15			1	21-0000-0-5800-106-9175-8100-007-000	MN P	24,029.00	24,029.00
TOTAL PAYMENT AMOUNT							24,029.00 *	24,029.00
TOTAL FUND PAYMENT							24,029.00 **	24,029.00
TOTAL BATCH PAYMENT							539,992.33 ***	539,992.33
TOTAL USE TAX AMOUNT							204.43	204.43
TOTAL DISTRICT PAYMENT							539,992.33 ****	539,992.33
TOTAL USE TAX AMOUNT							204.43	204.43
TOTAL FOR ALL DISTRICTS:							539,992.33 ****	539,992.33
TOTAL USE TAX AMOUNT							204.43	204.43

Number of checks to be printed: 72, not counting voids due to stub overflows.

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
Dept./Site:	Superintendent's Office	Action Item <u>    X    </u>
To:	Board of Trustees	Information Item <u>          </u>
Date:	November 15, 2017	# Attached Pages <u>    3    </u>
From:	Scott A. Loehr, Superintendent	
Principal/Administrator Initials:		

**SUBJECT: Schedule Annual Organizational Meeting of the Board**

Education Code §35143 requires governing boards to set an annual organizational meeting "within a 15-day period that commences with the date upon which a governing board member elected at that election takes office. Organizational meetings in years in which no such regular election for governing board members is conducted shall be held during the same 15-day period on the calendar." (Board members are seated the *first Friday* of December following the November election [Education Code §5017]) That 15-day period for 2017 is December 1-15.

It is recommended that this be scheduled during our Regular Board Meeting on Wednesday, December 13, 2017 at 6:00 p.m. in Room 503- District Board Room, located at Wilson C. Riles Middle School.

**RECOMMENDATION:** The Center Joint Unified School District Board of Trustees approve the scheduling of the Annual Organizational Meeting of the Board to occur on Wednesday, December 13, 2017 at 6:00 p.m. in the District Board Room (Room 503), located at Wilson C. Riles Middle School.

# Sacramento Office of Education County

10474 Mather Boulevard  
P.O. Box 269003  
Sacramento, CA 95826-9003  
(916) 228-2500

www.scoe.net

## Memorandum

TO: District Superintendents

FROM: David W. Gordon, County Superintendent *Dave*

DATE: October 4, 2017

**SUBJECT: ANNUAL ORGANIZATIONAL MEETING FOR GOVERNING BOARDS**

Under the provisions of Education Code section 35143, your governing board is required to set an annual organizational meeting "within a 15-day period that commences with the date upon which a governing board member elected at that election takes office. Organizational meetings in years in which no such regular election for governing board members is conducted shall be held during the same 15-day period on the calendar." (Board members are seated the *first Friday* of December following the November election [Education Code § 5017])

**The 15-day period for 2017 is:  
December 1 – 15**

**The day and time of the annual meeting are to be selected by your governing board at its regular meeting held (in November) *immediately prior to the first day of such 15-day period*, and the board shall notify the County Superintendent of Schools of the day and time selected.**

Following your regular meeting held immediately prior to December 1, please complete and return the enclosed form, notifying us of the date and time of your organizational meeting.

**NOTE: Education Code section 35143 requires the County Superintendent of Schools to designate the date and time for the annual organizational meeting if your Board fails to do so. Therefore, it is important that we receive this form no later than **5:00 p.m. on November 15, 2017**. If necessary, please send the form to us via fax at 916.228.2403.**

After your organizational meeting has been held, please have the enclosed "Certificate of Election of Board President, Clerk, and Board Representative" (**yellow form**) completed, signed, and forwarded to this office. If you have any questions, please call Carla Miller at 916.228.2410.

Enclosures

**SCHEDULING OF ANNUAL ORGANIZATIONAL MEETING**

TO: David W. Gordon, County Superintendent  
Sacramento County Office of Education  
P.O. Box 269003  
Sacramento, CA 95826-9003

FROM: \_\_\_\_\_ District

The annual organizational meeting of this district has been set for:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

This action was taken during the regular meeting *immediately preceding* December 1, 2017.

I hereby certify that 15 days prior to this date, all members and members-elect will be notified in writing of the time and place of the annual organizational meeting.

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**PLEASE NOTE:** If this form is not received by the County Superintendent of Schools by 5:00 p.m. on November 15, 2017, the County Superintendent shall set the date and time of the annual organizational meeting as required by Education Code section 35143.

### **Education Code Section 35143**

The governing board of each school district shall hold an annual **organizational meeting**. In a year in which a regular election for governing board members is conducted, the meeting shall be held on a day within a 15-day period that commences with the date upon which a governing board member elected at that election takes office.

**Organizational meetings** in years in which no such regular election for governing board members is conducted shall be held during the same 15-day period on the calendar. Unless otherwise provided by rule of the governing board, the day and time of the annual meeting shall be selected by the board at its regular meeting held immediately prior to the first day of such 15-day period, and the board shall notify the county superintendent of schools of the day and time selected. The clerk of the board shall, within 15 days prior to the date of the annual meeting, notify in writing all members and members-elect of the date and time selected for the meeting.

If the board fails to select a day and time for the meeting, the county superintendent of schools having jurisdiction over the district shall, prior to the first day of such 15-day period and after the regular meeting of the board held immediately prior to the first day of such 15-day period, designate the day and time of the annual meeting. The day designated shall be within the 15-day period. He shall notify in writing all members and members-elect of the date and time.

At the annual meeting the governing board of each high school district, union high school district, and joint union high school district shall organize by electing a president from its members and a clerk.

At the annual meeting each city board of education shall organize by electing a president from its members.

At the annual meeting the governing board of each other type of school district, except a community college district, shall elect one of its members clerk of the district.

As an alternative to the procedures set forth in this section, a city board of education whose members are elected in accordance with a city charter for terms of office commencing in December, may hold its annual organizational meeting required in this section between December 15 and January 14, inclusive, as provided in rules and regulations which shall be adopted by such board. At the annual meeting the city board of education shall organize by electing a president and vice president from its members who shall serve in such office during the period January 15 next to the following January 14, unless removed from such office by majority vote of all members of the city board of education.

# Center Joint Unified School District

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	Superintendent's Office	Action Item <u>  X  </u>
<b>To:</b>	Board of Trustees	Information Item <u>          </u>
<b>Date:</b>	November 15, 2017	# Attached Pages <u>  9  </u>
<b>From:</b>	Scott A. Loehr, Superintendent	
<b>Principal/Administrator Initials:</b>		

<b>SUBJECT: CSBA Delegate Assembly Nominations</b>
<p>Nominations will be accepted until Sunday, January 7, 2018. Any CSBA member board is eligible to nominate board members within their geographical region or subregion. Each board may nominate as many individuals as it chooses. The subregion for CJUSD is 6-B.</p>
<b>RECOMMENDATION:</b>



California School Boards Association

**DEADLINE: Sunday, January 7, 2018**  
**BOARD ACTION REQUIRED**  
**Please deliver to all governing board members.**

October 27, 2017

**MEMORANDUM**

**To:** All Board Presidents, Superintendents of CSBA Member Boards of Education

**From:** Susan Henry, President

**Copy:** All Executive Assistants

**Re:** Call for Nominations for CSBA Delegate Assembly – **Due Sunday, January 7, 2018**

---

Each year, member boards elect representatives from 21 geographic regions to CSBA's Delegate Assembly. The Delegate Assembly is a vital link in the association's governance and sets the general policy direction for the association. Working with member boards, the Board of Directors, and Executive Committee, Delegates ensure that the association promotes the interests of school districts and county offices of education throughout the state. There are two required Delegate Assembly meetings each year. In 2018, the first meeting will be May 19-20 in Sacramento and the second one will be November 28-29 in San Francisco preceding CSBA's Annual Education Conference and Trade show.

Nomination and candidate biographical sketch forms for CSBA's Delegate Assembly are now being accepted until **Sunday, January 7, 2018**. Nomination instructions are listed below:

- Any CSBA member board is eligible to nominate board members within their geographical region or subregion and may nominate as many individuals as it chooses by submitting a nomination form for each nominee.
- All nominees must serve on CSBA member boards and give their approval prior to being nominated.
- All nominees must submit a **one-page, single-sided**, candidate biographical sketch form. An optional one-page, one-sided résumé may also be submitted but cannot be substituted for the biographical sketch form.
- All nomination materials must be postmarked by the U.S.P.S., faxed or emailed no later than 11:59 p.m. on **Sunday, January 7**. It is the nominee's responsibility to confirm that all nomination materials have been received by the CSBA Executive Office by this due date. Late submissions will not be accepted.
- Ballots will be mailed by Thursday, February 1, 2018 and are due Thursday, March 15, 2018.
- Elected Delegates serve a two-year term beginning April 1, 2018 through March 31, 2020.

The enclosed nomination materials related to the nomination process are available to download at <https://www.csba.org/About/Leadership/ElectionToCsbaOffice/ElectiontotheDelegateAssembly.aspx>. For more information about the Delegate Assembly, please contact the Executive Office or Leanne Gosselin, [lgosselin@csba.org](mailto:lgosselin@csba.org) or (800) 266-3382, ext. 3302. Thank you.



## **IMPORTANT DELEGATE NOMINATION AND ELECTION DEADLINES**

***Note: Nominations Due on a Sunday***

### **Important 2018 Dates:**

- **Sunday, January 7:** U.S.P.S. postmarked, fax, or email deadline for *required* Nomination and Candidate Biographical Sketch Forms
- **By Thursday, February 1:** Ballots mailed to Member Boards
- **February 1 – March 15:** Boards vote for Delegates
- **Thursday, March 15:** Deadline for the ballots to be returned to CSBA (U.S.P.S. POSTMARK ONLY)
- **By Friday, March 30:** Ballots to be tallied
- **By Sunday, April 1:** Election results, except for run-offs, posted on CSBA's Web site
- **Monday, April 30:** Deadline for run-off ballots to be returned to CSBA (U.S.P.S. POSTMARK ONLY)

### **CSBA Delegate Assembly Meeting Dates in 2018**

- **Saturday, May 19 – Sunday, May 20, Sacramento**
- **Wednesday, November 28 – Thursday, November 29, San Francisco**





## 2018 Delegate Assembly Nomination Form

***DUE: Sunday, January 7, 2018***

Mail to: CSBA | Attn: Executive Office | 3251 Beacon Blvd., West Sacramento, CA 95691 | Or fax: (916) 371-3407 |  
Or email: [nominations@csba.org](mailto:nominations@csba.org).

CSBA Region/subregion # \_\_\_\_\_

The Board of Education of the \_\_\_\_\_ wishes to

(Nominating District)

nominate \_\_\_\_\_.

(Nominee)

The nominee is a member of the

\_\_\_\_\_, which is a member of the California

(Nominee's Board)

School Boards Association.

- The nominee has consented to this nomination.
- Attached is the nominee's required one-page, single-sided, candidate biographical sketch form and optional one-page, single-sided résumé, if submitted.
- The nominee's required one-page, single-sided, candidate biographical sketch form and optional one-page, single-sided résumé, if submitted, will be sent by Sunday, January 7, 2018.

\_\_\_\_\_  
*Board Clerk or Board Secretary (signed)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Board Clerk or Board Secretary (printed)*

**PLEASE NOTE:** The nomination and candidate biographical sketch forms must either be emailed no later than **11:59 p.m. on Sunday, January 7, 2018** to [nominations@csba.org](mailto:nominations@csba.org), or faxed to (916) 371-3407, or mailed to CSBA, Attn: Executive Office, 3251 Beacon Blvd., West Sacramento, CA 95691, postmarked by the U.S.P.S. no later than **Sunday, January 7, 2018**. *It is the nominee's responsibility to confirm that all nomination materials have been received by the CSBA Executive Office by the due date. Late submissions cannot be accepted.* If you have any questions, please contact the Executive Office or Leanne Gosselin, [lgosselin@csba.org](mailto:lgosselin@csba.org) or (800) 266-3382, ext. 3302. Thank you.

## 2018 Delegate Assembly Candidate Biographical Sketch Form

***DUE: Sunday, January 7, 2018***

Mail to: CSBA | Attn: Executive Office | 3251 Beacon Blvd., West Sacramento, CA 95691 | fax: (916) 371-3407 | or email: [nominations@csba.org](mailto:nominations@csba.org).

Please complete, sign and date this required one-page candidate biographical sketch form. An optional, one-page, single-sided, résumé may also be submitted; both will be copied exactly as received. Please do not state "see résumé" and please do not re-type this form. Any additional page(s) exceeding this one-page candidate form will **not** be accepted. It is the candidate's responsibility to confirm that all nomination materials have been received by the CSBA Executive Office. Late submissions will not be accepted. If you have any questions, please contact the Executive Office at (800) 266-3382.

***Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: _____	CSBA Region-subregion #: _____
District or COE: _____	Years on board: _____
Profession: _____ Contact Number: (please v <input type="checkbox"/> Cell <input type="checkbox"/> Home <input type="checkbox"/> Bus.) _____	
*Primary E-mail: _____	
<small>(*Communications from CSBA will be sent to primary email)</small>	
Are you a continuing Delegate? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, how long have you served as a Delegate? _____	

**Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly.**

**Please describe your activities and involvement on your local board, community, and/or CSBA.**

**What do you see as the biggest challenge facing governing boards and how can CSBA help address it?**

**REGION 1 – 4 Delegates (4 elected)**

Director: Jennifer Owen (Fort Bragg USD)

**Subregion 1-A (Del Norte, Humboldt)**

Donald McArthur (Del Norte County USD), 2019

Lisa Ollivier (Eureka City SD), 2018

**Subregion 1-B (Lake, Mendocino)**

Taja Odom (Kelseyville USD), 2018

County: David Browning (Lake COE), 2019

**REGION 2 – 4 Delegates (4 elected)**

Director: Sherry Crawford (Siskiyou COE)

**Subregion 2-A (Modoc, Siskiyou, Trinity)**

Gregg Gunkel (Siskiyou Union HSD), 2019

**Subregion 2-B (Shasta)**

Teri Vigil (Fall River Joint USD), 2019

**Subregion 2-C (Lassen, Plumas)**

Dwight Pierson (Plumas County & USD), 2018

County: Brenda Duchi (Siskiyou COE), 2018

**REGION 3 – 8 Delegates (8 elected)**

Director: A.C. (Tony) Ubalde (Vallejo City USD)

**Subregion 3-A (Sonoma)**

Ron Kristof (Santa Rosa City Schools), 2019

Casandra Maitlen-Jones (Bennett Valley Union SD), 2018

**Subregion 3-B (Napa)**

Indira Lopez (Calistoga Joint USD), 2019

**Subregion 3-C (Solano)**

Michele (Shelley) Dally (Vacaville USD), 2018

Diane Ferrucci (Benicia USD), 2019

David Isom (Fairfield-Suisun USD), 2019

**Subregion 3-D (Marin)**

Barbara Owens, (Tamalpais Union HSD) 2018

County: Herman Hernandez (Sonoma COE), 2019

**REGION 4 – 8 Delegates (8 elected)**

Director: Paige Stauss (Roseville Joint Union HSD)

**Subregion 4-A (Glenn, Tehama)**

Rod Thompson (Red Bluff Jt. Union HSD), 2018

**Subregion 4-B (Butte)**

Judith Peters (Paradise USD), 2019

**Subregion 4-C (Colusa, Sutter, Yuba)**

Paul Broughton (Yuba City USD), 2019

Jim Flurry (Marysville Joint USD), 2018

**Subregion 4-D (Nevada, Placer, Sierra)**

Julann Brown (Auburn Union ESD), 2019

Linda Campbell (Nevada Joint Union HSD), 2019

Renee Nash (Eureka Union SD), 2018

County: Suzanne Jones (Placer COE), 2018

**REGION 5 – 10 Delegates (7 elected/3 appointed ◇)**

Director: Alisa MacAvoy (Redwood City ESD)

**Subregion 5-A (San Francisco)**

Emily Murase (San Francisco County USD)◇, 2019

Rachel Norton (San Francisco County USD)◇, 2019

Shamann Walton (San Francisco County USD)◇, 2018

**Subregion 5-B (San Mateo)**

Davina Drabkin (Burlingame ESD), 2019

Carrie Du Bois (Sequoia Union HSD), 2019

Marc Friedman (San Mateo Union HSD), 2018

Clayton Koo, (Jefferson ESD), 2018

Kevin Martinez (San Bruno Park ESD), 2019

Kalimah Salahuddin (Jefferson Union HSD), 2018

County: Beverly Gerard (San Mateo COE), 2019

**REGION 6 – 19 Delegates (12 elected/7 appointed ◇)**

Director: Darrel Woo (Sacramento City USD)

**Subregion 6-A (Yolo)**

Jackie Wong (Washington USD), 2018

**Subregion 6-B (Sacramento)**

Michael A. Baker (Twin Rivers USD)◇, 2019

Pam Costa (San Juan USD)◇, 2019

Craig DeLuz (Robla ESD), 2018

John Gordon (Galt Joint Union ESD), 2019

Jay Hansen (Sacramento City USD)◇, 2019

James Hendricks (Arcohe Union ESD), 2018

Susan Heredia (Natomas USD), 2019

Lisa Kaplan (Natomas USD), 2019

Crystal Martinez-Alire (Elk Grove USD)◇, 2019

Mike McKibbin (San Juan USD)◇, 2018

Christina Pritchett (Sacramento City USD)◇, 2020

JoAnne Reinking (Folsom-Cordova USD), 2018

Rebecca Sandoval (Twin Rivers USD), 2019

Edward (Ed) Short (Folsom-Cordova USD), 2019

Bobbie Singh-Allen (Elk Grove USD)◇, 2018

**Subregion 6-C (Alpine, El Dorado, Mono)**

Misty DiVittorio (Placerville Union ESD), 2018

Suzanna George (Rescue Union ESD), 2019

County: Shelton Yip (Yolo COE), 2018

**2017 DELEGATE ASSEMBLY ROSTER (as of November 1, 2017)**  
**DELEGATES (Year=term expiration; ◇=appointed by district)**



**REGION 7 – 20 Delegates (15 elected/5 appointed ◇)**  
**Director: Anne White (Livermore Valley USD)**

***Subregion 7-A (Contra Costa)***

Elizabeth (Liz) Bettis (Walnut Creek ESD), 2019  
Elizabeth Block (West Contra Costa USD)◇, 2018  
Laura Canciamilla (Pittsburg USD), 2018  
Craig Cheslog (Acalanes Union HSD), 2019  
Linda K. Mayo (Mt. Diablo USD)◇, 2019  
Kathi McLaughlin (Martinez USD), 2018  
Yolanda Pena Mendrek, (Liberty Union HSD), 2019  
Raymond Valverde (Liberty Union HSD), 2018

***Subregion 7-B (Alameda)***

Valerie Arkin (Pleasanton USD), 2018  
Desrie Campbell (Fremont USD), 2018  
Ann Crosbie (Fremont USD)◇, 2019  
Beatriz Leyva-Cutler (Berkeley USD), 2019  
Jody London (Oakland USD)◇, 2019  
William McGee (Hayward USD), 2019  
Amy Miller (Dublin USD), 2018  
Diana J. Prola (San Leandro USD), 2019  
Nancy Thomas (Newark USD), 2019  
Rosie Torres (Oakland USD)◇, 2018  
Jamie Yee Hintzke (Pleasanton USD), 2018  
**County: Fatima Alleyne (Contra Costa COE), 2019**

**REGION 8 – 14 Delegates (12 elected/2 appointed ◇)**  
**Director: Matthew Balzarini (Lammersville Joint USD)**

***Subregion 8-A (San Joaquin)***

Kathleen Garcia (Stockton USD)◇, 2019  
Kathy Howe (Manteca USD), 2018  
George Neely (Lodi USD), 2019  
Christopher (Kit) Oase (Ripon USD), 2019  
Angela Phillips (Stockton USD)◇, 2018  
Jenny Van De Pol (Lincoln USD), 2018  
Vacant, 2018

***Subregion 8-B (Amador, Calaveras, Tuolumne)***

Zerrall McDaniel (Calaveras USD), 2019

***Subregion 8-C (Stanislaus)***

Faye Lane (Ceres USD), 2018  
Cynthia (Cindi) Lindsey (Sylvan Union ESD), 2019  
Paul Wallace (Neman-Crows Landing USD), 2019

***Subregion 8-D (Merced)***

Adam Cox (Merced City ESD), 2019  
Greg Opinski (Merced Union HSD), 2018  
**County: Juliana Feriani (Tuolumne COE), 2018**

**REGION 9 – 8 Delegates (8 elected)**  
**Director: Tami Gunther (Atascadero USD)**

***Subregion 9-A (San Benito, Santa Cruz)***

Phil Rodriguez (Soquel Union ESD), 2018  
Deborah Tracy-Proulx (Santa Cruz City Schools), 2018  
George Wylie (San Lorenzo Valley USD), 2019

***Subregion 9-B (Monterey)***

Lila Cann (Salinas Union HSD), 2019  
Rita Patel (Carmel USD), 2018

***Subregion 9-C (San Luis Obispo)***

Mark Buchman (San Luis Coastal USD), 2018  
Vicki Meagher (Lucia Mar USD), 2019  
**County: Janet Wohlgenuth (Monterey COE), 2019**

**REGION 10 – 15 Delegates (11 elected/4 appointed ◇)**  
**Director: Susan Markarian (Pacific Union ESD)**

***Subregion 10-A (Madera, Mariposa)***

Barbara Bigelow (Chawanakee USD), 2019

***Subregion 10-B (Fresno)***

Daniel Babshoff (Kerman USD), 2019  
Connie Brooks (Kings Canyon Joint USD), 2018  
Darrell Carter (Washington USD), 2018  
Gilbert Coelho (Firebaugh-Las Deltas USD), 2018  
Valerie Davis (Fresno USD)◇, 2019  
Brian Heryford (Clovis USD)◇, 2019  
William (Bill) Johnson (Clay ESD), 2019  
Marcy Masumoto (Sanger USD), 2019  
Carol Mills (Fresno USD)◇, 2018  
Elizabeth (Betsy) Sandoval (Clovis USD)◇, 2018  
Norman Saude (Sierra USD), 2018  
Kathy Spate (Caruthers USD), 2019  
***Subregion 10-C (Kings)***  
Karen Frey (Corcoran Joint USD), 2018  
**County: Sara Wilkins (Madera COE), 2018**

**REGION 11 – 9 Delegates (9 elected)**  
**Director: Suzanne Kitchens (Pleasant Valley SD)**

***Subregion 11-A (Santa Barbara)***

Jack C. Garvin (Santa Maria Joint Union HSD), 2018  
Luz Reyes-Martin (Goleta Union SD), 2019

***Subregion 11-B (Ventura County and Las Virgenes USD)***

John Andersen (Conejo Valley USD), 2018  
William Daniels (Simi Valley USD), 2018  
Vianey Lopez (Hueneme ESD), 2018  
Veronica Robles-Solis (Oxnard SD), 2018  
Christina (Tina) Urias (Santa Paul USD), 2019  
John Walker (Ventura USD), 2019  
**County: Mark Lisagor (Ventura COE), 2019**

**2017 DELEGATE ASSEMBLY ROSTER (as of November 1, 2017)**  
**DELEGATES (Year=term expiration; ◇=appointed by district)**



**REGION 12 – 13 Delegates (11 elected/2 appointed ◇)**  
Director: Bill Farris (Sierra Sands USD)

**Subregion 12-A (Tulare)**

Peter Lara, Jr. (Porterville USD), 2018  
Cathy Mederos (Tulare Joint Union HSD), 2019  
Dean Sutton (Exeter USD), 2019  
Lucia Vazquez (Visalia USD), 2018

**Subregion 12-B (Kern)**

Pamela (Pam) Baugher (Bakersfield City SD), 2019  
Jeff Flores (Kern Union HSD)◇, 2019  
Tim Johnson (Sierra Sands USD), 2019  
Phillip Peters (Kern Union HSD)◇, 2018  
Geri Rivera (Arvin Union SD), 2019  
Keith Wolaridge (Panama-Buena Vista Union SD), 2019  
Vacant, 2018  
Vacant, 2018  
**County:** Donald P. Cowan (Kern COE), 2018

**REGION 15 – 27 Delegates (18 elected/9 appointed ◇)**  
Director: Meg Cutuli (Los Alamitos USD)

**County: Orange**

Alfonso Alvarez (Santa Ana USD)◇, 2019  
Valerie Amezcua (Santa Ana USD)◇, 2018  
Dana Black (Newport-Mesa USD), 2018  
Lauren Brooks (Irvine USD), 2018  
Carrie Buck (Placentia-Yorba Linda USD), 2019  
Bonnie Castrey (Huntington Beach Union HSD), 2019  
Jeff Cole (Anaheim ESD), 2019  
Ian Collins (Fountain Valley ESD), 2019  
Lynn Davis (Tustin USD), 2018  
Judy Franco (Newport-Mesa USD), 2018  
Karin Freeman (Placentia-Yorba Linda USD), 2019  
Al Jabbar (Anaheim Un. HSD), 2019  
Gila Jones (Capistrano USD)◇, 2019  
Candice (Candi) Kern (Cypress ESD), 2018  
Martha McNicholas (Capistrano USD)◇, 2018  
Lan Nguyen (Garden Grove USD)◇, 2018  
Annemarie Randle-Trejo (Anaheim Union HSD)◇, 2018  
Teri Rocco (Garden Grove USD)◇, 2019  
Rosemary Saylor (Huntington Beach City ESD), 2018  
Francine Scinto (Tustin USD), 2018  
Michael Simons (Huntington Beach Union HSD), 2018  
Robert A. Singer (Fullerton Joint Union HSD), 2019  
Suzie R. Swartz (Saddleback Valley USD), 2019  
Sharon Wallin (Irvine USD)◇, 2018  
Dolores Winchell (Saddleback Valley USD), 2019  
Vacant Appointment (Saddleback Valley USD)◇, 2019  
**County:** John (Jack) Bedell (Orange COE), 2019

**REGION 16 – 20 Delegate (15 elected/5 appointed ◇)**  
Director: Karen Gray (Silver Valley USD)

**Subregion 16-A (Inyo)**

Susan Patton (Lone Pine USD), 2019

**Subregion 16-B (San Bernardino)**

Christina Cameron-Otero (Needles USD), 2018  
Niccole Childs (Hesperia USD), 2018  
Tom Courtney (Lucerne Valley USD), 2019  
Barbara J. Dew (Victor Valley Union HSD), 2018  
Gwen Dowdy-Rodgers (San Bernardino City USD)◇, 2019  
Barbara Flores (San Bernardino City USD)◇, 2018  
Peter Garcia (Fontana USD)◇, 2019  
Margaret Hill (San Bernardino City USD), 2019  
Sylvia Orozco (Chino Valley USD)◇, 2019  
Caryn Payzant (Alta Loma ESD), 2018  
Barbara Schneider (Helendale SD), 2018  
Matt Slowik (Fontana USD)◇, 2018  
Jane Smith (Yucaipa-Calimesa Joint USD), 2018  
Wilson So (Apple Valley USD), 2019  
Eric Swanson (Hesperia USD), 2019  
Kathy A. Thompson (Central ESD), 2019  
Charles Uhalley (Chaffey Joint Union HSD), 2019  
Donna West (Redlands USD), 2018  
**County:** Mark Sumpter (San Bernardino COE), 2018

**REGION 17 – 24 Delegates (18 elected/6 appointed ◇)**  
Director: Katie Dexter (Lemon Grove SD)

**County: San Diego**

Elvia Aguilar (South Bay Union SD), 2018  
Barbara Avalos (National SD), 2018  
Richard Barrera, (San Diego USD)◇, 2019  
Leslie Ray Bunker (Chula Vista ESD), 2019  
Brian Clapper (National SD), 2018  
Gelia Cook (Lakeside Union SD), 2019  
Eleanor Evans (Oceanside USD), 2018  
Al Guerra, (Alpine Union SD), 2018  
Beth Hergesheimer (San Dieguito Union HSD), 2019  
Claudine Jones (Carlsbad USD), 2018  
Michael McQuary (San Diego USD)◇, 2018  
Tamara Otero (Cajon Valley Union SD), 2019  
Dawn Perfect (Ramona USD), 2019  
Eduardo Reyes (Chula Vista ESD), 2018  
Barbara Ryan (Santee SD), 2019  
Debra Schade (Solana Beach ESD), 2018  
Nicholas Segura (Sweetwater Union HSD)◇, 2018  
Charles Sellers (Poway USD)◇, 2019  
Louis Smith (Coronado USD), 2019  
Arturo Solis (Sweetwater Union HSD)◇, 2019  
Marla Strich (Encinitas Union ESD), 2018  
Cipriano Vargas, (Vista USD), 2018  
Sharon Whitehurst-Payne (San Diego USD)◇, 2019  
**County:** Guadalupe Gonzalez (San Diego COE), 2019

**2017 DELEGATE ASSEMBLY ROSTER (as of November 1, 2017)**  
**DELEGATES (Year=term expiration; ◇=appointed by district)**



**REGION 18 – 21 Delegates (16 elected/5 appointed ◇)**

Director: Wendy Jonathan (Desert Sands USD)

**Subregion 18-A (Riverside)**

Alfredo Andrade (Banning USD), 2019  
Bruce N. Dennis (Riverside COE), 2019  
Kenneth Dickson (Murrieta Valley USD), 2019  
Tom Elliott (Perris ESD), 2018  
Robert Garcia (Jurupa USD), 2019  
Tom Hunt (Riverside USD)◇, 2019  
Cleveland (CJ) Johnson (Moreno Valley USD)◇, 2019  
Marla Kirkland (Val Verde USD), 2018  
Susan Lara (Beaumont USD), 2018  
Patricia Lock-Dawson (Riverside USD)◇, 2018  
David Nelissen (Perris Union HSD), 2018  
Bill Newberry (Corona-Norco USD)◇, 2018  
John Norman (San Jacinto USD), 2019  
Kristi Rutz-Robbins (Temecula Valley USD), 2019  
Susan (Sue) Scott (Lake Elsinore USD), 2018  
Blanca Torres Hall (Coachella Valley USD), 2018  
Mary Helen Ybarra (Corona-Norco USD)◇, 2019

**Subregion 18-B (Imperial)**

Ralph Fernandez (Brawley Union HSD), 2019  
Diahna Garcia-Ruiz (Heber ESD), 2019  
Gloria Santillan (Brawley ESD), 2018  
**County:** Susan Manger (Imperial COE), 2018

**REGION 20 – 12 Delegates (11 elected/1 appointed ◇)**

Director: Albert Gonzalez (Santa Clara USD)

**County: Santa Clara**

Frank Biehl (East Side Union HSD), 2018  
Cynthia Chang (Los Gatos-Saratoga Jt. Union HSD), 2018  
Danielle Cohen (Campbell Union SD), 2019  
Pamela Foley (San Jose USD)◇, 2019  
Anjali Kausar (Cupertino Union SD), 2019  
Bonnie Mace (Evergreen ESD), 2019  
Joe Mitchner (Mountain View-Los Altos Un. HSD), 2018  
Jodi Muirhead, (Santa Clara USD), 2018  
Reid Myers (Sunnyvale SD), 2019  
Andres Quintero (Alum Rock Union ESD), 2019  
George Sanchez (Franklin-McKinley ESD), 2019  
**County:** Rosemary Kamei (Santa Clara COE), 2018

**REGION 21 – 7 Delegates (0 elected/ 7 appointed ◇)**

Director: Vacant

**County: Los Angeles**

Monica Garcia (Los Angeles USD)◇, 2021  
Kelly Gonez (Los Angeles USD)◇, 2022  
George McKenna (Los Angeles USD)◇, 2020  
Nick Melvoin (Los Angeles USD)◇, 2022  
Ref Rodriguez (Los Angeles USD)◇, 2020  
Scott Schmerelson (Los Angeles USD)◇, 2020  
Richard Vladovic (Los Angeles USD)◇, 2020  
**County:** Douglas Boyd (Los Angeles COE)◇, 2018

**REGION 22 – 6 Delegates (6 elected)**

Director: Keith Giles (Lancaster ESD)

**Los Angeles County: North Los Angeles**

Susan Christopher (Castaic Union SD), 2018  
John Curiel (Westside Union ESD), 2019  
Steven DeMarzio (Westside Union ESD), 2018  
R. Michael Dutton (Antelope Valley Union HSD), 2019  
Nancy Smith (Palmdale ESD), 2018  
Steven M. Sturgeon (William S. Hart Union HSD), 2019

**REGION 23 – 15 Delegates (13 elected/2 Appointed ◇)**

Director: Xilonin Cruz-Gonzalez (Azusa USD)

**Los Angeles County: San Gabriel Valley & East Los Angeles**

**Subregion 23-A**

Suzie Abajian (South Pasadena USD), 2019  
Adele Andrade-Stadler (Alhambra USD), 2019  
Bob Bruesch (Garvey ESD), 2018  
Gregory Krikorian (Glendale USD), 2018  
Gary Scott (San Gabriel USD), 2018

**Subregion 23-B**

Jessica Ancona (El Monte City SD), 2019  
Anthony Duarte (Hacienda La Puente USD), 2018  
Helen Hall (Walnut Valley USD), 2019  
Gino (J.D.) Kwok (Hacienda La Puente USD)◇, 2018

**Subregion 23-C**

Steven Llanusa (Claremont USD), 2018  
Christina Lucero (Baldwin Park USD), 2019  
Eileen Miranda Jimenez (West Covina USD), 2019  
Roberta Perlman (Pomona USD)◇, 2019  
Camie Poulos (West Covina USD), 2018  
Paul Solano (Bassett USD), 2018

**REGION 24 – 16 Delegates (14 elected/2 Appointed ◇)**

Director: Donald E. LaPlante (Downey USD)

**Los Angeles County: Southwest Crescent**

Darryl Adams (Norwalk-La Mirada USD), 2019  
Leighton Anderson (Whittier Union HSD), 2018  
Jan Baird (South Whittier ESD), 2019  
Paul Gardiner (East Whittier City ESD), 2018  
Margie Garrett (Compton USD), 2018  
Vivian Hansen (Paramount USD), 2019  
Megan Kerr (Long Beach USD)◇, 2019  
Eugene Krank (Hawthorne SD), 2018  
Jose Lara (El Rancho USD), 2019  
Sylvia V. Macias (South Whittier ESD), 2018  
John McGinnis (Long Beach USD)◇, 2018  
Karen Morrison (Norwalk-La Mirada USD), 2018  
Ann M. Phillips (Lawndale ESD), 2018  
Jesse Urquidi, (Norwalk-LaMirada USD), 2018  
Ana Valencia (Norwalk-La Mirada USD), 2019  
Satra Zurita, (Compton USD), 2019



## Frequently Asked Questions regarding Delegate Assembly Nominations and Elections

**Who is eligible to serve on Delegate Assembly?** To be eligible to serve on CSBA's Delegate Assembly, a board member must:

- Be a trustee of a district or county office of education that is a current member of CSBA; and
- Be a trustee of a district or county office of education within the geographic region or subregion which the Delegate will represent.

**What is the term of office to serve on Delegate Assembly?** The term of office for each Delegate is two years beginning April 1, 2018 through March 31, 2020. Within each region, approximately half of the Delegates are elected in even-numbered years and half in odd-numbered years.

**How is a board member nominated to serve on the Delegate Assembly?** A board member must be formally nominated by a board in the region or subregion and may be nominated by his or her own district or county office. The nomination is an action that is taken in a public board meeting and requires a majority vote. A board may nominate as many individuals as it wishes, however, it is the responsibility of the nominating board to obtain permission from the nominee prior to submitting his or her name.

**What does a nomination consist of?** A nomination consists of a completed signed nomination and a one-page candidate biographical sketch form. In addition, an optional, one-page, single-sided, résumé may be submitted, (résumé cannot be substituted for the candidate biographical sketch form). The biographical sketch will be copied exactly as submitted and included with the ballots.

**When are the nomination and biographical sketch forms due?** The nomination and candidate biographical sketch forms must be delivered to CSBA either by fax (916) 371-3407, email [nominations@csba.org](mailto:nominations@csba.org), or mail, postmarked by the U.S.P.S., on or before **Sunday, January 7, 2018**. *It is the nominee's responsibility to confirm that all nomination materials have been received by the CSBA Executive Office.*

**How are nominees elected to serve on Delegate Assembly?** Ballots are mailed by Thursday, February 1 to each district or county board within the region or subregion. Ballots must be delivered to CSBA via U.S.P.S. postmarked by Thursday, March 15, in order to be accepted. **Ballots may not be faxed or emailed.**

Voting for Delegates is an action of the entire board rather than individual board members; therefore, it is done at a public meeting and requires a majority vote. Each board may vote for as many persons as there are positions to be filled within the region or subregion. All districts and candidates are notified of the results no later than March 31. If there is a tie vote, a run-off election will be held.

**What are the required Delegate Assembly meeting dates?** There are two required Delegate Assembly meetings each year. In 2017, the first meeting will be May 19-20 in Sacramento and the second one will be November 28-29 in San Francisco preceding CSBA's Annual Education Conference and Trade show.

**Does CSBA cover expenses for Delegates to attend the Delegate Assembly meetings?** No, CSBA is not able to cover expenses.

For additional information, please contact Leanne Gosselin, (800) 266-3382, ext. 3302.

# *Center Joint Unified School District*

		<b>AGENDA REQUEST FOR:</b>
<b>Dept./Site:</b>	Superintendent's Office	Action Item <u>    X    </u>
<b>To:</b>	Board of Trustees	Information Item <u>          </u>
<b>Date:</b>	November 15, 2017	# Attached Pages <u>          </u>
<b>From:</b>	Scott A. Loehr, Superintendent	
<b>Principal/Administrator Initials:</b>	<u>                                  </u>	

<b>SUBJECT: First Reading: Board Policies/Regulations/Exhibits</b>	
Replace BP 0000 Delete AR 0000 Replace E 0420.41 Replace BP/AR 1312.3 Replace BP 1340 Replace BP 2121 Replace BP 2140 Replace BP/AR 3551 Replace AR 3580 Replace AR 4112.2 Delete BP 4112.61/4212.61/4312.61 Replace AR 4112.61/4212.61/4312.61 Replace BP/AR 4127/4227/4327 Replace BP 4312.1 Replace AR 5145.3 Replace BP 6142.93 Replace BP 6145 Replace BP/AR 6145.2 Replace BP/E 6161.1 Replace BP/AR 6178.1 Replace BP 7212 Replace BP 7214 Replace BB 9012 Replace BB 9121 Replace BB 9220 Replace BB 9230	Vision Vision Charter School Oversight Uniform Complaint Procedures Access to District Records Superintendent's Contract Evaluation of the Superintendent Food Service Operations/Cafeteria Plan District Records Certification Employment References Employment References Temporary Athletic Team Coaches Contracts Nondiscrimination/Harassment Science Instruction Extracurricular and Cocurricular Activities Athletic Competition Selection and Evaluation of Instructional Materials Work-Based Learning Mello-Roos Districts General Obligation Bonds Board Member Electronic Communications President Governing Board Elections Orientation
<b>RECOMMENDATION: CJUSD Board of Trustees approve the first reading of presented policies/regulations/exhibits.</b>	



# CSBA Sample Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0000(a)

### VISION

Note: The following optional policy uses the term "vision" as a generic term in a general sense to describe any types of documents (e.g., vision statement, mission statement, etc.) that the Governing Board might adopt to set a direction the overall direction that the Governing Board sets for the district. The vision may include a mission statement and district goals that are aligned with the local control and accountability plan.

The Governing Board believes that a clearly stated purpose and direction for the district provide the foundation for continuous improvement and accountability. In order to provide a clear focus for district programs, activities and operations, the Governing Board shall adopt a long-range vision that sets direction for the district programs and activities that which is focused on student learning and describes what the Board wants its schools to achieve. focuses on the achievement and well-being of all students and reflects the importance of preparing students for the future academically, professionally, and personally. The vision shall recognize the unique role of students, parents/guardians, staff, and community partners in contributing to a high-quality education for all students. This The district's vision may be incorporated in various documents, including the district's into its mission or purpose statement, philosophy or motto, long-term goals, short-term objectives, and/or comprehensive plans such as the local control and accountability plan (LCAP).

*(cf. 0100 - Philosophy)*  
*(cf. 0200 - Goals for the School District)*  
*(cf. 0400 - Comprehensive Plans)*  
*(cf. 0460 - Local Control and Accountability Plan)*  
*(cf. 9000 - Role of the Board)*

The Superintendent or designee shall recommend an appropriate process, with clearly defined procedures, timelines, and responsibilities, for establishing, and/or reviewing, and updating the district's vision statements. This process shall include a review of relevant district documents and data including, but not limited to, information about student demographics, student achievement, current programs, and emerging educational issues. The process shall incorporate an analysis and identification of district strengths and areas in which growth is needed. Input shall be solicited from which is inclusive of parents/guardians, students, staff, and community members through methods such as surveys, focus groups, advisory committees, and/or public meetings and forums.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 2230 - Representative and Deliberative Groups)*  
*(cf. 6020 - Parent Involvement)*

The Board shall review the district's vision statements at least every three years or whenever a new Board member or Superintendent joins the district, annually, in conjunction with the

**VISION (continued)**

**update to the LCAP, to ensure consistency among all documents that set direction for the district.** Following these reviews, the Board may revise or reaffirm the direction it has established for the district.

The Superintendent or designee shall communicate the district's vision to staff, parents/guardians, and the community ~~and shall regularly report to the Board regarding district progress toward the vision.~~

*(cf. 1113 - District and School Web Sites)*  
*(cf. 1100 - Communication with the Public)*

**Board decisions regarding curriculum, policies, the budget, collective bargaining agreements, and other district operations shall be aligned with the district's vision. In addition, the Superintendent or designee shall ensure that staff's implementation of district programs and activities supports attainment of the district's vision.**

**The Superintendent or designee shall regularly report to the Board regarding district progress toward the vision.**

*(cf. 0500 - Accountability)*

**Legal Reference:**

**EDUCATION CODE**  
**52060-52077 Local control and accountability plan**

**Management Resources:**

**CSBA PUBLICATIONS**  
**The School Board Role in Creating the Conditions for Student Achievement: A Review of the Research, May 2017**  
**Governing to Achieve: A Synthesis of Research on School Governance to Support Student Achievement, August 7, 2014**  
**Defining Governance, Issue 4: Governance Decisions, Governance Brief, June 2014**  
**Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014**  
**Maximizing School Board Leadership: Vision, 1996**

**WEB SITES**

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

# **Center USD**

## **Board Policy**

### **Vision**

**BP 0000**

### **Philosophy, Goals, Objectives and Comprehensive Plans**

In order to provide a clear focus for district programs, activities and operations, the Governing Board shall adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve. This vision may be incorporated in various documents, including the district's mission or purpose statement, philosophy, long-term goals, short-term objectives and/or comprehensive plans.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 6010 - Goals and Objectives)

(cf. 9000 - Role of the Board)

The Superintendent or designee shall recommend an appropriate process for establishing and/or reviewing the district's vision statement which is inclusive of parents/guardians, students, staff and community members.

The Board shall review the district vision statements at least every three years or whenever a new Board member or Superintendent joins the district. Following these reviews the Board may revise or reaffirm the direction it has established for the district.

The Superintendent or designee shall communicate the district's vision to staff, parents/guardians and the community and shall regularly report to the Board regarding district progress toward the vision.

(cf. 0500 - Accountability)

(cf. 1100 - Communication with the Public)

**Management Resources:**

**CSBA PUBLICATIONS**

**Maximizing School Board Leadership: Vision, 1996**

**WEB SITES**

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

Policy CENTER UNIFIED SCHOOL DISTRICT  
adopted: August 5, 1998 Antelope, California

# Delete

## Center USD Administrative Regulation

### Vision

AR 0000

### Philosophy, Goals, Objectives and Comprehensive Plans

The Superintendent or designee shall establish a process for developing and regularly reviewing the district's vision and direction which includes:

1. Clearly defined procedures, timelines and responsibilities
2. Identification of the strengths and needs of the district

As part of this process, the Superintendent or designee shall provide the Governing Board with relevant district documents and data, including current district mission and vision statements, if any, and information about student demographics, student achievement, student enrollment patterns, current programs and recent program cuts, staffing and professional development needs, budget trends, facilities, technology and emerging educational issues.

(cf. 0100 - Philosophy)  
(cf. 0200 - Goals for the School District)  
(cf. 0400 - Comprehensive Plans)  
(cf. 6010 - Goals and Objectives)

3. Input from parents/guardians, students, staff and community members through procedures which may include surveys, focus groups, advisory committees and/or public meetings and forums

(cf. 1220 - Citizen Advisory Committees)  
(cf. 2230 - Representative and Deliberative Groups)  
(cf. 6020 - Parent Involvement)

4. Board adoption of district vision statements at a public meeting

Regulation CENTER UNIFIED SCHOOL DISTRICT  
approved: August 5, 1998 Antelope, California

# CSBA Sample Exhibit

Philosophy, Goals, Objectives, and Comprehensive Plans

E 0420.41(a)

## CHARTER SCHOOL OVERSIGHT

### REQUIREMENTS FOR CHARTER SCHOOLS

Note: Pursuant to Education Code 47610, charter schools are exempt from Education Code provisions governing school districts unless otherwise specified in law. The following Exhibit lists some, but not necessarily all, legal requirements that apply to charter schools and may be used by districts to monitor a charter school's compliance with law. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607; see BP 0420.43 - Charter School Revocation.

Charter schools shall be subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements that **are** expressly ~~include-applicable to~~ charter schools, including, but not limited to, requirements that each charter school:

1. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
2. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
3. Not charge tuition (Education Code 47605)

Note: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, because charter schools are subject to the California Constitution, the free school guarantee of the California Constitution, Article IX 9, Section 5, applies to charter schools. Charter schools may only charge fees **which are explicitly** authorized by law ~~that have been made explicitly applicable to~~ for charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 35330, 38082, and 38084 because those provisions apply to charter schools, but charter schools may not necessarily charge other fees authorized by law for school districts. In addition, Education Code 49011 prohibits all public schools from requiring services or donations as a condition of enrollment or continued enrollment.

4. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

**CHARTER SCHOOL OVERSIGHT (continued)**

Note: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school that is deemed to be a public school of the district, and is not its own local educational agency (LEA) for special education purposes, receives an equitable share of state and federal special education funding and/or any necessary special education services provided by the district on behalf of disabled for students with disabilities who are enrolled in the charter school.

If a charter school is operating as a public school of the district for purposes of providing special education, the district retains responsibility and must determine how best to ensure that all special education students with disabilities receive a free appropriate public education (FAPE). However, as indicated in the California Office of Administrative Hearings ~~has ruled, ruling in~~ Student v. Horizon Instructional Systems Charter School, that a charter school operating as its own local educational agency-LEA for purposes of special education, including a charter school offering an independent study program, is the entity solely responsible for providing special education students with FAPE.

7. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)
8. Admit all students who wish to attend the school, according to the following criteria and procedures:
  - a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)
 

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)
  - b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance, **except for existing students of the charter school**, shall be determined by a public random drawing. **However, preference shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5.** (Education Code 47605)
  - c. Other admissions preferences may be permitted by the chartering district on an individual school basis consistent with law. (Education Code 47605)

**CHARTER SCHOOL OVERSIGHT (continued)**

9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)

~~Note: Education Code 48859, as amended by SB 445 (Ch. 289, Statutes of 2015), requires all charter schools to comply with state law regarding the enrollment and placement of foster youth.~~

10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)

11. If the school offers a kindergarten program: (Education Code 48000)

- a. Offer a transitional kindergarten (TK) program to students whose fifth birthday is from September 2 through December 2

~~Note: Pursuant to Education Code 48000, charter schools must ensure that credentialed teachers who are first assigned to a TK class after July 1, 2015 possess certain qualifications by August 1, 2020. These requirements include at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the Commission on Teacher Credentialing (CTC).~~

- b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020

~~Note: The Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 6319 to eliminate the requirement that teachers who teach core academic subjects meet requirements for "highly qualified" teachers, as defined. Guidance from the U.S. Department of Education (USDOE), Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, clarifies that local educational agencies, including charter schools, will not be required to comply with "highly qualified" teacher requirements beginning in the 2016-17 school year. Thus, hiring practices should be based solely upon state licensure requirements.~~

12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

13. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on ~~their~~ the school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

Note: Education Code 44830.1 and 45122.1 prohibit charter schools from hiring any person who has been convicted of a violent or serious felony as defined in Penal Code 667.5 and 1192.7, unless that person has received a certificate of rehabilitation and a pardon. Schools also may not retain in employment any temporary, substitute, or probationary employee who has been convicted of a violent or serious felony. See AR 4112.5/4212.5/4312.5 - Criminal Record Check. **Education Code 45125.1 requires a criminal**



**CHARTER SCHOOL OVERSIGHT (continued)**

**background check for certain employees of an entity contracting with a charter school. See AR 3515.6 - Criminal Background Checks for Contractors.**

14. Not hire any person, ~~in either a certificated or classified position,~~ who has been convicted of a violent or serious felony except as otherwise provided by law, **and, if the school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check** (Education Code 44830.1, 45122.1, **45125.1**)

**Note: Education Code 44030.5 requires charter schools to report to the CTC any change in employment status due to an allegation of misconduct. See AR 4117.7/4317.7 - Employment Status Reports for further information about these reports.**

15. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
16. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)
17. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

**Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), requires charter schools that serve students in grades 7-12 to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. See BP/AR 5141.52 - Suicide Prevention for further information regarding these requirements. Also see the CDE's Model Youth Suicide Prevention Policy.**

- 18. If the school serves students in grades 7-12, adopt a policy on suicide prevention, intervention, and postvention with specified components (Education Code 215)**

~~**Note: Education Code 51224.7, as added by SB 359 (Ch. 508, Statutes of 2015), requires charter schools that serve students in grade 9 to adopt a mathematics placement policy with specified components.**~~

- ~~18.~~ **19. If the school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy, with specified components (Education Code 51224.7)**

~~**Note: Education Code 47605 requires charter schools to conduct statewide assessments, including, but not limited to, the California High School Exit Examination (Education Code 60850-60859). However, Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), suspends the administration of the exit examination through the 2017-18 school year.**~~

**CHARTER SCHOOL OVERSIGHT (continued)**

~~19:~~ **20.** Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605, 60850-60859)

~~Note: Education Code 60851.6, as added by SB 172 (Ch. 572, Statutes of 2015), requires charter schools to retroactively grant diplomas to students who met all graduation requirements except for passage of the high school exit examination, as provided in item #20 below.~~

~~20:~~ **21.** Until July 31, 2018, grant a high school diploma to any student who completed grade 12 in the 2003-04 school year or a subsequent school year and who has met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 60851.6)

~~Note: Education Code 47612.5 specifies, by grade level, the minimum number of instructional minutes that must be offered each fiscal year. Any charter school that fails to meet the requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education nor the Superintendent of Public Instruction may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.~~

~~21:~~ **22.** Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code ~~46201.2~~; 47612.5)

~~Note: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.3. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to the CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.~~

~~22:~~ **23.** If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

~~23:~~ **24.** Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

~~24:~~ **25.** If the school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by

**CHARTER SCHOOL OVERSIGHT** (continued)

gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)

**Note: Education Code 33479.1 and 33479.3, as added by AB 1639 (Ch. 792, Statutes of 2016), require charter schools that elect to conduct athletic activities to provide student athletes and their parents/guardians with information on the nature and warning signs of sudden cardiac arrest. This information is available from the California Interscholastic Federation (CIF) or, if the athletic activity is not governed by the CIF, on the CDE's web site. Additionally, Education Code 33479.5, as added by AB 1639, and CIF bylaws provide for a student's removal from participation in an athletic activity if he/she passes out or faints. See BP/AR 6145.2 - Athletic Competition.**

**25. 26.** If the school offers an athletic program, annually provide ~~an~~ information sheets about concussions/~~and~~ head injuries **and sudden cardiac arrest** to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, **passes out, or faints during or immediately after participation** in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to ~~do so return to the activity~~. (Education Code ~~33479-33479.5~~, 49475)

**26. 27.** On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)

**Note: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.**

**27. 28.** Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

**28. 29.** Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

**29. 30.** If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

**CHARTER SCHOOL OVERSIGHT (continued)**

- ~~30.~~ **31. Electronically submit the grade point average of all students in grade 12 to the Student Aid Commission each academic year for use in the Cal Grant program, after notifying the students and their parents/guardians as applicable, by October 15 of each year, of the opportunity to opt out of being deemed a Cal Grant applicant within a specified period of time of at least 30 days (Education Code 69432.9). If the school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)**

**Note: Education Code 39831.3, as amended by SB 1072 (Ch. 721, Statutes of 2016), requires charter schools to develop a transportation plan that includes procedures to ensure that a student is not left unattended on a bus. See AR 3543 - Transportation Safety and Emergencies for more information regarding transportation safety plans.**

**In addition, pursuant to Vehicle Code 28160, as added by SB 1072, on or before the beginning of the 2018-19 school year, each school bus, school activity bus, youth bus, and child care motor vehicle, as defined, must be equipped with a "child safety alert system" (i.e., a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle).**

- 32. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus (Education Code 39831.3)**
- ~~31.~~ **33. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)**
- a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
  - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

**Note: Education Code 222, as added by AB 302 (Ch. 690, Statutes of 2015), requires charter schools to provide reasonable lactation accommodations to students as provided in item #32 below.**

**CHARTER SCHOOL OVERSIGHT (continued)**

**32. 34.** Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222)

**33. 35.** Ensure the availability and proper use of emergency epinephrine auto-injectors by: (Education Code 49414)

- a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device
- b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive
- c. Providing defense and indemnification to volunteers for any and all civil liability from such administration

**Note: Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes charter schools to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. See BP/AR 5141.21 - Administering Medication And Monitoring Health Conditions.**

**36.** **If the school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist**

**34. 37.** Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)

**35. 38.** Annually prepare and submit financial reports to the district Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

- a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
- b. By July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and

**CHARTER SCHOOL OVERSIGHT (continued)**

accountability plan template **adopted by the State Board of Education in ~~5 CCR 15497.5~~**. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5, ~~52064 ; 5 CCR 15497.5~~)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

- c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
- d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
- f. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and the California Department of Education. (Education Code 47605)

**Note: Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires charter schools to post specified information related to the prohibition against discrimination under Title IX (20 USC 1681-1688) on school web sites. Required information includes the name and contact information of the Title IX coordinator for the school, the rights of a student and the public and the responsibilities of the charter school under Title IX, and a description of how to file a complaint under Title IX. See AR 5145.3 - Nondiscrimination/Harassment.**

- 39. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)**

**CHARTER SCHOOL OVERSIGHT (continued)**

Note: Pursuant to 5 CCR 4600, direct-funded charter schools are subject to state requirements to adopt uniform complaint procedures for investigating and resolving specified types of complaints in accordance with 5 CCR 4600-4670. See BP/AR 1312.3 - Uniform Complaint Procedures for further information about types of complaints addressed through these procedures, required notifications, timelines, and other requirements.

**36. 40.** If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

**37. 41.** Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article ~~XVI~~**16**, Section 8.5)

Note: Districts should consult with legal counsel regarding the applicability of state law other than the Education Code to charter schools.

In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.

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# Center USD

## Exhibit

### Charter School Oversight

E 0420.41

#### Philosophy, Goals, Objectives, and Comprehensive Plans

### REQUIREMENTS FOR CHARTER SCHOOLS

Charter schools shall be subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements that expressly include charter schools, including, but not limited to, requirements that each charter school:

1. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
2. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
3. Not charge tuition (Education Code 47605)
4. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)
7. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)
8. Admit all students who wish to attend the school, according to the following criteria and procedures:
  - a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission



preference to students who reside within the school's former attendance area. (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing. However, preference shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
  - c. Other admissions preferences may be permitted by the chartering district on an individual school basis consistent with law. (Education Code 47605)
9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)
10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
11. If the school offers a kindergarten program: (Education Code 48000)
  - a. Offer a transitional kindergarten (TK) program to students whose fifth birthday is from September 2 through December 2
  - b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020
12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)
13. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on their behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

14. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code 44830.1, 45122.1)
15. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
16. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)
17. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)
18. If the school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy, with specified components (Education Code 51224.7)
19. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605, 60850-60859)
20. Until July 31, 2018, grant a high school diploma to any student who completed grade 12 in the 2003-04 school year or a subsequent school year and who has met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 60851.6)
21. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 46201.2, 47612.5)
22. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)
23. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
24. If the school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics

classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)

25. If the school offers an athletic program, annually provide an information sheet about concussion and head injury to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to return to the activity. (Education Code 49475)
26. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)
27. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)
28. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
29. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
30. Electronically submit the grade point average of all students in grade 12 to the Student Aid Commission each academic year for use in the Cal Grant program, after notifying the students and their parents/guardians as applicable, by October 15 of each year, of the opportunity to opt out of being deemed a Cal Grant applicant within a specified period of time of at least 30 days (Education Code 69432.9)
31. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
  - a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

- b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.
- 32. Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222)
- 33. Ensure the availability and proper use of emergency epinephrine auto-injectors by: (Education Code 49414)
  - a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device
  - b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive
  - c. Providing defense and indemnification to volunteers for any and all civil liability from such administration
- 34. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)
- 35. Annually prepare and submit financial reports to the district Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:
  - a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
  - b. By July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan template in 5 CCR 15497.5. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5; 5 CCR 15497.5)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that

result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

- c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
  - d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
  - e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
  - f. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)
36. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)
37. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article XVI, Section 8.5)

In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.

# CSBA Sample Board Policy

Community Relations

BP 1312.3(a)

## UNIFORM COMPLAINT PROCEDURES

Note: To address prohibited discrimination and violations of state and federal laws governing educational programs, 5 CCR 4621 mandates districts to adopt uniform complaint procedures (UCP) consistent with the state's complaint procedures specified in 5 CCR 4600-4670. Pursuant to 5 CCR 4610, districts are required to adopt a uniform system of procedures that meets specified requirements for investigating and resolving complaints alleging (1) noncompliance with state and federal laws and regulations governing educational programs; (2) noncompliance with state law prohibiting the charging of student fees; or (3) unlawful discrimination (such as discriminatory harassment, intimidation, and bullying). Although some bullying incidents may not fall within the provisions of 5 CCR 4610, BP 5131.2 - Bullying strongly recommends that districts use the UCP to investigate all bullying incidents, regardless of whether there is an allegation of discriminatory bullying, to ensure consistent implementation by district staff. It is not always easy or possible for staff to know prior to an investigation whether a student was bullied because of his/her actual or perceived membership in a legally protected class. After investigation, bullying incidents found to involve unlawful discrimination would then be resolved using the UCP. Districts that are concerned about the capacity of a single district compliance officer to handle a possible increase in the number of UCP complaints, or that prefer to handle certain incidents at the school site level whenever possible, may designate multiple compliance officers in accordance with the accompanying administrative regulation.

Education Code 52075 mandates districts to adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan. For plan requirements, see BP/AR 0460 - Local Control and Accountability Plan. In addition, ~~legislation enacted in 2015~~ state law authorizes the use of the UCP to resolve complaints of noncompliance with laws related to accommodations for lactating students; educational rights of foster youth, ~~and~~ homeless students, ~~and former juvenile court school students~~; assignment of students to courses without educational content; and physical education instructional minutes, as specified in items #3 and #6-9-10 below. Finally, a district should adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging retaliation in response to a complaint.

The California Department of Education (CDE) monitors district programs and operations for compliance with these requirements through its Federal Program Monitoring (FPM) process. The FPM consists of a review of (1) written district policies and procedures for required statements, including prohibition of discrimination (such as discriminatory harassment, intimidation, and bullying) against students pursuant to Education Code 234.1; and (2) records of required activities, such as annual notification provided to students, parents/guardians, employees, and other school community members.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces Title II of the Americans with Disabilities Act (20 USC 12101-12213), Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000e-17), Title IX of the Education Amendments Act of 1972 (20 USC 1681-1688), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Age Discrimination Act of 1975 (42 USC 6101-6107). OCR has issued guidance describing federal requirements for discrimination complaint procedures. OCR requires such procedures to be "prompt and equitable." The factors OCR examines to evaluate each district's procedures are specified in the accompanying administrative regulation, including whether and how the procedures (1) provide notice of the procedures to the district's students, parents/guardians, and employees; (2) ensure adequate, reliable, and impartial investigation of complaints; (3) contain reasonably prompt timeframes for major stages of the complaint process; (4) provide notice to the complainant of the resolution of the complaint; and (5) provide an assurance that action will be taken to prevent recurrence of any discrimination found and to correct its effects.

**UNIFORM COMPLAINT PROCEDURES (continued)**

CSBA staff received feedback and comments from representatives of CDE and OCR regarding this policy and the accompanying administrative regulation. As a result, the sample policy and regulation have been drafted to go beyond the requirements of California's UCP laws and regulations in an attempt to address issues and concerns raised by CDE and OCR. While CDE and OCR have not approved or signed off on the samples, CSBA believes that the additional details provided herein may help school districts and county offices of education during a compliance check by CDE or in the event that a CDE or OCR investigation occurs.

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

**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)*

~~Note: Pursuant to Education Code 222, as added by AB 302 (Ch. 690, Statutes of 2015), a district is required to provide specified accommodations to lactating students on campus, and a complaint may be filed using the UCP when any such student is denied such accommodations.~~

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)*

~~Note: Item #5 below is mandated pursuant to Education Code 52075.~~

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)*

~~Note: Item #6 below permits the use of the UCP for resolving complaints of district noncompliance with law related to specified educational rights of a foster youth pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015). For details of the educational rights of foster youth, see BP/AR 6173.1 - Education for Foster Youth.~~

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



**UNIFORM COMPLAINT PROCEDURES (continued)**

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)*

~~Note: Item #7 below permits the use of the UCP for resolving complaints of district noncompliance with law related to specified educational rights of a homeless student pursuant to Education Code 51225.1-51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015). For details of the educational rights of homeless students, see BP/AR 6173 - Education for Homeless Children.~~

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)*

~~Note: Item #8 below is for districts maintaining high schools. Education Code 51225.1-51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), provide that complaints of noncompliance with specified requirements related to the educational rights of former juvenile court school students, as defined, may be filed in accordance with the UCP.~~

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)*

~~Note: Item #8 below is for districts that serve grades 9-12 students. Pursuant to Education Code 51228.1 and 51228.2, as added by AB 1012 (Ch. 703, Statutes of 2015) and as specified below, a UCP complaint may be filed against a district that assigns a student to a course with no educational content for more than one week in any semester or to a course which the student has previously completed, unless the district meets specified conditions. For more information, see BP 6152 - Class Assignment.~~

- ~~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)

## UNIFORM COMPLAINT PROCEDURES (continued)

*(cf. 6152 - Class Assignment)*

~~Note: Item #9 below is for districts maintaining elementary schools. Pursuant to Education Code 51223, as amended by AB 1391 (Ch. 706, Statutes of 2015), the UCP may be used to file a complaint when an elementary school has not complied with the requirement to offer 200 minutes of physical education instruction each 10 school days. For details of this requirement, see BP/AR 6142.7 - Physical Education and Activity.~~

~~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)*

~~Note: 5 CCR 4621 mandates that district policy ensure that complainants are protected from retaliation as specified in item #10-11 below.~~

~~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

~~Note: Pursuant to 5 CCR 4610, a district may, at its discretion, use the UCP to investigate and resolve other complaints.~~

~~11-12.~~ Any other complaint as specified in a district policy

~~Note: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution (ADR) methods, including mediation, to resolve complaints before initiating a formal investigation. However, the district should ensure that any ADR it uses, particularly "in-person ADR," is appropriate for the particular situation. For example, in some instances (e.g., sexual assault), face-to-face mediation should not be used, even if all parties voluntarily agree, given the risk that a student might feel pressured to "voluntarily" agree to it. The following optional paragraph provides for a neutral mediator and should be revised to reflect district practice.~~

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.

~~Note: The following paragraph is mandated pursuant to 5 CCR 4621. Appropriate disclosure will vary in each case depending on the facts and circumstances.~~

## UNIFORM COMPLAINT PROCEDURES (continued)

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)*

Note: It is important to maintain records of all UCP complaints and the investigations of those complaints. If the district is ever investigated by OCR or CDE, these are important documents in demonstrating that the district has complied with federal law, state law, and its own policies and regulations.

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

Note: 5 CCR 4611 details complaint issues that are not subject to the UCP. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination complaints. ~~For procedures related to complaints of discrimination in employment, see AR 4030 - Nondiscrimination in Employment.~~

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

**UNIFORM COMPLAINT PROCEDURES (continued)**

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.

**Note: In addition to complying with item #3 below, a district is required to promptly investigate any allegation of discrimination in employment it receives, pursuant to 2 CCR 11023. For procedures related to complaints of discrimination in employment, see AR 4030 - Nondiscrimination in Employment.**

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.

**Note: Education Code 35186 requires the district to use the UCP, with modifications, to investigate and resolve complaints related to the issues stated in the following paragraph (i.e., "Williams complaints"). Because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints than the timelines specified in law for other uniform complaints, the CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.**

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: (see next page)*

**UNIFORM COMPLAINT PROCEDURES (continued)**

*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

*Legal Reference continued: (see next page)*

## UNIFORM COMPLAINT PROCEDURES (continued)

### *Legal Reference: (continued)*

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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# Center USD

## Board Policy

### Uniform Complaint Procedures

BP 1312.3

#### Community Relations

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 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 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)

*(cf. 6152 - Class Assignment)*



9. 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. 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. 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, 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

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: (see next page)*

*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; 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 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*  
6301-6577 *Title I basic programs*  
6801-6871 *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*

*Legal Reference continued: (see next page)*

*Legal Reference: (continued)*

UNITED STATES CODE, TITLE 20 (continued)

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*

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>

# CSBA Sample Administrative Regulation

Community Relations

AR 1312.3(a)

## UNIFORM COMPLAINT PROCEDURES

Note: 5 CCR 4621 mandates that the district's uniform complaint procedures (UCP) be consistent with the procedures of 5 CCR 4600-4687. Additionally, Education Code 52075 mandates districts to adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP).

Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, all districts are mandated pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are mandated pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt such policies and procedures to address discrimination on the basis of sex and age. Some of the factors considered by the U.S. Department of Education's Office for Civil Rights (OCR) when determining whether a district's procedures are "prompt and equitable" are addressed throughout the following administrative regulation.

Apart from these mandates, state law ~~legislation enacted in 2015~~ authorizes the use of the UCP to resolve complaints of noncompliance with laws related to accommodations for lactating students; **prohibition against the charging of student fees**; educational rights of foster youth, ~~and~~ homeless students, and former juvenile court school students; assignment of students to courses without educational content; and physical education instructional minutes, as specified in ~~items #3 and #6-10 of~~ the accompanying Board policy.

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

Note: 5 CCR 4621 ~~requires-mandates~~ the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and retaliation. During its Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for receiving and investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below. If a district identifies multiple compliance officers, it is recommended that one be designated the "lead compliance officer."

**UNIFORM COMPLAINT PROCEDURES (continued)**

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*

Director of Student Services  
8408 Watt Avenue, Antelope, CA 95843  
(916) 338-6413

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.

Note: 5 CCR 4621 mandates that the district's policy provide that employees responsible for compliance and/or for investigating and resolving complaints are knowledgeable about the laws and programs at issue in the complaints they are assigned. OCR requires that the compliance officer(s) involved in implementing discrimination complaint procedures be knowledgeable about the procedures and be able to explain them to parents/guardians and students. They must also have training or experience in handling discrimination complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

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.

**UNIFORM COMPLAINT PROCEDURES (continued)**

*(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)

Note: 5 CCR 4622 mandates the district to include specified information in the required annual notice of its UCP to students, parents/guardians, employees, and others. ~~Pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015), the district is required to include information about specified educational rights of foster youth and homeless students in its annual UCP notification.~~ Education Code 51225.1-51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), require that the notice include information about specified educational rights of former juvenile court school students who transfer into the district after their second year of high school. **Districts that do not maintain high schools may revise the following paragraph to delete notification of the rights of former juvenile court school students,**

During the FPM process, CDE staff will check to ensure that the district's policy contains a statement ensuring annual dissemination of notice of the district's UCP to the persons specified below. A sample of the annual notice is available through the CDE web site. In addition, 28 CFR 35.107, 34 CFR 106.8, and 34 CFR 110.25 require the district to publish its complaint procedures covering unlawful discrimination.

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)*

## UNIFORM COMPLAINT PROCEDURES (continued)

*(cf. 6173.1 - Education for Foster Youth)*

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

Note: The following paragraph may be modified to reflect district practice. Pursuant to Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), on or before July 1, 2017, districts are required to post information related to Title IX on their web sites, including specified information about complaint procedures under Title IX. See AR 5145.3 - Nondiscrimination/Harassment. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. In addition, in its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts use web posting and social media to disseminate their nondiscrimination notices, policies, and procedures and communicate current compliance officer(s)' contact information to students, parents/guardians, and employees.

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)*

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

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.



**UNIFORM COMPLAINT PROCEDURES (continued)**

Note: During the FPM process, CDE staff will check the notice to ensure that it contains a summary of the complaint procedures as specified in items #1-4 below.

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.

**UNIFORM COMPLAINT PROCEDURES (continued)**

- 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.

Note: Education Code 52075 requires that information regarding LCAP requirements be included in the district's annual notification. See BP/AR 0460 - Local Control and Accountability Plan for details of the LCAP and specific requirements for its adoption and implementation.

- 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.

Note: ~~Items #4h and i below reflect~~ Pursuant to Education Code 48853, 48853.5, and 49069.5, as well as 51225.1-51225.2 as amended by AB 379-2306 (Ch. 772 464, Statutes of 2015 2016), the UCP notice must include information regarding certain educational rights of foster youth, homeless students, and former juvenile court school students, as provided in items #4h and i below. Pursuant to Education Code 48853.5, ~~as amended~~, the CDE is required to develop a standardized notice of the rights of foster youth in consultation with the California Foster Youth Education Task Force, and to make it available for dissemination by posting it on its Internet Web site.

- 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:

**UNIFORM COMPLAINT PROCEDURES (continued)**

- (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.

Note: Pursuant to federal law, including 34 CFR 106.8, the district is required to establish "prompt and equitable" procedures for investigating and resolving complaints alleging unlawful discrimination. The following statement reflects OCR's interpretation of such provisions as requiring fairness and equity not just for a complainant but for a respondent as well.

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.

Note: To ensure that the public is made aware of districts' obligation to provide copies of the UCP free of charge pursuant to 5 CCR 4622, CDE staff review the notice during the FPM process.

- l. Copies of the district's UCP are available free of charge.

**District Responsibilities**

Note: 5 CCR 4631 requires that UCP complaints be investigated and completely resolved within 60 calendar days of the receipt of the complaint. Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to the CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

**UNIFORM COMPLAINT PROCEDURES (continued)**

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)

Note: The following paragraph reflects recommendation by OCR to ensure equity in the resolution process of a complaint alleging unlawful discrimination and may be modified to reflect district practice.

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**

Note: Complaints filed under the UCP may be filed directly with a compliance officer or with any site administrator not designated as a compliance officer. For example, acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may initially be reported to a principal. See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment. If a site administrator not designated as a compliance officer receives a UCP complaint, he/she must notify a compliance officer. A district may also establish a site-level process for receiving informal reports about incidents for which a UCP complaint may be filed and notifying students and parents/guardians of their right to file a UCP complaint. Any site-level process established by a district should be in writing and distributed in the same manner as the grievance procedures listed herein with an explanation of how it interacts with the UCP complaint process.

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:

**UNIFORM COMPLAINT PROCEDURES (continued)**

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)

Note: Education Code 49013 mandates districts to adopt procedures that allow for anonymous complaints to be filed when a district allegedly violates the prohibition against the charging of student fees. Pursuant to Education Code 52075, anonymous complaints are permitted with regards to the LCAP, as long as evidence, or information leading to evidence, to support the allegation of noncompliance is provided in the complaint.

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.

**UNIFORM COMPLAINT PROCEDURES (continued)**

Note: OCR's Revised Sexual Harassment Guidance, Dear Colleague Letter: Sexual Violence, and Questions and Answers on Title IX and Sexual Violence indicate that if a complainant in a sexual harassment case requests that his/her name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. **However, The OCR publications acknowledge that situations may exist in which a district cannot honor a student's request for confidentiality, but caution that, in all instances, the district must still continue to ensure that it provides a safe and nondiscriminatory environment for all students. Districts should consult legal counsel before honoring a confidentiality request to withhold the victim's name from the alleged perpetrator, especially in the case of alleged sexual assault. These guiding principles would also apply to harassment on other bases, such as the basis of race, gender, or disability, or other protected characteristic. Districts should consult legal counsel before honoring a request to withhold the victim's name from the alleged perpetrator**

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**

Note: The following section should be used only by those districts that have decided to establish procedures for attempting to resolve complaints through alternative dispute resolution procedures such as mediation; see the accompanying Board policy. **The following section may be modified to specify the alternative dispute resolution method and timelines used within the district.**

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.

**UNIFORM COMPLAINT PROCEDURES (continued)**

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**

Note: 5 CCR 4631, which requires the district to provide the complainant with the opportunity to present relevant information, does not provide any timeline. Thus, the timeline specified below may be modified to reflect district practice.

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.

Note: In his/her investigation, the compliance officer should consider all relevant circumstances, such as how the misconduct affected one or more students' education; the type, frequency, and duration of the misconduct; the identity, age, and sex of the individuals involved in and impacted by the conduct and the relationship between them; the number of persons engaged in the conduct and at whom the conduct was directed; the size of the school, location of the incidents, and context in which they occurred; and other incidents at the school involving different individuals.

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.

**UNIFORM COMPLAINT PROCEDURES (continued)**

Note: 5 CCR 4631 allows the district to dismiss a complaint when the complainant refuses to provide the investigator with relevant documents or otherwise obstructs the investigation. 5 CCR 4631 also provides that, if the district refuses to provide the investigator with access to records or other documents, the investigator may issue a finding in favor of the complainant. During the FPM process, CDE staff will check to ensure that both of these statements regarding the provision of access to information are included in the district's policy or procedures, as specified below.

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)

Note: In determining the truth of any allegation, the district should apply the correct standard of proof to the situation. For example, with allegations of unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) or retaliation, OCR uses the "preponderance of the evidence" (more likely than not) standard. Any standard of proof that is more rigorous than required by law could subject a district to liability.

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**

Note: Pursuant to 5 CCR 4631, the district's written decision must be sent to the complainant within 60 calendar days of receiving the complaint. Option 1 below is for districts that do not allow complainants to appeal the compliance officer's decision to the Governing Board. Option 2 is for districts that allow appeals to the Board, and it requires the compliance officer's decision within 30 calendar days so that the Board's decision can still be given within the 60-day time limit.



**UNIFORM COMPLAINT PROCEDURES (continued)****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)~~

Note: Pursuant to 5 CCR 4631, only a complainant has the right to receive a written report, and to file his/her complaint with the Board if dissatisfied with the compliance officer's decision. However, OCR has recommended that the same rights be extended to a respondent to a complaint alleging unlawful discrimination, to ensure the process is equitable for all involved. Districts that selected Option 1 should delete reference to filing of a complaint with the Board in the following paragraph.

~~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)

## UNIFORM COMPLAINT PROCEDURES (continued)

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), the federal agency which administers FERPA, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the offender when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., ~~a stay-away order~~ **an order that the alleged offender stay away from the alleged victim**), FPCO interprets FERPA as allowing the district to disclose that information.

Given the potential liability from improperly disclosing such information, districts are advised to consult with legal counsel when presented with a situation where a victim of unlawful discrimination requests information about sanctions imposed upon the offender.

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.

Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement. Based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

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.

Note: 5 CCR 4631 and guidance provided by OCR specify components that should be part of the district's decision. Inclusion of these items will help protect the district's position in case of an appeal to the CDE, a complaint submitted to OCR, or if litigation is filed.

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:

**UNIFORM COMPLAINT PROCEDURES (continued)**

- 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

**UNIFORM COMPLAINT PROCEDURES (continued)**

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.

Note: During the FPM process, CDE staff will expect to see a statement detailing a complainant's right to pursue civil law remedies (i.e., action in a court of law) in addition to or in conjunction with the right to pursue administrative remedies from the CDE.

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](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

**UNIFORM COMPLAINT PROCEDURES (continued)****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

**UNIFORM COMPLAINT PROCEDURES (continued)**

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.

Note: In its Dear Colleague Letter: Sexual Violence from April 2011 and its Questions and Answers on Title IX and Sexual Violence from April 2014, OCR provides a detailed discussion of remedies for the broader campus community.

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.

Note: Generally, when a complaint is found to have merit, appropriate corrective action is provided to the complainant or other affected person. However, in certain instances, the law may require corrective action to be provided to all affected persons, not just the complainant or subject of the complaint. For example, pursuant to Education Code 49013 and 5 CCR 4600, if the district, or the CDE on appeal, finds merit in the complaint alleging noncompliance with the law regarding student fees and charges, the district is required to provide a remedy to all affected students and parents/guardians, as specified below. The same requirement applies to allegations of noncompliance with the LCAP requirements, pursuant to Education Code 52075, and to noncompliance with required instructional minutes for elementary students' physical education, pursuant to Education Code 51223, ~~as amended by AB 1391 (Ch. 706, Statutes of 2015)~~. Districts that do not maintain elementary schools should delete reference to physical education from the following paragraph.

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)

## UNIFORM COMPLAINT PROCEDURES (continued)

### Appeals to the California Department of Education

Note: 5 CCR 4632-4633 provide that any complainant may appeal the district's decision to the CDE, as provided below. Pursuant to Education Code 49013, the district is mandated to adopt procedures that include the right to appeal to the CDE, in accordance with 5 CCR 4632, when a complainant is dissatisfied with the district's decision on his/her complaint alleging noncompliance with the law that prohibits districts from requiring students to pay fees, deposits, or charges for their participation in educational activities. Such procedures are also mandated by Education Code 52075 with regards to complaints alleging noncompliance with requirements related to the LCAP.

Authority to appeal the district's decision is also available to a complainant who alleges noncompliance with laws regarding (1) the provision of reasonable accommodation to a lactating student; (2) the educational rights of foster youth, ~~and~~ homeless students, ~~and~~ former juvenile court school students; (3) the assignment of a high school student to a course without educational content; and (4) the required instructional minutes for elementary students' physical education, as specified in items #3 and #6-9-10 of the accompanying Board policy.

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)

Note: Pursuant to 5 CCR 4632-4633, an appeal to the CDE is only available to a complainant who is dissatisfied with the district's decision. However, the OCR has recommended that the district extend the same right to a respondent to an allegation of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) who is dissatisfied with the district's decision, to ensure fairness for all parties involved.

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

**UNIFORM COMPLAINT PROCEDURES (continued)**

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

Note: The CDE may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following: (1) the complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final written decision; (2) the complainant requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named; (3) the complainant alleges that he/she would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile; (4) the complainant alleges failure to comply with the due process procedures established pursuant to special education law and regulation to implement a due process hearing order; (5) the complainant alleges facts that indicate that one or more students may be in immediate physical danger or that the health, safety, or welfare of one or more students is threatened; or (6) the complainant alleges failure to follow a student's individualized education program.

(3/16 9/16) 5/17



# Center USD

## Administrative Regulation

### Uniform Complaint Procedures

AR 1312.3

#### Community Relations

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

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*

Director of Student Services  
8408 Watt Avenue, Antelope, CA 95843  
(916) 338-6320

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 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, 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)*

The annual notification and complete contact information of the compliance officer(s) may be posted on the district web site and, if available, provided through district-supported social media.

*(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 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 who transfers into a district high school or between district high schools shall be notified of the district's responsibility to:
  - (1) A  
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) N  
ot 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) I  
f 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**

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)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's 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](http://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

# CSBA Sample Board Policy

Community Relations

BP 1340(a)

## ACCESS TO DISTRICT RECORDS

**Note:** The following optional policy and accompanying administrative regulation reflect requirements of ~~the laws regarding public access under~~ the California Public Records Act (CPRA) (Government Code 6250-6270) ~~to pertaining to public access to district public records of the district under the California Public Records Act (Government Code 6252-6270).~~ "Public records," as defined by Government Code 6252, include any records relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics; see section on "Definitions" in the accompanying administrative regulation. For information regarding retention of records, see BP/AR 3580 - District Records, AR 4112.6/4212.6/4312.6 - Personnel Files, and BP/AR 5125 - Student 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)*

**Note:** In City of San Jose v. Superior Court, the California Supreme Court held that communications regarding public business transmitted to or by public officials on a personal account or device are not categorically exempt from disclosure under the CPRA (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public official's or employee's personal device regardless of whether they were transmitted through district servers. Such searches need not be extraordinary or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see AR 3580 - District Records and BB 9012 - Board Member Electronic Communications.

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.

**ACCESS TO DISTRICT RECORDS (continued)***(cf. 4040 - Employee Use of Technology)**(cf. 9012 - Board Member Electronic Communications)*

Note: Government Code 6253 authorizes the district to charge a person requesting a copy of a record a fee covering the direct costs of duplication; however, no fee can be charged to a person who wishes to inspect but not copy a record. In North County Parents Organization for Children with Special Needs v. Department of Education, the court determined that direct costs include only the cost of running the copy machine and possibly the expense of the person operating it. Direct costs do not include the other costs that may be associated with the request, such as searching, reviewing, or redacting the record; assisting the requester in formulating the request; responding to the request; or employee time to sit with the requester during inspection of the record. Because it is not clearly authorized by law, districts wishing to charge for the cost of the copy machine operator should consult with legal counsel.

In addition, Government Code 6253 authorizes districts to provide faster access or access to more records than the minimum standards provided by law. According to the court in North County Parents Organization, this provision permits a district to waive or reduce its fees. For example, a district may consider waiving fees below a certain dollar threshold because the costs of collecting the fee exceed the fee amount.

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.

Note: The following paragraph is optional.

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 CODE35145 *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 CODE3547 *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*

*Legal Reference continued: (see next page)*

## ACCESS TO DISTRICT RECORDS (continued)

### *Legal Reference: (continued)*

#### 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=ilg>

State Bar of California: <http://www.calbar.ca.gov>

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# Center USD

## Board Policy

### Access To District Records

BP 1340

#### Community Relations

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. 4112.6/4212.6/4312.6 - Personnel Files)*  
*(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)*  
*(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)*

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 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*  
*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 records*

**COURT DECISIONS**

*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**

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**Management Resources:**

**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*

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Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

# CSBA Sample Board Policy

Administration

BP 2121(a)

## SUPERINTENDENT'S CONTRACT

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

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to 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)*

Note: The following list of contract components is consistent with a template for Superintendent contracts developed by CSBA. The annotated template contract with additional context and suggestions is available by contacting [legal@csba.org](mailto:legal@csba.org).

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

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work

Note: The contract should include the salary, health and welfare benefits, and other compensation for the position, as provided in item #3 below. Federal law (26 USC 105; 42 USC 300gg-16; 26 CFR 1.105-11) prohibits favoring "highly compensated" individuals (i.e., the highest paid 25 percent of all employees, with specified exceptions) in terms of the level of benefits provided. Although implementation of this provision with respect to group health plans has been delayed until the issuance of federal regulations or guidance, it is recommended that districts prepare to comply with the expected rules. See AR 4154/4254/4354 - Health and Welfare Benefits.

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)*

**SUPERINTENDENT'S CONTRACT (continued)**

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

## SUPERINTENDENT'S CONTRACT (continued)

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.

## SUPERINTENDENT'S CONTRACT (continued)

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*  
*(cf. 9321.1 - Closed Session Actions and Reports)*

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

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

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

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

**Note: Pursuant to Government Code 53260, every employee contract must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to his/her monthly salary multiplied by the number of months left on the contract. For a Superintendent contract executed prior to January 1, 2016, if the unexpired term is greater than 18 months, this maximum is equal to the monthly salary multiplied by 18. For a Superintendent contract executed on or after January 1, 2016, Government Code 53260, ~~as amended by AB 215 (Ch. 240, Statutes of 2015)~~, provides that the maximum cash settlement is the monthly salary multiplied by 12. Cash settlements may be less than these maximums. The district must make termination agreements available to the public upon request. See AR 4117.5/4217.5/4317.5 - Termination Agreements.**

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

**SUPERINTENDENT'S CONTRACT (continued)**

*(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)

~~Note: AB 215 (Ch. 240, Statutes of 2015) amended Government Code 53260 to eliminate the option to provide a settlement equivalent to up to six months' salary when the Superintendent's contract is terminated for specified causes.~~

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: (see next page)*

**SUPERINTENDENT'S CONTRACT (continued)**

*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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# Center USD

## Board Policy

### Superintendent's Contract

BP 2121

#### Administration

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

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 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 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

The Board may deliberate about terms of the contract in closed session at a regular meeting. Discussions regarding the salary, salary schedule, or other compensation may occur in closed session only as permitted under Government Code 54957.6 between the Board and its designated representative(s) (the "labor exception"), for the purpose of reviewing the Board's position or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. (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, which shall be reflected in the Board's minutes. Copies of the contract shall be available to the public upon request. (Government Code 53262, 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*

53243-53243.4 *Abuse of office*

53260-53264 *Employment contracts*

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>

Office of the Attorney General, Department of Justice: <http://caag.state.ca.us/>

# CSBA Sample Board Policy

Administration

BP 2140(a)

## EVALUATION OF THE SUPERINTENDENT

Note: The following optional policy should be revised to ensure consistency with specific evaluation provisions in the Superintendent's contract. Information and training on effective superintendent evaluation are available through CSBA's Governance Consulting Services.

~~The Governing Board recognizes that, in order to effectively fulfill its responsibilities for setting direction, ensuring accountability, and providing community leadership for the district, it must adopt measures for holding the Superintendent accountable. At a minimum, the Board shall annually conduct a formal evaluation of the Superintendent's performance to assess his/her effectiveness in leading the district toward established goals. In addition, the evaluation process may include opportunities during the year for review of the Superintendent's progress toward meeting the goals. The evaluation shall be in accordance with the provisions of the Superintendent's contract and any applicable Board policy.~~

**The Governing Board recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support his/her continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent's progress toward meeting established goals.**

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0500 - Accountability)*

*(cf. 2121 - Superintendent's Contract)*

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

Note: In Duval v. Board of Trustees, the court held that a board could meet in closed session to select the criteria for the superintendent's evaluation, establish a fact-gathering mechanism, and designate particular areas of emphasis because these actions might reflect the board's initial perception of the superintendent's performance since the last evaluation. District legal counsel should be consulted with questions regarding the permissible scope of closed session discussions regarding superintendent evaluation.

**The Board shall determine, with the Superintendent's input, the criteria, schedule, method(s), and instrument(s) to be used for the Superintendent's evaluation. Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but are not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.**

*(cf. 2110 - Superintendent Responsibilities and Duties)*

*(cf. 2111 - Superintendent Governance Standards)*

## EVALUATION OF THE SUPERINTENDENT (continued)

~~The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used.~~

Prior to the evaluation, the Superintendent shall provide to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendations from the previous evaluation.

Note: Typically, each Board member individually evaluates the Superintendent and those individual evaluations are then summarized into one document. In some districts, the Board president is given the authority to develop this composite document while, in others, the Board appoints a subcommittee or another Board member to develop it. The full Board takes action on the composite document that is provided to the Superintendent. The following paragraph is optional and may be modified to reflect district practice.

Each Board member shall independently evaluate the Superintendent's performance based upon the evaluation criteria, ~~Based on these individual evaluations, after which the Board president shall produce a single document that summarizes integrates the individual evaluations and represents the consensus of the Board. The Board shall then take action on this document and present it to the Superintendent for his/her response.~~

*(cf. 9121 - President)*

The evaluation shall provide commendations in areas of strength and achievement, and provide recommendations for improving effectiveness in any areas of need, concern, and or unsatisfactory performance, ~~and serve as a basis for making decisions about salary increase and/or contract extension.~~

Note: Pursuant to Government Code 54957, the Board and Superintendent may meet in closed session to discuss the Superintendent's evaluation, but must not use the public employee performance evaluation exception for discussion or action on any proposed change in compensation other than a reduction in compensation that results from the imposition of discipline. In addition, the Board may meet in closed session with its negotiator pursuant to the labor negotiations exception to discuss any proposed change in compensation for unrepresented employees, including the Superintendent. See BP 2121 - Superintendent's Contract and BB 9321 - Closed Session Purposes and Agendas.

The Board shall meet in closed session with the Superintendent to discuss the evaluation. (Government Code 54957)

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

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

At this meeting, ~~T~~the Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional evidence of information regarding his/her performance or district progress.

## EVALUATION OF THE SUPERINTENDENT (continued)

**The discussion shall include the establishment of performance goals for the next year and may identify professional development opportunities for the Superintendent and/or the entire governance team to address areas of concern, strengthen the relationship between the Superintendent and Board, or enhance the Superintendent's knowledge of current educational issues and leadership and management skills.**

*(cf. 9240 - Board Training)*

*(cf. 9400 - Board Self-Evaluation)*

**Note: The following paragraph may be revised to reflect district practice. In Versaci v. Superior Court, the court of appeals held that, if the Superintendent's personal performance goals are not incorporated into his/her employment contract, then they are not subject to disclosure under the California Public Records Act (Government Code 6254.8). According to the court's ruling, a general statement in the contract referring to goal setting in conjunction with performance evaluations does not clearly and unequivocally evidence the parties' intent to incorporate the future goals into the contract.**

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file. **The evaluation, including personal performance goals, shall be confidential to the extent permitted by law.**

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

~~At the open session after the Superintendent's evaluation or at a subsequent meeting, the Board and Superintendent shall jointly identify performance goals for the next year.~~

~~*(cf. 9400 - Board Self-Evaluation)*~~

*Legal Reference: (see next page)*

## EVALUATION OF THE SUPERINTENDENT (continued)

*Legal Reference:*

GOVERNMENT CODE

6254.8 Public Records Act; employment contracts

53262 Employment contracts, superintendent

54957 Closed session, personnel matters

COURT DECISIONS

Versaci v. Superior Court, (2005) 127 Cal.App.4th 805

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

*Management Resources:*

CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Evaluation, 2006

WEB SITES

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

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

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# **Center USD**

## **Board Policy**

### **Evaluation Of The Superintendent**

BP 2140

#### **Administration**

The Governing Board shall annually conduct a formal evaluation of the Superintendent's performance in order to assess his/her effectiveness in leading the district toward established goals. The Board and Superintendent shall establish an appropriate schedule for the annual evaluation process.

(cf. 0000 - Vision)

(cf. 2121 - Superintendent's Contract)

(cf. 9000 - Role of the Board)

Evaluation criteria shall be based on district goals agreed upon by the Board and Superintendent prior to the evaluation. The evaluation shall provide commendations in areas of strength, provide recommendations for improving effectiveness, and serve as a basis for making decisions about salary increases and/or contract extension.

(cf. 2110 - Superintendent Responsibilities and Duties)

The Board and Superintendent shall annually consider what evaluation method(s) will best serve the district and agree on the specific written instrument to be used.

Prior to the evaluation, the Superintendent shall be responsible for preparing and distributing to the Board for its review a report of progress toward district goals. The Board shall also review the Superintendent's current contract and any relevant Board policies.

Each Board member shall independently evaluate the Superintendent's performance. The Board shall determine who will summarize and combine the individual evaluations to create a consensus document and how that consensus document will be formatted. The evaluation shall be a composite of individual Board members' opinions, but there shall be only one final evaluation representing the Board's collective judgment. This final evaluation shall be provided to the Superintendent for his/her response.

The Board shall meet in closed session with the Superintendent to discuss the evaluation. (Government Code 54957)

(cf. 9321 - Closed Session Purposes and Agendas)

The Superintendent shall have an opportunity to ask questions, respond verbally and in



writing to the evaluation, and present additional evidence of his/her performance or district progress.

The Board president and Superintendent shall sign the evaluation as evidence that the evaluation has been discussed. The Superintendent shall place the evaluation in his/her personnel file.

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

After each evaluation has been completed, the Board shall meet in open session to give the Board and Superintendent an opportunity to jointly identify performance goals for the next year.

(cf. 2111 - Superintendent Governance Standards)  
(cf. 9005 - Governance Standards)  
(cf. 9400 - Board Self-Evaluation)

**Legal Reference:**

**GOVERNMENT CODE**

54957 Closed session, personnel matters

**Management Resources:**

**CSBA PUBLICATIONS**

Maximizing School Board Governance: Superintendent Evaluation, 2004

**WEB SITES**

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

CSBA, Single District Governance Services: <http://www.csba.org/sds>

# CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3551(a)

## FOOD SERVICE OPERATIONS/CAFETERIA FUND

Note: The following ~~optional~~ policy may be revised to reflect district practice. Pursuant to U.S. Department of Agriculture (USDA) Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program (42 USC 1751-1769j, 1773) are mandated to adopt policy addressing delinquent meal charges; see the section "Meal Sales" below and the accompanying administrative regulation.

Pursuant to 7 CFR 210.9, 210.14, and 220.7, districts participating in the National School Lunch and/or Breakfast program (~~42 USC 1751-1769j, 1773~~) must maintain a nonprofit school food service program. Revenues received through the program may be used ~~only~~ for the operation or improvement of the food service program, ~~except that such revenues must not be used to~~ but not to construct buildings. Revenues ~~also may not be used to purchase land or buildings, unless otherwise approved by the USDA. or construct buildings unless otherwise approved.~~ Authorized expenditures are defined in the California Department of Education's (CDE) California School Accounting Manual.

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

*(cf. 3100 - Budget)*

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3311 - Bids)*

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

*(cf. 3552 - Summer Meal Program)*

*(cf. 5030 - Student Wellness)*

Note: Pursuant to 42 USC 1776, the USDA has established minimum professional standards for food service personnel. With approval from the CDE, more flexible standards may be used in districts with average daily attendance of less than 500 or in districts of any size when hiring a new acting food services director. For more information about professional standards for food service directors, see CDE's Management Bulletin SNP-17-2016.

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)*

Note: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773). Pursuant to 42 USC 1776, such districts must ensure that food service personnel **and other appropriate personnel** who conduct or oversee administrative

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

~~procedures and other appropriate personnel~~ receive training on administrative practices (i.e., training in application, certification, verification, meal counting, and meal claiming procedures) at least once each year. In addition, all food service personnel are required to receive annual training that (1) is designed to improve the accuracy of approvals for free and reduced-price meals and the identification of reimbursable meals at the point of service and (2) includes modules on nutrition, health and food safety standards and methodologies, and any other appropriate topics as determined by the U.S. Secretary of Agriculture. The CDE provides online training that meets these requirements; see the CDE's web site.

~~In addition, on a date to be determined by the U.S. Secretary pursuant to 42 USC 1776, food service directors will be required to meet minimum requirements related to education, training, and certification.~~

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)

Note: The following paragraph is optional. Pursuant to Education Code 38082, the Governing Board may, by formal resolution, authorize the serving of meals to persons other than those listed above. In Management Bulletin No. 00-111, the CDE states that the Board's policy or resolution must specify the circumstances under which those other persons will be served and indicates that using funds from the National School Lunch or Breakfast Program to serve any nonstudent would be contrary to program goals.

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Note: Pursuant to Education Code 38084, the district may determine meal prices consistent with the goal of paying the costs of maintaining the cafeterias (exclusive of the costs of housing and equipping cafeterias, or other costs determined by Governing Board resolution, pursuant to Education Code 38100).

Students who meet federal eligibility criteria for the reduced-price meal program cannot be charged more than the amounts listed in 42 USC 1758 and 1773; see AR 3553 - Free and Reduced Price Meals. ~~In setting prices for students who are not eligible for the free and reduced price meal program, 42 USC 1760 requires schools to charge those students a price that is, on average, equal to the difference between free meal reimbursement and paid meal reimbursement. Schools that charge less than the average are required to gradually increase their prices over time until they meet the requirement or may cover the difference with nonfederal funds. 42 USC 1760 provides that the price shall generally not increase more than 10 cents each year, but allows districts to establish a higher increase at their discretion. For information about setting prices for full-price meals, see 42 USC 1760 and CDE Management Bulletin USDA-SNP-16-2012.~~

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

**Note: Education Code 49557 requires the Board to approve a plan that ensures students eligible to receive free or reduced-price meals are not treated differently from other students, including, but not limited to, assurance that eligible students will not be overtly identified by the use of special tokens, tickets, or any other means. For additional language addressing this requirement, see BP/AR 3553 - Free and Reduced Price Meals.**

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)*

**Note: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Pursuant to CDE Management Bulletin SNP-03-2017, the district's unpaid meals policy must ensure that students with unrecovered or delinquent debt are not overtly identified. See the accompanying administrative regulation for additional language fulfilling this mandate.**

**The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, 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**

**Note: Pursuant to Education Code 38090, money received for the sale of food or for any services performed by the cafeterias may be paid into the county treasury to the credit of a "cafeteria fund" for the district.**

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Note: Education Code 38103 allows the Board, at its discretion and with the approval of the County Superintendent of Schools who is responsible for a countywide payroll/retirement system under Education Code 42646, to have wages, salaries, and benefits of food service employees paid either from the district's general fund (Option 1 below) or from the district's cafeteria fund (Option 2).

~~**OPTION 1:** The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)~~

**OPTION 2:** The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

Note: The following optional paragraph may be revised to reflect district practice. ~~2-CFR-225 2 CFR Part 200, Appendix VII and U.S. Department of Agriculture (USDA) guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities,~~ provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Also see the accompanying administrative regulation.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

*(cf. 3230 - Federal Grant Funds)*  
*(cf. 3400 - Management of District Assets/Accounts)*  
*(cf. 3460 - Financial Reports and Accountability)*

**Contracts with Outside Services**

Note: The following section is optional. Pursuant to Education Code 45103.5, the district is authorized to contract for consulting services related to food service management. 42 USC 1758, 7 CFR 210.16, and Education Code 45103.5 authorize a district, under specified conditions and with approval of the CDE, to contract with a food service management company to manage its food service operation in one or more of its schools. See the accompanying administrative regulation for related requirements.

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)*

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)****Procurement of Foods**

**Note:** The following section is for districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773). Pursuant to 7 CFR 210.21, districts are required to comply with all requirements for purchasing commercial food products served in the school meals programs, including those outlined in the Buy American provision. This provision indicates that a district participating in the National School Lunch and/or Breakfast Program or any entity purchasing food on its behalf must, to the maximum extent practicable, purchase domestically grown and processed foods, as defined. According to USDA Memorandum SP-24-2016, a domestic commodity or product is deemed to be "substantially using" domestic agricultural commodities when over 51 percent of the final processed product consists of agricultural commodities produced in the United States.

**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)**

**Note:** The following paragraph reflects limited exceptions to the Buy American requirement, as described in USDA Memorandum SP-24-2016. If the district is using one of these exceptions, it must maintain documentation justifying the exception(s).

**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.

**Note:** The following paragraph is for use by districts that have one or more schools participating in the National School Lunch Program, School Breakfast Program, Seamless Summer Feeding Option, and/or other federal meal program. The state monitoring process (the Administrative Review) includes a review of district compliance with requirements for federal meal programs, including a review of resource management in the food service program as provided in the following paragraph. Each district is reviewed at least once every three years. See the CDE's nutrition services web site for a current list of documents that may be requested for the review. ~~USDA correspondence dated August 30, 2013, provides a list of documents that may be requested by the CDE for the review.~~

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

During the Administrative Review, CDE will review district policies on charge accounts, alternate meals, and guidelines for continually notifying parents/guardians of these policies. USDA Memorandum SP 23-2017 adds a requirement to maintain and submit the district's policy on unpaid meal charges to the CDE during the Administrative Review.

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: (see next page)*

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)***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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# Center USD

## Board Policy

### Food Service Operations/Cafeteria Fund

BP 3551

#### Business and Noninstructional Operations

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 qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program.

*(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)

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

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

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.

### **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. 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)*

### **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, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

*(cf. 3555 - Nutrition Program Compliance)*

*Legal Reference: (see next page)*

*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

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

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

*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*

*Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs; and the Handling of Unpaid Meal Charges, 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*

*Indirect Costs: Guidance for State Agencies and School Food Authorities, 2011*

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>

Policy  
adopted: April 23, 2014

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3551(a)

## FOOD SERVICE OPERATIONS/CAFETERIA FUND

### Payments for Meals

Note: State and federal law (Education Code 49550; 42 USC 1758, 1773) require that all students eligible for free and reduced-price meals receive a reimbursable meal during each school day which must be the same meal choice offered to noneligible students; see BP/AR 3553 - Free and Reduced Price Meals. California Department of Education (CDE) Management Bulletin ~~USDA SNP-01-2008~~ **SNP-06-2015** clarifies that districts therefore cannot serve an alternate meal (i.e., a meal that is different than the day's advertised meal) to a student eligible for reduced-price meals who does not have the ability to pay or who fails to provide a meal ticket or other medium of exchange on a given day. Payment ~~and pricing~~ policies for full-price meals are at the discretion of the district and may include decisions on whether or not to extend credit or provide an alternate meal to students in the event of nonpayment.

In addition to providing meals at no cost to students who are eligible, the district may offer meals at no cost to students who qualify for reduced-price benefits. Districts that choose to eliminate reduced-price meal charges may still claim the meals at the reduced-price rate, but the cost difference between the reduced-price meal and the no-cost meal must be covered by the district's cafeteria fund. Districts that choose to do so may modify the following paragraph accordingly. For more information, see the U.S. Department of Agriculture's (USDA) Memorandum SP 17-2014.

The following section includes recommendations of the CDE's Management Bulletin and the ~~U.S. Department of Agriculture's (USDA's)~~ "FAQs About School Meals" on the USDA's web site and may be revised to reflect district practice.

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

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

*(cf. 3552 - Summer Meal Program)*

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

*(cf. 3555 - Nutrition Program Compliance)*

Note: The CDE's program monitoring process (the Administrative Review) requires districts to continually notify parents/guardians of district policies regarding meal payments, including charge accounts and alternate meals if applicable. Districts should, at a minimum, inform parents/guardians at the beginning of the school year and on an ongoing basis of district practices for students who have lost or forgotten their meal payment. In addition, districts should set up a parent notification system for when a student's meal payment account has a low or negative balance.

According to the USDA's Memorandum SP-23-2017, beginning in the 2017-18 school year and each year thereafter, the district's policy on delinquent meal payments must be communicated in writing to all households at the start of each school year and to households transferring to the school during the school year. CDE Management Bulletin SNP-03-2017 states that, at a minimum, districts should use the methods specified below to communicate the district's meal policy.

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

At the beginning of the school year, and whenever a student enrolls during the school year, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the district's web site
5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

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

*(cf. 5145.6 - Parental Notifications)*

Note: The following optional paragraph may be revised to reflect district practice. According to the USDA's "FAQs About School Meals," any district that participates in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773) and has one or more schools which use a system of meal tickets (or tokens, cards, or other similar medium of exchange) may limit the number of lost or stolen tickets it will replace for students each school year, as long as the limit is set at three or more. However, such a limit may only be established if the school (1) advises students and parents/guardians of the district's rules regarding replacement tickets at the beginning of the school year and/or when applications for free and reduced-price meals are distributed or approved; (2) issues at least one advance warning to the student or his/her parent/guardian prior to refusing to issue a replacement ticket; and (3) does not deny meals to prekindergarten or younger primary students or students with disabilities who may be unable to take full responsibility for their meal tickets. Although these requirements apply only to students who qualify for free or reduced-price meals, the USDA recommends that districts apply the same limits for students who pay full price for their meals in order to ensure that needy students are not overtly identified because of a disparate ticket replacement policy.

In any school that uses a system of meal tickets or other similar medium of exchange rather than an electronic point-of-sale system, the Superintendent or designee shall develop a process for providing replacement tickets to any student who reports his/her tickets as lost or stolen. However, whenever any student reports an excessive number of lost or stolen tickets, the Superintendent or designee shall notify the parent/guardian and may provide an alternative method of tracking meal usage for that student.

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

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)*

**Note:** Pursuant to CDE Management Bulletin SNP-03-2017, districts must ensure that students who are approved for reduced-price meals receive all meals that are paid for. Any excess payments must be either carried over or refunded to the parents/guardians. The following paragraph extends this provision to also apply to students paying for full-price meals.

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

**Unpaid and Delinquent Meal Charges**

**Note:** Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Such policy may allow students to charge all types of reimbursable meals, impose a limit on charges, provide students paying full price with alternate meals, and/or allow neither meal charges nor alternative meals. Such policy may be consistent for all students or vary by grade level. The following paragraphs should be revised to reflect district practice. Also see the accompanying Board policy.

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.

**Note:** The following optional paragraph reflects CDE guidance in its Management Bulletin SNP-03-2017.

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

**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.**

**Note: CDE Management Bulletin SNP-03-2017 requires that the district's unpaid meal policy conform with the cost principles set forth in 2 CFR 200.426, as provided below.**

**The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.**

**Note: Pursuant to CDE Management Bulletins SNP 06-2015 and SNP-03-2017, delinquent debt must be reclassified as bad debt and written off as an operating loss if it is not paid by the end of the fiscal year in which the debt was incurred, unless the district enters into a repayment plan with the parent/guardian prior to the end of the fiscal year or the debt occurs fewer than 90 days prior to the end of the fiscal year. Federal funds are not available to reimburse the district for bad debt. Districts are required to maintain related records in accordance with 7 CFR 210.9 and 210.15.**

**The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.**

**Reimbursement Claims**

**Note: To streamline administration of state and federal meal programs, the CDE has developed an online Child Nutrition Information and Payment System which must be used to submit reimbursement claims and to submit and track the status of applications and USDA food requests.**

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the CDE using the online Child Nutrition Information and Payment System.

**Cafeteria Fund**

**Note: Education Code 38091 authorizes the Governing Board to establish one or more cafeteria revolving accounts to be treated as revolving cash accounts of the cafeteria fund.**

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091)

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)***(cf. 3100 - Budget)**(cf. 3300 - Expenditures and Purchases)*

~~Note: Education Code 38100-38103 specify allowable expenditures from the cafeteria fund. AB 86 (Ch. 48, Statutes of 2013) repealed Education Code 38102, which had authorized the establishment of a cafeteria equipment reserve fund to be used for the purchase, lease, maintenance, or replacement of cafeteria equipment.~~

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)*

Note: The following optional paragraph may be revised to reflect district practice. ~~2-CFR-225~~ 2 CFR Part 200 Appendix VII and USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Indirect costs are those that are incurred for the benefit of multiple programs or objectives and typically support administrative overhead functions (e.g., accounting, payroll, purchasing, utilities, janitorial services). Each program or objective that benefits from the indirect cost bears a commensurate portion of the cost. Costs may be charged to the nonprofit food service account only if properly documented.

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Note: Pursuant to ~~2-CFR 210.2 and 210.14~~ 7 CFR 210.7 and 220.14, net cash resources (i.e., all monies that have accrued to the nonprofit school food service at any given time, less cash payable) should not exceed three months average expenditures. If there is a surplus, then according to USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, the district must lower the price of paid lunches, improve food quality, or make other improvements to school meal operations. The spending plan developed by the district under such circumstances must be approved by the CDE.

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. ~~(2 CFR 210.14 220.14)~~



**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)****U.S. Department of Agriculture Foods**

Note: The following **optional** section is for use by districts that participate in the National School Lunch Program and receive foods from the USDA pursuant to 42 USC 1755 and 7 CFR 250.1-250.70. The CDE is responsible for ordering and distributing USDA foods for use in California schools. Pursuant to 42 USC 1758, the USDA must ensure that foods offered through this program reflect the most recent Dietary Guidelines for Americans.

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**

Note: The following **optional** section is for use by districts that contract for food service management services pursuant to Education Code 49554, 42 USC 1758, or 7 CFR 210.16 or consulting services pursuant to Education Code 45103.5, and should be modified to reflect the type(s) of contracts in the district; see the accompanying Board policy.

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

**FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

*(cf. 3312 - Contracts)*

*(cf. 3515.6 - Criminal Background Checks for Contractors)*

*(cf. 3600 - Consultants)*

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

*(cf. 4212 - Appointments and Conditions of Employment)*

(3/11 12/13) 5/17

# Center USD

## Administrative Regulation

### Food Service Operations/Cafeteria Fund

AR 3551

#### Business and Noninstructional Operations

##### 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, parents/guardians shall be notified of the district's meal payment policies and encouraged to prepay for meals whenever possible.

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

Students and their parents/guardians shall be notified whenever their account has a zero 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.

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)*

##### 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 California Department of Education (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 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)

### **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 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)

### **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)*

# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3580(a)

## DISTRICT RECORDS

Note: The following **optional** administrative regulation reflects classification and retention requirements for district records. For more information about personnel records, including the contents and retention of such records pursuant to 5 CCR 16023, see AR 4112.6/4212.6/4312.6 - Personnel Files. For additional requirements pertaining to student records, including the contents and retention of such records pursuant to Education Code 49069, 5 CCR 430-433, and the Family Educational Rights and Privacy Act (20 USC 1232g and 34 CFR 99.1-99.8), see BP/AR 5125 - Student Records. For requirements pertaining to public access to certain records in accordance with the California Public Records Act (CPRA) (Government Code ~~6252~~ 6250-6270), see BP/AR 1340 - Access to District Records and **BB 9012 - Board Member Electronic Communications**.

### Classification of Records

Note: Pursuant to 5 CCR 16020, only those documents that are prepared or retained as part of the discharge of official duty are considered as "records" that must be classified and retained. In addition, under the **Public Records Act CPRA** (Government Code ~~6252~~ 6250-6270), a "public record" is defined as any writing relating to the conduct of district business that is prepared, owned, used, or retained by the district; see BP/AR 1340 - Access to District Records. Documents and other writings that are not prepared or used by the district in the conduct of district business are generally not considered to be "records" and thus are not subject to the requirements of this regulation.

*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)

**DISTRICT RECORDS (continued)**

*(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

**DISTRICT RECORDS (continued)**

- 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



**DISTRICT RECORDS (continued)**

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**

Note: ~~With the extensive use of electronic messaging, communications, and devices, such as email, text message, and voicemail,~~ In the conduct of official district business, many records and informational materials are generated and maintained in electronic format, making it necessary for districts to design a system for easily saving and retrieving such information when needed. The following optional section contains suggestions for the handling of such electronically stored information and may be revised to reflect district practice.

## DISTRICT RECORDS (continued)

In City of San Jose v. Superior Court, the California Supreme Court held that a public official's or employee's electronic communications regarding public business, even if transmitted on the official's or employee's personal account or device, are public records and are not categorically excluded from disclosure upon request under the CPRA. The court noted that the CPRA requires public agencies to use "reasonable effort" to locate existing records in response to a public records request, but that such searches need not be extraordinary or intrusive. The following paragraph reflects the court's suggestion for ensuring that district-related communications transmitted through a public employee's or official's personal device or account can be retrieved without violating the employee's or official's privacy rights. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications.

~~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.~~

Note: The following optional paragraph may be revised to reflect district practice. Districts have the authority to monitor the use of district-owned property and equipment, including those provided to employees to enable them to perform their duties efficiently, such as computers, cell phones, and other electronic communication devices. In such situations, an employee's expectation of privacy as it relates to the equipment is limited and the district may monitor it for appropriate use.

~~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)*

**DISTRICT RECORDS (continued)**

~~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)~~

(11/09 4/13) 5/17

# **Center USD**

## **Administrative Regulation**

### **District Records**

AR 3580

#### **Business and Noninstructional Operations**

##### 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 Class 1 (Permanent) and the detailed records may then be classified as Class 3 (Disposable).

Information of a derogatory nature as defined in Education Code 44031 shall be Class 1 (Permanent) only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

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

(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)

#### 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. This includes any related policy of liability insurance except that these records cease to be Class 1 (Permanent) 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 Class 1 (Permanent). The detailed records may then be classified as Class 3 (Disposable) 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 record considered temporarily worth keeping, but which is not a Class 1 record, may be classified as Class 2 (Optional) and shall be retained until it is reclassified as Class 3 (Disposable). 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 Class 2 (Optional) 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) shall be classified as Class 3 (Disposable). 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); 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 Class 3 (Disposable). (5 CCR 16026, 16027)

(cf. 5113.2 - Work Permits)

Regulation  
approved: February 17, 2010

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Administrative Regulation

Certificated Personnel

AR 4112.2(a)

## CERTIFICATION

### Verification of Credentials

Note: The following optional section may be revised to reflect district practice. Pursuant to Education Code 44330, 44332.5, and 44857, ~~requires each person employed by the district in a position requiring certification qualifications must to register a valid credential with the county office of education or with the district, (if the district has an average daily attendance over 10,000), not later than 60 days after beginning employment in the district or not later than 60 days after renewing a credential. A district with over 10,000 average daily attendance (ADA) may provide for the registration of its own certificated employees' credentials. If it does not do so, or if the district has 10,000 ADA or less, certificated employees' credentials must be registered with the county office of education. The following section may be revised to reflect district practice.~~

The Commission on Teacher Credentialing (CTC) does not provide credentials in a paper format. Pursuant to 5 CCR 80001, ~~provides that~~ the official record of a credential is information obtained from the CTC web site. If an applicant has indicated a county of employment on his/her application, the county office of education will receive a download of credential information for that applicant. For all other certificated staff, the district must obtain verification of its employees' certification through the CTC's online service and may print the displayed information.

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

*(cf. 4112.21 - Interns)*

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

*(cf. 4112.23 - Special Education Staff)*

*(cf. 4121 - Temporary/Substitute Personnel)*

*(cf. 5148 - Child Care and Development)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6200 - Adult Education)*

Note: Pursuant to Education Code 44332, 44332.5, and 44332.6, an individual may be employed while his/her application is being processed by the CTC if he/she holds a temporary certificate issued by a district with over 10,000 ADA or the county office of education, indicating that he/she has passed the state assessment of teachers' basic skills and completed a criminal record check. As amended by AB 1918 (Ch. 127, Statutes of 2016), Education Code 44332, 44332.5, and 44332.6 require the district or county office of education, prior to issuing a temporary certificate, to obtain a certificate of clearance (fingerprint clearance) from the CTC to satisfy the criminal record check requirement.

The Superintendent or designee shall verify that any person who is employed by the district while his/her application for certification is being processed by the CTC possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (Education Code 44332, 44332.5, 44332.6)



**CERTIFICATION (continued)**

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

*(cf. 3580 - District Records)*

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

**Basic Skills Proficiency**

Note: Education Code 44830 provides that a district cannot employ an individual in a position requiring certification unless that person has met the basic skills proficiency requirement or is exempted from the requirement by law. Such exemptions are specified in Education Code 44252 and 44830. Unless exempted, persons who have been granted a credential by the CTC have met the basic skills proficiency requirement as a condition of obtaining the credential. According to CTC leaflet CL-667, Basic Skills Requirement, the basic skills proficiency requirement also may be met by passage of the California Basic Educational Skills Test, California Subject Examinations for Teachers: Multiple Subject Plus Writing Skills Examination, California State University Early Assessment Program, California State University Placement Examinations, or a basic skills examination from another state.

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test, provided that he/she takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of his/her test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.2 - Certificate of Proficiency)*

*(cf. 6162.5 - High School Exit Examination)*

Note: Pursuant to Education Code 44252 and 44830, persons holding or applying for a "designated subjects special subjects" credential must be assessed with a district basic skills proficiency test, unless their credential requires possession of a bachelor's degree in which case they are required to meet the state basic skills proficiency requirement. When such persons are employed by a consortium of districts or a joint powers agreement, the test may instead be established by the boards of those entities.

**CERTIFICATION (continued)**

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

**Short-Term Staff Permit**

Note: 5 CCR 80021 establishes the short-term staff permit (STSP) to immediately fill teacher vacancies based on unforeseen circumstances. Pursuant to 5 CCR 80021, the CTC will issue the STSP to an individual only once and for no more than one year. The STSP will expire no later than July 1, unless the STSP is for a summer school assignment in which case the STSP will expire no later than September 1.

The district may request that the CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved intern program
4. Inability of the applicant to enroll in an approved intern program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an intern program or the applicant's withdrawal from an intern program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to the CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested

**CERTIFICATION (continued)**

2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit

*(cf. 4131 - Staff Development)*

*(cf. 4131.1 - Teacher Support and Guidance)*

3. Written justification for the permit signed by the Superintendent or designee

Note: 5 CCR 80021 provides that a holder of the STSP is authorized to provide the same service as a holder of the preliminary or clear credential of the same type (i.e., multiple subject, single subject, education specialist). 5 CCR 80021 provides that all STSPs will also include an English learner authorization allowing the holder to provide services in English language development (ELD) or specially designed academic instruction in English (SDAIE); see AR 4112.22 - Staff Teaching English Learners. Upon request by the district and verification of the applicant's target-language proficiency, the STSP may instead include a bilingual authorization allowing the holder to provide instruction for primary language development or content instruction delivered in the primary language, in addition to ELD and SDAIE.

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

**Provisional Internship Permit**

Note: 5 CCR 80021.1 establishes the provisional internship permit (PIP) to staff classrooms when appropriately credentialed teachers cannot be found after a diligent search. ~~As amended by Register 2013, No. 28,~~ 5 CCR 80021.1 provides that the PIP will be issued for one calendar year and may not be renewed.

Before requesting that the CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not ~~be~~ limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

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

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

**CERTIFICATION (continued)**

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.
2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

<p>Note: 5 CCR 80021.1 provides that a holder of the PIP is authorized to provide the same service as a holder of the preliminary or clear credential of the same type (i.e., multiple subject, single subject, education specialist). In addition, 5 CCR 80021.1 provides that all PIPs will include an English learner authorization allowing the holder to provide services in ELD or SDAIE; see AR 4112.22 - Staff Teaching English Learners. Upon request by the district and verification of the applicant's target-language proficiency, the PIP may instead include a bilingual authorization allowing the holder to provide instruction for primary language development or content instruction delivered in the primary language, in addition to ELD and SDAIE.</p>
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**CERTIFICATION (continued)**

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

**Teaching Permit for Statutory Leave**

**Note: 5 CCR 80022, as added by Register 2016, No. 34, establishes the Teaching Permit for Statutory Leave (TPSL), which authorizes the holder to serve as the interim teacher of record when a teacher takes a statutory leave. The applicable statutory leaves are specified in 5 CCR 80022 and, as clarified by CTC Coded Correspondence 16-10, exclude administrative leave. The TPSL is valid for one calendar year from the first day of the month immediately following the date of issuance, but may be renewed on an annual basis provided that the holder completes additional requirements as specified and the district verifies that it will provide continued mentoring and support.**

**Qualifications required for the TPSL include possession of a bachelor's or higher degree, completion of the basic skills requirement, completion of a subject-matter requirement, and 45 hours of preservice preparation in the content areas listed in 5 CCR 80022. The design and delivery of the preservice preparation are at the discretion of the district and, as described in CTC Coded Correspondence 16-10, may include existing training and development programs, new preparation courses or modules, and/or partnerships with the county office of education, neighboring districts, colleges and universities, or private companies. The CTC does not accredit or oversee any TPSL preparation. The following paragraph may be revised to reflect district practice.**

**Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that the CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to the CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)**

*(cf. 4161.1 - Personal Illness and Injury Leave)*  
*(cf. 4161.11 - Industrial Accident/Illness Leave)*  
*(cf. 4161.8 - Family Care and Medical Leave)*

**A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)**

**The district shall verify to the CTC that it will provide the interim teacher: (5 CCR 80022)**

- 1. An orientation to the assignment before or during the first month of service in the statutory leave assignment**

**CERTIFICATION (continued)**

- 2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment**
- 3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs**

**Note: The TPSL authorizes the interim teacher of record to serve for the full length of the statutory leave. CTC Coded Correspondence 16-10 clarifies that, when more than one acceptable leave is taken consecutively, the holder of the TPSL may continue to serve as the interim teacher of record for the entire length of those leaves.**

**The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)**

**The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022. He/she shall annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)**

*(cf. 4113 - Assignment)*

**The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)**

**Long-Term Emergency Permits**

**Note: Pursuant to Education Code 44225.7, the district may request that the CTC grant an applicant a one-year emergency permit (Education Code 44300; 5 CCR 80023-80026.6) when a "fully prepared teacher," defined as a teacher who has completed a teacher preparation program, is unavailable to the district. Emergency permits may only be issued for the resource specialist permit (5 CCR 80024.3.1), teacher librarian services permit (5 CCR 80024.6), crosscultural, language and academic development permit (5 CCR 80024.8), and bilingual authorization permit (5 CCR 80024.7).**

**Pursuant to 5 CCR 80023.1, ~~as amended by Register 2013, No. 28~~, an emergency permit may be renewed for up to two additional one-year periods (for a maximum of three years of service).**

**In order to request an emergency permit, the district must first demonstrate that it has made reasonable efforts to recruit candidates who are enrolled in an intern program or are scheduled to complete preliminary credential requirements within six months and must submit a Declaration of Need for Fully Qualified Educators; see the accompanying Board policy.**

**CERTIFICATION (continued)**

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit, or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

*(cf. 4117.14/4317.14 - Postretirement Employment)*

**Emergency-Substitute Teaching Permits**

~~Note: The CTC issues emergency substitute teaching permits that authorize service as a day-to-day substitute, including the (1) emergency 30-day substitute teaching permit, (2) emergency career substitute teaching permit, (3) emergency substitute teaching permit for prospective teachers, and (4) emergency designated subjects 30-day substitute teaching permit for career technical education. 5 CCR 80025-80025.5 specify restrictions pertaining to the number of days that each type of permit holder may substitute for any one teacher during the school year, as noted in items #1-4 below.~~

~~For day-to-day substitute teaching at any grade level, †The district may employ a person with an emergency substitute permit issued by the CTC, whose credential or permit authorizes substitute teaching services, provided that:~~

~~Note: 5 CCR 80025.3, as amended by Register 2016, No. 34, authorizes the holder of the STSP, PIP, or TPSL to provide day-to-day substitute teaching services for up to 30 days for a general education teacher or 20 days for a special education teacher.~~

1. A person holding an emergency 30-day substitute teaching permit, **STSP, PIP, TPSL**, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the California Basic Educational Skills Test, shall not serve as a substitute for more than 30 days for any one teacher during the school year. He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)

**CERTIFICATION (continued)**

2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and **shall** not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Note: 5 CCR 80025 and 80025.5 require the district to have a Statement of Need on file before employing a person with an emergency substitute permit pursuant to item #1 or 4 above. The CTC form for the Statement of Need may be found in the CTC's online [Credential Information Guide](#), which may be accessed only by employers.

Before employing a person with an emergency substitute permit pursuant to item #1 or #4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

(7/11 8/14) 7/17



# Center USD

## Administrative Regulation

### Certification

AR 4112.2  
Personnel

#### Verification of Credentials

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

*(cf. 4112.21 - Interns)*

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

*(cf. 4112.23 - Special Education Staff)*

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

*(cf. 4121 - Temporary/Substitute Personnel)*

*(cf. 5148 - Child Care and Development)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6200 - Adult Education)*

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

*(cf. 3580 - District Records)*

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

#### Basic Skills Proficiency

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test, provided that he/she takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of his/her test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-

**CERTIFICATION (continued)**

state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.2 - Certificate of Proficiency)*

*(cf. 6162.5 - High School Exit Examination)*

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

**Short-Term Staff Permit**

The district may request that the CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved intern program
4. Inability of the applicant to enroll in an approved intern program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an intern program or the applicant's withdrawal from an intern program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

**CERTIFICATION (continued)**

When requesting issuance of an STSP, the Superintendent or designee shall submit to the CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested
2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit

*(cf. 4131 - Staff Development)*  
*(cf. 4131.1 - Teacher Support and Guidance)*

3. Written justification for the permit signed by the Superintendent or designee

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

**Provisional Internship Permit**

Before requesting that the CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not be limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

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

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

**CERTIFICATION (continued)**

2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

**Long-Term Emergency Permits**

**CERTIFICATION (continued)**

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit, or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

*(cf. 4117.14/4317.14 - Postretirement Employment)*

**Emergency Substitute Teaching Permits**

For day-to-day substitute teaching at any grade level, the district may employ a person with an emergency substitute permit issued by the CTC, provided that:

1. A person holding an emergency 30-day substitute teaching permit, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the CBEST, shall not serve as a substitute for more than 30 days for any one teacher during the school year. He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)

**CERTIFICATION (continued)**

4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

# Delete

## Center USD

### Board Policy

#### Employment References

BP 4112.61 4212.61,4312.61

#### Personnel

The Superintendent or designee shall process all requests for references, letters of recommendation, or information about the reasons for separation regarding all district employees other than himself/herself. All letters of recommendation to be issued on behalf of the district for current or former employees must be approved by the Superintendent or designee.

At his/her discretion, the Superintendent or designee may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful and complete account of the employee's job performance and qualifications.

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

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

#### Legal Reference:

##### LABOR CODE

1050-1054 Reemployment privileges

##### CIVIL CODE

47 Privileged communication

##### CODE OF CIVIL PROCEDURE

527.3 Labor disputes

##### CODE OF REGULATIONS, TITLE 5

80332 Professional candor and honesty in letters or memoranda of employment recommendation

Randi W. v. Livingston Union School District et al., (1995) 45 Cal App. 4th 1570

# CSBA Sample Administrative Regulation

All Personnel

AR 4112.61(a)

4212.61

EMPLOYMENT REFERENCES

4312.61

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

The Superintendent or designee shall ~~process~~ be responsible for processing requests for employment references, letters of recommendation, or information about the reasons for separation regarding all district employees other than himself/herself. All letters of recommendation to be issued on behalf of the district for current or former employees shall be approved by the Superintendent or designee. At his/her discretion, the Superintendent or designee may refuse to give a recommendation.

~~Note: Pursuant to Civil Code 47, an employer cannot be sued for providing information about the job performance or qualifications of a current or former employee when such information is given to a prospective employer without malice and at the prospective employer's request. This protection does not apply, however, to information about any speech or activities that are constitutionally protected or otherwise protected by law, including those found in the Code of Civil Procedure 527.3 which upholds the right of employees to discuss labor disputes and to picket or assemble peacefully. Civil Code 47 authorizes an employer to communicate the job performance or qualifications of a current or former employee when such information is given to a prospective employer without malice and at the prospective employer's request. This authorization does not extend to information about speech or other activities that are constitutionally protected or otherwise protected by law, including those found in the Code of Civil Procedure 527.3 pertaining to the rights of workers to engage in concerted activities for the purpose of collective bargaining.~~

The district should consult with legal counsel in determining whether or not it is advisable to reveal negative information concerning an employee. In Randi W. v. Muroc Unified School District et al., the Fifth Appellate District California Supreme Court held that school authorities who recommend a former employee for hiring at another school could be held liable for physical harm to a student molested by the employee when their recommendations failed to disclose known or reasonably suspected acts of sexual misconduct previously committed by the employee.

The Superintendent or designee may communicate information about the job performance or qualifications of a current or former district employee when such information is based upon credible evidence and is given to a prospective employer without malice and at the prospective employer's request. (Civil Code 47)

Any reference, letter of recommendation, or information provided about the reasons for separation issued on behalf of the district he/she gives shall provide a careful, truthful, and complete accurate account of the employee's job performance and qualifications.

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

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

**Note: 5 CCR 80332 prohibits a certificated employee from intentionally omitting significant facts**



## EMPLOYMENT REFERENCES (continued)

**regarding a person's qualifications or stating facts which he/she does not know to be true. In addition, pursuant to Labor Code 1050 and 1052, it is a misdemeanor, punishable by a fine and/or imprisonment, for a person to make misrepresentations which prevent or attempt to prevent a former employee from obtaining employment. It is also a misdemeanor or for an employer to cause or permit an employee to so misrepresent facts or to fail to take reasonable steps to prevent such misrepresentations. In addition to these criminal penalties, Labor Code 1054 provides that the employer also may be liable for treble damages in a civil action for misrepresentation.**

No certificated employee shall write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true, relating to the professional qualifications or personal fitness to perform certificated services of any person who the writer knows will use the letter or memorandum to obtain professional employment. (5 CCR 80332)

No certificated employee shall agree to provide a positive letter of recommendation which misrepresents facts as a condition of another employee's resigning or withdrawing action against the district. (5 CCR 80332)

### Legal Reference:

#### LABOR CODE

*1050-1054 Reemployment privileges*

#### CIVIL CODE

*47 Privileged communication*

#### CODE OF CIVIL PROCEDURE

*527.3 Labor disputes*

#### CODE OF REGULATIONS, TITLE 5

*80332 Professional candor and honesty in letters or memoranda of employment recommendation*

#### COURT DECISIONS

*Randi W. v. Muroc Joint Unified School District et al., (1997) 14 Cal. 4th 1066*

(9/89 10/96) 7/17

# **Center USD**

## **Administrative Regulation**

### **Employment References**

AR 4112.61 4212.61,4312.61  
**Personnel**

No certificated employee shall write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true, relating to the professional qualifications or personal fitness to perform certificated services of any person who the writer knows will use the letter or memorandum to obtain professional employment. (Code of Regulations, Title 5, Section 80332)

No certificated employee shall agree to provide a positive letter of recommendation which misrepresents facts as a condition of another employee's resigning or withdrawing action against the district. (Title 5, Section 80332)

# CSBA Sample 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)*

Note: When hiring a temporary athletic team coach, Education Code 44919 requires districts to first make the position available to a credentialed teacher presently employed by the district. In CTA v. Rialto Unified School District, the California Supreme Court held that the law is intended to grant a current certificated employee a limited advantage in the hiring process over a noncertificated employee or a nonemployee, provided that the applicant applies for the position and meets qualification criteria established by the district.

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)

Note: 5 CCR 5596 specifies a code of ethical conduct for athletic coaches; see the accompanying administrative regulation. In addition, the California Interscholastic Federation (CIF) has adopted a set of principles to guide the conduct of coaches and other participants in interscholastic athletic competitions; see BP 6145.2 - Athletic Competition.

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)*

## TEMPORARY ATHLETIC TEAM COACHES (continued)

### Qualifications and Training

Note: 5 CCR 5593 establishes the minimum qualifications for employees serving as temporary athletic team coaches; see the accompanying administrative regulation.

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.

Note: ~~Effective July 9, 2010, AB 346 (Ch. 52, Statutes of 2010) amended Pursuant to Education Code 49024, to require any noncertificated employee or any volunteer who works with students in a district-sponsored student activity program, such as an interscholastic athletic program, is required to obtain an Activity Supervisor Clearance Certificate (ASCC) from the Commission on Teacher Credentialing, unless the district requires the candidate to clear a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal background check prior to beginning the paid or volunteer duties. See BP/AR 1240 - Volunteer Assistance and AR 4112.5/4212.5/4312.5 - Criminal Record Check. This legislation was introduced in response to legislation passed in 2009 (AB 1025, Ch. 379, Statutes of 2009) which had required noncertificated personnel or volunteers who "supervise, direct, or coach the activity" to obtain an ASCC. Thus, the Governing Board may choose whether to (1) require a temporary athletic team coach to obtain the ASCC (Option 1 below) and/or to obtain a DOJ/FBI criminal background check; (Option 2 below). The Board may select either one of the options below, combine them to allow (2) permit an individual, at his/her discretion, to obtain either the ASCC or DOJ/FBI check at the individual's discretion; or (3) to apply different requirements to different positions in the district (e.g., head coaches vs. assistant coaches; employees vs. volunteers). The following paragraph should be modified to reflect district practice.~~

In addition, ~~AB 346 amended~~ Education Code 45125.01 ~~to~~ allows multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program.; ~~see AR 4112.5/4212.5/4312.5 - Criminal Record Check~~

**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)~~

**TEMPORARY ATHLETIC TEAM COACHES (continued)**

~~**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)**

**Note: Education Code 49032 requires that all high school coaches complete a district or CIF-developed coaching education program that meets the guidelines of Education Code 35179.1 and includes training on the signs, symptoms, and appropriate response to concussions. Additionally, Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such a course every two years thereafter. See the accompanying administrative regulation.**

**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: (see next page)*

## TEMPORARY ATHLETIC TEAM COACHES (continued)

### 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 627 San 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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# Center USD

## Board Policy

### Temporary Athletic Team Coaches

BP 4127 4227,4327

#### Personnel

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 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 - Suspension/Disciplinary Action)*

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

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.63 - Steroids)*

Noncertificated coaches have no authority to give grades to students. (5 CCR 5591)

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

#### Qualifications

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.

Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, possess an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing. (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)

*(cf. 1240 - Volunteer Assistance)*

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

*(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)*

*(cf. 4212.5 - Criminal Record Check)*

*Legal Reference:*

**EDUCATION CODE**

*35179-35179.7 Interscholastic athletics*

*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*

*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**

*CTA v. Rialto Unified School District, (1997) 14 Cal. 4th 627*

*San 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**

*Pursuing Victory with Honor, 1999*

*California Interscholastic Federation Constitution and Bylaws*

**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>*

Policy  
adopted: November 17, 2010

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California



# CSBA Sample Administrative Regulation

All Personnel

AR 4127(a)

4227

TEMPORARY ATHLETIC TEAM COACHES

4327

## Qualifications

Note: 5 CCR 5593 establishes minimum qualifications for certificated and noncertificated employees assigned as temporary athletic team coaches. Pursuant to 5 CCR 5593, the Superintendent or designee is required to certify to the Governing Board that each newly hired coach meets the requirements of 5 CCR 5593; see the accompanying Board policy.

The district should modify the following section to reflect any additional criteria. Districts ~~should~~ may consider developing specific criteria for each coaching position.

~~The Superintendent or designee shall establish m~~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

**TEMPORARY ATHLETIC TEAM COACHES (continued)**

- 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)~~

Note: The qualifications required by 5 CCR 5593 for employees serving as temporary athletic team coaches do not apply to volunteer coaches. The following optional paragraph is for use by districts that require volunteers who supervise or direct an athletic program to meet those same qualifications.

**TEMPORARY ATHLETIC TEAM COACHES (continued)**

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

Note: ~~Effective July 9, 2010, AB 346 (Ch. 52, Statutes of 2010) amended Education Code 49024 to require any noncertificated employee or any volunteer who works with students in a district-sponsored interscholastic athletic program to obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, or unless the district requires the candidate to clear a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning his/her duties. See the accompanying Board policy for options that may be selected or adapted by the district.~~

~~In addition, AB 346 amended Education Code 45125.01 to allow multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program; see AR 4112.5/4212.5/4312.5 - Criminal Record Check.~~

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)*

## TEMPORARY ATHLETIC TEAM COACHES (continued)

### **High School Coaching Education Program Training**

Note: The following ~~section~~ paragraph is for use by districts that maintain high schools. Education Code 49032 requires that all high school coaches complete a coaching education program developed by the district or the California Interscholastic Federation (CIF) that meets the guidelines listed in Education Code 35179.1 and includes training on the signs, symptoms, and appropriate response to concussions. Districts that wish to set their own standards for the coaching education program instead of using the standards developed by the CIF should modify the following paragraph accordingly.

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)

Note: Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires the coach of an athletic activity, beginning July 1, 2017, to complete, and retake every two years thereafter, a training course related to the nature and warning signs of sudden cardiac arrest, including the risks associated with continuing to play or practice after experiencing fainting or seizures during exercise, unexplained shortness of breath, chest pain, dizziness, racing heart rate, or extreme fatigue. Pursuant to Education Code 33479.7, as added by AB 1639, on or after July 1, 2019 a coach who does not complete the required sudden cardiac arrest training is subject to suspension from coaching any athletic activity until the required training is completed.

Online training fulfilling this requirement is available on the CIF's web site. Furthermore, Education Code 33479.2, as added by AB 1639, requires the California Department of Education to post related information on its web site.

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

**TEMPORARY ATHLETIC TEAM COACHES (continued)**

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

(3/10 7/10) 5/17

# **Center USD**

## **Administrative Regulation**

### **Temporary Athletic Team Coaches**

AR 4127 4227,4327  
**Personnel**

#### **Qualifications**

The Superintendent or designee shall establish minimum qualification criteria for temporary athletic team coaches. These criteria shall include, but 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 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)*

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

*(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)*

*(cf. 4212.5 - Criminal Record Check)*

### High School Coaching Education Program

Each 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. 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. (Education Code 49032)

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 49032)

### 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**

# CSBA Sample Board Policy

## Administrative and Supervisory Personnel

BP 4312.1(a)

### CONTRACTS

Note: The following optional policy addresses employment contracts for individuals occupying certificated and classified administrative, supervisory, and management positions. For policy language regarding superintendent contracts, see BP 2121 - Superintendent's Contract.

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)*

Note: Education Code 35031 authorizes continuing contracts, as specified below, for any deputy, associate, or assistant superintendent in a position requiring certification qualifications. Pursuant to Education Code 35030, the title of deputy, associate, or assistant superintendent may be assigned to a business management position.

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)*

Note: Pursuant to Government Code 54957, personnel matters related to the appointment or employment of any employee may appropriately be discussed in closed session under the "personnel exception." However, pursuant to Government Code 54956, as amended by AB 1344 (Ch. 692, Statutes of 2011), the Governing Board is prohibited from calling a special meeting on the salary or other compensation of the Superintendent and other management employee. See BB 9320 Meetings and Notices and BB 9321 Closed Session Purposes and Agendas. However, Government Code 54957 prohibits the use of closed session for discussion or action on any proposed change in compensation other than a reduction that

**CONTRACTS (continued)**

results from the imposition of discipline. In San Diego Union v. City Council, a California Court of Appeal held that the "personnel exception" provided in Government Code 54957 does not extend to discussions of salary and compensation.

Notwithstanding Government Code 54957, the Governing 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. The Attorney General has opined in 57 Ops.Cal.Atty.Gen. 209 (1974) that a board may only meet in closed session under the labor exception 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 salary of administrative personnel 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 an employee 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 ~~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)*

**Note: Pursuant to Government Code 54953, as amended by SB 1436 (Ch. 175, Statutes of 2016), the Board must orally report, in an open session, a summary of the recommendation for final action on the salary and/or benefits of a "local agency executive," as defined in Government Code 3511.1, including a deputy, associate, or assistant superintendent; a department head; and any other person whose position within the district is established through an employment contract with the district. Thus, Government Code 54953 limits the Board's ability to approve changes to salary or benefits as part of a consent calendar and instead requires such approval to be a separate agenda item. For identical requirements regarding final action on the salary or benefits of the Superintendent, see BP 2121 - Superintendent's Contract.**

## CONTRACTS (continued)

**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**

**Note: The following optional paragraph provides that any contract extension be based on Board action rather than automatic "rollover" or "evergreen" provisions. Government Code 3511.2, as added by AB 1344 (Ch. 692, Statutes of 2011), prohibits the automatic renewal of a contract with a provision for automatic increase that exceeds the cost-of-living adjustment.**

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.**

**CONTRACTS (continued)**

Note: Pursuant to Government Code 53260-53264, employment contracts must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to his/her monthly salary multiplied by the number of months left on the unexpired term of the contract. If the unexpired term is greater than 18 months, this maximum is equal to the monthly salary times 18. Cash settlements may be less than these caps. The cash settlement may not include any noncash items other than health benefits, which may be continued for the unexpired term up to 18 months or until the employee finds other employment, whichever occurs first. The district must make copies of termination agreements available to the public upon request. For language reflecting these requirements, see AR 4117.5/4217.5/4317.5 - Termination Agreements.

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: (see next page)*

**CONTRACTS (continued)**

*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>

(7/07 3/12) 5/17

# Center USD

## Board Policy

### Contracts

BP 4312.1

### Personnel

The Governing Board recognizes the importance of qualified and competent individuals to lead 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 the district.

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

The Board shall 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. (Government Code 54957)

*(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 during an open session of a regularly scheduled Board meeting and reflected in the Board's minutes. Copies of the contracts shall be available to the public upon request. (Government Code 53262)

*(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 days prior to the expiration of the term of the contract. (Education Code 35031)

### **Termination of Contract**

Every employee contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the Board finds it necessary to terminate the contract prior to its expiration date. (Government Code 53260)

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

In addition, all employee 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: (see next page)*



*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*

53243-53243.4 *Abuse of office*

53260-53264 *Employment contracts*

54954 *Time and place of regular meetings*

54956 *Brown Act - Open meeting laws; special meetings*

54957 *Closed session, personnel matters*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Governance: The Board's Relationship to District Staff, 2007*

WEB SITES

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

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

# CSBA Sample Administrative Regulation

Students

AR 5145.3(a)

## NONDISCRIMINATION/HARASSMENT

Note: The following mandated administrative regulation provides measures that may be implemented by a district to comply with state and federal laws and regulations prohibiting, at school or in school-sponsored or school-related activities, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, of any student based on his/her actual or perceived race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression, or any other legally protected category or association with a person or group with one or more of these actual or perceived characteristics. Federal and state law also prohibit retaliation against those who engage in activity to protect civil rights.

5 CCR 4621 mandates the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying. In addition, 34 CFR 106.8 and other federal regulations mandate districts that receive federal financial assistance to adopt procedures for the "prompt and equitable" resolution of student and employee discrimination complaints, including the designation of one or more responsible employees to ensure district compliance with federal laws and regulations governing the district's educational programs.

During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for investigating complaints. The U.S. Department of Education's (USDOE) Office for Civil Rights (OCR) is the agency responsible for the administrative enforcement of federal antidiscrimination laws and regulations in programs and activities that receive federal financial assistance from the department. In reviewing a district's discrimination policies and procedures, OCR will examine whether the district has identified the employee(s) responsible for coordinating compliance with federal civil rights laws, including the investigation of complaints.

The following paragraphs identify the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws (e.g. Title IX and Section 504 coordinators), including the investigation and resolution of discrimination complaints under AR 1312.3 - Uniform Complaint Procedures. Note also that a district may designate more than one employee to coordinate compliance and/or receive and investigate complaints, although each employee designated as a coordinator/compliance officer must be properly trained.

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,

**NONDISCRIMINATION/HARASSMENT (continued)**

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)

Director of Personnel & Student Services  
8408 Watt Avenue, Antelope, CA 95843  
(916) 338-6413

*(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:

Note: As part of its responsibility to monitor district compliance with legal requirements concerning discrimination pursuant to Education Code 234.1, CDE is required to ensure that the district posts its nondiscrimination policies in all schools, offices, staff lounges, and student government meeting rooms. **In addition, Ffederal regulations enforced by OCR require the district to notify students, parents/guardians, and employees of its policies prohibiting discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25) and of related complaint procedures. ~~In its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts publicize their nondiscrimination notices and the full contact information for their compliance officer(s) by posting them at prominent locations on school web sites and making them available through social media.~~**

Item #1 below may be revised to specify the means by which the district publicizes its nondiscrimination policies and complaint procedures.

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.

Note: Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires districts and public schools to post on their web sites information related to Title IX (20 USC 1681-1688). A comprehensive list of rights based on the federal regulations implementing Title IX can be found in Education Code 221.8. A district that does not maintain a web site may comply by posting the information below on the web site of its county office of education. A school without a web site may comply by posting the information on the web site of the district or county office of education.

**NONDISCRIMINATION/HARASSMENT (continued)**

**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)**

**NONDISCRIMINATION/HARASSMENT (continued)**

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See also CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students. Item #~~3~~-4 below may be modified to reflect district practice.

- 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)*

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

- 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.

**NONDISCRIMINATION/HARASSMENT (continued)**

- 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)*

Note: Item #6.7 below is required pursuant to Education Code 234.1 and recommended as a best practice by OCR.

- 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)

Note: Item #7.8 below may be revised to reflect district practice. In some situations, the district may need to provide assistance to a student to protect him/her from harassment or bullying. Each situation will need to be analyzed to determine the most appropriate course of action to meet the needs of the student, based on the circumstances involved.

- 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

**NONDISCRIMINATION/HARASSMENT (continued)**

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**

Note: Education Code 234.1 requires that districts adopt a process for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying. Such a process, which is required to be consistent with the uniform complaint procedures specified in 5 CCR 4600-4687, must include (1) a requirement that school personnel who witness an act take immediate steps to intervene when safe to do so, (2) a timeline for investigating and resolving complaints, (3) an appeal process, and (4) translation of forms when required by Education Code 48985. In addition, federal regulations require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25). OCR guidance on federal civil rights requirements notes that districts may have a responsibility to respond to notice of discrimination whether or not a formal complaint is filed. In addition, in its April 2011 Dear Colleague Letter: Sexual Violence, OCR cautions that districts may have an obligation to respond to notice of sexual harassment of students which occurs off school grounds or outside school-sponsored or school-related programs or activities, since the sexual harassment may still create a hostile environment at school. This principle would also apply to harassment on other bases, such as race, gender, or disability.

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.

**NONDISCRIMINATION/HARASSMENT (continued)**

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)

Note: Though a formal complaint must be in writing pursuant to 5 CCR 4600, the district's obligation to provide a safe school environment for its students overrides the need to comply with formalities. Thus, once the district receives notice of an incident, whether verbally or in writing, it is good practice to begin the investigation of the report and to take steps to stop any prohibited conduct and address any effect on students. The following paragraph reflects such practice and is consistent with OCR recommendation.

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**

Note: The following section may be modified to reflect district practice. Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on his/her educational records. ~~The following guidelines are designed to implement Education Code 221.5, other existing state and federal laws that prohibit discrimination, and regulatory agency guidance such as the May 2016 Dear Colleague Letter: Transgender Students jointly issued by the Civil Rights Division of the U.S. Department of Justice (DOJ) and OCR. According to the jointly issued Dear Colleague Letter, a school's Title IX obligation to ensure nondiscrimination on the basis of sex requires it to provide transgender students equal access to educational programs and activities, even in circumstances in which other students,~~



## NONDISCRIMINATION/HARASSMENT (continued)

~~parents/guardians, or community members raise objections or concerns. Because Education Code 221.5 affords transgender students these rights, districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in addition, in May 2016, the U.S. Department of Education's USDOE's Office of Elementary and Secondary Education's published Examples of Policies and Emerging Practices for Supporting Transgender Students, as a resource to complement the jointly issued Dear Colleague Letter. Though OCR's enforcement of the May 2016 Dear Colleague Letter has been enjoined by a federal court, many of the recommended practices have already been adopted by California school districts to reflect state law protecting the rights of transgender students. The guidelines address certain issues and circumstances that may arise in relation to the needs of transgender and gender nonconforming students, and are by no means exhaustive. Consequently, each instance or situation should be addressed based on its particular circumstances to ensure that the safety, privacy, and other concerns of all students involved are appropriately addressed. For more information on the rights of transgender students, see CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students and its Final Guidance Regarding Transgender Students, Privacy, and Facilities Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.~~

*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

**NONDISCRIMINATION/HARASSMENT (continued)**

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:

<b>Note:</b> Timelines included in items #1-2 below may be modified to reflect district practice.
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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.

**NONDISCRIMINATION/HARASSMENT (continued)**

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.

*(cf. 1340 - Access to District Records)*  
*(cf. 3580 - District Records)*

~~Note: In the May 2016 Dear Colleague Letter, DOJ and OCR noted that there is no medical diagnosis or treatment requirement that students must meet as a prerequisite to being treated consistent with their gender identity.~~

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

**NONDISCRIMINATION/HARASSMENT (continued)**

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)*

Note: 5 CCR 432 requires the legal name, sex, date of birth, etc., of a student to be maintained as part of the student's "mandatory permanent student records" but does not prohibit keeping of other records, such as a student's preferred name, as part of the student's "permitted student records."

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)*

**NONDISCRIMINATION/HARASSMENT (continued)**

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 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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# Center USD

## Administrative Regulation

### Nondiscrimination/Harassment

AR 5145.3  
Students

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)

Director of Personnel & Student Services  
8408 Watt Avenue, Antelope, CA 95843  
(916) 338-6320

*(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, 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.

*(cf. 1113 - District and School Web Sites)*  
*(cf. 1114 - District-Sponsored Social Media)*

2. 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. 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. 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. 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. 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. 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 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, 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.

*(cf. 1340 - Access to District Records)*

*(cf. 3580 - District Records)*

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 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)*

# CSBA Sample Board Policy

Instruction

BP 6142.93(a)

## SCIENCE INSTRUCTION

**Note: The following optional policy may be revised to reflect district practice and the grade levels served by the district.**

Education Code 51210 and 51220 require that science instruction, including biological and physical aspects of science, be included in the course of study offered in grades 1-12. For grades 1-6, the course of study must include an emphasis on experimental inquiry and the place of humans in ecological systems. In grades 7-12, the course of study must include an emphasis on basic concepts, theories, and processes of scientific investigation; the place of humans in ecological systems; and appropriate applications of the interrelation and interdependence of the sciences. See AR 6143 - Courses of Study.

In addition, Education Code 51225.3 requires completion of two courses in science, including biological and physical sciences, to meet high school graduation requirements. See BP 6146.1 - High School Graduation Requirements.

Many districts integrate science, technology, engineering, and mathematics instruction (STEM), and sometimes art instruction (STEAM), to teach processes and concepts applied to real-world contexts. Further information about this interdisciplinary approach is available on the web sites of the California Department of Education (CDE) and U.S. Department of Education.

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)*

**Note: The State Board of Education (SBE) adopted the California Next Generation Science Standards (CA-NGSS) in 2013 and the Science Framework for Public Schools in 2016. Under the CA-NGSS, the focus of instruction shifts from knowing science facts to knowing and applying science concepts. The SBE's NGSS Systems Implementation Plan for California requires the CA-NGSS to be fully implemented, including updated instructional materials and science assessments, by the 2018-19 school year.**

## SCIENCE INSTRUCTION (continued)

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)*

Note: The following optional paragraph may be revised to reflect district practice. Education Code 52060 requires that the district's local control and accountability plan include goals related to, among other things, student achievement (including student enrollment in a broad course of study) and the implementation of SBE-adopted academic content and performance standards.

~~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)*~~

Note: The following paragraphs are consistent with the State Board of Education's 1989 policy statement on the teaching of natural sciences.

~~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)*~~

## SCIENCE INSTRUCTION (continued)

**Note: The following paragraph is for use by districts that offer science laboratory classes and may be modified to reflect district practice. For further information about safety practices in school science laboratories, see the CDE's comprehensive Science Safety Handbook for California Public Schools.**

**Pursuant to 8 CCR 5191, whenever a school laboratory uses hazardous chemicals, it is required to have a written chemical hygiene plan to protect employees. See BP/AR 3514.1 - Hazardous Substances. In addition, Education Code 49340-49341 encourage educational efforts to increase student and staff awareness dealing with hazardous materials in school laboratories in order to minimize injuries, loss of property, and classroom disruptions.**

**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)*

**Note: The following optional paragraph should be revised to reflect measures that will be used to evaluate program effectiveness as agreed upon by the Board and Superintendent or designee.**

**Pursuant to Education Code 60640, the California Assessment of Student Performance and Progress includes administration of science assessments at grades 5, 8, and 10. The California Standards Tests are to be used for this purpose until a science assessment that is aligned with the CA-NGSS is adopted. Students with disabilities who are unable to participate in the science assessments, even with allowable testing variations and resources, must be administered either the California Modified Assessment or California Alternate Performance Assessment in accordance with their individualized education program. See AR 6162.51 - State Academic Achievement Tests.**

**~~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: (see next page)*

**SCIENCE INSTRUCTION (continued)**

*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>**



# Center USD

## Board Policy

### Science Instruction

BP 6142.93

#### Instruction

The Governing Board believes that science education should focus on giving students an understanding of key scientific concepts and a capacity for scientific ways of thinking. Students should become familiar with the natural world and the interrelation of science, mathematics and technology. As part of their science instruction, students should learn how to apply scientific knowledge and ways of thinking for individual and social purposes.

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6143 - Courses of Study)*

*(cf. 6162.7 - Use of Technology in Instruction)*

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)*

#### *Legal Reference:*

##### **EDUCATION CODE**

*51210 Areas of study, grades 1 through 6*

*51220 Areas of study, grades 7 through 12*

#### *Management Resources:*

##### **CDE PUBLICATIONS**

*Science Framework for California Public Schools, 1990*

##### **SBE POLICIES**

*Policy Statement on the Teaching of Natural Sciences, January 13, 1989*

Policy  
adopted: June 19, 1996

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, 1996

# CSBA Sample Board Policy

Instruction

BP 6145(a)

## EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

**Note: Pursuant to Education Code 35160.5, districts maintaining grades 7-12 are mandated to adopt policy establishing eligibility requirements for student participation in extracurricular activities. See section on "Eligibility Requirements" below.**

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)*

**Note: Pursuant to various provisions of state and federal law (e.g., Education Code 220; Government Code 11135; 20 USC 1681-1688; 42 USC 2000d-2000d-7 and 12101-12213; 29 USC 794), discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. See BP 0410 - Nondiscrimination in District Programs and Activities.**

**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)*

## EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)

Note: The courts have interpreted California's constitutional "free school" guarantee, as specified in Article 9, Section 5, to extend to all activities which constitute an integral part of a student's education, including extracurricular activities. Pursuant to 5 CCR 350, constitutionally permissible fees may be charged only when specifically authorized by law, and any other fees charged for "educational activities" would be unconstitutional. However, the line between "educational activities" (no fees) and "recreational activities" (fees permissible) is not always clear. In *Hartzell v. Connell*, the California Supreme Court held that "educational activities" include extracurricular activities, drama productions, vocal music groups, instrumental groups, and cheerleading. Examples of "recreational activities" include attendance at weekend dances or athletic events. It is important to note that the Court in *Hartzell* determined that a district policy allowing for waivers of the fee based on financial need or inability to pay does not render the fee unconstitutional. Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity. As defined by Education Code 49010, "educational activity" includes curricular and extracurricular activities. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. For further information, see BP/AR 3260 - Fees and Charges and CSBA's advisory *Student Fees Litigation Update*. Districts are advised to seek legal counsel before charging fees for any activity which may be construed as related to the educational program.

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

Note: If the district maintains any of grades 7-12, Education Code 35160.5 mandates the Governing Board to adopt policy establishing eligibility requirements for student participation in extracurricular and cocurricular activities in grades 7-12. Pursuant to Education Code 35160.5, students must demonstrate "satisfactory educational progress," as provided in items #1-2 below, but districts may adopt stricter academic eligibility criteria provided such action is taken at a public meeting in accordance with Education Code 35145. Districts that have adopted stricter criteria should modify the following paragraph list accordingly.

For interscholastic athletic programs governed by the California Interscholastic Federation (CIF), student athletes are subject to additional eligibility criteria specified in CIF bylaws, including criteria related to age, grade, attendance, scholastic achievement, residence, transfers, and discipline. See BP 6145.2 - Athletic Competition.

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)

**EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)**

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)

Note: Education Code 48850 specifies that a **homeless student, or a foster youth whose residence of a student in foster care** changes pursuant to a court order or decision of a child welfare worker, ~~the student~~ shall be immediately deemed to meet all residency requirements for participation in extracurricular activities, **including, but not limited to, and interscholastic sports.** See **AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.**

In addition, Education Code 49700-49701 establish a uniform means of assisting children of active duty military families transferred from one state to another, by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians. Among other things, Education Code 49701 requires flexibility of districts' local rules to facilitate eligibility for extracurricular activities. See BP/AR 6173.2 - Education of Children of Military Families.

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**

Note: The following paragraph is **optional**. Pursuant to Education Code 35181, the Board has authority to set expectations and/or rules for student attendance, academic performance, in-school behavior, and any other aspect of school life that it deems relevant to maintaining order in district schools.

## **EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)**

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**

Note: Education Code 35160.5 requires annual review of this policy, as it relates to the participation of students in grades 7-12 in extracurricular and cocurricular activities. The following paragraph is optional for districts without any of grades 7-12.
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The Board shall annually review this policy and implementing regulations. (**Education Code 35160.5**)

*Legal Reference: (see next page)*

**EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)***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 DECISIONSHartzell 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 LEGISLATURECompact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009~~10-11~~ 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, 2010WEB SITESCSBA: <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.cic.ca.gov>

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# Center USD

## Board Policy

### Extracurricular And Cocurricular Activities

BP 6145

#### Instruction

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)*

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 for participation in extracurricular and cocurricular activities related to the educational program, including materials or equipment related to the activity.

*(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 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. 6173.1 - 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.



*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 foster youth in extracurricular activities and interscholastic sports*

48930-48938 *Student organizations*

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 Other Charges*, Fiscal Management Advisory 11-01, November 9, 2011

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

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 Association of Directors of Activities: <http://www.cadal.org>

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

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

# CSBA Sample Board Policy

Instruction

BP 6145.2(a)

## ATHLETIC COMPETITION

Note: Pursuant to Education Code 35179, the Governing Board has control of and responsibility for all aspects of district interscholastic athletic policies, programs, and activities.

Pursuant to Education Code 51242, the Board may exempt any high school student engaged in a school-sponsored interscholastic athletic program after regular school hours from the requirement to attend physical education courses; see BP 6142.7 - Physical Education and Activity.

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

Note: Pursuant to Education Code 35179, the Board is responsible for ensuring that district and interscholastic athletic policies, programs, and activities are in compliance with federal and state law. Gender equity and nondiscrimination in district and interscholastic athletic programs and activities are governed by both federal and state laws (Title IX, 20 USC 1681-1688; Education Code 200-262.4; 5 CCR 4900-4965).

**ATHLETIC COMPETITION (continued)**

~~See the accompanying administrative regulation for factors that the district must consider in determining whether equivalent opportunities are being provided.~~

In Mansourian v. Regents of University of California, the Ninth Circuit Court of Appeals ruled that a university receiving federal funds can be held liable for failing to effectively accommodate the athletic interests of both men and women even if the aggrieved women did not first provide the appropriate university officials with notice of their disadvantageous treatment and an opportunity to cure it. ~~See the accompanying administrative regulation for factors the district must consider in determining whether equivalent opportunities are being provided.~~

Education Code 221.2-221.3 (the California Racial Mascot Act) declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames in public schools to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname. The following paragraph includes an expansion of this prohibition to cover any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice. Also see BP 0410 - Nondiscrimination in District Programs and Activities.

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**

Note: The following optional section is for use by districts that maintain grades 9-12. Pursuant to Education Code 35179, the district may join an association, such as the California Interscholastic Federation (CIF), for the purpose of providing regional or statewide interscholastic athletic programs and activities for district students. Pursuant to Education Code 33353, CIF is responsible for ~~regulating secondary school athletic programs, including establishing rules for participation, under the general direction of school boards~~ **setting rules governing interscholastic athletic programs. Students who attend schools that participate in interscholastic sports are therefore subject to CIF regulations as well as applicable district rules. SB 107 (Ch. 230, Statutes of 2011) amended Education Code 33353 to extend CIF operations until January 1, 2017.**

~~The Board maintains membership~~ **Any district school that participates in the California Interscholastic Federation (CIF) and requires that interscholastic shall conduct its athletic**

**ATHLETIC COMPETITION (continued)**

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.

**Note:** Pursuant to CIF rules established in accordance with Education Code 33353, the Board is required to designate an individual from each school that participates in CIF sports to serve as a representative to the local CIF league. The name and contact information of these representatives must be annually reported to the CIF. The following paragraph may be revised to reflect district practice.

~~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**

**Note:** The following section **provides that student eligibility for participation in athletic programs shall be based on** ~~applies the same criteria for student eligibility as adopted by the Board for all other extracurricular or cocurricular activities (see BP/AR 6145 - Extracurricular and Cocurricular Activities), including criteria related to academic eligibility and residency, to athletic programs~~ and may be revised to reflect district practice.

Education Code 48850 specifies that, ~~when the residence of a student in foster care a homeless student or a foster youth whose residence changes pursuant to a court order or decision of a child welfare worker, the student shall be deemed to meet all residency requirements for participation in extracurricular activities and interscholastic sports; see AR 6173 - Education for Homeless Children and BP/AR 6173.1 - Education for Foster Youth.~~

**ATHLETIC COMPETITION (continued)**

In addition, Education Code 49700-49701 establish a uniform means of assisting children of active duty military families transferred from one state to another, by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians; see BP/AR 6173.2 - Education of Children of Military Families. Among other things, Education Code 49701 requires flexibility of districts' local rules to facilitate eligibility for extracurricular activities of children of military personnel.

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)*

Note: The following **optional** paragraph is for use by districts that participate in CIF. CIF bylaws specify eligibility criteria for participating student athletes, including criteria related to age, grade, attendance, scholastic achievement, residence, transfers, and discipline. In addition, in accordance with CIF bylaws, students in home schooling or home study/independent study programs are not eligible for CIF interscholastic competition unless they are enrolled in a program under the jurisdiction of a CIF member school district (i.e., a program in which the district approves the curriculum, administers the program, and evaluates the student).

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Note: ~~The California Supreme Court in *Hartzell v. Connell* rendered the assessment of fees for extracurricular activities illegal. CSBA's advisory entitled "Student Fees Litigation Update" clarifies that districts must provide, free of charge, all the required supplies which are necessary to fulfill the district's educational program or extracurricular activity. Thus, the district Education Code 49010-49011 and the California Department of Education's (CDE) Fiscal Management Advisory 12-02, **Pupil Fees, Deposits, and Other Charges**, clarify that districts may not charge a fee for student participation in extracurricular activities, regardless of whether the activity is elective. Such prohibited fees ~~the athletic program~~, including, but are not limited to, the cost of uniforms, locks, lockers, and equipment.~~

However, pursuant to Education Code 32220-32224, the district may charge a fee for **required medical and accident insurance** for athletic team members that is not paid for with school district or student body funds, as long as costs for insurance are covered for those determined to be financially unable to pay; see the accompanying administrative regulation and AR 5143 - Insurance. The district may also charge a fee for other students to attend athletic events as spectators since such attendance is not directly related to the educational program. Districts are advised to seek legal counsel before charging a fee for any activity which may be construed as related to the educational program.

## ATHLETIC COMPETITION (continued)

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

Note: CIF has adopted a set of principles entitled Pursuing Victory with Honor to ~~guide participants in interscholastic athletic competitions~~ **provide the tools for teaching character development to student athletes.** Districts that are not affiliated with CIF may delete or modify the following optional section to reflect district practice.

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.

Note: CIF requires students in grades 9-12 to undergo medical examinations before participating in interscholastic competition; see BP 5141.3 - Health Examinations. Pursuant to Education Code 49458, any examination required for participation in an interscholastic athletic program may be conducted by a physician or physician assistant.

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.

**ATHLETIC COMPETITION** (continued)

*(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)*

~~Note: CIF bylaws specify procedures to follow in order to prevent the spread of communicable diseases when handling student injuries, including the use of universal precautions.~~

~~In addition, Education Code 49475, as added by AB 25 (Ch. 456, Statutes of 2011), requires that an athlete a student at any grade level who is suspected of sustaining a concussion be immediately removed from the athletic activity and not returned until a health care provider provides written clearance. Education Code 33479.5, as added by AB 1639 (Ch. 792, Statutes of 2016), and CIF bylaws require that a student athlete who passes out or faints, or is known to have passed out or fainted, while participating in or immediately following an athletic activity be removed from participation and not be allowed to return until he/she has been evaluated and given written clearance to return to participation by a health care provider. See the accompanying administrative regulation.~~

~~Education Code 33479.5 and 49475 specify that these requirements do not apply during an athletic activity occurring within the regular school day or in physical education class unless it constitutes a practice, interscholastic practice, or scrimmage. However, to promote student safety, it is recommended that district staff remove a student from an athletic activity at any time of day if he/she exhibits the symptoms of a concussion or sudden cardiac arrest.~~

~~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)*

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

## ATHLETIC COMPETITION (continued)

~~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 DECISIONSMansourian v. Regents of University of California, (2010) 594 F. 3d 1095 602 F. 3d 957McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275Kahn v. East Side Union High School District, (2004 2003) 31 Cal. 4th 990Hartzell v. Connell, (1984) 35 Cal. 3d 899*Management Resources: (see next page)*



**ATHLETIC COMPETITION (continued)***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**~~**OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS**~~~~**Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter, February 22, 2017**~~~~**Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague Letter, April 20, 2010**~~**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

# Center USD

## Board Policy

### Athletic Competition

BP 6145.2

#### Instruction

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 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. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females.

*(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 in the California Interscholastic Federation (CIF) and requires that interscholastic athletic activities be conducted in accordance with Board policy, administrative regulations, and CIF bylaws and rules. 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. 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 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 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 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. 6173.1 - 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.

*(cf. 3260 - Fees and Charges)*

## **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 Conduct adopted by CIF.

Students and staff may 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 an injury occurs, the coach or other appropriate district employee shall observe universal precautions and shall remove the student athlete from the activity 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)*

*Legal Reference:*

**EDUCATION CODE**

200-262.4 *Prohibition of discrimination*

270-271 *Athletes' Bill of Rights*

17578 *Cleaning and sterilizing of football equipment*

17580-17581 *Football equipment*

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*

35160.5 *District policies; rules and regulations*

35179 *Interscholastic athletics*

48850 *Interscholastic athletics; students in foster care*

48900 *Grounds for suspension and expulsion*

48930-48938 *Student organizations*

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

*Kahn v. East Side Union High School District*, (2004) 31 Cal. 4th 990t

*McCormick v. School District of Mamaroneck*, (2004) 370 F.3d 275

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

*Legal Reference continued: (see next page)*

*Management Resources:*

CSBA PUBLICATIONS

*Student Fees Litigation Update, Education Legal Alliance Advisory, May 20, 2011*

*A School Board Member's Guide to CIF and Interscholastic Sports, 1997*

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

*California Interscholastic Federation Constitution and Bylaws*

*A Guide to Equity in Athletics*

*Acute Concussion Evaluation (ACE) Care Plan, 2006*

*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*

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

*Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague letter, April 20, 2010*

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>

Policy  
adopted: April 18, 2012

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Administrative Regulation

**Instruction**

AR 6145.2(a)

## **ATHLETIC COMPETITION**

### **Nondiscrimination and Equivalent Opportunities in the Athletic Program**

Note: The following section reflects pertinent provisions of federal and state law regarding nondiscrimination (Title IX, 20 USC 1681-1688; Education Code 200-262.4; 5 CCR 4900-4965). The Office for Civil Rights (OCR) in the U.S. Department of Education oversees complaints regarding violations of Title IX.

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)*

Note: 5 CCR 4921 and 34 CFR 106.41 authorize the establishment of separate teams for males and females where the selection of teams is based on competitive skills. 34 CFR 106.41 also authorizes single-sex teams for contact sports, as defined. Because state regulations do not address single-sex teams for contact sports, districts should consult legal counsel prior to establishing any such single-sex team for a contact sport for which selection is not based on competitive skills.

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)

Note: Pursuant to Education Code 221.5, a district is required to permit a transgender student to participate in sex-segregated school programs and activities, including athletic teams and competitions, consistent with his/her gender identity, regardless of the gender listed in the student's records; see BP/AR 5145.3 - Nondiscrimination/Harassment. The California Interscholastic Federation's (CIF) bylaws and Guidelines for Gender Identity Participation contain procedures for addressing student complaints regarding gender identity-based participation in interscholastic sports. Also see CSBA's Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities and Facilities-Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination. ~~Districts should consult legal counsel about applicable standards for determining a student's gender identity.~~

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)*

**ATHLETIC COMPETITION (continued)**

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)

Note: 5 CCR 4922 and 34 CFR 106.41, as reflected in items #1-11 below, list factors that districts must consider when determining whether equivalent opportunities are being provided. The CIF's A Guide to Equity in Athletics ~~provides suggested~~ **suggests** actions that districts can take for each of the factors to help the district meet its equivalence goals. Any district with questions about equivalent athletic opportunities for its students should consult legal counsel.

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

Note: Education Code 230 provides the following three-part test to determine if a district has effectively accommodated the interests and abilities of both sexes in athletics. This test is the same three-part test that is used by OCR for helping to determine equivalent opportunities under Title IX.

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)

Note: CIF's A Guide to Equity in Athletics advises that, in order to meet the criterion specified in item #a below, the ratio of male/female athletes should be within five percent of the ratio of male/female district enrollment.

- 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 the developing interests and abilities of the members of that sex

Note: ~~OCR issued a letter in April 2010 withdrawing its earlier guidance which relied on a single survey instrument to demonstrate that an institution is accommodating student interests and abilities in compliance with item #e below. Although OCR's letter applies to intercollegiate athletic programs, OCR's web site clarifies that the general principles also apply to interscholastic and intramural programs at elementary and secondary schools.~~



**ATHLETIC COMPETITION (continued)**

In evaluating whether there is an unmet interest in a particular sport and sufficient ability to sustain a team in the sport (item #1c below), OCR considers (1) whether an institution uses nondiscriminatory methods of assessment when determining the athletic interests and abilities of its students, (2) whether a viable team for the underrepresented sex was recently eliminated, (3) multiple indicators of interest, (4) multiple indicators of ability, and (5) frequency of conducting assessments. Thus, a student survey is one of multiple indicators that may be used. ~~The A letter issued by OCR in April 2010 letter~~ provides information that the district might consider in developing its own survey. In addition, CIF's A Guide to Equity in Athletics provides sample surveys.

- 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

Note: 5 CCR 4922 clarifies that unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams shall not by itself constitute a failure to provide equivalent opportunities. However, the provision of necessary funding for teams of both sexes is a factor in the determination, as specified below.

11. Provision of necessary funds

~~Note: Education Code 221.9, as added by SB 1349 (Ch. 258, Statutes of 2014), requires each school that offers competitive athletics (i.e., any sport that has a coach and a governing organization, practices and competes during a defined season, and has competition as its primary goal) to post the following~~

## ATHLETIC COMPETITION (continued)

~~information on its school web site beginning in the 2015-16 school year and every year thereafter. If the school does not have its own web site, then the district must post that information on the district web site, disaggregated by school site. The following paragraph may be revised to reflect district practice.~~

~~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~~**

Note: Education Code 49475 requires districts to distribute information on concussions and head injuries to student athletes and their parents/guardians. The district may use fact sheets developed by the Centers for Disease Control and Prevention (CDC), available on CIF's web site, or other resources to develop the information sheet.

The requirements of Education Code 49475 apply to any district that offers an athletic program at any grade level and for any sport. These requirements do not apply to students engaging in an athletic activity during the regular school day or as part of a physical education course.

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)*

Note: Education Code ~~35179.1 encourages the establishment of a California High School Coaching Education and Training Program for coaches' training including,~~ 49032 requires that each high school coach complete

**ATHLETIC COMPETITION (continued)**

**an education program that includes, but is not limited to, CPR and a basic understanding of the signs and symptoms of concussions and appropriate response to them. CIF makes a-free online courses available through its web site. Also see AR 4127/4227/4327 - Temporary Athletic Team Coaches.**

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)*

**Note: Education Code 49475 requires that an-athlete a student at any grade level engaged in an athletic program apart from the regular school day or physical education course who is suspected of sustaining a concussion be immediately removed from the athletic activity and not be allowed to return until a health care provider provides written clearance. CIF's CDC's web site includes an Acute Concussion Evaluation form which may be used to provide injured students and their parents/guardians with information about monitoring symptoms and the health care provider's recommendations regarding returning to daily activities, school, and sports. See also CIF's web site for additional information regarding concussions.**

**As amended by AB 2127 (Ch. 165, Statutes of 2014), Education Code 49475 requires that, if the health care provider determines that the athlete sustained a concussion or head injury, the athlete must complete a graduated return-to-play protocol as described below:**

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)**

**Note: The following paragraph is for use by districts that offer a football program and may be revised to reflect the grade levels offered by the district. AB 2127 (Ch. 165, Statutes of 2014) added Education Code 35179.5 to limit full contact practices by a middle school or high school football team, as follows:**

**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)****

**ATHLETIC COMPETITION (continued)****Sudden Cardiac Arrest**

**Note: Education Code 33479.3, as added by AB 1639 (Ch. 792, Statutes of 2016), requires that student athletes and their parents/guardians receive information on the nature and warning signs of sudden cardiac arrest, as provided below. This information is available from the CIF or, if the athletic activity is not governed by the CIF, on the California Department of Education's (CDE) web site. In addition, Education Code 33479.2, as added by AB 1639, encourages districts to post on their web sites the information provided on the CDE's web site pertaining to 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)**

**Note: Beginning July 1, 2017, Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires the coach of an athletic activity to complete, every two years, a training course related to the nature and warning signs of sudden cardiac arrest. See AR 4127/4227/4327 - Temporary Athletic Team Coaches. CIF makes free online courses available through its web site.**

**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)**

**Note: Education Code 33479.5, as added by AB 1639 (Ch. 792, Statutes of 2016), and CIF bylaws provide for a student's removal from participation in an athletic activity if he/she passes out or faints. As defined by Education Code 33479.1, as added by AB 1639, an "athletic activity" includes (1) interscholastic athletics; (2) an athletic contest or competition sponsored by a school, including cheerleading and club-sponsored sports activities; (3) noncompetitive cheerleading sponsored by a school; and (4) practices, interscholastic practices, and scrimmages for all these activities.**

**Pursuant to Education Code 33479.5, this requirement does not apply when a student engages in an athletic activity during the regular school day or as part of a physical education course, unless the activity constitutes a practice, interscholastic practice, or scrimmage. Furthermore, Education Code 33479.5 authorizes, but does not require, the removal of a student from an athletic activity if he/she exhibits symptoms of sudden cardiac arrest other than passing out or fainting, as provided below. However, to promote student safety, the district may choose to require its staff to remove a student from an athletic activity if he/she exhibits any symptom of sudden cardiac arrest at any time.**

**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,**

**ATHLETIC COMPETITION (continued)**

**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)**

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

**~~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**

**Note: The following optional section lists notices that the district may send to parents/guardians of students participating in interscholastic athletics. This section should be revised to reflect district practice.**

**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:**

**Note: Education Code 33353 requires CIF to provide information to students and parents/guardians about procedures for discrimination complaints arising from interscholastic athletic activities. Education Code 33354 allows a complainant to file a discrimination complaint directly with the California Department of Education (CDE).**

- 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)*

**Note: ~~Education Code 221.6 and 221.8, as amended and renumbered pursuant to AB 1538 (Ch. 43, Statutes of 2015), require the CDE to post on its web site a list of student rights based on Title IX. Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires districts to post specified information on their web sites related to Title IX. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive~~**

**ATHLETIC COMPETITION (continued)**

**list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. See AR 5145.3 - Nondiscrimination/Harassment. Optional item #2 below provides that this information will also be provided in writing to the parents/guardians of student athletes.**

2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8

Note: In Kahn v. East Side Union High School District, the California Supreme Court analyzed the liability of a coach for an injury to a member of a high school diving team. The court acknowledged that some risk of injury is inherent in sports and part of a coach's job is to "push" a student athlete to advance his/her skill level and to undertake more difficult tasks. According to the court, a coach could be found liable only when he/she intentionally injures the student or engages in conduct that is so reckless that it is outside of the ordinary activity involved in teaching or coaching the sport.

The district may or may not wish to seek a waiver of liability for accidents or injuries resulting from participation in athletic activities. Whether a liability waiver is legally effective is likely to be determined on a case-by-case basis, and it is questionable whether a student's right to participate in extracurricular activities could be made contingent upon the submission of a waiver. Legal counsel should be consulted when addressing the complex issues related to liability waivers.

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)*

Note: Education Code 32221.5 requires the district to provide information about insurance protection to each student participating on a school athletic team. For specific language that must be contained in this statement, see AR 5143 - 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)*

Note: Pursuant to Education Code 48900, a student may be subject to suspension or expulsion if he/she engages, or attempts to engage, in hazing.

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)*

**ATHLETIC COMPETITION (continued)**

7. Includes a copy of the local California Interscholastic Federation (CIF) league rules

Note: ~~As required by Pursuant to Education Code 49033; and CIF bylaws, require~~ any student participating in athletics and his/her parent/guardian ~~must to~~ sign a statement that the student will not use **androgenic/anabolic steroids, unless he/she has a written prescription from a licensed health care practitioner**, or dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance ~~synephrine, unless the student has a written prescription from a licensed health care practitioner to treat a medical condition~~. See BP/AR/E 5131.63 - Steroids.

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)*

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# Center USD

## Administrative Regulation

### Athletic Competition

AR 6145.2  
**Instruction**

#### **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 the developing interests and abilities of the members of that sex
  - 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 #b 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 post the following information 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: (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**

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)*

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)

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.

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response.

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

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)

### **Parental Notifications**

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall 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 or dietary supplements banned by the U.S. Anti-Doping Agency

*(cf. 5131.63 - Steroids)*

# Center USD

## Board Policy

### Work-Based Learning

BP 6178.1

#### Instruction

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. Work-based learning opportunities offered by the district shall be designed to teach 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)*

Work-based learning opportunities offered by the district may include paid and/or unpaid work experiences, including, but not limited to, work experience education as defined in Education Code 51764, cooperative CTE or community classrooms as defined in Education Code 52372.1, job shadowing as defined in Education Code 51769, student internships, apprenticeships, service learning, employment in social/civic or school-based enterprises, and technology-based or other simulated work experiences.

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

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)

District staff shall coordinate with the workplace supervisor or mentor to ensure appropriate guidance and supervision of participating students and maximum educational benefit from placement in the program.

A minor student shall be issued a work permit before beginning employment through a paid work-based learning program 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 each student's participation in the program, including, but not limited to, the student's individualized training plan, his/her employment hours and job site, work permit if applicable, employer's report of student's attendance and job performance, the teacher/coordinator's consultations and observations, and 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: (see next page)*

*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

*Multiple Pathways to Student Success: Envisioning the New California High School, 2010*  
*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*

WEST ED PUBLICATIONS

*Work-Based Learning in California: Opportunities and Models for Expansion, 2009*

WEB SITES

CSBA: <http://www.csba.org>  
California Association of Work Experience Educators: <http://www.cavee.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>

Policy  
adopted: October 17, 2012

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Board Policy

Instruction

BP 6161.1(a)

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Note: Pursuant to Education Code 60200 and 60400, the Governing Board is responsible for the adoption of textbooks and other instructional materials, as defined in Education Code 60010, for use in district schools. See the accompanying administrative regulation for required and optional criteria for the selection of instructional materials. See BP 6161.11 - Supplementary Instructional Materials and BP 6163.1 - Library Media Centers for selection processes regarding supplementary materials.

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect society's diversity, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

*(cf. 0440 - District Technology Plan)*  
*(cf. 6000 - Concepts and Roles)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6143 - Courses of Study)*  
*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6161.11 - Supplementary Instructional Materials)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6163.1 - Library Media Centers)*

Note: The following paragraph is for use by districts that maintain any of grades K-8 and may be revised to reflect the grade levels offered by the district. Pursuant to Education Code 60200, the State Board of Education (SBE) is required to adopt basic instructional materials in specified subjects that districts may select for use in grades K-8. ~~AB 1246 (Ch. 668, Statutes of 2012) amended Education Code 60200, 60203, 60207, and 60209 to revise the process and timelines used by the state to adopt such materials. As amended by AB 575 (Ch. 550, Statutes of 2016), Education Code 60200 provides that the SBE may adopt materials in any of the specified subject areas at least once, but not more than twice, every eight years.~~

~~AB 1246 also added~~ Education Code 60210, ~~which~~ authorizes the Board to select materials that have not been approved by the SBE, provided they are aligned with state academic content standards or Common Core State Standards. In addition, if the district uses materials not adopted by the SBE, the majority of participants in the review process must be teachers assigned to the subject area or grade level for which the materials will be used; see section below entitled "Review Process."

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code 60605 or the Common Core State Standards adopted pursuant to Education Code 60605.8. (Education Code 60200, 60210)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

Note: The following paragraph is for use by districts that maintain high schools.

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (Education Code 60400)

~~Note: The following optional paragraph is consistent with priorities established in Education Code 60119 to ensure that each student is provided with sufficient standards aligned instructional materials in four core curriculum areas: English/language arts, mathematics, science, and history-social science. The Instructional Materials Funding Realignment Program (Education Code 60420-60424), which had provided a block grant for instructional materials with a priority on materials that are aligned to state standards in those core courses, was repealed by AB 1246 (Ch. 668, Statutes of 2012).~~

~~The Board's priority in the selection of instructional materials is to ensure that all students are provided with standards aligned instructional materials in the core curriculum areas of English/language arts, mathematics, science, and history-social science.~~

**Review Process**

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

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.

*(cf. 1220 - Citizen Advisory Committees)*

Note: Pursuant to Education Code 60002, the Board must provide for "substantial" teacher involvement in the selection of instructional materials and must promote the involvement of parents/guardians and other members of the community in the selection of instructional materials. The Education Code does not define "substantial."

The review process shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members. (Education Code 60002)

*(cf. 6020 - Parent Involvement)*

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.

Note: The following paragraph is for use by districts that maintain any of grades K-8. ~~Education Code 60210, as added by AB 1246 (Ch. 668, Statutes of 2012), adds the following requirement for the review of K-8 materials that have not been adopted by the SBE.~~



**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

If the district chooses to use instructional materials for grades K-8 that have not been adopted by the SBE, the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.

*(cf. 9270 - Conflict of Interest)*

The committee shall review instructional materials using criteria provided in law and administrative regulation, and shall provide the Board with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

*(cf. 5020 - Parent Rights and Responsibilities)*

Note: SBE Policy on Guidelines for Piloting Textbooks and Instructional Materials provides a sample process for piloting instructional materials that addresses the selection of materials to pilot, a chronology of the process, and additional considerations, such as conflict of interest, contacts with publishers, and consideration of standards maps.

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

**Public Hearing on Sufficiency of Instructional Materials**

Note: As a condition of receiving funds for instructional materials from any state source, Education Code 60119 requires the Board to annually hold a public hearing to determine whether each student in the district has sufficient standards-aligned textbooks or instructional materials in English/language arts (including English language development), mathematics, science, and history-social science that are consistent with the content and cycles of the curriculum framework adopted by the SBE. As clarified in the California Department of Education's (CDE) Instructional Materials FAQ, state funding sources for instructional materials include local control funding formula funds and Proposition 20 (2000) lottery funds. The Board must also make a written determination during the hearing as to the sufficiency of textbooks or instructional materials in foreign language and health courses, as well as science laboratory equipment in science laboratory courses, although the provision of the materials or the equipment in these courses is not a condition for receipt of state funding.

Education Code 1240 requires the County Superintendent of Schools to review the textbooks and instructional materials of underperforming schools ranked in deciles 1-3 of the Academic Performance Index (API). If

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

~~the County Superintendent and, if he/she~~ determines that a school does not have sufficient materials, ~~he/she~~ must to prepare a report outlining the noncompliance and give the district a chance to remedy the deficiency. If the deficiency is not remedied by the second month of the school year, the County Superintendent may request that the ~~California Department of Education (CDE)~~ purchase textbooks or materials for the district, and the cost must be repaid by the district. The CDE will issue a public statement at an SBE meeting indicating the district's failure to provide instructional materials.

The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks and other instructional materials. (Education Code 60119)

Note: Education Code 60119 specifies that the hearing must be held within eight weeks of the beginning of the school year. Option 1 is for use by districts without any schools on a multitrack year-round calendar. Option 2 is for use by districts with schools on a multitrack year-round calendar.

**OPTION 1:** The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

~~**OPTION 2:** The hearing shall be held on or before the end of the eighth week from the first day of the school year of any district school that operates on a multitrack year-round calendar that begins its school year in August or September. (Education Code 60119)~~

Note: The remainder of this policy applies to all districts.

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

*(cf. 9322 - Agenda/Meeting Materials)*

Note: Education Code 60119 requires the Board to adopt a resolution indicating whether or not each student in each school has sufficient standards-aligned textbooks or instructional materials **for the subjects specified in items #1-6 below.** ~~although the provision of the materials or the equipment in these courses is not a condition for receipt of state instructional materials funding. AB 1246 (Ch. 668, Statutes of 2012) amended Education Code 60119 to provide that the materials may be aligned to either state content standards adopted pursuant to Education Code 60605 or Common Core Standards adopted pursuant to Education Code 60605.8. See the accompanying Exhibit for a sample resolution.~~

~~Pursuant to Education Code 60119, the determination of the sufficiency of textbooks or instructional materials for mathematics, science, history social science, and English/language arts is a condition for receipt of state instructional materials funding. The Board must also make a written determination during the hearing as to the sufficiency of textbooks or instructional materials in foreign language and health courses, as well as science laboratory equipment in science laboratory courses, although the provision of the materials or the equipment in these courses is not a condition for receipt of state instructional materials funding.~~

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials which are aligned to the state content standards adopted pursuant to Education Code 60605 or the Common Core **State** Standards adopted pursuant to Education Code 60605.8 and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined in each of the following subjects: (Education Code 60119)

1. Mathematics

*(cf. 6142.92 - Mathematics Instruction)*

2. Science

*(cf. 6142.93 - Science Instruction)*

3. History-social science

*(cf. 6142.94 - History-Social Science Instruction)*

4. English language arts, including the English language development component of an adopted program

*(cf. 6142.91 - English/Language Arts Instruction)*

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

5. **World/Foreign** language

*(cf. 6142.2 - World/Foreign Language Instruction)*

6. Health

*(cf. 6142.8 - Comprehensive Health Education)*

**Note:** The following paragraph is for use by districts that maintain any of grades 9-12.

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

class and to take home as all other students in the same class or course in the district and has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

~~Note: Education Code 1240.3 and 42605 specify that, for the 2008-09 through 2014-15 fiscal years, "sufficiency" means that all students in the district who are enrolled in the same course have "identical" standards-aligned textbooks and instructional materials from the same adoption cycle. However, Education Code 1240.3 does not require districts to purchase all of the instructional materials included in an adoption cycle if the materials that are purchased are made available to all the students for whom they are intended in all of the schools within the district.~~

~~For example, fourth-grade students at all district schools must have instructional materials from the same SBE science adoption cycle, though fourth-grade students at different schools could be using materials from different publishers within the same adoption cycle. However, the district may use materials from different adoption cycles for grades K-3 and grades 4-8 since those students are not in the same "course."~~

~~The Board shall also make a determination that all students within the district who are enrolled in the same course have "identical" standards-aligned textbooks or instructional materials from the same adoption cycle, as defined in Education Code 1240.3 and 60119, (Education Code 1240.3, 42605)~~

~~Note: The following paragraph is optional. Education Code 1240.3 authorizes the district, until July 1, 2015, to purchase the newest adopted instructional materials for the neediest schools in the district without incurring a duty to purchase these materials for students in other district schools. This provision will be used by the County Superintendent through fiscal year 2014-15 whenever he/she visits schools ranked in deciles 1-3 of the API to determine the sufficiency of instructional materials pursuant to Education Code 1240.~~

~~However, the district may purchase the newest adopted instructional materials for students in district schools ranked in deciles 1-3 of the base Academic Performance Index in any one of the past three school years without necessarily purchasing these materials for use in other district schools. (Education Code 1240.3)~~

Note: Pursuant to Education Code 60119, if the Board makes a determination that there are insufficient textbooks or instructional materials, the Board must take action to ensure that the materials are provided within two months of the beginning of the school year. The CDE's [Instructional Materials FAQ](#) states that, if a district has submitted purchase orders to the publisher to purchase materials to remedy the insufficiency, these materials should be received and made available to students by the end of the second month of the school year. Thus, districts are strongly encouraged to hold the public hearing as early in the school year as possible in order to provide sufficient time to correct any deficiencies.

If the Board determines that there are insufficient textbooks or instructional materials, it shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

student does not have sufficient textbooks or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

**The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)**

*(cf. 0460 - Local Control and Accountability Plan)*

### Complaints

Note: Complaints regarding the contents of instructional materials are addressed in BP/AR 1312.2 - Complaints Concerning Instructional Materials. See AR 1312.4 - Williams Uniform Complaint Procedures for language regarding complaints about deficiencies in instructional materials.

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*Legal Reference: (see next page)*

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)***Legal Reference:***EDUCATION CODE**

220 Prohibition against discrimination

1240 County superintendent, general duties

~~1240.3 Definition of sufficiency for categorical flexibility~~

33050-33053 General waiver authority

33126 School accountability report card

35272 Education and athletic materials

~~42605 Tier 3 categorical flexibility~~

44805 Enforcement of course of studies; use of textbooks, rules and regulations

49415 Maximum textbook weight

51501 Nondiscriminatory subject matter

52060-52077 Local control and accountability plan

60000-60005 Instructional materials, legislative intent

60010 Definitions

60040-60052 Instructional requirements and materials

60060-~~60062~~ 60063.5 Requirements for publishers and manufacturers

60070-60076 Prohibited acts (re instructional materials)

60110-60115 Instructional materials on alcohol and drug education

60119 Public hearing on sufficiency of materials

60200-60210 Elementary school materials

60226 Requirements for publishers and manufacturers

60350-60352 Core reading program instructional materials

60400-60411 High school textbooks

60510-60511 Donation for sale of obsolete instructional materials

60605 State content standards

60605.8 Common Core State Standards

60605.86-60605.88 Supplemental instructional materials aligned with Common Core State Standards

**CODE OF REGULATIONS, TITLE 5**

9505-9530 Instructional materials

*Management Resources:***CSBA PUBLICATIONS**~~Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance~~~~Teams, Budget Advisory, March 2009~~**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS****Instructional Materials FAQ**01-05 Guidelines for Piloting Textbooks and Instructional Materials, September 2001 rev. January 2015Standards for Evaluating Instructional Materials for Social Content, 2000-2013**WEB SITES**CSBA: <http://www.csba.org>Association of American Publishers: <http://www.publishers.org>

California Academic Content Standards Commission, Common Core State Standards:

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

(11/11 11/12) 7/17

# Center USD

## Board Policy

### Selection And Evaluation Of Instructional Materials

BP 6161.1

#### Instruction

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy.

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect society's diversity, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

*(cf. 0440 - District Technology Plan)*

*(cf. 6000 - Concepts and Roles)*

*(cf. 6011 - Academic Standards)*

*(cf. 6141 - Curriculum Development and Evaluation)*

*(cf. 6143 - Courses of Study)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6163.1 - Library Media Centers)*

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code 60605 or the Common Core Standards adopted pursuant to Education Code 60605.8. (Education Code 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (Education Code 60400)

The Board's priority in the selection of instructional materials is to ensure that all students are provided with standards-aligned instructional materials in the core curriculum areas of English/language arts, mathematics, science, and history-social science.

### **Review Process**

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.

*(cf. 1220 - Citizen Advisory Committees)*

The review process shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members. (Education Code 60002)

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.

If the district chooses to use instructional materials for grades K-8 that have not been adopted by the SBE, the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.

*(cf. 9270 - Conflict of Interest)*

The committee shall review instructional materials using criteria provided in law and administrative regulation, and shall provide the Board with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

*(cf. 5020 - Parent Rights and Responsibilities)*

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

### **Public Hearing on Sufficiency of Instructional Materials**



The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks and other instructional materials. (Education Code 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

*(cf. 9322 - Agenda/Meeting Materials)*

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials which are aligned to the state content standards adopted pursuant to Education Code 60605 or the Common Core Standards adopted pursuant to Education Code 60605.8 and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined in each of the following subjects: (Education Code 60119)

1. Mathematics

*(cf. 6142.92 - Mathematics Instruction)*

2. Science

*(cf. 6142.93 - Science Instruction)*

3. History-social science

*(cf. 6142.94 - History-Social Science Instruction)*

4. English language arts, including the English language development component of an adopted program

*(cf. 6142.91 - English/Language Arts Instruction)*

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

5. Foreign language

*(cf. 6142.2 - World/Foreign Language Instruction)*

6. Health

*(cf. 6142.8 - Comprehensive Health Education)*

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district and has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

The Board shall also make a determination that all students within the district who are enrolled in the same course have "identical" standards-aligned textbooks or instructional materials from the same adoption cycle, as defined in Education Code 1240.3 and 60119. (Education Code 1240.3, 42605)

However, the district may purchase the newest adopted instructional materials for students in district schools ranked in deciles 1-3 of the base Academic Performance Index in any one of the past three school years without necessarily purchasing these materials for use in other district schools. (Education Code 1240.3)

If the Board determines that there are insufficient textbooks or instructional materials, it shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

### **Complaints**

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*Legal Reference: (see next page)*

*Legal Reference:*

EDUCATION CODE

220 *Prohibition against discrimination*  
1240 *County superintendent, general duties*  
1240.3 *Definition of sufficiency for categorical flexibility*  
33050-33053 *General waiver authority*  
33126 *School accountability report card*  
35272 *Education and athletic materials*  
42605 *Tier 3 categorical flexibility*  
44805 *Enforcement of course of studies; use of textbooks, rules and regulations*  
49415 *Maximum textbook weight*  
51501 *Nondiscriminatory subject matter*  
60000-60005 *Instructional materials, legislative intent*  
60010 *Definitions*  
60040-60052 *Instructional requirements and materials*  
60060-60062 *Requirements for publishers and manufacturers*  
60070-60076 *Prohibited acts (re instructional materials)*  
60110-60115 *Instructional materials on alcohol and drug education*  
60119 *Public hearing on sufficiency of materials*  
60200-60210 *Elementary school materials*  
60226 *Requirements for publishers and manufacturers*  
60240-60252 *State Instructional Materials Fund*  
60350-60352 *Core reading program instructional materials*  
60400-60411 *High school textbooks*  
60510-60511 *Donation for sale of obsolete instructional materials*  
60605 *State content standards*  
60605.8 *Common Core Standards*  
60605.86-60605.88 *Supplemental instructional materials aligned with Common Core Standards*  
CODE OF REGULATIONS, TITLE 5  
9505-9530 *Instructional materials*

*Management Resources:*

CSBA PUBLICATIONS

*Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

01-05 *Guidelines for Piloting Textbooks and Instructional Materials, September 2001*  
*Standards for Evaluating Instructional Materials for Social Content, 2000*

WEB SITES

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

Association of American Publishers: <http://www.publishers.org>

California Academic Content Standards Commission, *Common Core Standards:*

<http://www.scoe.net/castandards>

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

# CSBA Sample Exhibit

Instruction

E 6161.1(a)

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

### Resolution On Sufficiency Of Instructional Materials

Note: ~~As a condition of receiving instructional materials funding from any state source,~~ Education Code 60119 requires that the Governing Board hold an annual public hearing regarding the sufficiency of textbooks or other instructional materials and determine through a resolution whether each student has sufficient materials; see the accompanying Board policy. "Sufficient textbooks or instructional materials," as defined in Education Code 60119, means that each student in the district, including each English learner, has a standards-aligned textbook or instructional materials, which may include materials in a digital format under specified conditions, to use in class ~~or~~ and to take home.

The following sample resolution is based on the 2008 sample resolution developed by the California Department of Education (CDE) but has been updated to reflect new law. This resolution may be used to certify compliance with Education Code 60119.

Whereas, the Governing Board of the ~~(name of school district/county office of education)~~, in order to comply with the requirements of Education Code 60119, held a public hearing on ~~(date)~~, at ~~(time)~~ o'clock, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or instructional materials were provided to all students, including English learners, in the ~~(name of school district/county office of education)~~, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Note: ~~Education Code 1240.3 and 42605 specify that, for the 2008-09 through 2014-15 fiscal years, "sufficiency" means that all students in the district who are enrolled in the same "course" have standards-aligned textbooks and instructional materials from the same adoption cycle; see the accompanying Board policy.~~

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

~~Whereas, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the (name of school district/county office of education), have standards aligned textbooks or instructional materials from the same adoption cycle, and;~~

~~Note: Pursuant to Education Code 60119, as amended by AB 1246 (Ch. 668, Statutes of 2012), a determination as to whether the instructional materials are "standards aligned" may be based on alignment to either state academic content standards adopted by the State Board of Education pursuant to Education Code 60605 or the Common Core Standards adopted pursuant to Education Code 60605.8;~~

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards adopted by the State Board of Education pursuant to Education Code 60605 and/or the Common Core **State** Standards adopted pursuant to Education Code 60605.8;

**Finding of Sufficient Textbooks or Instructional Materials**

Note: The following section is for use when the Board is making a finding that the district has "sufficient" materials. According to the CDE, Education Code 60119 requires documentation of sufficiency of textbooks or instructional materials to be presented at the public hearing. Survey forms are available on the CDE's web site which may be used as a self-study and county office validation tool for grades K-12.

Whereas, sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks were provided to each student, including each English learner, in the following subjects:

Note: To provide complete information about the basis for the Board's determination of sufficiency, the district may wish to include the names of the textbooks or instructional materials provided to students, as well as the applicable state adoption cycle.

- ~~Mathematics: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)~~  
\_\_\_\_\_  
\_\_\_\_\_
  
- ~~Science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)~~  
\_\_\_\_\_  
\_\_\_\_\_
  
- ~~History-social science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)~~  
\_\_\_\_\_  
\_\_\_\_\_

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

- English language arts, including the English language development component of an adopted program: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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Note: Pursuant to Education Code 60119, the Board must also include a written determination for the following subject areas, although these determinations are not a condition for receipt of state instructional materials funds:

- ~~World/Foreign language: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)~~

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- ~~Health: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)~~

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Note: The following paragraph is for use by districts that maintain grades 9-12. The Board may provide a list of the science laboratory classes offered in grades 9-12 and details on the science laboratory equipment available for these classes.

Whereas, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the (year) school year, the (name of school district/county office of education) has provided each student with sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks.

**Finding of Insufficient Textbooks or Instructional Materials**

Note: The following section is for use when the Board is making a finding of "insufficient" materials. Education Code 60119 requires that the Board's resolution list, for each school for which an insufficiency exists, the percentage of students at each grade level who lack sufficient materials in each of the subject areas listed below. ~~The provision of sufficient foreign language and health materials is not a condition of receipt of instructional materials funds.~~

Whereas, information provided at the public hearing and to the Board at the public meeting detailed that insufficient standards-aligned textbooks or instructional materials were provided to students in the following subjects and grade levels at district schools: (For each school,

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**

*list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in mathematics, science, history-social science, English language arts, world/foreign language, and health.)*

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Whereas, sufficient textbooks or instructional materials were not provided at each school listed above due to the following reasons: *(For each school at which there is an insufficiency, list the reasons that each student does not have sufficient instructional materials in each subject and grade level listed above.)*

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Therefore, it is resolved, that for the *(year)* school year, the *(name of school district/county office of education)* has not provided each student with sufficient textbooks or instructional materials that are consistent with the cycles and content of the curriculum framework, and;

Be it further resolved, that the following actions will be taken to ensure that all students have sufficient standards-aligned textbooks or instructional materials in all subjects that are consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. *(List actions to be taken to resolve insufficiency. See Education Code 60119(a)(2)(B) for other funds that may be used to ensure sufficient instructional materials.)*

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PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

(11/11 11/12) 7/17

# Center USD

## Exhibit

### Selection And Evaluation Of Instructional Materials

E 6161.1

#### Instruction

#### RESOLUTION ON SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Whereas, the Governing Board of the Center Joint Unified School District, in order to comply with the requirements of Education Code 60119, held a public hearing on *(date)*, at *(time)* o'clock, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or instructional materials were provided to all students, including English learners, in the Center Joint Unified School District, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the Center Joint Unified School District, have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards adopted by the State Board of Education pursuant to Education Code 60605 and/or the Common Core Standards adopted pursuant to Education Code 60605.8;

#### Finding of Sufficient Textbooks or Instructional Materials



Whereas, sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks were provided to each student, including each English learner, in the following subjects:

- Mathematics: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- Science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- History-social science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- English language arts, including the English language development component of an adopted program: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- Foreign language: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- Health: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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Whereas, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the (year) school year, the Center Joint Unified School District has provided each student with sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks.

**Finding of Insufficient Textbooks or Instructional Materials**

Whereas, information provided at the public hearing and to the Board at the public meeting detailed that insufficient standards-aligned textbooks or instructional materials were provided to students in the following subjects and grade levels at district schools: *(For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in mathematics, science, history-social science, English language arts, foreign language, and health.)*

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Whereas, sufficient textbooks or instructional materials were not provided at each school listed above due to the following reasons: *(For each school at which there is an insufficiency, list the reasons that each student does not have sufficient instructional materials in each subject and grade level listed above.)*

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Therefore, it is resolved, that for the *(year)* school year, the Center Joint Unified School District has not provided each student with sufficient textbooks or instructional materials that are consistent with the cycles and content of the curriculum framework, and;

Be it further resolved, that the following actions will be taken to ensure that all students have sufficient standards-aligned textbooks or instructional materials in all subjects that are consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. *(List actions to be taken to resolve insufficiency. See Education Code 60119(a)(2)(B) for other funds that may be used to ensure sufficient instructional materials.)*

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PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

Exhibit  
version: April 17, 2013

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Board Policy

Instruction

BP 6178.1(a)

## WORK-BASED LEARNING

Note: The following optional policy is for use by districts maintaining middle and/or high schools and should be revised to reflect district practice.

Under the state plan for career technical education (CTE), each district receiving funds under the Carl D. Perkins Career and Technical Education Act (20 USC 2301-2414) is required to include specified components in its CTE program, including practical application and experience through actual or simulated work-based learning assignments. Other districts may offer work-based learning opportunities at their discretion. Also see BP/AR 6178 - Career Technical Education.

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~~work-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)*

Note: The following ~~paragraph may list~~ **should** be revised to reflect the program(s) ~~available in~~ offered by the district. Education Code 51760.1 authorizes districts, county offices of education, regional occupational centers/programs, and partnership academies to provide work-based learning opportunities which may include, but are not limited to, work experience education (WEE), community classrooms or cooperative CTE programs, and job shadowing experiences, as described in items #1-3 below. See the accompanying administrative regulation for legal requirements pertaining to these programs. In addition, although not specified in state law, items #4-8 below provide other examples of work-based learning opportunities cited in the state's CTE curriculum framework and the California Department of Education (CDE) publication Multiple Pathways to Student Success: Envisioning the New California High School, available on WestEd's web site., ~~include student internships/field study, apprenticeships, service learning, work in social/civic enterprises or school-based enterprises such as student stores, and technology-based or other simulated work experiences.~~

~~The district's w~~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~~work experience education as defined in Education Code 51764;
2. ~~C~~ooperative CTE or community classrooms as defined in Education Code 52372.1;
3. ~~J~~job shadowing **experience** as defined in Education Code 51769;

**WORK-BASED LEARNING (continued)**

4. ~~S~~student internships;
5. ~~A~~apprenticeships;
6. ~~S~~service 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)**

**Note: The following paragraph is optional.**

**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)**

**Note: Pursuant to 5 CCR 10070, the district is required to submit a secondary district plan to the CDE along with its WEE program application. 5 CCR 10070 also requires the district to submit evidence that the Governing Board has approved the district plan (e.g., meeting minutes). The following paragraph ensures the Board's involvement when any work-based learning program requires CDE or other state agency approval.**

**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.**

**Note: The following optional paragraph may be revised to reflect district practice. Education Code 51760.1 encourages districts to work with any local workforce investment board youth councils and workforce investment boards established by Education Code 51760.2 to coordinate work-based learning opportunities and facilitate regional planning.**

~~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.~~

## WORK-BASED LEARNING (continued)

*(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)*

Note: Districts that offer WEE programs are required by 5 CCR 10070-10071, ~~as amended by Register 2011, No. 12,~~ to develop a written training agreement with each employer with specified components and assurances. 5 CCR 10087 and 10108 require the development of a training agreement and individual student training plans for community classrooms and cooperative CTE programs. Districts that do not offer these specific programs may delete or revise the following paragraph.

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.~~

Note: Education Code 49160 prohibits any person, firm, or corporation from employing a minor under age 18 without a work permit issued by the proper education authority, with specified exceptions. See BP/AR 5113.2 - Work Permits. Work permits are not required for unpaid work-based learning opportunities. Districts that offer only unpaid programs should delete the following paragraph.

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)

Note: The following **optional** paragraph may be revised to reflect district practice. According to the CDE's Work Experience Education Guide, students participating in a paid work-based learning program must be covered by their employer for workers' compensation insurance pursuant to Education Code 51769. Students participating in an unpaid work-based learning program must be covered by the district's insurance, unless the employer elects to provide such coverage.

## WORK-BASED LEARNING (continued)

In addition, Education Code 35208 requires districts to insure against liability. Pursuant to Education Code 51760, the ~~Governing~~ Board may choose to purchase liability insurance for students participating in work-based learning programs off school grounds or may require such students to purchase insurance and pass on all or a portion of the costs to the district, at the discretion of the Board.

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)*

~~Note: 5 CCR 10075 establishes requirements related to the qualifications of WEE teacher-coordinators. As amended by Register 2011, No. 12, 5 CCR 10075 provides that the requires a WEE teacher-coordinator may to possess any valid preliminary, professional clear, or life credential or other nonintern teaching credential that authorizes the teacher to teach in California K-12 schools. Pursuant to 5 CCR 10080 and 10100, teachers of community classrooms and cooperative CTE programs must be certificated CTE teachers.~~

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)*

Note: The following **optional** paragraph may be revised to reflect indicators agreed upon by the Board and Superintendent for evaluating program effectiveness.

The Superintendent or designee shall **may** 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: (see next page)*

**WORK-BASED LEARNING (continued)**

*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: (see next page)*

**WORK-BASED LEARNING (continued)**

*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>*



# Center USD

## Board Policy

### Work-Based Learning

BP 6178.1

#### Instruction

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. Work-based learning opportunities offered by the district shall be designed to teach 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)*

Work-based learning opportunities offered by the district may include paid and/or unpaid work experiences, including, but not limited to, work experience education as defined in Education Code 51764, cooperative CTE or community classrooms as defined in Education Code 52372.1, job shadowing as defined in Education Code 51769, student internships, apprenticeships, service learning, employment in social/civic or school-based enterprises, and technology-based or other simulated work experiences.

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

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)

District staff shall coordinate with the workplace supervisor or mentor to ensure appropriate guidance and supervision of participating students and maximum educational benefit from placement in the program.

A minor student shall be issued a work permit before beginning employment through a paid work-based learning program 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 each student's participation in the program, including, but not limited to, the student's individualized training plan, his/her employment hours and job site, work permit if applicable, employer's report of student's attendance and job performance, the teacher/coordinator's consultations and observations, and 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: (see next page)*

*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

Multiple Pathways to Student Success: Envisioning the New California High School, 2010

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

WEST ED PUBLICATIONS

Work-Based Learning in California: Opportunities and Models for Expansion, 2009

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>

Policy  
adopted: October 17, 2012

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Administrative Regulation

Instruction

AR 6178.1(a)

## WORK-BASED LEARNING

Note: The following optional administrative regulation is for use by districts maintaining middle and/or high schools that provide any of the work-based learning programs authorized by Education Code 51760.1. Pursuant to Education Code 51760.1, students participating in work-based learning programs must be afforded the same statutory and regulatory safeguards, when applicable, as students participating in work experience education (WEE) programs offered pursuant to Education Code 51764. The district should select the section(s) below that reflect the program(s) available in the district.

### Work Experience Education

Note: The following optional section is for use by districts that offer a WEE program pursuant to Education Code 51764 51760.1 and 5 CCR 10070-10075, and may be revised to reflect district practice. ~~Any of~~ Although the WEE programs described in items #1-3 below may enroll students under age 16, ~~such but~~ only students ~~who are age 16 or older~~ may only receive credit for general WEE or career technical WEE ~~except~~ under the limited circumstances specified in Education Code 51760.3. For further information about the operation of WEE programs, see the California Department of Education's (CDE) Work Experience Education Guide.

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

Note: ~~5 CCR 10071, as amended by Register 2011, No. 12, now uses the terminology "career technical work experience education" to refer to the type of program described in item #3 below.~~ Although 5 CCR 10071 states that career technical WEE provides paid employment opportunities, the CDE's Work Experience Education Guide clarifies that career technical WEE may offer paid or unpaid work experiences.

**WORK-BASED LEARNING (continued)**

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)

~~Note: The district is required to submit a secondary district plan to the CDE along with its WEE program application. 5 CCR 10070, as amended by Register 2011, No. 12, contains requirements for the content of the district plan, including (1) the course description with the units of instruction per week for each semester offered; (2) assurances by the employer that the employer and each student have entered into a training agreement that includes the components specified in 5 CCR 10070; (3) a detailed explanation of the criteria for granting school credit by the district; and (4) if applicable, a letter of authorization to issue work permits signed by the Superintendent or designee. 5 CCR 10070 also requires that the district submit evidence that the Governing Board has approved the district plan (e.g., meeting minutes).~~

~~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]~~

~~Note: Education Code 51768 authorizes the district to pay participating students' wages, but provides that the district may not make payments to or for private employers except for students with disabilities as defined in Education Code 56026.~~

~~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)

**Note:** The following **optional** paragraph reflects guidance in the CDE's Work Experience Education Guide.

~~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.~~

**WORK-BASED LEARNING (continued)**

*(cf. 6177 - Summer ~~School~~ Learning Programs)*

**Note: Pursuant to Education Code 51764, any WEE program must be coordinated by district staff.**

**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)*

**Note: Education Code 51760.3, as amended by AB 2063 (Ch. 72, Statutes of 2016), provides an additional circumstance under which students under age 16 can receive credit for satisfactory completion of a WEE program, as provided in item #4 below.**

**WORK-BASED LEARNING (continued)**

- 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**

Note: The following optional section is for use by districts that offer a cooperative career technical education (CTE) program (5 CCR 10100-10111) and/or community classroom program (5 CCR 10080-10090) and should be modified to reflect the program(s) offered by the district. Except where noted, requirements described below apply to either program.

Both the cooperative CTE and community classroom programs require participating students to be concurrently enrolled in a course or program approved by the CDE. Pursuant to 5 CCR 10103, students in the cooperative CTE program are also required to (1) be at least age 16 unless the principal determines that the program is appropriate for a younger student due to his/her financial, motivational, or other exceptional needs; (2) be full-time students as defined; and (3) have parent/guardian consent if under age 18.

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)~~

Note: The district should choose one or both options below reflecting program(s) offered by the district.

**WORK-BASED LEARNING (continued)****OPTION 1: ~~(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)~~

**OPTION 2: (Community Classrooms)**

The community classroom teacher shall make at least one visitation every three weeks to consult with the work supervisor, observe students at the training station, provide instruction, and ensure that students are acquiring the competencies identified in their individual training plans. Each visitation shall include an observation of the student engaged in on-the-job training experiences. (5 CCR 10088)

Note: The following paragraph is for use by districts offering either the cooperative CTE or community classroom program.

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**

Note: The following optional section is for use by districts that offer job shadowing opportunities pursuant to Education Code 51769. The section may be revised to reflect district practice, including specifying the position designated by the Superintendent or designee to coordinate or manage the program. The CDE's Work Experience Education Guide recommends that job shadowing activities be conducted under the supervision of the WEE coordinator.

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.

Note: Education Code 51769, as amended by AB 2063 (Ch. 72, Statutes of 2016), allows students to participate in job shadowing activities for up to 40 hours per semester, intersession, or summer school session under the conditions described below.



**WORK-BASED LEARNING (continued)**

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)

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# Center USD

## Administrative Regulation

### Work-Based Learning

AR 6178.1  
Instruction

#### 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 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 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 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 students 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.

Employment opportunities may be provided by any public or private employer in areas within or outside the district, either within California or in a contiguous state. (Education Code 51768)

The student-teacher ratio in 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)*

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. (5 CCR 10074)

Participating students 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 student who 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 needs the program in order to pursue employment opportunities or to encourage the student's continuing enrollment as a full-time student.

*(cf. 5147 - Dropout Prevention)*

3. The student is a student with disabilities who has an individualized education program prescribing 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)

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)

### **Community Classrooms**

The community classroom teacher shall make at least one visitation every three weeks to consult with the work supervisor, observe students at the training station, provide instruction, and ensure that students are acquiring the competencies identified in their individual training plans. Each visitation shall include an observation of the student engaged in on-the-job training experiences. (5 CCR 10088)

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 no less than three hours and no more than 25 hours in one semester, intersession, or summer school session. (Education Code 51769)

Regulation  
approved: October 17, 2012

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Board Policy

Facilities

BP 7212(a)

## MELLO-ROOS DISTRICTS

Note: The Mello-Roos Community Facilities Act (Government Code 53311-53368.3) authorizes school districts to establish a community facilities district (CFD) (also referred to as a Mello-Roos district) for specified school facility purposes. The boundaries of the ~~community facilities district~~ CFD may include the entire school district, but usually include only a portion of the district, such as an area with new housing developments. The bonds sold by the ~~community facilities district~~ CFD are paid for by a parcel tax or assessment on the properties within that ~~community facilities district's~~ CFD's boundaries.

~~AB 373 (Ch. 670, Statutes of 2007) made numerous changes to the laws regarding community facilities districts as well as the laws governing school facilities improvement districts, including amending Education Code 15302 to delete the prohibition on a new school facilities improvement district from including the territory of an existing community facilities district. See BP 7213 - School Facilities Improvement Districts. Because the laws regarding formation of a Mello-Roos district are complex, districts should consult legal counsel, as appropriate.~~

The Governing Board desires to provide adequate facilities in order to enhance student learning and to help the district achieve its vision for educating district students. ~~To~~ **Toward** that end, the Board may order the formation of a community facilities district (CFD) ~~(Mello-Roos district)~~ for the acquisition or improvement of school facilities when, in the Board's judgment, it is ~~advisable and~~ in the best interest of district students and the community. **The issuance of debt through the CFD shall be consistent with law and the district's debt management policy.**

*(cf. 3470 - Debt Issuance and Management)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7111 - Evaluating Existing Buildings)*

*(cf. 7210 - Facilities Financing)*

*(cf. 7211 - Developer Fees)*

*(cf. 7213 - School Facilities Improvement Districts)*

Note: Pursuant to Government Code 53318, the Governing Board may initiate the proceedings to establish a ~~community facilities district~~ CFD. In addition, Government Code 53318 specifies that the Board must institute such proceedings when two members of the Board have filed a written request or a specified percentage of registered voters or landowners in the district file a written petition requesting that the district establish a ~~community facilities district~~ CFD. The petition or request must describe the boundaries of the territory and specify the types of facilities and services to be financed by the proposed district.

~~The Board may initiate the p~~Proceedings to establish a ~~community facilities district~~ CFD may be instituted at the Board's discretion. In addition, such proceedings shall be instituted ~~. In addition, the Board shall initiate such proceedings when a written request to establish a CFD has been filed by any two Board members, have filed a written request or a specified percentage of voters or landowners have filed a petition requesting such a district be formed, or a petition has been submitted by at least 10 percent of registered voters~~

**MELLO-ROOS DISTRICTS (continued)**

**residing within the territory of the proposed CFD or by the owners of at least 10 percent of the area of land to be included within the proposed CFD. (Government Code ~~53317~~ 53318)**

Note: Government Code 53312.7, ~~as amended by AB 373 (Ch. 670, Statutes of 2007)~~, mandates that districts establishing a ~~community facilities district~~ CFD first adopt local goals and policies, as specified below. ~~Government Code 53312.7 also mandates a district policy giving attendance priority to children of residents in the community facilities district. For language fulfilling this mandate, see BP 5116 - School Attendance Boundaries.~~ At the district's discretion, the following list may be modified to reflect the district's goals and policies related to each required component. The district may also reference any other district policies that may be applicable to the mandated components, such as BP 7110 - Facilities Master Plan, BP 7210 - Facilities Financing, or BP 3470 - Debt Issuance and Management.

Prior to ~~forming a community facilities district~~ **initiating proceedings to form a CFD**, the Board shall consider and adopt local goals and policies that include the following elements: (Government Code 53312.7)

1. The priority that various facilities shall have for financing through the ~~community facilities district~~ **Mello-Roos Community Facilities Act**, including public facilities to be owned and operated by other public agencies and services to be provided by other public agencies
2. The credit quality to be required of bond issues and criteria to be used in evaluating the credit quality
3. Steps by which prospective property purchasers will be fully informed about their related taxpaying obligations
4. Criteria for evaluating the equity of tax allocation formulas, including desirable and maximum amounts of special tax to be levied against any parcel
5. Definitions, standards, and assumptions to be used in appraisals required by Government Code 53345.8

Note: Government Code 53312.7 mandates a district policy giving attendance priority to children of residents in the CFD who reside within the territory of the proposed CFD. ~~For language fulfilling this mandate, see BP 5116 - School Attendance Boundaries for additional language fulfilling this mandate.~~

6. **To the extent authorized by law, priority for students residing within the CFD to attend schools financed in whole or in part by the CFD, in a manner that reflects the proportion of each school's financing provided through the CFD**

*(cf. 5116 - School Attendance Boundaries)*

## MELLO-ROOS DISTRICTS (continued)

**Within 45 days of receiving a written request or petition to establish a CFD, the Board shall determine a fee to be paid by the requesters or petitioners which shall be sufficient to compensate the district for the costs incurred in conducting proceedings to create the CFD. Proceedings for establishing the CFD shall only be initiated after payment of the fee. (Government Code 53318)**

**Note: As amended by AB 373 (Ch. 670, Statutes of 2007),** Government Code 53320 requires that, within 90 days after the request or petition has been filed and any fee required under Government Code 53318 has been paid, the Board must adopt a resolution of intention to establish a ~~community facilities district~~ CFD. Specified components of the resolution are listed in Government Code 53321 and include, but are not limited to, a description of the boundaries of the district and a description of the public facilities and services that will be financed by the proposed district. Legal requirements for the hearing are detailed in Government Code 53323-53325.

Upon Board action to form a ~~community facilities district~~ CFD, or within 90 days after the receipt of a petition or request to form a CFD and the payment of any applicable fee, the Board shall adopt a resolution of intention and conduct a hearing in accordance with law. The resolution shall fix the time and place for holding a public hearing on the establishment of the ~~community facilities district~~ CFD, which shall be within 30-60 days after the adoption of the resolution. Notice of the hearing shall be given by publishing ~~a copy the text or a summary~~ of the resolution of intention ~~once~~, in a newspaper of general circulation pursuant to ~~Government Code 6061, starting published in the area of the proposed CFD~~, at least seven days before the hearing, and shall include ~~the other~~ requirements specified in Government Code 53322 and ~~53322.4~~. Notice of the hearing may also be sent by first-class mail to each registered voter and to each landowner within the proposed CFD. (Government Code 53320, 53321, 53322, 53322.4)

If, after the hearing, the Board ~~determines~~ decides to establish a ~~community facilities district~~ CFD, the Board shall adopt a resolution of formation in accordance with law. (Government Code 53325, 53325.1)

**Note: Government Code 53326 provides that the election on the levy of special taxes must be held 90-180 days following the adoption of the resolution of formation. However, any election to be held less than 125 days following the adoption of the resolution of formation requires the concurrence of the elections official. Because the levy of special taxes involves technical and complex provisions of law, districts are advised to consult legal counsel when contemplating the levy of a special tax.**

If a special tax is proposed to be levied in the CFD, the Board shall submit the resolution of formation and other information specified in Government Code 53326 to the elections official within three business days after the adoption of the resolution of formation, and the question of levying the special tax shall be submitted to the qualified electors of the proposed CFD in accordance with law. (Government Code 53326)



**MELLO-ROOS DISTRICTS (continued)**

Upon approval by two-thirds of the voters in the proposed ~~community facilities district~~ CFD, the tax may be levied **in accordance with Government Code 53340. (Government Code 53328)**

**Whenever the Board deems it necessary for the CFD to incur a bonded indebtedness, it shall follow the procedures specified in Government Code 53345-53365.7, as applicable.**

The proceeds of any bonds, notes, or other securities issued pursuant to the Mello-Roos Community Facilities Act shall be deposited or invested in accordance with Government Code 53356.03.

**Note: Pursuant to Government Code 53343.2, as amended by AB 1666 (Ch. 93, Statutes of 2016), any local agency that has established a CFD, such as a school district, is required to post on its web site the information listed below. If the school district is not the issuing agency, it is recommended that it provide a link on the district web site that accesses the required information on the issuing agency's web site.**

**The Superintendent or designee shall, within seven months after the last day of each fiscal year, prominently display the following reports on the district's web site: (Government Code 53343.2)**

- 1. A copy of an annual report for that fiscal year, if requested pursuant to Government Code 53343.1**
- 2. A copy of the report provided to the California Debt and Investment Advisory Commission pursuant to Government Code 53359.5**
- 3. A copy of the report provided to the State Controller's Office pursuant to Government Code 12463.2**

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

*Legal Reference: (see next page)*

## MELLO-ROOS DISTRICTS (continued)

### *Legal Reference:*

#### EDUCATION CODE

15300-15425 School facilities improvement districts

17060-17066 Joint venture school facilities construction projects

#### GOVERNMENT CODE

6061 One time notice

#### 12463.2 Reports

17556 Payment of costs mandated by the state

53311-53368.3 Mello-Roos Community Facilities Act of 1982

53753 Assessment notice and hearing requirements

53753.5 Exemptions

54954.1 Mailed notice to property owners

54954.6 New or increased tax or assessment; public meetings and hearings; notice

65970-65981 School facilities development project

65995 Levies against development projects

#### CODE OF REGULATIONS, TITLE 2

1859-1859.106 School facility program

### *Management Resources:*

#### CSBA PUBLICATIONS

Bond Sales – Questions and Considerations for Districts, 2012

Maximizing School Board Governance: School Facilities Management, 2006

#### WEB SITES

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

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

California Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Coalition for Adequate School Housing: <http://www.cashnet.org>

# Center USD

## Board Policy

### Mello Roos Districts

BP 7212

#### Facilities

The Governing Board desires to provide adequate facilities in order to enhance student learning and to help the district achieve its vision for educating district students. To that end, the Board may order the formation of a community facilities/Mello-Roos district for the acquisition or improvement of school facilities when, in the Board's judgment, it is advisable and in the best interest of district students and the community.

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7210 - Facilities Financing)

(cf. 7211 - Developer Fees)

(cf. 7213 - School Facilities Improvement Districts)

Prior to forming a community facilities district, the Board shall consider and adopt local goals and policies that include the following elements: (Government Code 53312.7)

1. The priority that various facilities shall have for financing through the community facilities district, including public facilities to be owned and operated by other public agencies and services to be provided by other public agencies
2. The credit quality to be required of bond issues and criteria to be used in evaluating the credit quality
3. Steps by which prospective property purchasers will be fully informed about their related taxpaying obligations
4. Criteria for evaluating the equity of tax allocation formulas, including desirable and maximum amounts of special tax to be levied against any parcel
5. Definitions, standards, and assumptions to be used in appraisals required by Government Code 53345.8

(cf. 5116 - School Attendance Boundaries)

The Board may initiate the proceedings to establish a community facilities district. In addition, the Board shall initiate such proceedings when any two Board members have filed a written request or a specified percentage of voters or landowners have filed a petition requesting such a district be formed. (Government Code 53317)

Upon Board action to form a community facilities district or receipt of a petition or request, the Board shall adopt a resolution of intention and conduct a hearing in accordance with law. The resolution shall fix the time and place for holding a public hearing on the establishment of the community facilities district which shall be within 30-60 days after the adoption of the resolution. Notice of the hearing shall be given by publishing a copy of the resolution of intention in a newspaper of general circulation pursuant to Government Code 6061, starting at least seven days before the hearing, and shall include the requirements specified in Government Code 53322 and 53322.4. (Government Code 53321, 53322, 53322.4)

If, after the hearing, the Board determines to establish a community facilities district, the Board shall adopt a resolution of formation in accordance with law. (Government Code 53325, 53325.1)

Upon approval by two-thirds of the voters in the proposed community facilities district, the tax may be levied. The proceeds of any bonds, notes, or other securities issued pursuant to the Mello-Roos Community Facilities Act shall be deposited or invested in accordance with Government Code 53356.03.

**Legal Reference:**

**EDUCATION CODE**

15300-15425 School facilities improvement districts

17060-17066 Joint venture school facilities construction projects

**GOVERNMENT CODE**

6061 One time notice

53311-53368.3 Mello-Roos Community Facilities Act of 1982

53753 Assessment notice and hearing requirements

53753.5 Exemptions

54954.1 Mailed notice to property owners

54954.6 New or increased tax or assessment; public meetings and hearings; notice

65970-65981 School facilities development project

65995 Levies against development projects

**CODE OF REGULATIONS, TITLE 2**

1859-1859.106 School facility program

**Management Resources:**

**CSBA PUBLICATIONS**

Maximizing School Board Governance: School Facilities Management, 2006

**WEB SITES**

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

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

California Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Policy CENTER UNIFIED SCHOOL DISTRICT  
adopted: February 20, 2008 Antelope, California

# CSBA Sample Board Policy

Facilities

BP 7214(a)

## GENERAL OBLIGATION BONDS

Note: Article 16, Section 18 of the California Constitution permits school districts to issue bonds for the construction of school facilities with either a 66.67 percent or 55 percent approval by local voters. To qualify for the lower 55 percent (Proposition 39) threshold, districts must use the bond funds for certain purposes and fulfill additional accountability requirements, as specified in this Board policy and accompanying administrative regulation.

Education Code 15100 sets forth conditions under which the Governing Board may call for a bond election. Pursuant to Education Code 15266, these conditions must be satisfied if the Board is seeking either the 66.67 percent or 55 percent approval threshold. ~~The following paragraph is consistent with Education Code 15100:~~

In 88 Ops.Cal.Atty.Gen. 46 (2005), the Attorney General opined that a school district may use district funds to hire a consultant to assess the feasibility of developing a bond measure and to assess the public's support and opposition. ~~However, according to the Attorney General, a district may not use district funds to hire a consultant, but not to develop and implement a strategy to build a coalition to support the bond because such activities would be an impermissible use of public funds for campaign purposes in violation of Education Code 7054. However, in 99 Ops.Cal.Atty.Gen. 18 (2016), the Attorney General, while reaffirming the 2005 opinion, clarified that costs incurred from hiring consultants for pre-election services could not be paid from bond proceeds.~~ For further discussion regarding use of district funds for political purposes, see BP 1160 - Political Processes.

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)*

Note: Pursuant to Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), the Board is required to adopt a debt management policy prior to issuing any debt, including a general obligation bond. For sample policy language fulfilling this mandate, see BP 3470 - Debt Issuance and Management.

For bonds requiring a 55 percent majority, Education Code 15268 and 15270 set limits as to the maximum amount of the bond and the tax rate that may be levied as a result of the bond. Limitations for bonds requiring a 66.67 percent majority are detailed in Education Code 15102-15109.

~~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.~~

**GENERAL OBLIGATION BONDS (continued)***(cf. 3470 - Debt Issuance and Management)*

**Note: Pursuant to Education Code 15100, as amended by AB 2116 (Ch. 129, Statutes of 2016), the following requirement applies to bond elections ordered by the Board regardless of whether the Board is seeking the 66.67 percent or 55 percent approval threshold.**

**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**

**Note: Pursuant to Education Code 15266, upon adoption of the resolution specified below, the district must comply with the accountability provisions required for the 55 percent threshold, even if the bond ultimately passes by a 66.67 percent majority of the 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)*

**Note: Education Code 15266 requires ~~that the~~ bond elections to be held only during a regularly scheduled local election at which all of the electors (voters) in the district are entitled to vote. Therefore, those school districts whose boundaries encompass more than one city or county or whose board members are elected by trustee area must ensure that the bond election is on a ballot in which all of the electors in the district are entitled to vote, such as a statewide primary, general, or special election.**

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))

**GENERAL OBLIGATION BONDS (continued)**

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)*

Note: The question of whether or not bond proceeds may be used to pay the costs of the audits required pursuant to items #3-4 below should be referred to the district's legal counsel. However, an Attorney General opinion (87 Ops.Cal.Atty.Gen. 157 (2004)) supports the use of bond proceeds to pay the salaries of district employees to the extent they perform administrative oversight work on bond projects. According to the opinion, because these audits are expressly required by Proposition 39 and are directly related to the bond projects rather than routine school operations, these project administration costs may be considered as within the purposes specified in California Constitution Article 13A, Section 1(b)(3)(A) and therefore are an appropriate expenditure of bond proceeds.

The performance audit described in item #3 may include an evaluation of the planning, financing, and implementation of the overall facilities program.

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



**GENERAL OBLIGATION BONDS (continued)**

Note: If the district has a general obligation bond approved ~~under according to~~ the 55 percent threshold provisions, Education Code 15278 requires that the Board appoint a citizens' oversight committee. See the accompanying administrative regulation for requirements related to the composition and duties of the committee.

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)*

~~Note: Pursuant to Education Code 15286, as amended by SB 581 (Ch. 91, Statutes of 2013), the district is required to ensure that performance and financial audits specified in items #3-4 above are issued in accordance with law and provided to the citizens' oversight committee as specified in the following paragraph:~~

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)

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

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)

**GENERAL OBLIGATION BONDS (continued)**

Note: Pursuant to Education Code 15101, an election for a bond measure that requires 66.67 percent approval may be held only on specified days. Districts using this option should coordinate efforts with their local elections officials to ensure compliance with law.

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)

**Note: Items #1-10 below reflect the purposes for which funds generated from a general obligation bond authorized with 66.67 percent voter approval may be used, pursuant to Education Code 15100. Some of these purposes may be inconsistent with Article 13A, Section 1 of the California Constitution, which permits a district to raise funds in this manner only for the acquisition or improvement of real property. Districts should consult with legal counsel when determining whether to order a bond election for any of the purposes specified in Education Code 15100. The district may revise the following list to reflect the specific purposes authorized by the Board.**

**Subject to limits specified in Article 13A, Section 1 of the California Constitution, bBonds 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

**GENERAL OBLIGATION BONDS (continued)**

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)

Note: The following paragraph is optional. Although Education Code 15278 requires that the Board appoint a citizens' oversight committee if the district has a general obligation bond approved according to the 55 percent threshold provisions, ~~D~~istricts that have had approval of a bond with 66.67 percent majority vote are not required by law to appoint a citizens' oversight committee. However, such ~~districts~~ ~~but~~ may, at their discretion, form an oversight committee under requirements and guidelines adopted by the Board.

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**

Note: The following section applies to bond elections requiring either a 55 percent or 66.67 percent approval by local voters. Pursuant to Elections Code 15372, following a bond election, the county elections official must submit a certificate of the election results to the Board, which then must provide certification to the County Board of Supervisors, as specified below.

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**

Note: The following section applies to bond elections requiring either a 55 percent or 66.67 percent approval by local voters. Pursuant to Education Code 15140, bonds may be offered for sale by either the County Board of Supervisors or the County Superintendent of Schools. However, the County Board of Supervisors may adopt a resolution authorizing a district to sell bonds on its own behalf when the district has not received a qualified or negative certification in its most recent interim financial report; see BP/AR 3460 - Financial Reports and Accountability.

In addition to districts' authority to issue bonds pursuant to Education Code 15100-15254, Government Code 53506-53509.5 provide an alternative method. However, ~~effective January 1, 2014~~, any district that intends to issue bonds using this alternative method is subject to stricter requirements pursuant to Government Code 53508.5, ~~as added by AB 182 (Ch. 477, Statutes of 2013)~~. Districts using the alternative method may need to further modify this policy and accompanying administrative regulation and should consult with legal counsel as necessary.

**GENERAL OBLIGATION BONDS (continued)**

Regardless of the method used to issue bonds, pursuant to Education Code 15144.1 and 15144.2, ~~as added by AB 182,~~ the district's total debt service to principal ratio must not exceed four to one and, if the bond allows for the compounding of interest, such as a capital appreciation bond (CAB), and matures more than 10 years after its issuance date, the bond must be redeemable by the district no later than 10 years from issuance. Pursuant to Government Code 53508.6, ~~as added by AB 182,~~ a current interest bond (CIB) may ~~now~~ have a maturity of up to 40 years provided that the district complies with the disclosure requirements specified in Education Code 15146, ~~as amended by AB 182~~ and makes a finding that the useful life of the facility to be financed with the bonds is at least equal to the maturity date of the 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)

Note: To ensure prudence in the expenditure of district resources, the Board should carefully consider all available funding instruments, such as CIBs, CABs, and convertible capital appreciation bonds, ~~how the manner in which~~ the bonds will be sold, and other related issues as specified in Education Code 15146. Districts considering the method of bond sale and kinds of bonds to sell are encouraged to review CSBA's Governance Brief Bond Sales - Questions and Considerations for Districts.

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

**GENERAL OBLIGATION BONDS (continued)**

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

~~Note: Pursuant to Education Code 15146, as amended by AB 182 (Ch. 477, Statutes of 2013), the district must comply with the requirements specified in the following two paragraphs if it intends to sell bonds that allow for compounding of interest, including, but not limited to, CABs.~~

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

**Note: Government Code 8855 requires that the district report any proposed issuance of debt to the California Debt and Investment Advisory Commission (CDIAC) at least 30 days prior to the sale of the debt issue. Typically, bond counsel will file the report on behalf of the district. As amended by SB 1029 (Ch. 307, Statutes of 2016), Government Code 8855 requires that the report include a certification that the district has adopted a debt management policy and that the issuance is consistent with that policy. Pursuant to Government Code 8855, the district must also annually submit, on or before January 31, a report to the CDIAC regarding all outstanding debt and the use of the proceeds of the issued debt. See BP 3470 - Debt Issuance and Management.**

**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)**

**GENERAL OBLIGATION BONDS (continued)**

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**

Note: Pursuant to Education Code 15150, the district is authorized to issue a bond anticipation note when the Board determines by resolution that it is in the best interest of the district to finance a facilities project on an interim basis in anticipation of the sale of bonds that has been approved by voters. The note may only be issued in accordance with law and subject to terms and conditions prescribed by the Board.

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)

Note: Education Code 15150 clarifies that interest on a bond anticipation note may be paid at maturity from the proceeds of the sale of the bond in anticipation of which it was issued or paid periodically from a property tax levied for that purpose if certain conditions are satisfied.

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**

Note: Pursuant to Education Code 15146, the proceeds of the sale of bonds, exclusive of any premium received, must be deposited in the county treasury to the credit of the building fund of the district. As

**GENERAL OBLIGATION BONDS (continued)**

**amended by AB 2738 (Ch. 472, Statutes of 2016), Education Code 15146 prohibits districts from withdrawing proceeds from the sale of bonds at any time for purposes of making investments outside the county treasury.**

**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)*

**GENERAL OBLIGATION BONDS (continued)**

*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>**



# Center USD

## Board Policy

### General Obligation Bonds

BP 7214

#### Facilities

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.

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 proceeds from the sale of the bonds 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)

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 order of the Board and 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, available funding instruments, the costs and suitability 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), items #1-4 above 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

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. (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.

*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 election*

15372 *Elections official certificate*

GOVERNMENT CODE

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*

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

88 *Ops. Cal. Atty. Gen. 46 (2005)*

87 *Ops. Cal. Atty. Gen. 157 (2004)*

*Management Resources: (see next page)*

*Management Resources:*

CSBA PUBLICATIONS

*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*

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>

Policy  
adopted: April 23, 2014

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Board Bylaw

Board Bylaws

BB 9012(a)

## BOARD MEMBER ELECTRONIC COMMUNICATIONS

Note: The following optional Board bylaw should be modified to reflect district practice. The Brown Act (Government Code 54950-54963) requires that Governing Board members conduct district business at properly noticed and agendized public meetings. In general, Board members should keep in mind that, for purposes of the Brown Act, electronic communications are subject to the same conditions and the same rules of confidentiality that are applicable to other forms of communication, such as individual conversations, telephone calls, or paper copies of documents. However, the ease with which electronic communication can be shared and forwarded requires extra caution.

Furthermore, although Board members are not considered employees, there may be tax implications if the district provides Board members with laptop computers or subsidies for an Internet connection. In some circumstances, such provision or reimbursement may be considered a taxable benefit. Also see ~~BP 3350 - Travel Expenses and~~ BP/AR 3513.1 - Cellular Phone Reimbursement.

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 agendized 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)*

Note: Government Code 54952.2 defines a "meeting" as any congregation of a majority of the members of the Board at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the Board. ~~As amended by SB 1732 (Ch. 63, Statutes of 2008),~~ Government Code 54952.2 ~~revises the definition of a prohibited~~ prohibits a serial meeting, defined as a series of communications involving a majority of the Board to discuss, deliberate, or take action on any item of district business outside of an authorized meeting. Thus, a series of emails, as well as other electronic communications such as postings on an online forum, that ultimately include a majority of the Board could lead to a Brown Act violation. While the safest course of action is to not send an email to another Board member that, if forwarded, could lead to a discussion about district business by a majority of the Board, given the prevalence of email, such a practice may not be practical. However, in order to help prevent an inadvertent violation, Board members may wish to consider including a "do not reply/forward alert" in the subject line of emails, as appropriate.



**BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)**

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)*

Note: CSBA's Agenda Online is an electronic board meeting agenda service for use by districts and county offices of education which allows development of and access to Board meeting agendas, supporting documents, and minutes from any computer that has Internet access. Further information can be found on CSBA's web site.

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.

Note: The prohibitions in the Brown Act apply only to discussions regarding district business. Like other citizens, Board members are permitted to use email to discuss personal, nondistrict matters.

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.

Note: The following optional paragraph may be revised to reflect district practice. In general, Board members have no individual authority. Many districts have established bylaws or other protocols describing how the Board has agreed to handle questions, concerns, or complaints received from members of the community. For example, see BB 9200 - Limits of Board Member Authority and ~~The district's communications plan may designate the Board president or Superintendent as spokesperson to respond to media inquiries; see BP 1112 - Media Relations and BB 9121 - Board President.~~

~~The following optional paragraph concerning electronic communications from the community should be reviewed carefully and revised as necessary for consistency with any such protocols or bylaws.~~

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)*

## BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)

~~(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)~~

**Note:** ~~The prohibitions in the Brown Act apply only to discussions regarding district business. Like other citizens, Board members are permitted to use email to discuss personal, nondistrict matters.~~

~~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.~~

**Note:** ~~Electronic communications received and sent by Board members may raise issues under are subject to disclosure upon request pursuant to the California Public Records Act (CPRA) (Government Code 6250-6270). Depending on the content of the communication and whether the message it is "prepared, owned, used, or retained" by the district in its normal course of business, the message may be subject to disclosure. Other legal issues arise if a Board member is using a non-district owned computer or personal email address. District legal counsel should be consulted as appropriate. Also see BP/AR 1340 - Access to District Records and BP/AR 3580 - District Records.~~

**In City of San Jose v. Superior Court, the California Supreme Court held that a public official's communications about public business, even if sent or received on the official's personal account or device, are public records and are not categorically excluded from disclosure under the CPRA. The court observed that the CPRA requires public agencies to use "reasonable effort" to locate existing records in response to a public records request, but that such searches need not be extraordinary or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications.**

~~In addition, although Board members are not considered employees, there may be tax implications if the district provides Board members with laptop computers or subsidies for an Internet connection. In some circumstances, such provision or reimbursement may be considered a taxable benefit. See BP 3350 - Travel Expenses and BP/AR 3513.1 - Cellular Phone Reimbursement.~~

~~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~~

**BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)**

**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.eacities.org/index.jsp?zone=ilsg>

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Policy Reference UPDATE Service

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# Center USD

## Board Bylaw

### Board Member Electronic Communications

BB 9012

#### Board Bylaws

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 to communicate and expedite the exchange of information 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.

*(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.

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 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 communication may be subject to disclosure under the California Public Records Act.

*(cf. 1340 - Access to 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**

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*

*Management Resources:*

**CSBA PUBLICATIONS**

*The Brown Act: School Boards and Open Meeting Laws, rev. 2006*

**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>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

Bylaw  
adopted: April 1, 2009

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California

# CSBA Sample Board Bylaw

Board Bylaws

BB 9121(a)

## PRESIDENT

Note: Education Code 35022 requires any board with five or more members to elect a president from among its members. The election of the Governing Board president at the annual organizational meeting is addressed in BB 9100 - Organization.

The law does not specify the duties of a Board president. The following optional bylaw details some typical duties of a Board president, ~~as outlined in CSBA's publication Board Presidents' Handbook~~ and should be modified to reflect district practice.

The Governing Board shall elect a president from among its members to provide leadership on behalf of the **Board governance team** and the educational community it serves.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9100 - Organization)*

~~The president shall preside at all Board meetings. He/she shall:~~ **To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:**

1. **Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed required by law**

*(cf. 9320 - Meetings and Notices)*

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

2. **Consult with the Superintendent or designee on the preparation of Board meeting agendas**

*(cf. 9322 - Agenda/Meeting Materials)*

- ~~1.~~ **3. Call the meeting to order at the appointed time and preside over the meeting**

- ~~2.~~ **4. Announce the business to come before the Board in its proper order**

- ~~3.~~ **5. Enforce the Board's policies-bylaws relating to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act**

- ~~4.~~ **6. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference**

- ~~5.~~ **Explain what the effect of a motion would be if it is not clear to every member**

**PRESIDENT (continued)**

~~6. Restrict discussion to the question when a motion is before the Board~~

**7. Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused**

~~7. 8.~~ Rule on issues of parliamentary procedure

~~8. 9.~~ Put motions to a vote, and ~~state~~ clearly ~~state~~ the results of the vote

~~9. Be responsible for the orderly conduct of all Board meetings~~

*(cf. 9323 - Meeting Conduct)*

The president shall have the same rights as other members of the Board, including the right to ~~move, second, discuss, and vote on all questions~~ **move, second, discuss, and vote on all questions** matters before the Board.

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

**1. Signing all instruments, acts, and orders, and resolutions necessary to comply with legal requirements and carry out state requirements and the will of the Board**

~~2. Consulting with the Superintendent or designee on the preparation of the Board's agendas~~

*(cf. 9322 - Agenda/Meeting Materials)*

~~3. 2.~~ Working with the Superintendent ~~or designee~~ to ensure that Board members have necessary materials and information

~~4. 3.~~ Subject to Board approval, appointing and dissolving all committees

*(cf. 9130 - Board Committees)*

~~5. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law~~

*(cf. 9320 - Meetings and Notices)*

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

**6. 4. In conjunction with the Superintendent or designee, Rrepresenting the district as governanee the Board's spokesperson in communications with the media in conjunction with the Superintendent**

**PRESIDENT (continued)**

*(cf. 1112 - Media Relations)*

**5. Leading the Board's advocacy efforts to build support within the local community and at the state and national levels**

~~The president shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.~~

**Note: The following paragraph is optional. See CSBA's web site for information about CSBA's Board President's Workshop and other education opportunities that could assist board presidents in fulfilling their responsibilities, such as the Brown Act workshop, Annual Education Conference and Trade Show, and Masters in Governance program.**

~~The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance his/her leadership skills.~~

*(cf. 9240 - Board Training)*

**Note: Districts should select the appropriate option below.**

**OPTION 1:** When the president resigns or is absent ~~or disabled~~, the clerk shall perform the president's duties. When both the president and clerk are absent ~~or disabled~~, the Board shall choose a president pro tempore to perform the president's duties.

~~**OPTION 2:** When the president resigns or is absent ~~or disabled~~, the vice president shall perform the president's duties. When both the president and vice president are absent ~~or disabled~~, the clerk shall perform the president's duties.~~

*(cf. 9123 - Clerk)*

*Legal Reference: (see next page)*



**PRESIDENT (continued)**

*Legal Reference:*

EDUCATION CODE

35022 *President of the board*

35143 *Annual organizational meetings; dates and notice*

GOVERNMENT CODE

54950-54963 *Ralph M. Brown Act*

*Management Resources:*

CSBA PUBLICATIONS

*Call to Order: A Blueprint for Great Board Meetings, 2015*

*Board Presidents' Handbook, revised 2002*

*CSBA Professional Governance Standards, 2000*

~~*Maximizing School Board Leadership: Boardmanship, 1996*~~

WEB SITES

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

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# **Center USD**

## **Board Bylaw**

### **President**

BB 9121

### **Board Bylaws**

The Governing Board shall elect a president from among its members to provide leadership on behalf of the Board and the educational community it serves.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9100 - Organization)

The president shall preside at all Board meetings. He/she shall:

1. Call the meeting to order at the appointed time
2. Announce the business to come before the Board in its proper order
3. Enforce the Board's policies relating to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if it is not clear to every member
6. Restrict discussion to the question when a motion is before the Board
7. Rule on issues of parliamentary procedure
8. Put motions to a vote, and state clearly the results of the vote
9. Be responsible for the orderly conduct of all Board meetings

(cf. 9323 - Meeting Conduct)

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts and orders necessary to carry out state requirements and the will of the Board

2. Consulting with the Superintendent or designee on the preparation of the Board's agendas

(cf. 9322 - Agenda/Meeting Materials)

3. Working with the Superintendent to ensure that Board members have necessary materials and information

4. Subject to Board approval, appointing and dissolving all committees

(cf. 9130 - Board Committees)

5. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

6. Representing the district as governance spokesperson, in conjunction with the Superintendent

(cf. 1112 - Media Relations)

The president shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.

When the president resigns or is absent or disabled, the clerk shall perform the president's duties. When both the president and clerk are absent or disabled, the Board shall choose a president pro tempore to perform the president's duties.

(cf. 9123 - Clerk)

**Legal Reference:**

**EDUCATION CODE**

35022 President of the board

35143 Annual organizational meetings; dates and notice

**GOVERNMENT CODE**

54950-54963 Ralph M. Brown Act

**Management Resources:**

**CSBA PUBLICATIONS**

Board Presidents' Handbook, revised 2002

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

**WEB SITES**

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

Bylaw CENTER UNIFIED SCHOOL DISTRICT  
adopted: October 1, 2003 Antelope, California

# CSBA Sample Board Bylaw

Board Bylaws

BB 9220(a)

## GOVERNING BOARD ELECTIONS

### Board Member Qualifications

Note: Education Code 35107 and Elections Code 20 details eligibility for Governing Board membership as specified below. In 81 Ops. Cal. Atty. Gen. 98 94 (1998), the Attorney General opined that the residency requirement in Education Code 35107 is a continuing requirement for holding the office during the entire term of the Board member.

~~Pursuant to Elections Code 20, as added by AB 2410 (Ch. 160, Statutes of 2012), any person who has been convicted of a felony involving bribery, offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or of conspiracy to commit any of these crimes, under California law or the law of any other state, the federal government, or a foreign government or country, is ineligible to be elected or to hold state or local public office unless he/she has received a pardon from the Governor or other authority as specified.~~

~~In addition, a~~ A person is ineligible to hold public office if he/she is not registered to vote. Elections Code 2201 lists the causes for cancelling an individual's voter registration and making him/her ineligible to hold public office ~~as including, but not limited to,~~ legally established mental incompetency, proof that the person is presently imprisoned or on parole for conviction of a felony, or official notification that the voter is registered to vote in another country or state.

Any person is eligible to be a member of the Governing Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the school district, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or ~~be elected as~~ a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

Note: Pursuant to Education Code 35107, a district employee elected to serve on the district Board must resign his/her employment before being sworn into office as a Board member.

Pursuant to Education Code 1006, ~~as added by AB 1662 (Ch. 499, Statutes of 2012),~~ employees of a school district ~~may now be~~ are eligible to run for the county board of education seat as long as their school district employer is not within the jurisdiction of the county board.

A district employee elected to the Board shall resign his/her employment before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

(cf. 9224 - Oath of Affirmation)

(cf. 9270 - Conflict of Interest)

## GOVERNING BOARD ELECTIONS (continued)

**Note: The following paragraph is optional. See CSBA's web site for information about school board service that may be shared with candidates.**

**The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. The Superintendent or designee shall provide all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.**

*(cf. 9230 - Orientation)*

*(cf. 9240 - Board Training)*

### Consolidation of Elections

**Note: The following optional section is for districts that currently hold their Board elections at a time that is not concurrent with municipal or statewide elections.**

**Education Code 5000 and Elections Code 1302 require the regular election of Board members to be held on the first Tuesday after the first Monday in November of each odd-numbered year. However, in accordance with Pursuant to Elections Code 1302 and 10404.5, districts are authorized to request consolidation of their Board elections with the local municipal or state primary or general election by adopting a Board resolution and submitting it to the County Board of Supervisors for approval. Within 30 days following approval by the County Board of Supervisors, the elections official will notify all registered voters in the district of the change of election date.**

~~Whenever a change is made to a district's election cycle, the terms of office of incumbent Board members must be extended accordingly. In addition, before making any rule changes that may affect voting in their elections, districts within Kings, Monterey, and Yuba counties must obtain prior approval of the U.S. Department of Justice (preclearance), pursuant to 42 USC 1973-1973aa-6 (the federal Voting Rights Act). For these reasons, districts should explore the full ramifications of proposed changes to their election rules and should consult legal counsel when necessary.~~

**To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302. Board election procedures shall be conducted in accordance with state and federal law.**

**Note: Pursuant to Elections Code 14051-14052, as added by SB 415 (Ch. 235, Statutes of 2015), districts are required to hold elections concurrent with statewide elections if holding nonconcurrent elections has previously resulted in a "significant decrease" in voter turnout. Pursuant to Elections Code 14051, a significant decrease has occurred when voter turnout for a regularly scheduled election held on a nonconcurrent date is at least 25 percent less than the average local turnout for the previous four statewide general elections. A district that holds Board elections other than on a statewide elections date may only delay the consolidation if, by January 1, 2018, it has adopted a plan to consolidate elections**

**GOVERNING BOARD ELECTIONS (continued)**

by November 8, 2022. It is recommended that districts with nonconcurrent elections review the voter turnout for their recent elections, consult with legal counsel, and, as necessary, prepare and approve a plan by January 1, 2018 to move their election to a statewide election date. For a further analysis of SB 415, see CSBA's Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections.

Districts consolidating their elections due to low voter turnout should follow the procedures specified in Elections Code 1302, including the adoption of a Board resolution.

In addition, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections. The district shall move its election to the next state statewide election date, unless the Board has adopted a plan by January 1, 2018 to consolidate Board elections not later than the November 8, 2022 statewide general election. (Elections Code 14051, 14052)

In order to consolidate elections based on either circumstance described above, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

*(cf. 9110 - Terms of Office)*

**Elections Process and Procedures**

Note: Pursuant to Education Code 5019, except in a school district governed by a board of education subject to a city or city and county charter, ~~each the~~ county committee on school district organization is authorized, ~~for the districts within its jurisdiction,~~ to establish trustee areas, rearrange boundaries of trustee areas, increase, decrease, or abolish trustee areas, and recommend any of three alternate methods of electing Board members as specified below and in Education Code 5030. **In addition, Education Code 5019 specifies that each county committee may approve or disapprove a proposal to decrease the membership of a board from five to three for any district whose average daily attendance during the preceding year was less than 300.** A proposal for any of these purposes ~~described above~~ may be initiated by the county committee, by a petition filed by voters, or by the ~~governing board of the school district~~ Board.

Option 1 below is for districts that use the "by trustee area" method to elect Board members (i.e., voters in each trustee area elect the candidate to represent their area), Option 2 is for districts that use the "at-large" method (i.e., all voters cast ballots for all candidates within the district), and Option 3 is for districts that use the "from trustee area" or "hybrid" method (i.e., Board members must reside within designated trustee areas but are elected by voters throughout the district "at-large").

~~Pursuant to Education Code 1000-1001, elections to fill county boards of education are required to be conducted based on the "by trustee area" voting method.~~

**GOVERNING BOARD ELECTIONS (continued)****~~OPTION 1: (Election by trustee area)~~**

~~The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.~~

~~Note: To ensure equitable representation, Education Code 5019.5 requires any district using Option 1 to adjust its trustee area boundaries following each decennial federal census.~~

~~Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)~~

Note: Any district that selects Option 2 or 3 should ensure that its decision is consistent with Elections Code 14025-14032 (the California Voting Rights Act (CVRA)) which prohibits the use of the "at-large" voting method for elections within jurisdictions with a history of "racially polarized voting" (i.e., difference between voters of a protected class and voters in the rest of the jurisdiction in the choice of candidates preferred). Any district seeking more information about the CVRA and its possible effects should consult legal counsel.

**OPTION 2: (Election using "at-large" voting method)**

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

Note: The extent, if any, to which a district using the "from trustee area/hybrid" method (Option 3) is required to balance its trustee areas by population is unclear; see *Dusch v. Davis*. Any district using Option 3 should consult with legal counsel regarding whether to ~~population~~ balance its trustee areas by population.

**~~OPTION 3: (Election from trustee area/hybrid method)~~**

~~Each Board member shall reside within the trustee area that he/she represents but shall be elected by all voters in the district.~~

Note: The remainder of this section is for districts using Option 2 or 3 and may be revised to reflect district practice. Such districts should periodically monitor the demographics within their geographical boundaries to ensure that no violation of the CVRA occurs. Any district found in violation of the CVRA could be held liable for attorneys' fees and legal costs. Elections Code 10010, as amended by AB 350 (Ch. 737, Statutes of 2016), requires that a prospective plaintiff send written notice to the district prior to filing a complaint alleging that the method of election violates the CVRA so that the district will have the chance to cure any potential violations before the commencement of litigation. Even if the district cures the alleged violations, it may be required to pay reasonable costs incurred in supporting the written notice.



**GOVERNING BOARD ELECTIONS (continued)**

To ensure ongoing compliance with the California ~~and federal~~ Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.

Note: Converting from an "at-large" (Option 2) to a "by trustee area" (Option 1) voting method involves complex issues of law regarding matters such as the redrawing of maps, required approvals, and transition dates. Elections Code 10010, as amended by AB 350 (Ch. 737, Statutes of 2016), requires the Board to hold hearings before and after drawing maps of the proposed district boundaries to allow for public input. If Board members will be elected at different times for staggered terms of office, hearings held after publishing the draft map(s) are required to include public input regarding the proposed sequence of elections. Any district that is considering switching to "by trustee area" election method should consult legal counsel as necessary.

If the Board determines that a change is necessary, it shall hold public hearings in accordance with Elections Code 10100 before adopting a resolution at an open meeting specifying the change(s), and shall, in accordance with Education Code 5019, ~~or other applicable provisions of law,~~ obtain approval from the county committee on school district organization having jurisdiction over the district.

*(cf. 9320 - Meetings and Notices)*

**Campaign Conduct**

Note: Education Code 35177 has long authorized boards, by resolution, to limit campaign expenditures and/or contributions for candidates in board elections. However, in June 2006, the U.S. Supreme Court held in Randall v. Sorrell that limits on campaign expenditures are unconstitutional and violate a candidate's right to free speech. The court did hold that limits on contributions to candidates could be constitutional if such limits are not overly restrictive, allow candidates to compete in the race, and do not operate to protect incumbents. However, because Education Code 35177 provides no mechanism for the district to enforce any contribution limits set by the Board, such limits would be completely voluntary, and other candidates and/or the Board would have no remedy recourse in the event of noncompliance by a candidate. It is strongly recommended that, before adopting voluntary contribution limits under the authority granted in Education Code 35177, the Board consult legal counsel in order to ensure that the district's limits satisfy legal restrictions.

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

Note: The following paragraph is optional. Government Code 85300 generally prohibits the expenditure of public funds for the purpose of seeking elective office. However, as amended by SB 1107 (Ch. 837, Statutes of 2016), Government Code 85300 permits a candidate to expend or accept public funds for the purpose of seeking elective office if the Board establishes a dedicated fund for that purpose, provided that both (1) the public funds are available to all qualified, voluntarily participating candidates for the same office without regard to incumbency or political party preference, and (2) the

**GOVERNING BOARD ELECTIONS (continued)**

**Board has established criteria for determining a candidate's qualifications. For school board elections, candidate qualifications are specified in state law (see section "Board Member Qualifications" above), and districts should not establish additional qualification requirements. It is recommended that the district consult legal counsel when establishing a dedicated fund for those seeking election to the Board.**

**A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)**

**Note: Pursuant to Elections Code 20440, county election officials are required to present each candidate running for public office with a voluntary Code of Fair Campaign Practices for the candidate to sign. The pledge states the candidate's intent to conduct his/her campaign openly and fairly and provides that the candidate may not use or permit negative prejudice based on another candidate's race, religion, physical or mental disability, sex, gender, gender identity, gender expression, sexual orientation, or any other prohibited category of discrimination listed in Government Code 12940. Although neither the district nor opposing candidates have authority to enforce the pledge if it is violated, a candidate's signature is a matter of public record. The following optional paragraph expresses the Board's desire that candidates for Board membership sign and abide by the terms of the pledge.**

**~~The following optional paragraph expresses the Board's desire that candidates for Board membership sign and abide by the terms of the pledge.~~**

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

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

*(cf. 9005 - Governance Standards)*

**Statement of Qualifications**

**On the 125th day prior to the day fixed for the general district election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)**

- 1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term**
- 2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307**

*(cf. 9223 - Filling Vacancies)*

## GOVERNING BOARD ELECTIONS (continued)

Note: Pursuant to Elections Code 13307, the candidate statement is limited to 200 words (Option 1 below), unless the Board has authorized an increase to a 400-word maximum (Option 2 below).

**OPTION 1:** Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

~~**OPTION 2:** Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)~~

Note: The following optional paragraph is for use by any district that authorizes electronic distribution of candidate statements in addition to or instead of the mailed voter's pamphlet. Pursuant to Elections Code 13307, a voter may receive by mail a voter's pamphlet that contains candidate statements or, when authorized by the elections official, may opt to obtain the voter's pamphlet and related materials electronically (i.e., from the elections official's web site or via email). If a candidate chooses to submit a statement for electronic distribution only, it will not appear in the mailed voter's pamphlet.

When electronic distribution is authorized by the elections official, districts may choose, pursuant to Elections Code 13307, as amended by AB 2010 (Ch. 128, Statutes of 2016), whether or not to permit Board candidates to prepare a statement for electronic distribution. The following paragraph may be revised to reflect district practice.

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

Note: Prior to the beginning of the nominating period, Elections Code 13307, as amended by AB 2010 (Ch. 128, Statutes of 2016), requires the Board to determine whether to have the district assume the costs of producing candidate statements of qualifications (Option 1 below) or to charge candidates for the costs (Option 2 below), regardless of whether the statements are for hard copy or electronic distribution. In 85 Ops. Cal. Atty. Gen. 49 (2002), the Attorney General opined that Elections Code 13307, which authorizes the district to pay for the distribution of candidate statements, does not conflict with Education Code 7054, which prohibits the use of district resources for campaign purposes. According to the Attorney General, distributing campaign statements cannot be considered campaigning for any particular candidate in a partisan manner so as to conflict with the Education Code prohibition.

Option 1 below is for districts that assume the costs associated with producing candidate statements, and Option 2 is for districts that charge candidates for the costs. The following options may be revised to reflect the method of distribution (i.e., electronic and/or hard copy) used by the district.

~~**OPTION 1:** In order to help defray the costs of campaigning for the Board, the district shall pay the cost of printing, handling, translating, and mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.~~

**GOVERNING BOARD ELECTIONS (continued)**

**OPTION 2:** The district shall assume no part of the cost of printing, handling, translating, or mailing, or electronically distributing of candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

**Tie Votes in Board Member Elections**

Note: Education Code 5016 requires the Board to decide, before conducting any election, whether a potential tie will be resolved by lot or with by a runoff election. ~~Option 1 is for use by districts that will make this determination prior to each election. For districts that do not re-determine the method at each election, Option 2-1 provides for the use of lots to determine the winner in case of a tie in every election, while Option 3 2 provides for a runoff election in every election, and Option 3 is for use by districts that will make this determination prior to each election.~~

Education Code 5016 requires the County Superintendent of Schools to provide certification of a tie vote in an election to the district Board.

**OPTION 2 1:** Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

~~**OPTION 3 2:** Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall schedule a runoff election in accordance with law. (Education Code 5016)~~

~~**OPTION 1 3:** Before each election, the Board shall establish decide whether to resolve a potential tie is to be resolved by lot or with by a runoff election. After an election for which If the Board has decided to resolve a tie by lot, the Board shall, immediately after the election, notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. If After an election for which the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. (Education Code 5016)~~

*Legal Reference: (see next page)*

**GOVERNING BOARD ELECTIONS (continued)***Legal Reference:*EDUCATION CODE~~1000 Composition, and trustee area, county board of education~~

1006 Qualifications for holding office, county board of education

5000-5033 Elections

5220-5231 Elections

5300-5304 General provisions (conduct of elections)

5320-5329 Order and call of elections

5340-5345 Consolidation of elections

5360-5363 Election notice

5380 Compensation (of election officer)

5390 Qualifications of voters

5420-5426 Cost of elections

5440-5442 Miscellaneous provisions

7054 Use of district property

35107 Eligibility; school district employees

35177 Campaign expenditures or contributions

35239 Compensation of governing board member of districts with less than 70 ADA

ELECTIONS CODE

20 Public office eligibility

1302 Local elections, school district election

2201 Grounds for cancellation

4000-4004 ~~4008~~ Elections conducted wholly by mail10010 District boundaries

10400-10418 Consolidation of elections

10509 Notice of election by secretary

10600-10604 School district elections

13307 Candidate's statement

13308 Candidate's statement contents

13309 Candidate's statement, indigence

14025-14032 California Voting Rights Act

14050-14057 California Voter Participation Rights Act

20440 Code of Fair Campaign Practices

GOVERNMENT CODE

1021 Conviction of crime

1097 Illegal participation in public contract

12940 Nondiscrimination, Fair Employment and Housing Act

81000-91014 Political Reform Act

PENAL CODE

68 Bribes

74 Acceptance of gratuity

424 Embezzlement and falsification of accounts by public officers

661 Removal for neglect or violation of official duty

CALIFORNIA CONSTITUTION

Article 2, Section 2 Voters, qualifications

Article 7, Section 7 Conflicting offices

Article 7, Section 8 Disqualification from office

UNITED STATES CODE, TITLE 42 52~~1973-1973aa-6-10301-10508~~ Voting Rights Act*Legal Reference continued: (see next page)*

## GOVERNING BOARD ELECTIONS (continued)

### *Legal Reference: (continued)*

#### COURT DECISIONS

Rev v. Madera Unified School District, (2012) ~~138 Cal. Rptr. 3d 192-203~~ Cal. App. 4th 1223

Randall v. Sorrell, (2006) 126 S.Ct. 2479

Sanchez v. City of Modesto, (2006) ~~51 Cal. Rptr. 3d 821~~ 145 Cal. App. 4th 660

Dusch v. Davis, (1967) 387 U.S. 112

#### ATTORNEY GENERAL OPINIONS

85 Ops. Cal. Atty. Gen. 49 (2002)

83 Ops. Cal. Atty. Gen. 181 (2000)

81 Ops. Cal. Atty. Gen. 98 94 (1998)

69 Ops. Cal. Atty. Gen. 290 (1986)

### *Management Resources:*

#### CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017

#### WEB SITES

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

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Self Government: <http://www.ca-ilg.org>

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# Center USD

## Board Bylaw

### Governing Board Elections

BB 9220

#### Board Bylaws

Any person is eligible to be a member of the Governing Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the school district, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or be a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

A district employee elected to the Board shall resign his/her employment before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

*(cf. 9224 - Oath of Affirmation)*

*(cf. 9270 - Conflict of Interest)*

To reduce costs associated with conducting elections, the Board may consolidate Board elections with the local municipal or statewide primary or general election. Board election procedures shall be conducted in accordance with state and federal law.

*(cf. 9110 - Terms of Office)*

#### **Electing Board Members**

##### **(Election using "at-large" voting method)**

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

To ensure ongoing compliance with the California and federal Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.

If the Board determines that a change is necessary, it shall adopt a resolution at an open meeting specifying the change(s) and shall, in accordance with Education Code 5019 or other applicable provisions of law, obtain approval from the county committee on school district organization having jurisdiction over the district.

*(cf. 9320 - Meetings and Notices)*

### **Campaign Conduct**

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

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

*(cf. 9005 - Governance Standards)*

### **Statement of Qualifications**

The district shall assume no part of the cost of printing, handling, translating, or mailing of candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

On the 125th day prior to the day fixed for the general district election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

*(cf. 9223 - Filling Vacancies)*

Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

### **Tie Votes in Board Member Elections**

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives



should appear before the Board. The Board at that time shall determine the winner by lot.  
(Education Code 5016)

*Legal Reference:*

EDUCATION CODE

1000 *Composition, and trustee area, county board of education*  
1006 *Qualifications for holding office, county board of education*  
5000-5033 *Elections*  
5220-5231 *Elections*  
5300-5304 *General provisions (conduct of elections)*  
5320-5329 *Order and call of elections*  
5340-5345 *Consolidation of elections*  
5360-5363 *Election notice*  
5380 *Compensation (of election officer)*  
5390 *Qualifications of voters*  
5420-5426 *Cost of elections*  
5440-5442 *Miscellaneous provisions*  
7054 *Use of district property*  
35107 *Eligibility; school district employees*  
35177 *Campaign expenditures or contributions*  
35239 *Compensation of governing board member of districts with less than 70 ADA*

ELECTIONS CODE

20 *Public office eligibility*  
1302 *Local elections, school district election*  
2201 *Grounds for cancellation*  
4000-4004 *Elections conducted wholly by mail*  
10400-10418 *Consolidation of elections*  
10509 *Notice of election by secretary*  
10600-10604 *School district elections*  
13307 *Candidate's statement*  
13309 *Candidate's statement, indigence*  
14025-14032 *California Voting Rights Act*  
20440 *Code of Fair Campaign Practices*

GOVERNMENT CODE

1021 *Conviction of crime*  
1097 *Illegal participation in public contract*  
12940 *Nondiscrimination, Fair Employment and Housing Act*  
81000-91014 *Political Reform Act*

PENAL CODE

68 *Bribes*  
74 *Acceptance of gratuity*  
424 *Embezzlement and falsification of accounts by public officers*  
661 *Removal for neglect or violation of official duty*

*Legal Reference continued: (see next page)*

*Legal Reference: (continued)*

CALIFORNIA CONSTITUTION

*Article 2, Section 2 Voters, qualifications*

*Article 7, Section 7 Conflicting offices*

*Article 7, Section 8 Disqualification from office*

UNITED STATES CODE, TITLE 42

*1973-1973aa-6 Voting Rights Act*

COURT DECISIONS

*Rev v. Madera Unified School District, (2012) 138 Cal. Rptr. 3d 192*

*Randall v. Sorrell, (2006) 126 S.Ct. 2479*

*Sanchez v. City of Modesto, (2006) 51 Cal.Rptr.3d 821*

*Dusch v. Davis, (1967) 387 U.S. 112*

ATTORNEY GENERAL OPINIONS

*85 Ops. Cal. Atty. Gen. 49 (2002)*

*83 Ops. Cal. Atty. Gen. 181 (2000)*

*81 Ops. Cal. Atty. Gen. 98 (1998)*

*69 Ops. Cal. Atty. Gen. 290 (1986)*

*Management Resources:*

WEB SITES

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*Fair Political Practices Commission: <http://www.fppc.ca.gov>*

*Institute for Local Self Government: <http://www.ca-ilg.org>*

# CSBA Sample Board Bylaw

Board Bylaws

BB 9230(a)

## ORIENTATION

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

### Board Candidate Orientation

Note: CSBA's ~~School Board Leadership~~ publication is designed to assist Governing Board candidates and other community members by providing answers to frequently asked questions about school Board service, including Board roles and responsibilities, how to work effectively as a governance team, and requirements for becoming a Board member.

Pursuant to Elections Code 20440, when filing to run for public office, the county elections official presents each candidate with a voluntary Code of Fair Campaign Practices for the candidate to sign. For language regarding the Board's intent that candidates for the Board adhere to those fair campaign principles, see BB 9220 - Governing Board Elections.

The Governing Board desires to provide Board candidates with information that will enable them to understand the responsibilities and expectations of Board membership. The Superintendent or designee shall provide all candidates with general information about school programs, district operations, and Board responsibilities and the county election official's contact information.

~~(cf. 9200 - Limits of Board Member Authority)~~

~~(cf. 9220 - Governing Board Elections)~~

~~(cf. 9270 - Conflict of Interest)~~

The Board encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates shall have the same access as members of the public to district staff and information.

~~(cf. 1340 - Access to District Records)~~

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

### New Board Member Orientation

Note: The following optional bylaw may be revised to reflect district practice. In addition to providing new Governing Board members with information about district programs and operations, it is recommended that new Board members be provided information and professional development regarding the roles and responsibilities of the Board (see BB 9000 - Role of the Board) and professional governance standards agreed upon by the Board (see BB 9005 - Governance Standards). The provision of information to Board candidates regarding the district and/or Board responsibilities is addressed in BB 9220 - Governing Board Elections.

## ORIENTATION (continued)

**The Governing Board recognizes the importance of providing all newly elected or appointed Board members with support and information to assist them in becoming effective members of the Board. Incoming Board members shall be provided an orientation designed to build their knowledge of the district and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to Board functions, policies, protocols, and standards of conduct.**

*(cf. 9000 - Role of the Board)*

*(cf. 9220 - Governing Board Elections)*

*(cf. 9223 - Filling Vacancies)*

**Note: Pursuant to Government Code 54952.2, if a majority of Board members congregate at the same time and location to hear or discuss matters within the jurisdiction of the Board, the meeting must be open to the public and proper notice provided; see BB 9320 - Meetings and Notices. The following optional paragraph provides for orientation meetings to be held with all members of the Board during a public Board meeting and may be revised to reflect district practice.**

**As early as possible following the election or appointment of Board members, one or more orientation sessions shall be held during open meeting(s) of the Board. The Board president and the Superintendent or designee shall develop an agenda for the meeting(s) and shall identify resources that may be useful for incoming Board members.**

*(cf. 9121 - President)*

~~The Board shall convene a meeting to provide an orientation and information to incoming Board members to assist them in understanding the Board's functions, policies, procedures, protocols, and agreed upon standards of conduct. Incoming Board members shall receive the district's policy manual and other materials related to the district and Board member responsibilities.~~

**Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Government Code 54952.7, the Board may require that a copy of the Brown Act be given to each member of the Board and any person elected to the Board who has not yet assumed the duties of office. Government Code 54952.1 states that persons elected to serve as Board members, even if they have not yet assumed office, are subject to the requirements of the Brown Act as soon as they are elected.**

**Upon their election or appointment, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office. Additional information for incoming Board members may include, but is not limited to, Board bylaws related to the limits of individual Board member authority, the conduct of Board meetings, and other Board operations; governance standards for ethical conduct; legal requirements**

**ORIENTATION (continued)**

**related to conflict of interest and prohibited political activity; protocols for speaking with district staff, members of the public, and the media; and publications on effective governance practices.**

- (cf. 1112 - Media Relations)*
- (cf. 1160 - Political Processes)*
- (cf. 9005 - Governance Standards)*
- (cf. 9010 - Public Statements)*
- (cf. 9011 - Disclosure of Confidential/Privileged Information)*
- (cf. 9012 - Board Member Electronic Communications)*
- (cf. 9200 - Limits of Board Member Authority)*
- (cf. 9270 - Conflict of Interest)*
- (cf. 9323 - Meeting Conduct)*

**In addition, the Superintendent may or designee shall provide incoming Board members with additional specific background and information regarding the district, including, but not limited to, the district's vision and goals statements, operations, and current challenges in areas that include, but are not limited to, student achievement, curriculum, finance, facilities, policy, human resources, and collective bargaining. local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, district policy manual, district budget, and minutes of recent open Board meetings.**

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0400 - Comprehensive Plans)*
- (cf. 0460 - Local Control and Accountability Plan)*

**The Superintendent or designee may offer incoming Board members a tour of district schools and facilities, and may introduce them to district and school site administrators and other staff.**

~~Incoming members are encouraged to attend Board meetings and review agenda materials available to the public in order to become familiar with current issues facing the district.~~

**Note: See CSBA's web site for information about CSBA conferences and workshops that address the needs of new Board members, including its Orientation for New Trustees, Institute for New and First-Term Board Members, and other education opportunities related to governance basics.**

**Pursuant to Government Code 54952.2, a "meeting" subject to Brown Act requirements does not include the attendance of a majority of the Board's members at a conference or similar public gathering, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the Board. See BB 9240 - Board Training and BB 9320 - Meetings and Notices.**

## ORIENTATION (continued)

Incoming members ~~also may be encouraged~~, at district expense and with approval of the Board, to attend the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and workshops and conferences relevant to their individual needs ~~or to the needs~~ of the individual member, the Board as a whole, or the district.

(cf. 9240 - Board Training)

(cf. 9320 - Meetings and Notices)

### Legal Reference:

#### EDUCATION CODE

33360 Department of Education and statewide association of school district boards; annual workshops

33362-33363 Reimbursement of expenses; board member or member-elect

#### ELECTIONS CODE

~~13307 Candidate's statement~~

~~20440 Code of Fair Campaign Practices~~

#### GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body

54952.2 Open meeting laws; posting agenda; board actions

54952.7 Copies of Brown Act to board members

### Management Resources:

#### CSBA PUBLICATIONS

~~School Board Leadership, 2007~~

~~Professional Governance Standards for School Boards, 2000~~

~~The Brown Act: School Boards and Open Meeting Laws, rev. 20072009~~

~~Guide to Effective Meetings, 2007~~

~~Maximizing School Board Leadership, 1996~~

#### NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

~~Becoming a Better Board Member: A Guide to Effective School Board Service, 2006~~

#### WEB SITES

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

Fair Political Practices Commission: <http://www.fppe.ca.gov>

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

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# Center USD

## Board Bylaw

### Orientation

BB 9230

### Board Bylaws

#### Board Candidate Orientation

The Governing Board desires to provide Board candidates with information that will enable them to understand the responsibilities and expectations of Board membership. The Superintendent or designee shall provide all candidates with general information about school programs, district operations, and Board responsibilities and the county election official's contact information.

(cf. 9200 - Limits of Board Member Authority)

(cf. 9220 - Governing Board Elections)

(cf. 9270 - Conflict of Interest)

The Board encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates shall have the same access as members of the public to district staff and information.

(cf. 1340 - Access to District Records)

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

#### New Board Member Orientation

The Board shall convene a meeting to provide an orientation and information to incoming Board members to assist them in understanding the Board's functions, policies, procedures, protocols, and agreed-upon standards of conduct. Incoming Board members shall receive the district's policy manual and other materials related to the district and Board member responsibilities.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

Upon their election, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office.

The Superintendent may provide incoming Board members with additional background and information regarding the district's vision and goals, operations, and current

challenges in areas that include, but are not be limited to, student achievement, curriculum, finance, facilities, policy, human resources, and collective bargaining.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Incoming members are encouraged to attend Board meetings and review agenda materials available to the public in order to become familiar with current issues facing the district. Incoming members also may, at district expense and with approval of the Board, attend workshops and conferences relevant to their individual needs or to the needs of the Board as a whole or the district.

(cf. 9240 - Board Development)

**Legal Reference:**

**EDUCATION CODE**

33360 Department of Education and statewide association of school district boards; annual workshops

33362-33363 Reimbursement of expenses; board member or member-elect

**ELECTIONS CODE**

13307 Candidate's statement

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**Management Resources:**

**CSBA PUBLICATIONS**

School Board Leadership, 2007

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Guide to Effective Meetings, 2007

Professional Governance Standards, 2000

Maximizing School Board Leadership, 1996

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

Becoming a Better Board Member: A Guide to Effective School Board Service, 2006

**WEB SITES**

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

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

Bylaw  
adopted: November 19, 2014

CENTER UNIFIED SCHOOL DISTRICT  
Antelope, California